From: Anne-Maree Hauritz [Anne-Maree.Hauritz@psc.qld.gov.au]
Sent: Thursday, 26 July 2012 9:37 AM
To: Mays Debbie
Subject: FW: ERP Information Update
Attachments: Options to effect placements following workplace change (PSC Template).docx; Management of transitioning medical ERPs.docx; Application of ATO requirements for genuine redundancy.docx; Template Letter – Review – Confirming Voluntary Redundancy Decision.docx; Template Letter For Employees Requiring Placement (Transitioning ERPs) - Revised 240712.docx; Template Letter For Employees Requiring Placement (Non-Transitioning) - Revised 240712.docx

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From: Kurt Marsden
Sent: Tuesday, 24 July 2012 5:05 PM
To: Vivienne Van Der Laak; Anne-Maree Hauritz; 'Brenda Parker'; 'Marshall, Chris'; 'Dale Himstedt'; Debbie Paterson; 'Duncan McKellar'; 'fiona.krause@ssa.qld.gov.au'; 'Greg Coughlan'; 'Julie Dahl'; 'Keith Bowden'; 'Lyn Rowland'; 'Margarita McCracken'; 'Beth Gowen'; Mark Goldsworthy; 'mark.rogers@treasury.qld.gov.au'; 'Mark WEINERT (Works)'; Mark Williams; 'Matthew Skoien'; 'Neil Smith'; 'Nicole Bunning'; 'Patsy Jones'; 'Shelley Murphy'; 'Stephen Long'; Ross Musgrove; Paul Casey; Sonia Cooper; Warren Edwards; Vicki Peterson; 'tony.rayner@aacc.edu.au'; 'bob.van-kempen@ccypcg.qld.gov.au'; Elizabeth Fraser (CCYPCG); 'barry.salmon@ccypcg.qld.gov.au'; 'john.kyriakidis@ccypcg.qld.gov.au'; 'ray.gardner@ecq.qld.gov.au'; 'yvette.zischke@ecq.qld.gov.au'; 'alison.kollmorgen@frcq.org.au'; 'kraymer@legalaid.qld.gov.au'; 'barry_thomas@mhrt.qld.gov.au'; 'wernera@healthregboards.qld.gov.au'; 'demygeroem@healthregboards.qld.gov.au'; 'julie.imber@hqcc.qld.gov.au'; 'katie.east@justice.qld.gov.au'; 'lindsay.irons@justice.qld.gov.au'; 'brian.norman@justice.qld.gov.au'; 'amy.wicks@justice.qld.gov.au'; 'lyn.stevens@ewoq.com.au'; 'mces@oic.qld.gov.au'; 'isaac.margaretw@police.qld.gov.au'; 'john.bruce@qsa.qld.edu.au'; 'louise.barrett@qsa.qld.edu.au'; Shaun Gordon; 'alan.chambers@pt.qld.gov.au'; 'lisa.loakes@pt.qld.gov.au'; 'christina.murdoch@pt.qld.gov.au'; 'peter.carne@pt.qld.gov.au'; Michelle Brooker; 'c.howell@qleave.qld.gov.au'; 'g.wilson@qleave.qld.gov.au'; Kathy Bishop; 'kristin.furber-burgess@qao.qld.gov.au'; Brooke Halpin; 'gary.savill@justice.qld.gov.au'; 'wayne.lobley@justice.qld.gov.au'; 'paula.higham@skills.qld.gov.au'; 'lisa.richardson@translink.com.au'; 'pierina.curties@translink.com.au'; 'vanessa.griffani@translink.com.au'; 'duane.lucas@caa.qld.gov.au'; 'graham.smith@qsa.qld.gov.au'
Subject: ERP Information Update

RTI DL RELEASE - ERP

Good afternoon colleagues

Firstly, my apologies for the length of this email, but I thought it better to consolidate the current advice into one communication.

Further to discussions at the EMP HR Directors (Departments) meeting today and following communications with various agencies over the last week, we would like to provide the following updated information in relation to the VR/ERP process:

Fact Sheets

PSC has produced three fact sheets for information / assistance relevant to the ERP / Voluntary Redundancy processes:

- Options for effecting placements following workplace change
- Management of transitioning medical ERPs
- Application of ATO requirements for genuine redundancy (please note, this is not tax advice, but rather a collation of relevant tax provisions).

Any feedback on how these may be improved is welcomed.

Submission of Vacancies

We appreciate the efforts of all agencies in reporting their vacancies, both those available for immediate fill and those pending other decisions.

As you are aware, when a vacancy is submitted for immediate fill (purple report), agencies are requested to detail the actions they will take to fill should a suitable ERP not be identified. In response to questions raised during the week, PSC has determined that where an agency does not commence its proposed action to fill within two weeks of being notified that there are no suitable ERPs,

the agency must resubmit the vacancy for consideration. This decision has been made having regard to the regularly changing nature of the ERP pool.

Additional Letter Template: Confirmation of VR template

A few agencies have queried whether PSC had developed a letter template to confirm the decision to make an employee redundant. PSC had not developed a template, noting agencies have existing paperwork relevant to separations, however, our colleagues at DAFF developed a template letter which they are happy to share, should you find it of assistance. A copy is attached for your reference.

Calculator

As discussed, Queensland Shared Services are developing two estimates calculators – one for employees with straightforward service history and one for those employees with more complex service history. We understand that QSS hope to have the calculators and an associated fact sheet available tomorrow. We have also updated the template letters offering VRs to reflect these protocols.

Should you have any queries, you are welcome to contact myself or the program team (via employeeplacement@psc.qld.gov.au).

Thanks and regards
Kurt

Kurt Marsden
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Fact Sheet: Application of ATO requirements for genuine redundancy

The below questions have been answered by reference to ATO Tax Ruling 2009/2: Income Tax – Genuine Redundancy Payments.

Extracts of particularly relevant paragraphs have been provided below, however for full information refer to: http://law.ato.gov.au/atolaw/view.htm?Docid=TXR/TR20092/NAT/ATO/00001

1. **Redundancy of 'relinquished / unattached' employees requiring placement**
   - An employee who became surplus as a result of relinquishing / being unattached from their role can be offered a genuine redundancy provided the reason for terminating the employment (and hence offering the redundancy) relates to workplace change:
     - Refer paragraph 27 TR 2009/2. *… if an employer decides after downsizing or some other structural reorganisation to terminate an employee, the former position of the employee is redundant as long as the downsizing or reorganisation is the prevailing or most influential cause of the termination.*
   - The same principle will apply to transitioning medical ERPs.

2. **Positions generally or specifically**
   - For a position to be considered as genuinely redundant the exact position title or position number does not need to be abolished; rather it is about an assessment of the functions / duties that the redundant role had responsibility for.
   - Refer to the following TF 2009/2 paragraphs –
     - 25. *An employee's position is redundant when an employer determines that it is superfluous to the employer's needs and the employer does not want the position to be occupied by anyone…*
     - 263 *... this approach focuses on the underlying reality or substance of the position, that is, the existence of the functions, duties and responsibilities attached to a position. It does not focus on whether the position, in terms of a name or position number, has been abolished. A position is redundant when the functions, duties and responsibilities formerly attached to the position are determined by the employer to be superfluous to the current needs and purposes of the organisation*.
     - 271. *Where an employer dismisses an employee after a reorganisation of duties, functions and responsibilities, a more careful analysis is required. A restructure of an organisation does not necessarily import redundancy where employees are dismissed following the reallocation or restructure. In these circumstances, it is necessary to consider what impact the restructure had on the duties, functions and responsibilities formerly fulfilled by the dismissed employee.*
       - For a redundancy to be genuine after a restructure or reallocation, there must be a decision that there are no longer duties available that the employee is capable of performing.

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3. Redundancy of persons aged 65 and over

- A person aged 65 years and above may be provided with a redundancy (genuine) however it will not attract the same tax treatment as a genuine redundancy provided to a person under 65 years.
- Refer paragraph 283. *A termination payment made to a person who has reached age 65 or another age of compulsory retirement at the time of dismissal would be an employment termination payment if the conditions in section 82-130 [conditions of redundancy] are satisfied.*

4. Redundancy and Retrenchment

- A redundancy and a retrenchment under Directive 4/12 are both classes of redundancy for ATO purposes, provided the relevant criteria are met.

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Extracts from TR2009/2

For a redundancy payment to be considered genuine, the ATO considers four elements:

1. The **payment** being tested must be **received *in consequence of*** **an employee's termination** .
2. That termination must involve the employee being **dismissed from employment** .
3. That dismissal must be **caused by** the **redundancy** of the employee's position.
4. The redundancy payment must be made **genuinely** because of a redundancy

For element one, refer to paragraphs 13 – 15 of TR 2009/2.

Element Two: that termination must involve the employee being dismissed from employment

- 16: … a genuine redundancy payment can only arise where there is no suitable job available for the employee with the employer, meaning that he or she must therefore be dismissed.
- 20: A dismissal can still occur even where an employee has indicated that they would be interested in having their employment terminated, provided that the final decision to terminate employment remains solely with the employer.
- 253. In circumstances where an employee volunteers to accept a redundancy package, there may still be a dismissal. This will occur where the decision to terminate employment is still ultimately that of the employer. The termination of employment is a dismissal here because the employer initiates the process and has the final say in whose employment is to be terminated.
- 256. …the concept of dismissal extends to 'constructive dismissal'. This refers to a termination that gives the appearance of employee consent, but in substance reflects the same circumstances as would have been the case if the employee had been dismissed - that is, an employer initiated termination without the employee's consent…

- 257. For example, if an employer is reorganising or downsizing their business or company, an employee may be offered alternative employment that is not appropriate given the employee's qualifications or experience, or is in a particularly inconvenient location for the employee.
- 258. An employee who chooses to resign in these circumstances may not be considered to freely consent to their resignation as they had no other option other than to resign. This would be an instance of constructive dismissal.

Element Three: that dismissal must be caused by the redundancy of the employee's position

- 24. As is the case in determining if there is a dismissal, the reason for a dismissal is to be established in light of the facts and circumstances of each case. The redundancy of the relevant position must be the prevailing or most influential reason for the dismissal if there is more than one contributing cause.
- 25. An employee's position is redundant when an employer determines that it is superfluous to the employer's needs and the employer does not want the position to be occupied by anyone…
- 26. In some circumstances, an employer may reallocate the duties and functions attached to a particular position to another position within the employer's organisational structure. In such cases, the former position is redundant. However, if the employee who had been working in that position is still employed by the employer following the reallocation of duties and functions, there will not be a dismissal.
- 27. … if an employer decides after downsizing or some other structural reorganisation to terminate an employee, the former position of the employee is redundant as long as the downsizing or reorganisation is the prevailing or most influential cause of the termination.
- 259. The concept of redundancy broadly refers to situations where something is superfluous and therefore unnecessary. 'Redundancy' refers to a state of being redundant and 'redundant' is defined in *The Australian Oxford Dictionary* to mean:
    - superfluous; not needed
    - that can be omitted without any loss of significance …
- 262. Ryan J in *Jones v. Department of Energy and Minerals* expanded on Bray CJ's description in the following terms
    - … *What is critical for the purpose of identifying a redundancy is whether the holder of the former position has, after the re-organization, any duties left to discharge. If there is no longer any function or duty to be performed by that person, his other position becomes redundant*
- 263.Accordingly, this approach focuses on the underlying reality or substance of the position, that is, the existence of the functions, duties and responsibilities attached to a position. It does not focus on whether the position, in terms of a name or position number, has been abolished. A position is redundant when the functions, duties and responsibilities formerly attached to the position are determined by the employer to be superfluous to the current needs and purposes of the organisation.
- 270. The classic context for redundancy is the closure, downsizing or reorganisation of part or all of the employer's operations. Redundancy can readily be established as the prevailing or most influential cause of dismissal in the first two of these scenarios

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- 271. Where an employer dismisses an employee after a reorganisation of duties, functions and responsibilities, a more careful analysis is required. A restructure of an organisation does not necessarily import redundancy where employees are dismissed following the reallocation or restructure. In these circumstances, it is necessary to consider what impact the restructure had on the duties, functions and responsibilities formerly fulfilled by the dismissed employee.

Element Four: the redundancy payment must be made genuinely because of a redundancy

- 282. An employee receiving a genuine redundancy payment must, at the time of dismissal, be aged less than 65 or less than a younger age of compulsory retirement for the particular position in question. For example, if an employee in a particular position is required to retire at age 60, then the person can only receive a genuine redundancy payment if he or she is less than 60 years old when the dismissal occurs.
- 283. A termination payment made to a person who has reached age 65 or another age of compulsory retirement at the time of dismissal would be an employment termination payment if the conditions in section 82-130 are satisfied.

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Fact Sheet: Management of transitioning medical Employees Requiring Placement

Under Directive 6/12, employees who are unable to continue in their role for medical reasons are only considered to be employees requiring placement (ERPs), if they had been registered as such under the former *Directive 12/09: Employment Arrangements Following Workplace Change* (repealed) – 'transitioning medical ERPs'.

Employees who were not registered under Directive 12/09 **and** who cannot perform their substantive role for medical reasons are not considered to be ERPs under Directive 6/12.

Application of Directive 6/12 to transitioning medical ERPs

Directive 6/12 applies to transitioning medical ERPs. This means that:

- agencies and transitioning medical ERPs must proactively consider the placement of the employee into an alternative role. This includes ensuring that the roles transitioning medical ERPs are performing are correctly designated and reflect the nature of the duties being performed (rather than their previous role designation).
- Clause 6.2 of Directive 6/12, provides that the voluntary redundancy offer is in accordance with the provisions of *Directive 4/12: Early Retirement, Redundancy and Retrenchment*. Therefore:
    - transitioning medical ERPs can be offered a voluntary redundancy **if** the bona fides of the redundancy can be maintained i.e. if the role the transitioning medical ERP is undertaking is no longer required and that is the predominant reason for the redundancy
    - a medical ERP cannot be offered a voluntary redundancy if the role they are attached to is still required **and** is vacant / would need to be re-filled. In this instance, transitioning medical ERPs should be registered in the central placement pool for transfer (and if relevant, redeployment) opportunities.
        - E.g. if a medical ERP has been temporarily assigned to a role that will continue, they cannot be offered a genuine redundancy or if a medical ERP is on long term leave from a continuing role (e.g. a frontline role) then they cannot be offered a genuine redundancy.

Template letters will need to be adjusted accordingly.

Other actions

Agencies can and should be taking action to resolve situations that preclude a transitioning medical ERP from returning to their substantive role or being placed into an alternative role. This may include finalising WorkCover and QSuper claims and applying the provisions of Chapter 5, Part 7 of the *Public Service Act 2008* (mental or physical incapacity).

These actions may be taken in conjunction with actions under Directive 6/12.

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Options to effect placements following workplace change

Agencies have the ability (and responsibility) to determine what strategies are appropriate to effect staff placements following workplace change. Set out below is a non-exhaustive list of examples of these options that could be applied separately or conjunctively. Agencies may use different processes at different times or in different circumstances.

The key factors in any decision are:

- decisions must be fair, transparent and defensible
- the continued employment of a permanent employee must be given priority (i.e. temporary engagements, secondments or higher duties must be resolved in favour of an employee requiring placement).
- That in determining the appropriate option(s) to give effect to placements, the genuine nature of any redundancy to a surplus employee is not compromised (i.e. redundancy packages cannot be offered where the employee's role is not genuinely redundant).

Identification of surplus roles

In reviewing their workforce, agencies may decide particular roles are surplus to service delivery requirements. Agencies may elect to declare such positions redundant, and therefore the employee/s who is substantively attached to the role is deemed to be surplus

Agencies must consider alternative internal permanent placement options for surplus employees before they are formally declared to be an employee requiring placement under Directive 6/12. Once the employee has formally been declared an employee requiring placement, a formal estimate of the redundancy package (prepared by the agency's payroll provider) must accompany the voluntary redundancy offer.

'Closed' merit selection process

Agencies may decide that it is appropriate to 'spill' particular groups of positions (e.g. there are 10 permanent policy officers at the same classification level but the agency has determined that only five (5) are required for future service delivery). There are then a range of options for filling the required roles:

Consideration of all affected employees

The agency could direct all affected tenured (at level) employees to provide a copy of their current resume and undertake an internal assessment process. This could be supplemented by additional assessment and verification activities if necessary (such as informal interviews or referee checks). The agency then decides which employees will be transferred into available roles and the other employees are then considered surplus.

Agencies must consider any other internal alternative placement options for surplus employees before they are formally declared as an employee requiring placement under Directive 6/12. Once the employee has formally been declared an employee requiring placement, a formal

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estimate of the redundancy package (prepared by the agency's payroll provider) must accompany the voluntary redundancy offer.

Call for expressions of interest

An agency can invite all affected tenured employees within the group/ work unit (at level) to express interest in being transferred into an ongoing position, with the caveat that any employee not expressing interest may still be transferred to a new/continuing role at the discretion of the agency. The agency can conduct a merit based assessment of the employees who express interest using relevant assessment processes (e.g. resume assessment and/or informal interview and/or referee check). The agency then decides which employees will be transferred into available roles and the other employees are then considered surplus.

Agencies must consider any other internal alternative placement options for surplus employees before they are formally declared as an employee requiring placement under Directive 6/12. Once the employee has formally been declared an employee requiring placement, a formal estimate of the redundancy package (prepared by the agency's payroll provider) must accompany the voluntary redundancy offer.

Quarantining roles and 'spilling' others

Agencies may decide that it is appropriate to combine a number of processes to determine which roles are retained and consequently which employees become surplus . For example, this may occur where there are specialist roles within a broader role category. The agency may decide to 'quarantine' the specialist roles and conduct a 'closed' merit selection process for the remaining roles.

For example, an agency has ten AO8 HR Officers; three are specialist roles and the other seven are generalist roles. A decision is made that six AO8 HR officers are required for future service delivery. The agency may decide that the three specialist HR roles will be retained (meaning that the roles and the substantive employees of these roles are 'quarantined'). A closed merit selection process is then conducted for the remaining three roles (applying either of the above approaches).

Agencies must consider any other internal alternative placement options for surplus employees before they are formally declared as an employee requiring placement under Directive 6/12. Once the employee has formally been declared an employee requiring placement, a formal estimate of the redundancy package (prepared by the agency's payroll provider) must accompany the voluntary redundancy offer.

Seeking interest in a voluntary redundancy

Agencies can invite affected tenured employees to indicate their interest in receiving a voluntary redundancy. This approach must be confined to particular groups of employees affected by specific decisions (i.e. a decision has been made that there needs to be a reduction of the number of AO3 admin officers in a particular area, as opposed to a general call for indications of interest). Agencies must clarify that an invitation to indicate interest in receiving an offer of redundancy:

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- is made on the basis that the decision about which roles become redundant (and which employees are therefore declared surplus) is the decision of the agency;
- does not guarantee an offer of a voluntary redundancy (or that an employee will accept a redundancy if one is offered);
- does not negate the agency's responsibility to attempt to identify internal alternative permanent placements at level for surplus employees.

Those employees chosen by the agency to receive a formal offer of a voluntary redundancy, as a result of the above process, will be provided with a formal offer accompanied by a redundancy package estimate (prepared by the agency's payroll provider).

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Template Letter For Employees Requiring Placement (Non-Transitioning)

Date

Name
Address Line One
Address Line Two

Dear *Salutation*

I am writing to advise that following a change to {insert relevant – e.g.

- the government's policy direction on XXX
- service delivery strategy for XXX
- the nature and/or scope of the service / projects to be undertaken by {department / business unit}
- resourcing for XXX}

a decision has been made to {{broad description of the workplace change – e.g. cease the XX program).

As a result of this decision, your position is no longer required. Unfortunately, we have been unable to identify an alternative role to place you in, you been designated as an employee requiring placement (ERP).

There are a number of options open to you. Directive 06/12 provides the process for managing employees in your situation. The directive provides you with the opportunity to accept a voluntary redundancy package. If you choose not to accept the voluntary redundancy, you will be registered in a central placement pool, where efforts will be made to identify transfer opportunities for you, across the public sector.

The information below provides an overview of the choices open to you. For further information, please refer to *Directive 06/12: Employees requiring placement* and *Directive 04/12: Early retirement, redundancy and retrenchment*. Copies of these directives are attached, and may be accessed through the Public Service Commission website at www.psc.qld.gov.au.

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Offer

In accordance with *Directive 06/12: Employees Requiring Placement* (attached), I am offering you the opportunity to choose between two options:

1. Accept a voluntary redundancy; **or**
2. Pursue transfer opportunities.

You need to make and advise of your decision within 14 days. If I do not receive your decision in this timeframe, I will consider that you have chosen to pursue transfer opportunities.

Voluntary Redundancy

The offer of a voluntary redundancy is made in accordance with *Directive 04/12: Early retirement, redundancy and retrenchment.* The redundancy package is made up of:

- your accrued recreation leave;
- your accrued long service leave (provided you have had at least one year of service)
- a severance payment (of 2 weeks' salary per year of service – to a maximum of 52 weeks); and
- an incentive payment of 12 weeks' salary.

An estimate of the redundancy package is available through the estimate calculator located {insert location}. If you have any difficulties in obtaining your estimate please contact {insert contact}. Please note that the calculator provides an estimate only, based on the information you input. It does not constitute a guarantee of the redundancy amount.

In making this offer, I confirm that it is a bona fide redundancy (refer to section 3.2 of Directive 04/12). {NOTE: *Chief executives must be satisfied that the conditions of 3.2 are met.}*

Should you elect to accept the voluntary redundancy, your employment with the department will cease on {insert date}.

Please note: if you decline this offer of a voluntary redundancy, you will not be offered a voluntary redundancy again.

Pursuing Transfer Options

If you chose to pursue transfer opportunities, the department will work with you to identify an alternative suitable permanent position at your substantive classification level. You may also nominate to be considered for redeployment to a lower classification level.

To assist you in achieving a new placement, you will be assigned a case manager. Your case manager will work co-operatively with you to try and secure a new placement, including completing a registration form detailing your skills and experience to facilitate vacancy matching. Your case manager will also obtain a referee statement from your current supervisor or manager about your performance and conduct. You will be provided with a copy of this referee statement; if it contains any comments you do not agree with you will be given an opportunity to respond.

In accordance with the process outlined in Directive 06/12, you will be registered in the central placement pool, where your skills, experience and resume will be reviewed to assess your potential suitability for vacancies. If a potential vacancy match is identified, you will be requested to participate in a suitability assessment process by the relevant agency.

If a match is identified and you are assessed as suitable for the role, you will be offered a transfer. If you choose to accept transfer to the role, a start date in the new role will be negotiated. This will usually be no longer than two weeks, but an alternative timeframe could be negotiated if appropriate in the circumstances.

If you do not wish to accept a transfer, you will have the opportunity to be offered one additional vacancy. If you refuse a second transfer offer, you will need to demonstrate reasonable grounds why you are refusing. If you refuse and cannot demonstrate reasonable grounds for doing so, your employment may be terminated in accordance with s134 of the *Public Service Act 2008*. If this situation happens, you will have a right to lodge an appeal to the Appeals Officer; neither the transfer nor termination of your employment will occur prior to the completion of the appeal period, or if you lodge an appeal, the appeal decision being made. Please note, that if your employment is terminated on this basis, you will be entitled to notice and payout of accrued leave in accordance with the relevant leave directives, but you will not be entitled to a severance or incentive payment.

If you are assessed as unsuitable, you will be provided with a copy of the report outlining the reasons for the assessment.

It is important that you fully participate in efforts to secure you an alternative substantive role, including participating in suitability assessment processes and applying for suitable vacancies during this period, particularly permanent vacancies. If you do not participate and cannot provide reasonable grounds for not participating, a discipline process may be commenced.

{Insert department} will work with you to try and secure an new substantive role for you, however, if you have not been placed into a new role four months after your registration as an ERP, a formal review will occur to determine whether or not it is appropriate to continue these transfer efforts. A review may be initiated at an earlier time if reasonable placement efforts have been undertaken and/or a transfer opportunity for your is unlikely to occur as a result of your specialised skill or location {delete if not applicable}.

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If, as a result of the review, a decision were to be made that that it is appropriate to continue transfer efforts, you will remain an employee requiring placement and a further review period will be set.

If, however, a decision were to be made that it is not appropriate to continue the transfer efforts, a retrenchment process will be commenced in accordance with *Directive 04/12: Early retirement, redundancy and retrenchment*. As part of this process and before a final decision is made, you will be provided with an opportunity to explain why you think retrenchment is unreasonable in the circumstances. In the event you are retrenched, you will be entitled to a severance package in accordance with Directive 04/12. This package does not include the 12 week incentive payments as outlined in the voluntary redundancy offer. A retrenchment package includes your accrued leave and a severance payment (i.e. 2 weeks' salary per year of service).

Salary Maintenance

Directive 06/12 sets out the salary maintenance provisions that apply if you elect to pursue transfer and, where applicable, redeployment.

Advising of your decision

You have 14 days in which to advise of your decision to accept a Voluntary Redundancy or pursue transfer options. Please complete the attached form and return it to:

{nominated person and contact details}.

I appreciate that this is a significant decision and I would like to remind you of your ability to access the department's employee assistance {service/provider}{insert name and contact details for agency EAS/P}. You may also wish to obtain financial advice to assist you in making this decision.

Yours sincerely,

{Name}
{Role}

Encl:

- *Directive 06/12: Employees Requiring Placement*
- *Directive 04/12: Early retirement, redundancy and retrenchment*

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Employee Requiring Placement: Template Decision Form

{Employee Name}
{Address Line One}
{Address Line Two}

I have been provided with a copy of:

- *Directive 06/12: Employees Requiring Placement*
- *Directive 04/12: Early retirement, redundancy and retrenchment*.

Having had the opportunity to consider the information in these directives and the advice provided in writing in a letter from {name} dated {date}:

☐ I wish to accept the voluntary redundancy offer and cease my employment with {agency name} on {end date}. I understand that in the event I am re-employed within any Queensland Public Service entity within the severance period, I will be required to repay a proportion of the redundancy package, in accordance with the directive relating to early retirement, redundancy and retrenchment.

OR

☐ I wish to decline the voluntary redundancy offer and pursue transfer opportunities. I understand that I must work co-operatively with my agency in seeking to secure a new placement, including applying for suitable vacancies. I also understand that:

- if I do not participate in suitability assessment processes, I may be liable to a disciplinary process; and/or
- if I refuse a transfer direction on two occasions and cannot demonstrate reasonable grounds for refusal, my employment may be terminated in accordance with s134 of the *Public Service Act 2008;* and/or
- a formal review will occur four months from the date of my registration as an employee requiring placement (unless initiated earlier), to determine whether it is appropriate to continue the transfer efforts. If it is determined that further efforts are not appropriate, a retrenchment process will be commenced.

Employee signature:
Date:

Return to:

{Name and Contact Details}.

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Template Letter For Employees Requiring Placement (Transitioning ERPs)

Date

Name
Address Line One
Address Line Two

Dear *Salutation*

I am writing to advise you that the Commission Chief Executive of the Public Service Commission (PSC) has issued a new directive relating to employees requiring placement, which came into effect on 2 July 2012.

This directive replaces Directive *12/09: Employment arrangements following workplace change*.

As you were declared an employee requiring placement under Directive 12/09 on {insert date}, you are now covered by this new Directive, No 06 of 2012.

Directive 06/12 provides an altered process for managing employees who require placement (ERPs). The directive provides ERPs with the opportunity to accept a voluntary redundancy package. If an ERP chooses not to accept the voluntary redundancy, they will be registered in a central placement pool, where efforts will be made to identify transfer opportunities for them, across the public sector.

The information below provides an overview of the choices an ERP has. For further information, please refer to *Directive 06/12: Employees requiring placement* and *Directive 04/12: Early retirement, redundancy and retrenchment*. Copies of these directives are attached, and may be accessed through the Public Service Commission website at www.psc.qld.gov.au.

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Offer

In accordance with *Directive 06/12: Employees Requiring Placement* (attached), I am offering you the opportunity to choose between two options:

1. Accept a voluntary redundancy; **or**
2. Pursue transfer opportunities.

You need to make and advise of your decision within 14 days. If I do not receive your decision in this timeframe, I will consider that you have chosen to pursue transfer opportunities.

Voluntary Redundancy

The offer of a voluntary redundancy is made in accordance with *Directive 04/12: Early retirement, redundancy and retrenchment.* The redundancy package is made up of:

- your accrued recreation leave;
- your accrued long service leave (provided you have had at least one year of service)
- a severance payment (of 2 weeks' salary per year of service – to a maximum of 52 weeks); and
- an incentive payment of 12 weeks' salary.

An estimate of the redundancy package is available through the estimate calculator located {insert location}. If you have any difficulties in obtaining your estimate please contact {insert contact}. Please note that the calculator provides an estimate only, based on the information you input. It does not constitute a guarantee of the redundancy amount.

In making this offer, I confirm that it is a bona fide redundancy (refer to section 3.2 of Directive 04/12). {NOTE: *Chief executives must be satisfied that the conditions of 3.2 are met.}*

Should you elect to accept the voluntary redundancy, your employment with the department will cease on {insert date}.

Please note: if you decline this offer of a voluntary redundancy, you will not be offered a voluntary redundancy again.

Pursuing Transfer Options

If you chose to pursue transfer opportunities, the department will work with you to identify an alternative suitable permanent position at your substantive classification level. You may also nominate to be considered for redeployment to a lower classification level.

To assist you in achieving a new placement, you will be assigned a case manager. Your case manager will work co-operatively with you to try and secure a new placement, including completing a registration form detailing your skills and experience to facilitate vacancy matching. Your case manager will also obtain a referee statement from your current supervisor or manager about your performance and conduct. You will be provided with a copy of this referee statement; if it contains any comments you do not agree with you will be given an opportunity to respond.

In accordance with the process outlined in Directive 06/12, you will be registered in the central placement pool, where your skills, experience and resume will be reviewed to assess your potential suitability for vacancies. If a potential vacancy match is identified, you will be requested to participate in a suitability assessment process by the relevant agency.

If a match is identified and you are assessed as suitable for the role, you will be offered a transfer. If you choose to accept transfer to the role, a start date in the new role will be negotiated. This will usually be no longer than two weeks, but an alternative timeframe could be negotiated if appropriate in the circumstances.

If you do not wish to accept the transfer, you will have the opportunity to be offered one additional vacancy. If you refuse a second transfer offer, you will need to demonstrate reasonable grounds why you are refusing. If you refuse and cannot demonstrate reasonable grounds for doing so, your employment may be terminated in accordance with s134 of the *Public Service Act 2008*. If this situation happens, you will have a right to lodge an appeal to the Appeals Officer; neither the transfer nor termination of your employment will occur prior to the completion of the appeal period, or if you lodge an appeal, the appeal decision being made. Please note, that if your employment is terminated on this basis, you will be entitled to notice and payout of accrued leave in accordance with the relevant leave directives, but you will not be entitled to a severance or incentive payment.

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If you are assessed as unsuitable, you will be provided with a copy of the report outlining the reasons for the assessment.

It is important that you fully participate in efforts to secure you an alternative substantive role, including participating in suitability assessment processes and applying for suitable vacancies during this period, particularly permanent vacancies. If you do not participate and cannot provide reasonable grounds for not participating, a discipline process may be commenced.

{Insert department} will work with you to try and secure an new substantive role for you. If, however, you have not been placed into a new role four months after your registration as an ERP, a formal review will occur to determine whether or not it is appropriate to continue these transfer efforts. A review may be initiated at an earlier time if reasonable placement efforts have been undertaken and/or a transfer opportunity for your is unlikely to occur as a result of your specialised skill or location {delete if not applicable}.

If, as a result of the review, a decision were to be made that that it is appropriate to continue transfer efforts, you will remain an employee requiring placement and a further review period will be set.

If, however, a decision were to be made that it is not appropriate to continue the transfer efforts, a retrenchment process will be commenced in accordance with *Directive 04/12: Early retirement, redundancy and retrenchment*. As part of this process and before a final decision is made, you will be provided with an opportunity to explain why you think retrenchment is unreasonable in the circumstances. In the event you are retrenched, you will be entitled to a severance package in accordance with Directive 04/12. This package does not include the 12 week incentive payments as outlined in the voluntary redundancy offer. A retrenchment package includes your accrued leave and a severance payment (i.e. 2 weeks' salary per year of service).

Salary Maintenance

Directive 06/12 sets out the salary maintenance provisions that apply if you elect to pursue transfer and, where applicable, redeployment.

Advising of your decision

You have 14 days in which to advise of your decision to accept a Voluntary Redundancy or pursue transfer options. Please complete the attached form and return it to:

{nominated person and contact details}.

I appreciate that this is a significant decision and I would like to remind you of your ability to access the department's employee assistance {service/provider}{insert name and contact details for agency EAS/P}. You may also wish to obtain financial advice to assist you in making this decision.

Yours sincerely,

{Name}
{Role}

Encl.

- *Directive 06/12: Employees Requiring Placement*
- *Directive 04/12: Early retirement, redundancy and retrenchment*.

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Employee Requiring Placement: Template Decision Form

{Employee Name}
{Address Line One}
{Address Line Two}

I have been provided with a copy of:

- *Directive 06/12: Employees Requiring Placement*
- *Directive 04/12: Early retirement, redundancy and retrenchment*.

Having had the opportunity to consider the information in these directives and the advice provided in writing in a letter from {name} dated {date}:

☐ I wish to accept the voluntary redundancy offer and cease my employment with {agency name} on {end date}. I understand that in the event I am re-employed within any Queensland Public Service entity within the severance period, I will be required to repay a proportion of the redundancy package, in accordance with the directive relating to early retirement, redundancy and retrenchment.

OR

☐ I wish to decline the voluntary redundancy offer and pursue transfer opportunities. I understand that I must work co-operatively with my agency in seeking to secure a new placement, including applying for suitable vacancies. I also understand that:

- if I do not participate in suitability assessment processes, I may be liable to a disciplinary process; and/or
- if I refuse a transfer direction on two occasions and cannot demonstrate reasonable grounds for refusal, my employment may be terminated in accordance with s134 of the *Public Service Act 2008;* and/or
- a formal review will occur four months from the date of my registration as an employee requiring placement(unless initiated earlier), to determine whether it is appropriate to continue the transfer efforts. If it is determined that further efforts are not appropriate, a retrenchment process will be commenced.

Employee signature:
Date:

Return to:

{Name and Contact Details}.

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Template Letter –Review – Confirming Voluntary Redundancy Decision

From CEO (or delegate) to ERP

Date

Name
Address Line One
Address Line Two

Dear *Salutation*

I refer to your correspondence of <insert date> advising of your interest in accepting a voluntary redundancy under *Directive 06/12: Employees requiring placement.*

I have considered your interest and have made a decision that you will cease employment with the Department of <insert> on <insert date>. You will receive a redundancy package as a consequence of your termination in accordance with *Directive 04/12: Early retirement, redundancy and retrenchment.*

In making this decision, I confirm that this is a bona fide redundancy and that the requirements of section 3 of *Directive 04/12: Early retirement, redundancy and retrenchment* have been met.

Should you have any queries regarding this correspondence, please contact:

<Insert details>

I wish you all the best with your future endeavours.

Yours sincerely,

{Name}
{Role}
Encl.

- *Directive 04/12: Early retirement, redundancy and retrenchment*

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From: Anne-Maree Hauritz [Anne-Maree.Hauritz@psc.qld.gov.au]
Sent: Thursday, 26 July 2012 9:45 AM
To: Mays Debbie
Subject: FW: ERP Information Update
Attachments: Options to effect placements following workplace change (PSC Template)(2).DOCX

Hi Debbie

You will need this email also.

Anne-Maree

From: Vivienne Van Der Laak
Sent: Wednesday, 25 July 2012 8:04 AM
To: Kurt Marsden; Anne-Maree Hauritz; 'Brenda Parker'; 'Marshall, Chris'; 'Dale Himstedt'; Debbie Paterson; 'Duncan McKellar'; 'fiona.krause@ssa.qld.gov.au'; 'Greg Coughlan'; 'Julie Dahl'; 'Keith Bowden'; 'Lyn Rowland'; 'Margarita McCracken'; 'Beth Gowen'; Mark Goldsworthy; 'mark.rogers@treasury.qld.gov.au'; 'Mark WEINERT (Works)'; Mark.Williams; 'Matthew Skoien'; 'Neil Smith'; 'Nicole Bunning'; 'Patsy Jones'; 'Shelley Murphy'; 'Stephen Long'; Ross Musgrove; Paul Casey; Sonia Cooper; Warren Edwards; Vicki Peterson; 'tony.rayner@aacc.edu.au'; 'bob.van-kempen@ccypcg.qld.gov.au'; Elizabeth Fraser (CCYPCG); 'barry.salmon@ccypcg.qld.gov.au'; 'john.kyriakidis@ccypcg.qld.gov.au'; 'ray.gardner@ecq.qld.gov.au'; 'yvette.zischke@ecq.qld.gov.au'; 'alison.kollmorgen@frcq.org.au'; 'kraymer@legalaid.qld.gov.au'; 'barry_thomas@mhrt.qld.gov.au'; 'wernera@healthregboards.qld.gov.au'; 'demygeroem@healthregboards.qld.gov.au'; 'julie.imber@hqcc.qld.gov.au'; 'katie.east@justice.qld.gov.au'; 'lindsay.irons@justice.qld.gov.au'; 'brian.norman@justice.qld.gov.au'; 'amy.wicks@justice.qld.gov.au'; 'lyn.stevens@ewoq.com.au'; 'mces@oic.qld.gov.au'; 'isaac.margaretw@police.qld.gov.au'; 'john.bruce@qsa.qld.edu.au'; 'louise.barrett@qsa.qld.edu.au'; Shaun Gordon; 'alan.chambers@pt.qld.gov.au'; 'lisa.loakes@pt.qld.gov.au'; 'christina.murdoch@pt.qld.gov.au'; 'peter.carne@pt.qld.gov.au'; Michelle Brooker; 'c.howell@qleave.qld.gov.au'; 'g.wilson@qleave.qld.gov.au'; Kathy Bishop; 'kristin.furber-burgess@qao.qld.gov.au'; Brooke Halpin; 'gary.savill@justice.qld.gov.au'; 'wayne.lobley@justice.qld.gov.au'; 'paula.higham@skills.qld.gov.au'; 'lisa.richardson@translink.com.au'; 'pierina.curties@translink.com.au'; 'vanessa.griffani@translink.com.au'; 'duane.lucas@caa.qld.gov.au'; 'graham.smith@qsa.qld.gov.au'; 'mark.jeppesen@ssa.qld.gov.au'
Subject: RE: ERP Information Update

Good morning,

I must apologise – an earlier version of the Fact Sheet on Options to Effect Placements was attached to the email below.

The correct version is now attached.

Please do not hesitate to contact us with any queries.

Regards,
Vivienne Van Der Laak
Manager, PSC Advisory Service
Public Service Commission
p. 322 46576 | **f**. 322 42635 | **e.** vivienne.vanderlaak@psc.qld.gov.au
Level 13, 53 Albert St, Brisbane, QLD, 4000 | PO Box 15190, City East, QLD, 4002
Please consider the environment before printing this email.

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From: Kurt Marsden
Sent: Tuesday, 24 July 2012 5:05 PM
To: Vivienne Van Der Laak; Anne-Maree Hauritz; 'Brenda Parker'; 'Marshall, Chris'; 'Dale Himstedt'; Debbie Paterson; 'Duncan McKellar'; 'fiona.krause@ssa.qld.gov.au'; 'Greg Coughlan'; 'Julie Dahl'; 'Keith Bowden'; 'Lyn Rowland'; 'Margarita McCracken'; 'Beth Gowen'; Mark Goldsworthy; 'mark.rogers@treasury.qld.gov.au'; 'Mark WEINERT (Works)'; Mark.Williams; 'Matthew Skoien'; 'Neil Smith'; 'Nicole Bunning'; 'Patsy Jones'; 'Shelley Murphy'; 'Stephen Long'; Ross Musgrove; Paul Casey; Sonia Cooper; Warren Edwards; Vicki Peterson; 'tony.rayner@aacc.edu.au'; 'bob.van-kempen@ccypcg.qld.gov.au'; Elizabeth Fraser (CCYPCG); 'barry.salmon@ccypcg.qld.gov.au'; 'john.kyriakidis@ccypcg.qld.gov.au'; 'ray.gardner@ecq.qld.gov.au'; 'yvette.zischke@ecq.qld.gov.au'; 'alison.kollmorgen@frcq.org.au'; 'kraymer@legalaid.qld.gov.au'; 'barry_thomas@mhrt.qld.gov.au'; 'wernera@healthregboards.qld.gov.au'; 'demygeroem@healthregboards.qld.gov.au'; 'julie.imber@hqcc.qld.gov.au'; 'katie.east@justice.qld.gov.au'; 'lindsay.irons@justice.qld.gov.au'; 'brian.norman@justice.qld.gov.au'; 'amy.wicks@justice.qld.gov.au'; 'lyn.stevens@ewoq.com.au'; 'mces@oic.qld.gov.au'; 'isaac.margaretw@police.qld.gov.au'; 'john.bruce@qsa.qld.edu.au'; 'louise.barrett@qsa.qld.edu.au'; Shaun Gordon; 'alan.chambers@pt.qld.gov.au'; 'lisa.loakes@pt.qld.gov.au'; 'christina.murdoch@pt.qld.gov.au'; 'peter.carne@pt.qld.gov.au'; Michelle Brooker; 'c.howell@qleave.qld.gov.au'; 'g.wilson@qleave.qld.gov.au'; Kathy Bishop; 'kristin.furber-burgess@qao.qld.gov.au'; Brooke Halpin; 'gary.savill@justice.qld.gov.au'; 'wayne.lobley@justice.qld.gov.au'; 'paula.higham@skills.qld.gov.au'; 'lisa.richardson@translink.com.au'; 'pierina.curties@translink.com.au'; 'vanessa.griffani@translink.com.au'; 'duane.lucas@caa.qld.gov.au'; 'graham.smith@qsa.qld.gov.au'
Subject: ERP Information Update

Good afternoon colleagues

Firstly, my apologies for the length of this email, but I thought it better to consolidate the current advice into one communication.

Further to discussions at the EMP HR Directors (Departments) meeting today and following communications with various agencies over the last week, we would like to provide the following updated information in relation to the VR/ERP process:

Fact Sheets

PSC has produced three fact sheets for information / assistance relevant to the ERP / Voluntary Redundancy processes:

- Options for effecting placements following workplace change
- Management of transitioning medical ERPs
- Application of ATO requirements for genuine redundancy (please note, this is not tax advice, but rather a collation of relevant tax provisions).

<< File: Options to effect placements following workplace change (PSC Template).docx >> << File: Management of transitioning medical ERPs.docx >> << File: Application of ATO requirements for genuine redundancy.docx >>

Any feedback on how these may be improved is welcomed.

Submission of Vacancies

We appreciate the efforts of all agencies in reporting their vacancies, both those available for immediate fill and those pending other decisions.

As you are aware, when a vacancy is submitted for immediate fill (purple report), agencies are requested to detail the actions they will take to fill should a suitable ERP not be identified. In response to questions raised during the week, PSC has determined that where an agency does not commence its proposed action to fill within two weeks of being notified that there are no suitable ERPs, the agency must resubmit the vacancy for consideration. This decision has been made having regard to the regularly changing nature of the ERP pool.

Additional Letter Template: Confirmation of VR template

A few agencies have queried whether PSC had developed a letter template to confirm the decision to make an employee redundant. PSC had not developed a template, noting agencies have existing paperwork relevant to separations, however, our colleagues at DAFF developed a template letter which they are happy to share, should you find it of assistance. A copy is attached for your reference.

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<< File: Template Letter –Review – Confirming Voluntary Redundancy Decision.docx >>

Calculator

As discussed, Queensland Shared Services are developing two estimates calculators – one for employees with straightforward service history and one for those employees with more complex service history. We understand that QSS hope to have the calculators and an associated fact sheet available tomorrow. We have also updated the template letters offering VRs to reflect these protocols.

<< File: Template Letter For Employees Requiring Placement (Transitioning ERPs) - Revised 240712.docx >> << File: Template Letter For Employees Requiring Placement (Non-Transitioning) - Revised 240712.docx >>

Should you have any queries, you are welcome to contact myself or the program team (via employeeplacement@psc.qld.gov.au).

Thanks and regards

Kurt

Kurt Marsden
Executive Director | Public Service Commission
p. 07 303 30684 | **f.** 07 3224 2635 | **m.** s.4(3)(b)p4(6) Personal information
e. kurt.marsden@psc.qld.gov.au | **w**. www.psc.qld.gov.au

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Options to effect placements following workplace change

Agencies have the ability (and responsibility) to determine what strategies are appropriate to effect staff placements following workplace change. Set out below is a non-exhaustive list of examples of these options that could be applied separately or conjunctively. Agencies may use different processes at different times or in different circumstances.

The key factors in any decision are:

- decisions must be fair, transparent and defensible
- the continued employment of a permanent employee must be given priority (i.e. temporary engagements, secondments or higher duties must be resolved in favour of an employee requiring placement).
- That in determining the appropriate option(s) to give effect to placements, the genuine nature of any redundancy to a surplus employee is not compromised (i.e. redundancy packages cannot be offered where the employee's role is not genuinely redundant).

Identification of surplus roles

In reviewing their workforce, agencies may decide particular roles are surplus to service delivery requirements. Agencies may elect to declare such positions redundant, and therefore the employee/s who is substantively attached to the role is deemed to be surplus

Agencies must consider alternative internal permanent placement options for surplus employees before they are formally declared to be an employee requiring placement under Directive 6/12. Once the employee has been declared to be an employee requiring placement they are formally provided with the choice of a voluntary redundancy or pursuing transfer options.

'Closed' merit selection process

Agencies may decide that it is appropriate to 'spill' particular groups of positions (e.g. there are 10 permanent policy officers at the same classification level but the agency has determined that only five (5) are required for future service delivery). There are then a range of options for filling the required roles:

Consideration of all affected employees

The agency could direct all affected tenured (at level) employees to provide a copy of their current resume and undertake an internal assessment process. This could be supplemented by additional assessment and verification activities if necessary (such as informal interviews or referee checks). The agency then decides which employees will be transferred into available roles and the other employees are then considered surplus.

Agencies must consider any other internal alternative placement options for surplus employees before they are formally declared as an employee requiring placement under Directive 6/12. Once the employee has been declared to be an employee requiring placement they are formally provided with the choice of a voluntary redundancy or pursuing transfer options.

Call for expressions of interest

An agency can invite all affected tenured employees within the group/ work unit (at level) to express interest in being transferred into an ongoing position, with the caveat that any employee not expressing

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interest may still be transferred to a new/continuing role at the discretion of the agency. The agency can conduct a merit based assessment of the employees who express interest using relevant assessment processes (e.g. resume assessment and/or informal interview and/or referee check). The agency then decides which employees will be transferred into available roles and the other employees are then considered surplus.

Agencies must consider any other internal alternative placement options for surplus employees before they are formally declared as an employee requiring placement under Directive 6/12. Once the employee has been declared to be an employee requiring placement they are formally provided with the choice of a voluntary redundancy or pursuing transfer options.

Quarantining roles and 'spilling' others

Agencies may decide that it is appropriate to combine a number of processes to determine which roles are retained and consequently which employees become surplus . For example, this may occur where there are specialist roles within a broader role category. The agency may decide to 'quarantine' the specialist roles and conduct a 'closed' merit selection process for the remaining roles.

For example, an agency has ten AO8 HR Officers; three are specialist roles and the other seven are generalist roles. A decision is made that six AO8 HR officers are required for future service delivery. The agency may decide that the three specialist HR roles will be retained (meaning that the roles and the substantive employees of these roles are 'quarantined'). A closed merit selection process is then conducted for the remaining three roles (applying either of the above approaches).

Agencies must consider any other internal alternative placement options for surplus employees before they are formally declared as an employee requiring placement under Directive 6/12. Once the employee has been declared to be an employee requiring placement they are formally provided with the choice of a voluntary redundancy or pursuing transfer options.

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Seeking interest in a voluntary redundancy

Agencies can invite affected tenured employees to indicate their interest in receiving a voluntary redundancy. This approach must be confined to particular groups of employees affected by specific decisions (i.e. a decision has been made that there needs to be a reduction of the number of AO3 admin officers in a particular area, as opposed to a general call for indications of interest). Agencies must clarify that an invitation to indicate interest in receiving an offer of redundancy:

- is made on the basis that the decision about which roles become redundant (and which employees are therefore declared surplus) is the decision of the agency;
- does not guarantee an offer of a voluntary redundancy (or that an employee will accept a redundancy if one is offered);
- does not negate the agency's responsibility to attempt to identify internal alternative permanent placements at level for surplus employees.

Once the employee has been declared to be an employee requiring placement they are formally provided with the choice of a voluntary redundancy or pursuing transfer options.

From: Kurt Marsden [Kurt.Marsden@psc.qld.gov.au]
Sent: Friday, 27 July 2012 4:39 PM
To: 'Brenda.parker@deedi.qld.gov.au'; 'chris.marshall@daff.qld.gov.au'; Himstedt Dale; 'Debbie.paterson@permiers.qld.gov.au'; 'duncan.mckellar@deta.qld.gov.au'; 'fiona.krause@ssa.qld.gov.au'; 'greg.coughlan@dcs.qld.gov.au'; 'julie.dahl@justice.qld.gov.au'; 'margarita_mccracken@health.qld.gov.au'; Mark Goldsworthy; 'mark.rogers@treasury.qld.gov.au'; 'mark.weinert@publicworks.qld.gov.au'; Mark.Williams; 'matthew.skoienm@datsima.qld.gov.au"'; 'neil.smith@communities.qld.gov.au'; 'nicole.a.bunning@tmr.qld.gov.au'; 'jones.patsya@police.qld.gov.au'; 'shelley.murphy@dlgp.qld.gov.au'; 'stephen.long@publicworks.qld.gov.au'; Mays Debbie; Cini Terrina; Mcfarlane Lauren; 'trudy.snowdon@datsima.qld.gov.au'; 'nick.twist@datsima.qld.gov.au'; 'lisa.dynes@daff.qld.gov.au'; 'david.shuttleton@communities.qld.gov.au'; 'graham.walker@communities.qld.gov.au'; 'davidj.hill@dcs.qld.gov.au'; 'bill.barlow@dete.qld.gov.au'; 'cheryllyn.phillips@deedi.qld.gov.au'; 'joanne.shambler@publicworks.qld.gov.au'; 'andrea.thompson@justice.qld.gov.au'; 'anthony.brown@citec.com.au'; 'Bradley.wise@permiers.qld.gov.au'; 'Jenny.lord@deedi.qld.gov.au'; 'anna.z.zilli@tmr.qld.gov.au'; 'Brett.M.Walker@tmr.qld.gov.au'; 'donna_russell@health.qld.gov.au'; 'Jody.Montgomery@treasury.qld.gov.au'; Warren Edwards; Vicki Peterson; 'tony.rayner@aacc.edu.au'; 'bob.van-kempen@ccypcg.qld.gov.au'; Elizabeth Fraser (CCYPCG); 'barry.salmon@ccypcg.qld.gov.au'; 'john.kyriakidis@ccypcg.qld.gov.au'; 'Duane.Lucas@caa.qld.gov.au'; 'ray.gardner@ecq.qld.gov.au'; 'yvette.zischke@ecq.qld.gov.au'; 'alison.kollmorgen@frcq.org.au'; 'kraymer@legalaid.qld.gov.au'; 'barry_thomas@mhrt.qld.gov.au'; 'wernera@healthregboards.qld.gov.au'; 'demygeroem@healthregboards.qld.gov.au'; 'julie.imber@hqcc.qld.gov.au'; 'lyn.stevens@ewoq.com.au'; 'mces@oic.qld.gov.au'; 'Christine.granger@qct.edu.au'; 'john.bruce@qsa.qld.edu.au'; 'peter.luxton@qsa.qld.edu.au'; Graham Smith; 'louise.barrett@qsa.qld.edu.au'; Shaun Gordon; 'alan.chambers@pt.qld.gov.au'; 'lisa.loakes@pt.qld.gov.au'; 'christina.murdoch@pt.qld.gov.au'; 'peter.carne@pt.qld.gov.au'; 'Michelle.Brooker@qcomp.qcom.au'; 'c.howell@qleave.qld.gov.au'; 'g.wilson@qleave.qld.gov.au'; Kathy Bishop; 'kristin.furber-burgess@qao.qld.gov.au'; Brooke Halpin; Frankie Carroll (QLDRA); 'paula.higham@skills.qld.gov.au'; 'lisa.richardson@translink.com.au'; 'pierina.curties@translink.com.au'; 'vanessa.griffani@translink.com.au'; 'annette.ozanne@translink.com.au'; 'amanda.white@ulda.qld.gov.au'; 'paul.ascough@citec.com.au'; 'Philip.Goodwin@aacc.edu.au'; 'diane.gunton@ombudsman.qld.gov.au'; 'colleen.smith@ewoq.com.au'; 'Andrea.Faux@dlgp.qld.gov.au'; 'steve.hesse@dlgp.qld.gov.au'; 'Keith Bowden'
CC: Brett Heyward (PSC); Sonia Cooper; Ross Musgrove; Vivienne Van Der Laak; Anne-Maree Hauritz; Emma Aubrey; Mary DeSouza
Subject: ERP supporting information
Attachments: Advising of workplace change - a quick checklist.docx; Information Sheets for Employees.docx

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Hello colleagues

As discussed at recent departmental HR Directors forums, please find attached some further supporting material to assist you with the implementation of the ERP/VR process.

Attached is:

- a quick checklist to assist you when advising employees of workplace change
- a number of templates that you can populate and provide to employees (permanent and temporary) that are impacted by workplace change

Stephen Long from DHPW has advised that he will send through the ERP Information pack that they have developed early next week as another resource for you to consider.

Any feedback would be welcomed. Please feel free to contact me or Vivienne Van Der Laak on 3224 6576 if you would like to discuss these documents

Thanks and regards
Kurt

Kurt Marsden
Executive Director | Public Service Commission
p. 07 303 30684 | **f.** 07 3224 2635 | **m** s47F s47F(6) Personal information
e. kurt.marsden@psc.qld.gov.au | **w**. www.psc.qld.gov.au
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Advising of Workplace Change

The below information provides a 'checklist' of things to be considered when preparing to and advising staff of significant workplace changes:

Preparing for the change

- Has contact been made with:
    - The agency's shared service provider (regarding expected payroll impacts and timeframes)
    - Employee Assistance Service (to arrange support (where appropriate) and advise of possible increased demand)
    - QSuper / QInvest (regarding access to services for affected employees)
    - Relevant unions (to arrange consultation in accordance with applicable Award / EB provisions)
- Has consideration been given to whether there are any employees who will be affected who will require special communication or support needs (e.g. including but not limited to persons with a disability, persons on leave, persons with known health concerns)?
- Are the affected employees permanent, temporary or a mix of the two? What is the mix of permanent and temporary employees?
- Ensure a sufficiently senior departmental representative is available to explain the decision and the impact it will have on staff.
- Ensure sufficient time for the briefing to enable staff to ask questions.

Advising of the Change

Discuss:

- The change – why and what it involves
- What this means for employees
    - Where it relates to closure – what will be done to wind the service up and what role the employees will have in this
    - Where it relates to rationalisation / restructuring – what option(s) for effecting placements has the department determined to apply and the timeframes for this.
    - Difference between permanent and temporaries
- Outlining the choices if surplus
    - What a voluntary redundancy package comprises of / how they can access the calculator
    - What the ERP process involves
    - Refer to the FAQs on PSC website (www.psc.qld.gov.au)
- What happens next
    - When will they receive further information
- Encourage employees to
    - Talk to the EAS
    - Talk to QSuper / QInvest
    - Talk to Salary Packaging Provider
    - Provide contact details for relevant HR officer for further queries.

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Permanent Employee Information Sheet: Workplace Change (Closure of Services)

This information sheet provides you with information about the changes that are affecting your workplace and how they will affect you.

The information is intended as an overview only and you are encouraged to speak with your manager or human resource officer if you have any questions.

Closure of {Service}

Insert a description of the change

What does this means for you?

The decision to cease {service} means that the roles you and your colleagues have been undertaking are no longer required by the department.

As a result, you are unfortunately considered to be surplus to the department's staffing requirements. Where possible, we will try to allocate you to another role at level over the coming {insert period}. If, however, we cannot identify a suitable permanent role to transfer you to, we will declare you as an employee requiring placement and will be asking you to decide between accepting a voluntary redundancy or seeking transfer opportunities through a whole-of-government placement pool.

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What is Voluntary Redundancy?

A voluntary redundancy package is made up of:

- Your accrued recreation leave
- Your accrued long service leave (if you have had at least one year's service)
- A severance payment of two week's salary per year of full-time equivalent service, up to a maximum of 52 weeks.
- An incentive payment of 12 week's salary or $6,500 (whichever is greater), pro-rata for part-time employees

A redundancy estimate calculator can be accessed from the Govnet website: http://www.govnet.qld.gov.au/

What is the Whole of Government placement pool?

If you choose to seek transfer opportunities, you will be registered in a whole-of-government placement pool co-ordinated by the Public Service Commission.

Employees in the pool will be assessed for possible suitability with permanent vacancies that arise in the public service. Whilst reasonable efforts will be made to identify a role for you, registration in the pool does not guarantee that you will be provided with an alternative role.

The attached Frequently Asked Questions document (also accessible from www.psc.qld.gov.au) provides information about your rights and responsibilities if you chose to seek transfer opportunities through the whole-of-government placement pool.

What else should you consider?

The impact of a redundancy package on superannuation or salary packaging arrangements will depend on your circumstances. We encourage you to contact QSuper / QInvest and where applicable, your salary packaging provider as soon as possible to discuss your situation.

QSuper

www.qsuper.qld.gov.au

1300 360 750

QInvest

www.qinvest.com.au

1800 643 893

RemServ

www.remserv.com.au

1300 304 010

SmartSalary

www.smartsalary.com.au

1300 476 278

What will happen now?

Where another role is not available to allocate you to in the {insert timeframe nominated above}, we anticipate writing to you by {date} to formally provide you with the choice of a voluntary redundancy package or seeking transfer opportunities through a whole-of-government placement pool.

In the interim, and whilst you are considering your choice, {*Insert information about working arrangements leading up to closure period and whilst the employee is considering their offer – e.g. Your manager will meet with you to discuss the work we need to undertake to close {service}*}

Employee Assistance Service

We acknowledge the impact this change has on you and your family. We encourage you to talk to your manager and human resources if you have any questions.

We would also like to remind you of the availability of the department's employee assistance service:

Insert details

RTI DL RELEASE - EHP

Permanent Employee Information Sheet: Workplace Change (Reduction / Rationalisation of Services)

This information sheet provides you with information about the changes that are affecting your workplace and how they will affect you.

The information is intended as an overview only and you are encouraged to speak with your manager or human resource officer if you have any questions.

Change to {Service}

Insert a description of the change

What does this mean for you?

The decision to {change} means that the department will be reducing the number of employees {*within work unit / at classification level etc}.*

This also means that a number of employees will unfortunately be considered to be surplus to the department's staffing requirements (see below).

What happens next?

Allocation to roles in the new structure

Insert information about the option(s) to effect placement that the workplace has chosen (Refer to Fact Sheet: Options to Effect Placements Following Workplace Change)

What if I am declared as a surplus employee?

If you are not allocated to a permanent role as part of the above process, we will try to allocate you to another role at level over the {insert period}. If, however, we cannot identify a suitable permanent role to, we will declare you as an employee requiring placement and will ask you to make a decision between accepting a voluntary redundancy or seeking transfer opportunities through a whole-of-government placement pool.

What is Voluntary Redundancy?

A voluntary redundancy package is made up of:

- Your accrued recreation leave
- Your accrued long service leave (if you have had at least one year's service)
- A severance payment of two week's salary per year of full-time equivalent service, to a maximum of 52 weeks.
- An incentive payment of 12 week's salary or $6,500 (whichever is greater), pro-rata for part-time employees

A redundancy estimate calculator can be accessed from Govnet website: http://www.govnet.qld.gov.au/.

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Whole of Government placement pool

If you choose to seek transfer opportunities you will be registered in a whole-of-government placement pool co-ordinated by the Public Service Commission. Employees in the pool will be assessed for possible suitability with permanent vacancies that arise in the public service. Whilst reasonable efforts will be made to identify a role for you, registration in the pool does not guarantee that you will be provided with an alternative role.

The attached Frequently Asked Questions document (also accessible from www.psc.qld.gov.au) provides information about your rights and responsibilities if you chose to seek transfer opportunities through the whole-of-government placement pool.

What else should you consider?

The impact of a redundancy package on superannuation or salary packaging arrangements will depend on your circumstances. We encourage you to contact QSuper / QInvest and where applicable, your salary packaging provider as soon as possible to discussion your situation.

QSuper

www.qsuper.qld.gov.au

1300 360 750

QInvest

www.qinvest.com.au

1800 643 893

RemServ

www.remserv.com.au

1300 304 010

SmartSalary

www.smartsalary.com.au

1300 476 278

What will happens now?

In the event that you are declared surplus, we will write to you to formally provide you with the choice of a voluntary redundancy or seeking transfer opportunities through a whole-of-government placement pool.

In the interim, and whilst you are considering your choice, {*Insert information about working arrangements leading up to closure period and whilst the employee is considering their offer – e.g. Your manager will meet with you to discuss the work we need to undertake to close {service}*}

Employee Assistance Service

We acknowledge the impact this change has on you and your family. We encourage you to talk to your manager and human resources if you have any questions.

We would also like to remind you of the availability of the department's employee assistance service:

Insert details

RTI DL RELEASE - EHP

Temporary Employee Information Sheet: Workplace Change (Closure of Services)

This information sheet provides you with information about the changes that are affecting your workplace and how they will affect you.

The information is intended as an overview only and you are encouraged to speak with your manager or human resource officer if you have any questions.

Closure of {Service}

Insert a description of the change

What this means for you

The decision to cease {service} means that the roles you and your colleagues have been undertaking are no longer required by the department.

This also means that you are unfortunately considered to be surplus to the department's staffing requirements. As such, your temporary contract will be ceased.

Retrenchment of temporary employees

Temporary employees with more than 12 months service *may* be entitled to a retrenchment payment in accordance with Directive 3/11: The Retrenchment of Temporary Employees Engaged on a Full Time or Part Time Basis.

If you have any questions about your eligibility, please contact your human resource officer.

What else should you consider?

The impact of the cessation of your contract will depend on your circumstances. We encourage you to contact QSuper / QInvest and where applicable, your salary packaging provider as soon as possible to discussion your situation.

QSuper

www.qsuper.qld.gov.au

1300 360 750

QInvest

www.qinvest.com.au

1800 643 893

RemServ

www.remserv.com.au

1300 304 010

SmartSalary

www.smartsalary.com.au

1300 476 278

What will happens now?

You will be provided with written advice confirming your contract end date.

In the interim, {*insert information about working arrangements in the period leading up to the cessation of their temporary contract}.*

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Employee Assistance Service

We acknowledge the impact this change will have on you and your family. We encourage you to talk to your manager and human resources if you have any questions.

We would also like to remind you of the availability of the department's employee assistance service:

Insert details

RTI DL RELEASE - EHP

Temporary Employee Information Sheet: Workplace Change (Reduction / Rationalisation of Services)

This information sheet provides you with information about the changes that are affecting your workplace and how they will affect you.

The information is intended as an overview only and you are encouraged to speak with your manager or human resource officer if you have any questions.

Change to {Service}

Insert a description of the change

What does mean for you?

The decision to {change} means that the department will be reducing the number of employees {*within work unit / at classification level etc}.*

This also means that a number of employees will unfortunately be considered to be surplus to the department's staffing requirements. As such, your temporary contract will/may be ceased.

Retrenchment of temporary employees

Temporary employees with more than 12 months service *may* be entitled to a retrenchment payment in accordance with Directive 3/11:

What else should you consider?

The impact of the cessation of your contract will depend on your circumstances. We encourage you to contact QSuper / QInvest and where applicable, your salary packaging provider as soon as possible to discussion your situation.

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1300 360 750

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1300 304 010

SmartSalary

www.smartsalary.com.au

1300 476 278

What will happen now?

You will be provided with written advice about your contract end date.

In the interim, {*insert information about working arrangements in the period leading up to the cessation of their temporary contract}.*

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Employee Assistance Service

We acknowledge recognise the impact this change will have on you and your family. We encourage you to talk to your manager and human resources with any questions.

We would also like to remind you of the availability of the department's employee assistance service:

Insert details

RTI DL RELEASE - EHP

From: Employee Placement [employeeplacement@psc.qld.gov.au]
Sent: Monday, 6 August 2012 1:47 PM
To: 'Alan Chambers'; 'Alison Kollmorgen'; 'Amanda White'; 'Amy Werner'; 'Andrea Faux'; 'Andrea Thompson'; 'Anna Zilli'; 'Annette Ozanne'; 'Barry Salmon'; 'Barry Thomas'; 'Bill Barlow'; 'Bob Van-Kempen'; Bradley Wise; 'Brett Walker'; Brooke Halpin; 'Candice Howell'; 'Cheryllyn Phillips'; 'Chris Firrell'; 'Christina Murdoch'; 'Christine Granger'; 'Colleen Smith'; 'David Hill'; 'David Shuttleton'; Mays Debbie; Debbie Paterson; 'Duane Lucas'; Elizabeth Fraser (CCYPCG); Frankie Carroll (QLDRA); 'Graeme Wilson'; Graham Smith; 'Graham Walker'; 'Greg Argue'; 'Jenny Lord'; 'Joanne Shambler'; 'Jody Montgomery'; 'John Bruce'; 'John Kyriakidis'; 'Julie Imber'; Kathy Bishop; 'Katrina Hale'; 'Ken Raymer'; 'Kristin Furber-Burgess'; Mcfarlane Lauren; 'Lisa Dynes'; 'Lisa Loakes'; 'Lisa Richardson'; 'Louise Barrett'; 'Lyn Stevens'; 'Michael Demy-Geroe'; Michelle Brooker; 'Nick Twist'; 'Paul Ascough'; 'Paula Higham'; 'Peter Carne'; 'Peter Luxton'; 'Philip Goodwin'; 'Pierina Curties'; 'Ray Gardner'; 'Scott Peut'; 'Shane Maher'; Shaun Gordon; 'Steve Hesse'; Cini Terrina; 'Tony Rayner'; 'Trudy Snowdon'; 'Vanessa Griffani'; Vicki Peterson; Warren Edwards
CC: Kurt Marsden; Sonia Cooper; Vivienne Van Der Laak; Emma Aubrey; Erin Maguire; Mary DeSouza
Subject: Online Employee Placement System

Good afternoon ERP Contact Officers

I am writing to advise that the Online Employee Placement System is now available and can be accessed at:

https://smartjobs.govnet.qld.gov.au/jobtools/JnCustomLogin.Login?in_organid=15415

Please commence using the online system as soon as possible. Any pending registrations that are near completion may still be sent through in manual or pdf format.

Please note that although the registration process is completed jointly by the employee requiring placement (ERP) and their case manager, registration details are linked to the employees' email address (there is no user access issued for this system).

Where an employee and their case manager are not physically co-located, both need to complete their part of the online form before it is submitted.
For example: Jane Smith is located in Roma, and her case manager, Bob Jones, is located in Brisbane. Jane accesses the Employee Placement System, and registers her details, using her email address. Once Jane has completed all employee sections of the registration, she notifies Bob, providing him with the login details. Bob then completes the case management sections of the online form, and notifies Jane, so that she can submit her registration.

Employees without computer access may still utilise the manual/pdf registration form and submit to employeeplacement@psc.qld.gov.au.

The registration details of all existing ERP's have been transferred to the new system.

Please contact Vivienne or myself if you require any assistance with the system.

Regards
Anne-Maree
Anne-Maree Hauritz (aka Cooper)
Program Manager, Workforce Strategy| Public Service Commission
p. 07 322 45459 | **f.** 07 3224 6635
e. anne-maree.hauritz@psc.qld.gov.au | **w**. www.psc.qld.gov.au

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From: Cini Terrina
Sent: Tuesday, 14 August 2012 9:15 AM
To: Mays Debbie
Subject: FW: ERP Documents
Attachments: Role profile.doc; Suitability Report Final 7 Aug12.doc; 120807 ERP Guide for Managers 7Aug12.DOCX; 120807 ERP Procedure 7Aug12.docx; Employee Complaint Process - ERP 2012 - Intranet (Final).docx; ERP Case Manager Role Intranet.doc; ERP Flowchart Final.pdf; FAQs VR final 7 Aug 12.docx; PSC Management of transitioning medical ERPs Factsheet.docx; 120807 ERP Case Manager Role Statement Internal 7Aug12.doc

Deb

Please read below. This is for the meeting on Thursday.

T

Terrina Cini
Principal Consultant
Workforce Strategy and Capability
Human Resources, Corporate Services
Level 10, Mineral House
Email: terrina.cini@ehp.qld.gov.au
Telephone 07 322 76361 **Facsimile** 07 322 47785

Department of Environment and Heritage Protection and
Department of National Parks, Recreation, Sport and Racing

From: Cini Terrina
Sent: Monday, 13 August 2012 1:12 PM
To: Paolini Marisa
Subject: FW: ERP Documents

M

I have checked my email trail and this is the email from Jenny with the finals attached. These are the versions I used for publishing and they included the comments discussed at the meeting on Tuesday 7/8/12 at 2.00pm.

Others at the meeting were:

Jenny Spalding
Jenny Green
Sandy Button
Alison Bates

Regards
T

RTI DL RELEASE - EHP

Terrina Cini
Principal Consultant
Workforce Strategy and Capability
Human Resources, Corporate Services
Level 10, Mineral House
Email: terrina.cini@ehp.qld.gov.au
Telephone 07 322 76361 **Facsimile** 07 322 47785

Department of Environment and Heritage Protection and
Department of National Parks, Recreation, Sport and Racing

From: Spalding Jenny
Sent: Wednesday, 8 August 2012 9:11 AM
To: Cini Terrina
Subject: ERP Documents

Here they are...I hope that's all of them

Jenny Spalding
Principal Consultant
Human Resources, Corporate
Department of Natural Resources and Mines and Department of Energy and Water Supply

T: 3224 5938 (x45938)
E: jenny.spalding@dnrm.qld.gov.au

Level 22, 111 George Street, Brisbane, Queensland, 4000
PO Box 15168, City East, Brisbane, Queensland, 4002

Part time: Monday, Tuesday, Wednesday and Thursday

For general HR queries please call our HR Help number Phone: 3008 5752 or Email: HRHelp@deedi.qld.gov.au

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Case Manager of Employee/s Requiring Placement [ERP]
Role Statement and Case Management Approach

The Case Manager's Role
As a case manager you are the employee's point of contact outside their work group. You will provide support to the employee from the time they are registered as an ERP to when they are either transferred into another role or have exited through the retrenchment process.

In accordance with the department's ERP procedure you will assist the employee through the ERP process and will:

- Contact the employee within 24 hours of their decision not to accept a voluntary redundancy and maintain regular contact (a minimum of once per week) until permanent placement or otherwise occurs.
- Support the implementation of strategies and activities to achieve the earliest possible placement of the employee in a substantive role.
- Attend to all enquiries as the primary point of contact for any matter relating to the employee requiring placement including ensuring the employee understands the ERP process, their responsibilities and obligations under the relevant Directives and departmental policies and procedures.
- Provide the employee with advice in relation to their job search eg: suitability assessment process, feedback on their resume, practice interviews, skill analysis.
- Obtain the employee's resume, Employee Requiring Placement profile, including role category preferences, referee contact details and the referee statement as prescribed in directive 06/12 *Employee Requiring Placement* and support the employee in completing relevant departmental forms in a timely manner.
- Liaise with PSC, ERP departmental contact officer and the employee's substantive supervisor/manager to identify potential placements.
- Maintain effective records, ensure information is provided to update the relevant placement register and provide reports, upon request, on the status, progress and level of participation of the employee.
- Refer the employee to other departmental and non-departmental support services eg: Employee Assistance Program, career counselling, resume preparation.

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The Case Manager does not:
- advocate directly on behalf of the employee or find them a job.
- provide personal or career counselling.
- make decisions

Aboriginal and Torres Strait Islander employees
For Aboriginal and Torres Strait Islander staff, an Indigenous case manager may be available to case manage and discuss issues.

Case Manager Checklist

Stage 1: Initiating the process

1. In the first instance the ERP Coordinator will contact you and provide details of the employee requiring placement, including:
    a. Any correspondence relating to the registration of the ERP.
    b. Their current role, classification, personal details and current supervisor. ☐

2. Ensure you have all the necessary information before proceeding. ☐

3. Contact your employee requiring placement within 24 hours from receiving their details and:
    a. introduce yourself
    b. outline your role as Case Manager
    c. Confirm their supervisor details. (in some cases their supervisor may have left and you will need to confirm another officer who can comment on their performance.) ☐
    d. Set up a face to face meeting if possible or telephone conference.

4. Contact the employee's supervisor to arrange the Referee Report ☐

5. At the interview:

    a. Clarify roles and expectations including:
        i. Your role in facilitating the process and the type of support you will provide
        ii. The expectations of the employee to work cooperatively to secure a placement, as per the directive. ☐

    b. Check how they are feeling and coping with the change - advise them of support mechanisms such as EAP. ☐

    c. Provide a detailed overview of the process and what they can expect including:
        i. process for applying for roles
        ii. suitability assessments
        iii. trial placements
        iv. right of refusal
        v. information on the outcome should they not be placed after 4 months i.e. retrenchment. ☐

    d. Advise that they will also be placed on the PSC central placement register and provide detail on the process. Provide them with the forms they will need to complete and explain their purpose. ☐

    e. .Ensure the employee has seen the relevant Directives and knows about the Intranet resources available. ☐

    f. Advise them that you will be getting referee report form their supervisor and ensure they are aware they can respond to any adverse comments ☐

    g. Address any questions in relation to process. ☐

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h. Agree on communication channels and frequency of meetings. ☐

6. On receipt of the Referee Report send it to your employee. If there are any adverse comments, the employee can respond in writing. You then need to facilitate resolution of the issue before registering the ERP on the PSC Register. ☐

7. Ensure all the required documentation is completed and forwarded to PSC for Central Placement Process. (The employee's 4 months commences when they are registered on the PSC register) ☐

8. Create a confidential case file. ☐

Stage 2: Placement Search Period

9. Vacancies will be forwarded to you from the ERP Coordinator for distribution to your ERPs. ☐

10. Ensure appropriate notes of meetings and actions are maintained on file and maintain register recording: ☐
    a. jobs provided to ERP
    b. jobs applied for
    c. Suitability assessments undertaken
    d. offers and refusals

11. Assist the employee to understand the change process they are going through and if necessary seek support from departmental and non-departmental support services eg: Employee Assistance Program. ☐

12. Discuss vacancy and placement search options; support the employee in developing a plan of action. ☐

13. Support the employee in reviewing and consolidating their skills sets and assist the employee to review and update their resume and interview techniques. ☐

    - Human Resources has a number of products that can assist case managers during this period.

14. Provide information on actions taken by ERP during placement period to be considered as part of 4 month review. ☐

Stage 3: Placement and transition to new role.

15. Once the employee has accepted a placement, support the employee's transition to the receiving unit/Department by: ☐
    - ensuring all relevant paperwork to transfer employee is completed by receiving area.
    - liaising with receiving supervisor or manager to arrange contact with employee if necessary.

16. May need to discuss an exit plan from their current work group with employee and supervisor including ☐
    a. Handover of critical work and knowledge transfer
    b. Start date is negotiated between the current and new work unit
    c. Activities to support closure and transition to new group

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17. Finalise and close case file. ☐

18. Follow up after agreed period to evaluate process with employee. ☐

Stage 5: Retrenchment

19. Continue to support ERP through retrenchment process ☐

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Employees Requiring Placement - Guide for Managers

Introduction

This Manager's guide provides an overview of strategies and processes that are appropriate to effect workforce placement as a result of workplace change.

This guide will assist managers in considering options to effect placements. The key factors in any decision are:

- fair, transparent and defensible
- ensure the continuity of tenured employment at level is given priority (i.e. temporary engagements, secondments or higher duties must be resolved in favour of an employee requiring placement)
- maintain the bona fides of any redundancy regardless of the process applied
- support the provisions of Directive 06/12: Employee Requiring Placement and Directive 04/12 Early, retirement, redundancy and retrenchment.

This guide **must** be read in conjunction with the Directives and the Department's Employees Requiring Placement Procedure. Additional information and advice can be obtained by contacting your Human Resources team or from the Public Service Commission website at www.psc.qld.gov.au.

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Definitions

Case Manager – HR officer assigned to employees once they have been designated as an Employee Requiring Placement. The role of the case manager is to support and assist the ERP in the process of seeking an alternative permanent role.

Change - structure, policy, process, way of doing things (culture).

Employees Requiring Placement (ERP) - are permanent public service employees who need placement due to workplace change. An employee will require placement if their role is considered surplus to operational needs. An employee designated as an ERP retains their substantive classification level.

Establishment – the positions, classification mix, actual FTE and headcount of your workforce.

Establishment Management Program (EMP) - The Government has introduced greater scrutiny over the hiring decisions associated with non-frontline positions. The EMP incorporates a vacancy review process and has been introduced to ensure recruitment decisions regarding non-frontline vacancies align with Government priorities.

Retrenchment - the termination of employment of an employee whose position is declared redundant **and** where it has been determined that continued actions to secure permanent alternative placement of the employee is no longer appropriate.

Transition - the psychological process that people need to go through in order to psychologically shift to the new situation. People transition through change.

Voluntary Redundancy - offered to employees when workplace change means their position is no longer required. At this time the department may offer those employees a voluntary redundancy package. Employees who chose not to accept Voluntary Redundancy then become an ERP.

Workforce Structure – how work is allocated, coordinated, supervised and approved in order to deliver the required service/output.

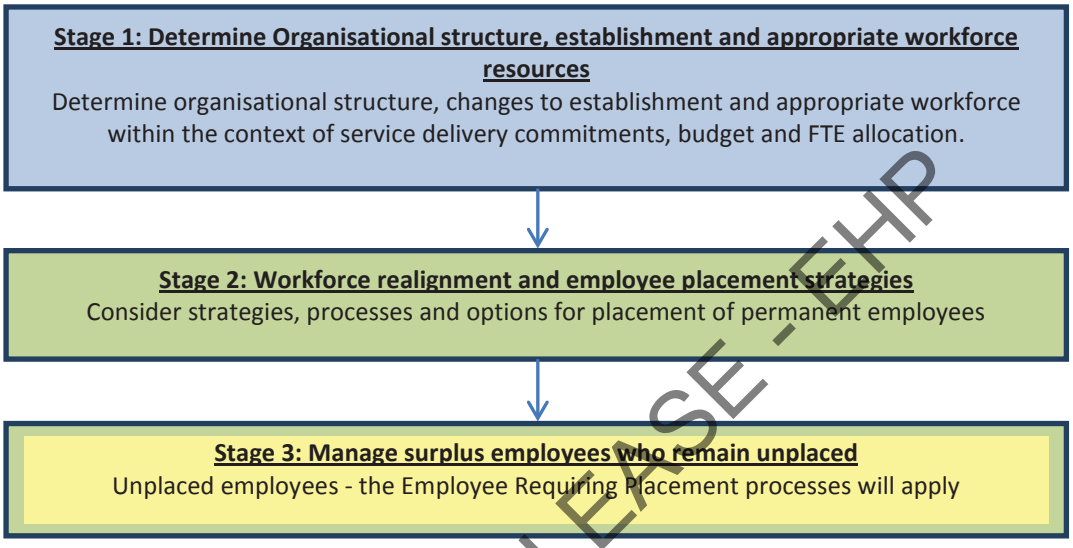
Strategies to effect workforce placements following workplace changes

Reprioritisation of functions, programs and service delivery and budgetary changes will impact on organisational structures and establishment.

Following the determination and approval of revised organisational structure, workforce planning should be undertaken to:

- determine the workforce required to continue to deliver and meet the changing priorities and business requirements
- assess the impact on the workgroup and individual employee/s

The following diagram reflects the suggested stages of transition for workplace change:



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Stage 1: Organisational structure, establishment and appropriate workforce resources

In determining the new organisational structural arrangements, consideration should be given to the transfer and retention of a qualified, motivated and engaged workforce. The overall objective is to identify a suitable, financially sustainable profile for the work group going forward. The considerations include:

- Is there adequate establishment that meets current and future business priorities?
- What capabilities (skills, knowledge, and experience) are critical in moving forward? What capabilities are no longer required? What new capabilities will the business area need? Is there potential to develop these skills within the current workforce?
- Which roles are no longer relevant to the operational requirements of the new structural arrangement?
- Do we currently have duplication of activities that can be rectified or rationalised?
- Is there an appropriate balance of administrative, professional, operational and leadership employees?
- Is there classification mix within the structure, which enables workforce renewal, attracting graduates and/or entry level employees to address any future aging workforce or retention issues?
- Are changes to the locations of roles and reporting arrangements required?
- Which existing roles have changes to their duties and responsibilities?
- What approvals are required i.e. through delegate and/or Establishment Management Program?

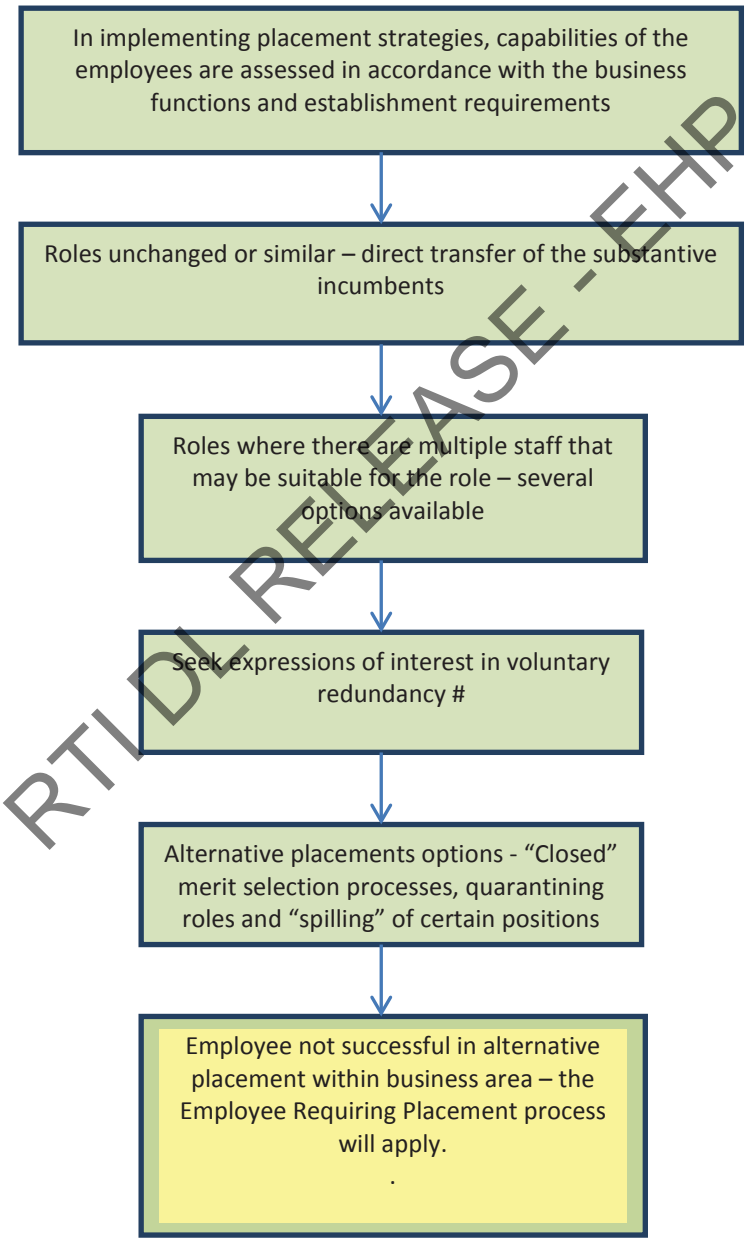
Stage 2: Workforce Realignment and alternative employee placement strategies

Assessment of the current establishment and workforce profile against the new structural arrangements may result in redundant roles and surplus employees due to:

- Reduction of the number of similar positions
- Changes to some roles
- Removal of positions no longer relevant to the new operational requirements
- Changes to location of positions and reporting arrangements.

Alternative internal permanent placement options within the business area should be considered before determining the employees to be declared as surplus under Directive 06/12: Employee Requiring Placement.

The following diagram steps through options available to management teams considering realignment and alternative placement strategies:



If the employee indicates no interest in a Voluntary Redundancy (VR) at this stage of the process, a VR may still be offered if the employee is declared surplus.

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Note: In implementing the new arrangements, permanent employees are to be appointed to suitable permanent vacancies (at their substantive level).

1.1 Direct Transfer - Where a role in the effected unit remains unchanged and currently filled by a permanent employee, the employee would remain in that role.

Direct transfers involve the filling of positions at the same classification level, by permanent employees, where the roles are similar. In assessing whether an employee can be moved into a position on the basis of a like-to-like transfer, the following must be taken into consideration:

- responsibilities and duties of the position compared with the employee's substantive position
- classification of the position being equivalent to the classification of the employee's substantive position
- employment conditions established by an award or certified agreement, if different from the employees substantive position, including but not limited to, salary arrangements across streams, allowances and hours of duty.

1.2 Seeking interest in a voluntary redundancy

Affected tenured employees are invited to indicate their interest in receiving a voluntary redundancy. This approach must be confined to particular groups of employees affected by specific decisions (i.e. a decision has been made that there needs to be a reduction of the number of AO3 Administration Officers in a particular business area). It must be stressed that an invitation to indicate interest in receiving an offer of redundancy:

- Is made on the basis that the decision about which roles becoming redundant (and which employees are therefore declared surplus) is the decision of the department
- Does not guarantee an offer of a voluntary redundancy (or that an employee will accept a redundancy if one is offered)
- Does not negate the department's responsibility to attempt to identify internal alternative permanent placements at level for surplus employees.

A formal letter will include two options – invitation to accept a voluntary redundancy or be considered for alternative placement. The letter will direct the employee to the GovNet site to access the voluntary redundancy estimate self-assessment calculator which has been developed to give an **estimate** of a voluntary redundancy payment. QSS will only supply calculations as requested by the Executive Director Human Resources.

If accepted, the employee exits the department with the exit date to be confirmed.

Following the decision that the role is redundant and the employee declared surplus, a formal letter will be provided by the Manger to the employee offering two options, Voluntary Redundancy or registration on Employee Requirement Placement Register. The letter will inform the employee where to access an estimate redundancy calculation. The employee will have an option to accept the redundancy offer. If accepted, the employee exits the department.

Should the surplus employee not accept the voluntary redundancy offer, they are considered for placement within the business area.

2 Alternative Placement Options

2.1 Expression of interest process

Where there are more employees than vacant positions, it may be appropriate to consider all affected employees for particular groups of positions (e.g. if there are 8 permanent 'policy officers' at the same classification level, however, it is determined that only 5 are required for future service delivery).

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All affected tenured employees within the group (at level) are invited to express interest in being transferred into an ongoing role, with the caveat that any employee not expressing interest may be transferred to a new/continuing role at the discretion of the department.

If employees are invited to express interest, they may be required to provide and/or participate in one or a combination of the following:

- copy of their current resume
- prior knowledge
- written assessment against key attributes of the role
- work/skills tests
- informal interview.

The employee's suitability is assessed against the key attributes of the role. Where there is insufficient prior knowledge, a referee check or additional verification activities could be undertaken. (Refer to the suitability assessment section for further information).

2.2 Combination of processes

Business area may decide that it is appropriate to combine a number of processes to determine which roles are retained and consequently which employees become surplus.

For example, this may occur where there are specialist roles within a broader role category. A decision may be made to "quarantine" the specialist roles and conduct an expression of interest process (as described above) for the remaining roles.

For each option, a role profile/role description must be used to assess individual's suitability against the key attributes for the role/s.

Decisions are then made on which employees will be transferred into available roles and the employees who do not gain permanent placement are considered surplus, before they are formally declared as an employee requiring placement under Directive 06/12.

These processes should not be used for appointment of staff at levels above their current classification or to positions external to the work unit.

It is recommended that a panel comprised of the manager and one other person, should be set up to conduct the assessment.

Important Note: These processes must be conducted in an equitable and transparent manner and be well documented to ensure the selected options and outcomes can be qualified under scrutiny.

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Phase 3: Manage surplus employees who remain unplaced - Employee Requiring Placement.

Should the surplus employee be unsuccessful in gaining a permanent placement, the employee is declared to be surplus to requirements and is covered by the Commission Chief Executive Directive No. 06/12: Employee Requiring Placement.

As part of the Establishment Management Program requirements, **all** vacancies must be submitted to the Establishment Management Program Coordinator to enable placement of surplus employees and registered Employees Requiring Placement.

Once an employee declines a voluntary redundancy in favour of seeking alternative placement opportunities, the employee is registered as an 'employee requiring placement' and will be considered for internal vacancies through the Establishment Management Program.

Employees will be also registered with the Public Service Commission Central Placement Register and be provided with suitable vacancies in other departments.

Refer to the Employees Requiring Placement procedure for detailed information in relation to:

- Declaration of surplus employee
- Voluntary redundancy
- Employee Requiring Placement (ERP) registration and placement processes
- Case Management
- Suitability Assessment
- Transfer and Re-deployment
- Review process
- Retrenchment

Note: A flowchart depicting the departmental process for managing employees requiring placement in accordance with Directive 06/12: Employee Requiring Placement and Directive 04/12: Early, retirement, redundancy and retrenchment is included at the end of this document.

Management Responsibilities

As a manager, an employee requiring placement means:

- the employee maintains their status as a permanent employee but their position has become surplus to the requirements of the department
- a case manager will be dedicated to the employee to provide support and advice in relation to the ERP process
- Human Resources, Corporate Services will assist in matching employees to suitable vacancies and informing the employees and the business area in which the vacancy is located

Detailed information in relation to the responsibilities of managers and employees requiring placement is provided in the Employees Requiring Placement procedure.

The Individual and Change

People involved in the management of staff affected by organisational change need to be aware that coping with change means different things to different people. As employees go through the change process they will experience a range of emotions from anger, frustration, acceptance and excitement at the new prospects change offers. Assisting employees through this major change event is critical and an important part of managerial responsibilities.

The emotional stages people go through in coping with change are shown diagrammatically in the Transition Curve below. The Transition Curve has been aligned here to William Bridges' phases of transition. This model is useful in understanding how individuals deal with personal change and for managers and organisations helping staff to deal with personal change.

The stages people typically experience in any major change event are described below:

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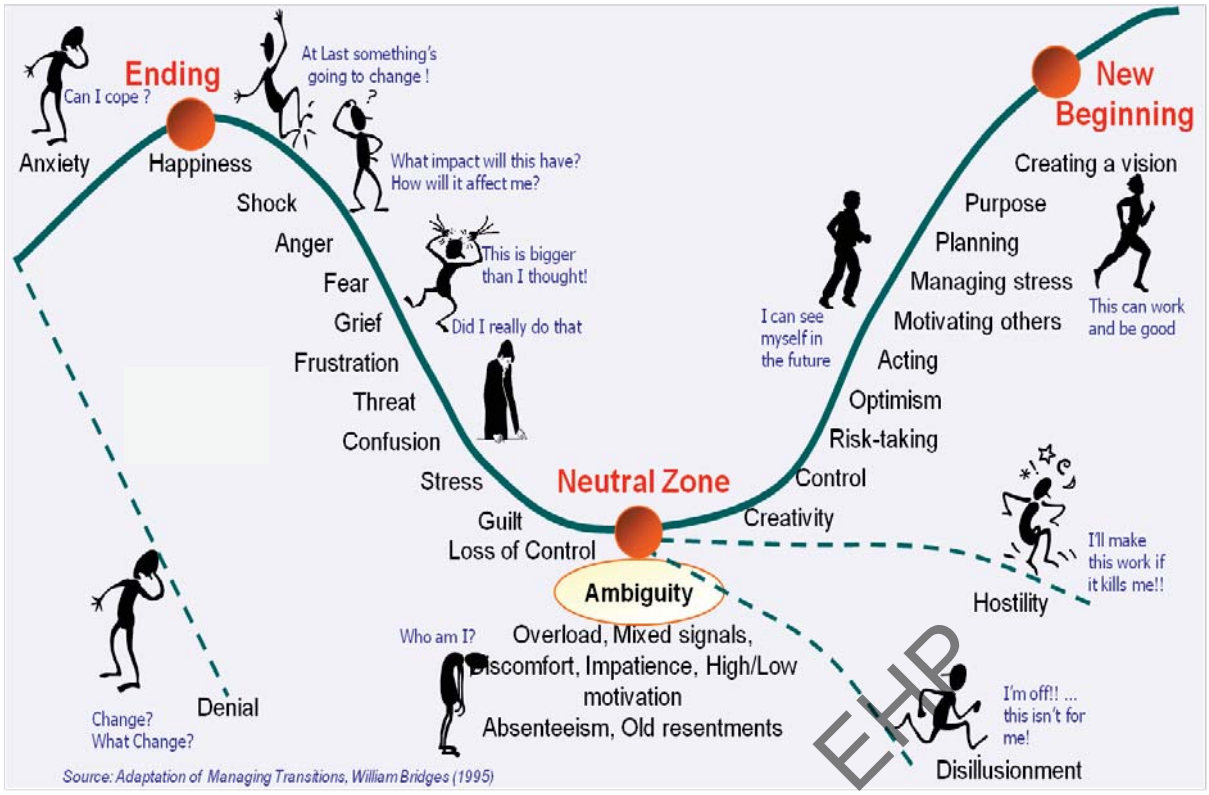

William Bridges' Transitional Model proposes that people go through three key transitioning phases when facing change:

- endings (shock, denial, anger/sadness) In this phase people come to terms with what they have lost and prepare to move on.
- neutral zone (resistance, bargaining, ambiguity) In this phase people are going through readjustment and realignments- building a foundation for moving forward.
- beginnings (acceptance, involvement) In this phase people are developing the new identity and where they fit into the new order and becoming energised to buy into the process.

These phases can happen in differing degrees at the same time and will be overlap between the phases.

The following table shows some of the signs and behaviours that people may experience or see as they go through the range of emotions. It also offers strategies to transition people through these emotions. This is not a one size fits all situation. Nor is it a linear and sequential process. Individuals don't all experience all the emotions shown, nor in a step by step order. Events may occur that trigger an earlier response/emotion and the individual may yo-yo for a time. This is a normal human response to change.

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	Emotion	*Some Behaviours*	*Manager Action*	*Employee Action*
Endings, losing, letting go	**Denial**	▪ Flippant attitude ▪ Indifferent talk ▪ Evasion ▪ Scepticism ▪ Refusal to accept reality of situation	▪ Provide clear information regularly ▪ Explain what is changing and what isn't changing – and who will be most and least affected ▪ Explain the change & rationale behind it ▪ Share a vision of the future ▪ Provide clear advice of expectations.	▪ Seek out information from reliable sources, don't listen to gossip ▪ Speak to your supervisor or manager to get a clear understanding on what the changes mean to you ▪ Establish what is and what isn't changing and what you can be doing
	Anger	▪ Grumbling ▪ Irritation ▪ Rage ▪ Mistakes ▪ Disengagement ▪ Sabotage	▪ Listen ▪ Acknowledge anger ▪ Don't try to talk them out of it ▪ Don't assume blame for their anger ▪ Don't collude/agree with them ▪ Distinguish between acceptable feelings and unacceptable acting out behaviour ▪ Provide information on the Employee Assistance Program	▪ Acknowledge that you feel anger. ▪ Take responsibility for your emotions and their impact on you and others. ▪ Is there a more helpful way to look at the situation? ▪ Do things outside work that you enjoy, maintain relationships, socialise, exercise, take up a hobby
Neutral Zone	**Bargaining**	▪ Attempts to get out of situation ▪ Attempts to make it go away ▪ Making a deal or promise	▪ Keep realistic plan in sight ▪ Don't be swayed by promises/ renegotiations ▪ Reinforce situation as it is – clarify what is changing and what isn't. ▪ Don't negotiate	▪ Consider what you can do, and what's out of your control. Focus on the areas that you have control over. ▪ Consider the possibilities that might arise from the changes
	Anxiety	▪ Resentful ▪ Silence ▪ Looks nervous ▪ Stressed ▪ Drop in effectiveness and productivity	▪ Don't judge or make them feel inferior for feeling this way ▪ Have supportive coaching conversations (anxiety is natural) ▪ Provide current information to dispel rumours ▪ Ensure staff are provided with coaching or training and development where required ▪ Provide information on the Employee Assistance Program (EAP)	▪ Continue to keep as informed about what is concerning you as possible – seek out information from reliable sources only. ▪ Don't listen to rumours ▪ Continue to share your concerns with trusted colleagues or other support people, to develop strategies that will assist you overcome your anxiety ▪ Take time to 'switch off' from work problems & get involved in enjoyable outside activities
	Sadness/ Depression	▪ Silence ▪ Withdrawal ▪ Appears 'down flat' ▪ Tearful ▪ Signs of fatigue and/or despair ▪ Reduced effectiveness	▪ Encourage talking & sharing of feelings ▪ Engage in supportive one to one conversations ▪ Encourage a supportive team environment ▪ Provide information on the Employee Assistance Program to staff if you think they are suffering from depression.	▪ Accept sadness is a natural feeling arising from change & remind yourself of the good things that are still part of your life. ▪ Talk to your support networks (family members, friends, colleagues, supervisor) ▪ Consider speaking to a counsellor through the department's EAP if you can't shake your feelings of sadness
New Beginnings	**Acceptance/ Involvement**	▪ Openness ▪ Happiness ▪ Moving from passive acceptance to active involvement ▪ Engaging with and assisting others	▪ Continue to provide clear and open communication ▪ Celebrate successes and reaching milestones ▪ Share the vision ▪ Encourage involvement and provide feedback ▪ Ensure capability development needs for the new way of doing things are met	▪ Seek out opportunities to be involved in the change ▪ Remain sensitive to where others are in the transition phases and assist them where appropriate ▪ Acknowledge and celebrate milestones ▪ Assess where you may need to develop new skills for the future, seek out development opportunities & discuss with your supervisor.
	Enthusiasm	▪ Ability to articulate where they fit in the new order ▪ Conflict between organisational & personal goals is resolved ▪ Takes initiative	▪ Celebrate milestones ▪ Maintain momentum to embed new behaviours and encourage the right workplace culture ▪ Continue with clear communication	▪ Assist colleagues by sharing the new vision, where appropriate ▪ Get involved in projects and growth opportunities where possible ▪ Take ownership of your contribution to your workplace culture

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Having the Employee Placement Conversation

This section provides managers with strategies on how best to conduct the conversations with employees who will be impacted by workplace change.

Managers must prepare carefully as misinformation and insensitive handling of these conversations can result in problems, for those employees affected by the change and those around them. These conversations must be handled with empathy, clarity, sensitivity and consideration.

Before the meeting

- Schedule these meetings in the early part of the week. If possible avoid Fridays as employees do not have sufficient time to process the information and are not able to access their managers and additional information over the weekends.
- Ensure you are well-informed about the decision and reasons impacting on the employee's role.
- Plan your session. Prepare a checklist of key facts and information which may be different for each employee. Ensure you have the relevant information, procedures available at the meeting.
- Choose a location that there will not be any interruptions and where you are both comfortable.
- Think through and prepare what you are going to say. Consider the individual and your previous interactions and your relationship with the employee.
- Look through the Transition Curve and prepare yourself for the potential reaction.
- Try rehearsing mentally, and/or with a partner or trusted colleague.

During the meeting

Deliver the information that you had prepared in a sensitive and professional manner. Concentrate on the employee, maintain eye contract and listen to their concerns and comments. Acknowledge the employee's statements by your body language and gestures, for example nodding of head. Remain calm. Should the employee react in an adverse manner it's important that you do not take it personally.

Allow the employee to share their concerns if they choose to do so. Be empathetic and avoid colluding with them.

Be conscious of your own body language, tone of voice and rate of speech as they may impact on the employee's reaction. Behave in a calm and professional manner. Listen and demonstrate understanding by reflecting back what you hear.

Running the meeting

- Following the greeting, briefly and succinct state the reason why you have called the meeting.
- Be succinct and provide clear justification for the reasons behind the decision.
- Treat the person with respect, empathy and sincerity. Speak slowly and clearly without jargon and watch the employee's reaction - body language, extent of eye contact etc - to gauge whether they understand and accept what is being said.
- If the news is unexpected the employee may be in shock which will potentially affect their ability to hear and retain the information.
- Allow time for the employee to digest the news. Invite questions and respond slowly and clearly.
- Summarise and avoid over-loading the employee (at this time) with unnecessary information. Stick to the main points.
- Reassure the employee that you and the department will support them through the process.
- Offer to run through the process at another time. Aim to reduce uncertainty.
- Conclude the meeting by reinforcing the point of continued support.
- Do not end abruptly and advise them that if they have any question they should come and talk with you.

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After the meeting

- Allow the employee time to contact a partner/family member/colleague to provide support. Ensure they have information about the Employee Assistance Program - PPC Worldwide for additional professional support. They can be contacted on 1800 604 640.
- Check in with them the following day and invite any further questions.
- Ensure the employee's details are provided to Human Resources, Corporate Service to commence the ERP process.

Handling emotional responses

The following suggestions are based on information provided by PPC Worldwide and intended as a guide only.

Disbelief: You need to repeat the information you have just given e.g. "Sarah, I do understand that this news has come as a shock, however your position has been selected due to…"

Cynicism: ("You had this planned from the start."). "John, I hear what you believe, all I can say is that the decisions have been difficult to make and were very carefully considered."

Anger: Let them have their say if they need to, because anger often comes as a reaction to shock. Don't take it personally. If it gets out of hand, try to diffuse the situation and re-set the boundaries. "I can hear how upset you are and naturally it is difficult for you to come to terms with what has happened. Would you like a few moments on your own to put your thoughts together, or shall we continue this meeting later today?" Distinguish between feelings and inappropriate behaviour.

Challenge: ("How did they make this decision? I'll take this to the highest level!"). Validate the question or challenge and explain how difficult these decisions were to make. Reiterate the reasons for the decision i.e. based on the priorities of the business etc. Avoid getting drawn into debate.

Fear, anxiety, apathy: Acknowledge their feelings. Use "I" statements. "I can only guess at how worried you must be, particularly as you've just bought a house." Let them know what support is available for them e.g. the EAP.

Tears: Let the person cry without commenting. Offer tissues. As the tears subside, "I can see how upset you are by this news". Let them know what support is available. Summarising key information again may help.

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Employee Complaints

An employee who is the subject of an administrative decision or action is entitled to lodge a complaint in accordance with the department's Managing Employee Complaints Procedure should they feel that the administrative decision is unfair or biased.

If an employee considers that the issue is not resolved following the finalisation of the complaints process, they may be able to lodge an appeal with the Appeals Officer pursuant to the Public Service Commission Directive - Appeals. An employee considering an appeal should refer to this directive and may seek further information on appeal rights from the Public Service Commission.

Support Services

The Case Manager will provide details of services that can be accessed for the employee and managers.

Counselling services:

- Employee Assistance Program (EAP) - confidential personal counselling service available free of charge to employees, PPC Worldwide 1800 604 640.
- Manager Assistance Program - confidential counselling service to support managers in transiting their teams, PPC Worldwide 1800 604 640

- Career Transition Services - assist people with preparing resumes, job allocations and interview techniques
- HR delivered Internal Workshops - 'Building Resilience and dealing with stress' and 'Transition – how to survive and thrive through change'

Unions can also provide support and advice to their members.

Additional Information

Public Service Commission (PSC) Directives
Directive 06/12: Employees Requiring Placement
Directive 04/12: Early Retirement, redundancy and retrenchment
Available on the PSC website: http://www.psc.qld.gov.au/

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EMPLOYEES REQUIRING PLACEMENT PROCEDURE

Review: July 2013 **Version 1.0**

1. PURPOSE

This procedure outlines the processes for the management of permanent employees who require placement as a result of workplace change. The processes support Government workforce alignment strategies.

For the purpose of this procedure, Employees Requiring Placement (ERP), are employees:

- whose position becomes surplus to departmental requirements resulting in their substantive role becoming redundant; and
- who are unable to be allocated a substantive role following workplace change.

The ERP process **does not** apply to employees seeking alternative placement as a result of:

- medical decisions deeming incapacity (mental or physical) to perform their substantive role (refer to PSC Management of transitioning medical Employees Requiring Placement Factsheet)
- disciplinary action
- requests for transfer

This procedure must be read in conjunction with:

- Public Service Commission Directive - Employees requiring placement 06/12
- Public Service Commission Directive - Early retirement, redundancy and retrenchment 04/12

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2. AUTHORITY

Public Service Act 2008 – sections 25, 42, 46, 53, 55, 133, 134, 138 and 178.

3. APPLICATION

These arrangements apply to tenured (permanent) public service employees (officers and permanent general employees), including tenured senior executives (SE) and senior officers (SO), as defined under the *Public Service Act 2008*.

These arrangements do not apply to:

- employees engaged under section 122 of the Public Service Act 2008
- senior executives that do not have tenure
- temporary general employees
- temporary employees
- casual employees
- trainees
- cadets
- external contractors/consultants
- volunteers.

4. RESPONSIBILITIES

Delegates ensure that:

- management within business areas must engage with Human Resources, Corporate Services regarding strategies for workplace change, establishment and workforce management with respect to employees deemed as surplus
- review and approve the redundant positions and employees deemed as surplus
- employees are only approved as an employee requiring placement status if they meet the definition described under this procedure and all alternative placement options, within their respective business area, have been considered
- Human Resources, Corporate Services have been advised on all matters of workplace change
- employees likely to be impacted by workplace change are advised in a timely, appropriate and consistent manner
- their responsibilities, and those of managers/supervisors, are adhered to in regard to ERP processes and ensure action is taken in a transparent, fair and equitable manner
- ERP details are provided to Human Resources, Corporate Services for recording on the departmental and Public Service Commission (PSC) ERP registers
- employees are considered for permanent vacancies and temporary vacancies (greater than six [6] months), in accordance with the departmental and PSC central process, before proceeding to fill any vacancies
- suitability assessment processes and placement recommendations are transparent prior to approval of appointments and clearly address whether an employee is considered to have the skills and abilities necessary to meet the requirements of the role to a satisfactory level, given a reasonable period of training and on-the-job experience, and are fit to undertake the role with reasonable adjustment, if required
- employees are provided with support, information and resources to ensure an understanding of what is required of them and from the department.

Managers ensure that:

- all vacancies are submitted through the Establishment Management Program (EMP) processes
  Important note: Ranger vacancies within NPRSR are currently exempt from the EMP process.
- ERP processes are conducted in a transparent, fair and equitable manner, in particular when:
  - determining which employees are identified as surplus as a result of workplace change
  - assessing the suitability of employees impacted by workplace change
  - advising and managing the choices/decisions of employees
  - identifying alternative placement options and
  - selecting employees for placement
- regular contact is maintained with Human Resources for guidance/updates on workplace change and employee placement
- all employees undergo a suitability assessment process for vacancies in which they have expressed interest
- appropriate supervision of employees placed in their area of responsibility
- they work with employees and supervisors to support the implementation of placement strategies (and work trials if required)
- provision of training, local induction and on-the-job experience to ensure employees are able to successfully undertake the duties required

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- suitable and meaningful duties relevant to the classification level for employees are provided whilst awaiting permanent placement.

Supervisors must:

- provide referee statements in accordance with the prescribed requirements of the PSC Directive 06/12 'Employees requiring placement' when requested to do so by the Case Manager
- identify and provide suitable and meaningful duties relevant to the classification level for employees whilst awaiting permanent placement
- provide employees with reasonable time to access advice and support services in order to provide the best possible outcome for employees and the department
- provide employees with reasonable time to prepare for assessment processes and apply for advertised vacancies at level and below their substantive level, if elected by the employee
- provide employees with the information required and the opportunities to be effectively assessed for vacant positions
- liaise with employees and the appointed Case Manager to provide the best possible outcome for employees and the department.

Human Resources will:

- maintain a register of employees requiring placement and appropriate records to support decisions and actions under the directive
- provide advice and guidance to ensure fair and equitable processes are undertaken with respect to the workforce alignment strategies, alternative placement options, employee advice and decisions, selection of employees for alternative placement
- monitor employee progress and status to ensure compliance with process
- attend to internal and external reporting requirements to provide appropriate information about ERP processes
- provide employees with information about relevant positions available to be filled within the department
- provide advice to employees and management on placement processes, salary arrangements, and applicable relocation expenses (if necessary)
- immediately appoint a Case Manager for each employee requiring placement
- review suitability assessment reports and, where required, return them to business areas to undertake further assessment activities
- undertake reviews of employees requiring placement with the PSC.

Case Manager will:

- support the implementation of strategies and activities to achieve the earliest possible placement of the employee in a substantive role
- attend to all enquiries as the primary point of contact for any matters relating to the employee requiring placement including advising of suitable vacancies, assisting with process requirements and liaison with Human Resources and PSC as necessary
- contact the employee within 24 hours of their decision not to accept a voluntary redundancy from the formal offer and maintain regular contact (a minimum of once per week) until permanent placement occurs
- obtain the employee's resume, role category preferences, referee contact details and the referee statement as prescribed in this procedure

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- provide a copy of the referee statement to the employee
- liaise with PSC, ERP departmental contact officer and the employee's substantive supervisor/manager to identify potential placements
- maintain effective records, ensure information is provided to update the relevant placement register and provide reports, upon request, on the status, progress and level of participation of the employee.

Employee Requiring Placement (ERP) will:

- work cooperatively with the department to implement new workforce arrangements
- participate actively in the placement process which includes:
  - completing the registration process as required
  - responding to correspondence within the specified timeframes
  - Indicating whether they wish to be considered for placement at level only and/or for placements at specified levels below their substantive level
  - maintain regular contact with their Case Manager and participate in the development and implementation of an action plan
  - provide a current resume, name and contact information of two referees and nominating three role categories in which they have the most skills and experience
  - considering matched vacancies and ensuring they are available to meet with assessment panels
  - participating in appropriate job application and suitability assessment processes as requested
  - accepting reasonable placement and re-training opportunities
  - proactively apply for all suitable advertised vacancies at their substantive classification level, and keeping a record of applications.

Queensland Shared Services (QSS) will:

- provide voluntary redundancy and retrenchment calculations upon request from the Executive Director, Human Resources, Corporate Services
- process employee separations including payments for voluntary redundancies and retrenchments where applicable
- process transfer and re-deployment placements.

Public Service Commission (PSC) will:

- together with the department, conduct reviews of the progress of employees requiring placement
- facilitate the central ERP process for referred vacancies from all departments
- liaise with departmental contact officers to provide details of vacancies from the central pool
- review suitability assessments for employees being considered for vacancies from the central pool and refer back to departments for further assessment as required.

5. DELEGATIONS

The requirements of this procedure overrule the Human Resource Delegations and should be read in conjunction with the Authorisations and Establishment Management Program requirements.

6. DEFINITIONS AND GLOSSARY OF TERMS

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Business Area Contact – the contact person detailed on the Establishment Management Program Approval Request Form/Business Case

Case Manager – a Human Resource representative assigned to actively assist the individual employee and line manager in the placement process to secure a permanent placement.

Delegate – Deputy Directors–General of respective business areas

Establishment Management Program (EMP) – the whole of government establishment management process introduced by the PSC and, implemented in the department, as a result of the 2012 machinery-of-government changes. The program incorporates a vacancy review process that is designed to ensure recruitment decisions regarding vacancies are aligned with Government priorities and filled so as there is no detriment to service delivery for clients.

Employee Requiring Placement (ERP) - an employee who has been unable to be substantively allocated to a role following workplace change (a surplus employee) and includes a person who is surplus as a result of being unattached from their role (relinquishment). It does not include persons who need or are seeking alternative placements as a result of decisions under sections 178 (mental or physical incapacity) or 188 (discipline action) of the *Public Service Act 2008* or following a transfer request.

Permanent –The status of an employee that denotes tenure in accordance with the *Public Service Act 2008*.

Receiving Department – a department which has referred a vacancy and/or to which an ERP is placed on a permanent or temporary basis and may be the same as the releasing department.

Re-deploy – the transfer of an employee to a lower classification level, with their consent.

Referred Vacancy – a vacancy unable to be filled with a departmental ERP and has been referred to the PSC to identify suitable ERP from the central register.

Releasing Department – the department in which an ERP holds tenure.

Substantive position - the position to which an employee has been permanently appointed

Suitable/Suitability Assessment – An ERP is suitable for a role at the same classification level or a lower classification level if they demonstrate the minimum skills necessary to meet the requirements of the role to a satisfactory level, given a reasonable period of training and on-the-job experience, and are fit to undertake the role with reasonable adjustment if necessary.

Suitability Report – a statement outlining the assessment of the employee's suitability against key attributes for the role. Where an employee is assessed as unsuitable, the report must address why reasonable training, induction and on-the-job experience would not enable the employee to satisfactorily undertake the role.

Transfer – Means to move an employee to a permanent alternative role at level. (Conditions of such transfers are provided in Directive 'Transfers within and between classification levels and systems')

Workplace Change – decisions that affect the services and programs delivered by the department, its workforce structures or establishment.

Work trial – The placement of a registered employee in a vacant permanent role for a maximum of three months (as per Directive) for the purpose of determining their suitability.

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7. PROCEDURE

Step 1 Workplace change and alternative placement options

Following the approval of the revised organisational and structural arrangements, an assessment of the impacts on the workgroup, workforce and individuals must be undertaken to inform the determination of appropriate workforce realignment and alternative placement strategies. These could include:

a) Direct Transfer

Where a role in the effected unit remains unchanged and currently filled by a permanent employee, the employee is to remain in that role.

In assessing whether an employee can be moved into a position on the basis of a like-to-like transfer, a matching process can be undertaken and the following must be taken into consideration:

- responsibilities and duties of the position compared with the employee's substantive position
- classification of the position being equivalent to the classification of the employee's substantive position
- employment conditions established by an award or certified agreement, if different from the employees substantive position, including but not limited to, salary arrangements across streams, allowances and hours of duty.

b) Seek interest in a voluntary redundancy

Employees affected by workplace change could be invited to indicate their interest in receiving a voluntary redundancy. This approach is confined to particular groups of employees affected by specific decisions (i.e. a decision has been made that there needs to be a reduction of the number of AO3 Administration Officers in a particular business area). Invitation to indicate interest in receiving an offer of redundancy:

- Is made on the basis that The decision about which roles becoming redundant (and which employees are therefore declared surplus) is the decision of the department
- Does not guarantee an offer of a voluntary redundancy
- An employee may choose not to accept a redundancy if one is offered and may choose to pursue alternative placements
- Does not negate the department's responsibility to attempt to identify internal alternative permanent placements at level for surplus employees

c) Expression of interest process

Where there are more employees than vacant positions, it may be appropriate to consider all affected employees for particular groups of positions (e.g. if there are 8 permanent 'policy officers' at the same classification level, however, it is determined that only 5 are required for future service delivery).

All affected tenured employees within the group (at level) are invited to express interest in being transferred into an ongoing role, with the caveat that any employee not expressing interest may be transferred to a new/continuing role at the discretion of the department.

The employee's suitability is assessed against the key attributes of the role.

If employees are invited to express interest, prior knowledge will be used to determine their suitability. Where there is insufficient prior knowledge, the employee may be required to provide and/or participate in one (or a combination) of the following:

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- copy of their current resume
- written assessment against key attributes of the role
- work/skills tests
- informal interview.

A referee check or additional verification activities could be undertaken. (Refer to the suitability assessment section for further information).

d) Combination of processes

Business area may decide that it is appropriate to combine a number of processes to determine which roles are retained and consequently which employees become surplus.

For example, this may occur where there are specialist roles within a broader role category. A decision may be made to "quarantine" the specialist roles and conduct an expression of interest process (as described above) for the remaining roles.

For each option, a role profile/role description must be used to assess individual's suitability against the key attributes for the role/s.

Decisions are then made on which employees will be transferred into available roles and the employees who do not gain permanent placement are considered surplus, before they are formally declared as an employee requiring placement under Directive 06/12.

These processes should not be used for appointment of employees at levels above their current classification or to positions external to the work unit.

It is recommended that a panel comprised of the manager and one other person, should be set up to conduct the assessment.

Important Note: These processes must be conducted in an equitable and transparent manner and be well documented to ensure the selected options and outcomes can be qualified under scrutiny.

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Step 2 Identification of employees declared as surplus

If an employee has not successfully transferred into a substantive position in the new organisational structure within the business area, they are declared surplus.

The business area will submit a list of positions and employees identified as surplus to the delegate. The delegate must approve the positions that have been deemed redundant. Details of the substantive holders of the redundant positions, employees declared surplus, are provided to the Executive Director, Human Resources, Corporate Services.

Step 3 Notification of ERP options

A formal Options letter will be prepared by Human Resources, Corporate Services which includes two options for the employee to consider:

- an invitation to accept a voluntary redundancy offer (in accordance with Directive 04/12 'Early retirement, redundancy and retrenchment') **or**
- be considered for alternative placement i.e. pursue transfer and/or re-deployment opportunities

The letter will direct the employee to the GovNet site to access the voluntary redundancy estimate self-assessment calculator which has been developed to give an **estimate** of a voluntary redundancy payment.

From the day of receipt, the employee will have 14 days to respond by completing the Decision Form indicating their decision.

If the employee accepts the voluntary redundancy, the employee's exit date will be confirmed.

Should the surplus employee not accept the voluntary redundancy offer, they are considered for placement within the business area.

If the employee does not advise of their decision, in writing, within the two week period, the employee will be considered to have elected to pursue the transfer and/or re-deployment opportunities.

Step 4 Acceptance of a voluntary redundancy offer

Once the employee has determined which offer they wish to accept, they must complete and submit the Decision Form to Human Resources, Corporate Services.

Human Resources will review the form and where the employee has chosen to accept the voluntary offer provide written confirmation to the employee acknowledging their decision and advising of the separation date. The employee's manager will complete and forward separation documentation to QSS.

Step 5 ERP registration

If the employee does not return the Decision form or has indicated on the Decision Form they wish to pursue transfer and/or re-deployment opportunities, Human Resources, Corporate Services will:

- assign a Case Manager
- arrange for the employee to be recorded on the Departmental ERP and PSC Central Placement registers
- send the employee an ERP registration letter and relevant forms
- review existing department vacancies.

Important note: The employee has a period of four (4) months to secure an alternative placement prior to the commencement of the review process (detailed below). This period commences from the date the employee is registered on the PSC Central Placement register.

The Case Manager will then contact the employee within 24 hours to:

- obtain a copy of their current resume and contact details of two referees
- complete and submit the PSC Registration form and required supporting documents which includes whether they wish to be considered for:
  - Placement in roles at level only (via transfer); and/or
  - Placement at levels below their current substantive classification level (re-deployment) detailing the lowest classification level to which they consent to being re-deployed
  - Nominations for three role categories in which they have the most skill and experience

The Case Manager will contact the manager/supervisor to obtain one referee statement which must include information about the employee's work performance and conduct.

The employee will be provided with a copy of the referee statement and given an opportunity to respond to any adverse comments. The Case Manager will consider any response and determine whether a revised referee statement should be obtained.

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The referee statement will be used to provide a declaration of satisfactory conduct and performance to the PSC as part of the registration process. Where the referee statement for an ERP contains adverse information, the employee may not be registered on the Central Placement Register until the matters identified in the statement have been resolved.

At the time of the request, the referee must be advised their obligation to provide truthful and relevant information in accordance with the provisions of Directive 06/12 and the Code of Conduct.

Human Resources will maintain the departmental ERP register with the following information:

- preferences and status of each ERP placement
- referee statement, resume etc. as obtained by the Case Manager
- placement levels (and locations if relevant) to which the employee has consented being transferred and/or re-deployed
- updated and relevant case information provided by the Case Managers
- placement offers and outcomes for each employee.

The information contained in the departmental register may be provided to the PSC for use in the central placement process across all departments.

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Step 6 Departmental ERP placement process

Requests to fill all vacancies (temporary or permanent) are submitted through the Establishment Management Process (EMP).

Important note: Ranger vacancies within NPRSR are currently exempt from the EMP process.

If approval is given to fill the vacancy, Human Resources will:

- review the ERP register and identify possible matches for the vacancy
- forward the vacancy details to the employee and their Case Manager
- forward ERP details to Business Area Contact.

The employee may then contact the Business Area Contact to obtain the Role Description. Following consideration the employee will lodge their interest to be assessed for the role.

The Business Area Contact will facilitate a suitability assessment process for each of the employees who have expressed interest. If required, the employee will be contacted to participate in additional assessment processes. (Refer to suitability assessment section for further information.)

At the conclusion of the suitability assessment process the Business Area Contact will submit the finalised suitability assessment report to the delegate for consideration.

The delegate will provide the report to Human Resources for review. At this time, Human Resources, Corporate Services may choose to refer the report back to the Business Area Contact for further suitability assessment activities to be undertaken.

If a suitable employee has been selected, the business area will make an offer to the employee.

If deemed suitable, one of the following offers (whichever is relevant) will be made:

- transfer direction (in accordance with Section 133 of the *Public Service Act 2008*) or
- re-deployment.

The employee will have five (5) working days to advise of their acceptance or refusal. If accepted, a start date (usually no longer than two weeks) will be agreed.

If an employee declines the first offer, the business area must advise Human Resources, Corporate Services. The employee will remain on the departmental register.

If an employee accepts permanent redeployment to a lower level position, there is no right of return to a role at the higher level, once the placement to the lower classification level is finalised, unless through promotion on merit.

If no departmental ERP are deemed suitable, Human Resources will refer the vacancy to the PSC for consideration under the central placement process.

Important note: The employee has one (1) opportunity to refuse either a departmental transfer direction **or** PSC transfer direction, without having to demonstrate grounds. After this opportunity is exhausted, subsequent transfer directions will be managed in accordance with Section 134 of the *Public Service Act 2008*. This may result in termination of employment if the officer cannot establish they have reasonable grounds for the refusal.

Step 7 PSC central placement process

The PSC will coordinate a centralised ERP process across all departments. All departmental employees requiring placement will also be registered for consideration in the central process.

Human Resources will liaise regularly with the PSC about the:

- registration and placement opportunities for departmental employees through the PSC Central Placement Register; and
- filling of referred vacancies as determined through the Establishment Management Program (after all departmental placement options have been exhausted)

Upon receipt of the completed ERP registration information, the PSC will review all referred vacancies to determine possible matches. This review should take no longer than seven (7) working days.

Where the PSC identifies a suitable match between the employee's skills and a vacancy, a suitability assessment will be undertaken by the receiving department (i.e. the department filling the vacancy).

The PSC will contact the Departmental ERP Contact Officer to advise them of the match. The contact officer will provide the Case Manager with the vacancy information. The Case Manager will liaise between the employee and the receiving department throughout the suitability assessment process.

The employee must participate in the suitability assessment process. (Refer to Suitability Assessment section for further information)

The suitability assessment process should take no more than seven (7) working days. If deemed suitable, offers will be made in accordance with the departmental process as detailed above.

If this offer is the first offer for the employee, and they decline the offer, they will remain in the PSC central placement pool.

Important note: The employee has one (1) opportunity to refuse either a departmental transfer direction **or** PSC transfer direction, without having to demonstrate grounds. After this opportunity is exhausted, subsequent transfer directions will be managed in accordance with Section 134 of the *Public Service Act 2008*. This may result in termination of employment if the officer cannot establish they have reasonable grounds for the refusal.

Step 8 Review

When an employee has been registered as an ERP for four (4) months, a review of the placement process will be undertaken between the department and the PSC.

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The Executive Director, Human Resources, Corporate Services will advise the employee, in writing, of the upcoming review, four (4) weeks before the review period is due to expire. The employee is then invited to respond with additional information in relation to the efforts to secure permanent placement by the due date in the written advice.

The department, in conjunction with the PSC, may initiate a review at an earlier time if it considers reasonable placement efforts have been undertaken and/or a transfer opportunity is unlikely to occur as a result of the employee's specialist skill set or location.

Important note: The four (4) month review period is not suspended for any reason including absences, work trials and temporary placements.

The Case Manager will provide a final status report, including the employee's response to the PSC.

- If it is beneficial to continue to pursue placement opportunities, a further review date of no more than three (3) months from the date of completion of the review will be nominated, providing there are no exceptional circumstances.

If it is determined that reasonable placement efforts have been undertaken and it is decided it is not appropriate to continue these efforts, the retrenchment provisions of Directive 04/12 will apply.

At this time, the employee will be advised in writing of the intention for retrenchment and reasons for the decision. The employee will be provided with an opportunity to respond with reasons as to why they should not be retrenched before a final decision is made.

The employee will have ten (10) days in which to provide a response in writing to Human Resources, Corporate Services. The response will then be considered by the delegate and, if the delegate accepts the reasons provided by the employee, written advice revoking the retrenchment decision will be provided to the employee and the placement process resumes.

If the delegate does not accept the reasons provided by the employee, written advice confirming the retrenchment decision and advising the separation date will be forwarded to the employee. Arrangements will also be made to provide the relevant documentation to QSS for processing.

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Step 9 Suitability Assessment

A suitability assessment process must be undertaken for an employee who is referred for a vacancy and should take no more than seven (7) working days for completion.

The assessment of suitability requires the review of the resume, referee statement against the minimum requirements of the role. If there is insufficient information in the employee's resume, other selection tools may be used.

An employee is considered suitable for a role if they have the skills and experience to meet the minimum requirements of the role, given a reasonable period of training and on-the-job training.

A suitability assessment must be directed at determining whether an ERP has the minimum skills to undertake the requirements of the role to a satisfactory level, if provided with reasonable retraining, induction and reasonable adjustment (if necessary).

An assessment panel, of no less than two (2) members, will conduct the suitability assessment. The panels are responsible for ensuring that fair and transparent processes are undertaken to assess employees requiring placement and assist with the placement of tenured employees.

At the conclusion of the suitability assessment process the panel will submit the finalised suitability assessment report to the delegate for consideration.

The delegate will provide the report to Human Resources for review. At this time, Human Resources, Corporate Services may choose to refer the report back to the panel for further suitability assessment activities to be undertaken.

Following the review, if an employee is deemed suitable, arrangements will be made to affect their transfer in accordance with the provisions of the relevant directives.

If deemed unsuitable, employees will be notified of the outcome of the suitability assessment and reasons in writing.

For vacancies under the PSC Central Placement Process, Human Resources will provide the report to PSC for review.

Step 10 Work trials and temporary placement of ERP

Work trials (permanent positions only)

Where the suitability of an ERP for a permanent vacancy cannot be conclusively determined by undertaking a suitable assessment, a work trial may be negotiated for a maximum period of 3 months.

Unless otherwise agreed, the releasing business area to which the employee is substantively appointed is responsible for meeting salary and associated costs for the period of the work trial.

The work trial will be considered to be the suitability assessment process and must be documented accordingly.

A work trial should be structured to ensure that the applicant is properly managed. The manager to whom the applicant reports should provide the applicant with clear information about performance and conduct expectations and should also identify the development, support and feedback that the applicant requires to achieve the performance levels required. The manager/supervisor should meet with the applicant on a regular basis and be provided with timely and balanced feedback to monitor progress and provide additional support as required.

The final assessment must take into consideration the ability of the employee to undertake the role long term with retraining, reasonable adjustment or other development assistance including additional experience in the role.

The final assessment of the work trail will be actioned in accordance with the suitability assessment process as outlined above.

Temporary placements

The department must consider ERP for both permanent and temporary vacancies (greater than 6 months) before proceeding to fill a vacancy by any other means.

If an ERP is placed in a temporary vacancy within the department or within another department, the employee retains permanent tenure as an officer within the releasing department.

If the temporary placement is in another department, the employee is on 'secondment' unless otherwise determined by the delegates.

The employee is to remain registered with the department as an ERP during both work trials and temporary placements, and may apply for other vacancies during any placement periods.

Important note: The four (4) month review period is not suspended for any reason including work trials and temporary placements.

Step 11 Salary maintenance for transfer and re-deployment

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Transfer

An employee who is transferred at level to another business area or department is to be paid their salary and any applicable allowances by the receiving business area or department from the date of duty.

Employees transferred into a permanent role across streams of a classification system will be paid in accordance with the Directive relating to 'transfer within and between classification levels and systems'.

Re-deployment

An employee who is re-deployed is to be paid by the receiving business area or department at the highest pay-point of their new classification level plus any applicable allowances.

The employee is entitled, for a period of 12 months following redeployment, to be paid the salary and allowances applicable to the substantive role which they held prior to redeployment. The releasing business area or department is to fund the difference between salary and allowances to be paid by the receiving agency and the salary and allowances the employee would have been entitled to if they had remained in their substantive position. The employee will not receive any pay point increments during this period but will receive salary increases determined by the applicable industrial instrument in the receiving service area or department.

For tenured senior executives who have been redeployed, the arrangements outlined above are to include any additional remuneration packaging arrangements specified in a current directive relating the senior executive employment conditions or senior officer employment conditions, as applicable.

Where an employee is transferred or accepts redeployment to a role which is subject to different conditions established by award or certified agreement then the employee is to assume the conditions of the role, with the exception of the 12 month salary maintenance period detailed above.

Step 12 Salary arrangements for secondment and temporary engagements

Salary costs for an employee placed at level in a temporary vacancy in another service area or secondment to another department are to be met by the receiving service area or department.

Where an employee accepts a temporary placement in another service area or secondment to another department at a salary level lower than their substantive level, the income difference will be paid by the releasing department. This provision includes differences in salary due to conditions established by award and certified agreements.

Salary maintenance paid during temporary engagements and secondments will count towards the twelve (12) month salary maintenance period unless otherwise determined

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8. FORMS

ERP Registration Form

ERP Guide to Suitability Assessments

Referee Report

Resume Template

9. OTHER RESOURCES AND LINKS

The following HR policy and procedure categories of the former departments continue to apply:

- Recruitment and Selection
- Transfer

- Establishment Management Program
- Employee Exit Arrangements (including Housing arrangements where relevant)

Related Legislation or Standard

Public Service Act 2008

Related Government Guidelines or Policy

Directive 1/10 - Recruitment and selection
Directive 19/10 – Appeals
Directive 04/12 – Early retirement, redundancy and retrenchment
Directive 06/12 – Employees requiring placement
Directive 11/11 – Transfer and appointment expenses
Directive 7/10 – Transfer within and between classification levels and systems

Supporting Resources

ERP process flowchart

ERP Guide for Managers *(under development)*

ERP Guide to Suitability Assessments
PSC Fact Sheets *(under development)*
Voluntary Redundancy Estimate – Self Assessment Calculator
Voluntary Redundancy Frequently Asked Questions

10. EMPLOYEE COMPLAINTS AND APPEALS

An employee who is the subject of an administrative decision or action is entitled to lodge a complaint in accordance with the departmental Managing Employee Complaints Procedure should they feel that the administrative decision is unfair or biased.

If an employee considers that the issue is not resolved following the finalisation of the complaints process, they may be able to lodge an appeal with the Appeals Officer pursuant to the Public Service Commission Directive - Appeals. An employee considering an appeal should refer to this directive and may seek further information on appeal rights from the Public Service Commission or the website at www.psc.qld.gov.au.

11. EFFECTIVE DATE

This procedure applies from the date of approval.

12. TRANSITIONAL ARRANGEMENTS

An employee who had been registered as an employee requiring placement (irrespective of the reason) under PSC Directive 12/09 *'Employment arrangements following workplace change'* will be deemed to be an employee requiring placement under *PSC Directive 06/12 'Employees requiring placement'*.

13. FURTHER INFORMATION

Should you require any further information or clarification, please contact Human Resources, Corporate Services as follows:

EHP and NPRSR	employeeplacements@ehp.qld.gov.au
DNRM and DEWS	ERP@dnrm.qld.gov.au
DAFF and DTESB	HRDAFF@daff.qld.gov.au

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14. ADDITIONAL SUPPORT

Additional support for individual employees and managers is available through the departmental Employee Assistance Program. The service provider details are as follows:

PPC Worldwide
Phone: 1800 604 640
www.ppconline.info/au

Employees may also contact their Case Manager and/or local HR Officer. Unions can also provide advice and support to their members.

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Employees Requiring Placement (ERP)
Employees Complaints Process Information Sheet

Purpose: To provide employees with information in relation to complaints and appeal rights with regards to the Employee Requiring Placement (ERP) process.

Appeals: The decision to determine a position surplus, under the ERP Directive No. 06/12, is non-appealable as determined under the *Public Service Act 2008* s195, and in conjunction with Directive No.19/10 (Appeals), where it states the decisions against which appeals cannot be made includes:

> *(2) A decision that decides the policy, strategy, nature, scope, resourcing or direction of the public service or a department.*

That is, decisions of budget, service and structure changes are not appealable. However, employees may be entitled to appeal against a range of administrative decisions that adversely affects them. Before doing so however, an employee is required to demonstrate that he or she has first used the department's employee complaints policies/procedures under the Directive No. 8/10 (Managing Employee Complaints).

Employee Complaints: Directive 08/10 Managing Employee Complaints states an:

> ***employee complaint*** *means a complaint made by a current public service employee who has an honest belief based on reasonable grounds that:*
>
> - *an administrative decision is unfair or unreasonable,* ***or***
> - *the conduct or behaviour of an employee, agent or contractor is unfair or unreasonable or constitutes sexual harassment or workplace harassment,* ***and***
> - *the decision, conduct or behaviour has a substantial and direct adverse effect on the employee concerned.*

An employee complaint must be in writing and follow the relevant departmental policy and/or procedure currently in place (e.g. DERM Managing Employee Complaints Procedure HRS/2011/4704, DEEDI Managing Employee Policy HR10/11). Managing and resolving a complaint submitted by an employee in relation to an ERP is potentially a three stage process.

Stage 1 Local Action — lodged with the Deputy Director General or Executive Director where applicable, of the employee's work unit. The Manager Employee Relations or Manager Governance & Ethics must be advised of all complaints lodged.

If an employee is dissatisfied with the grounds and decision made during the ERP process— which meets the definition of an 'employee complaint' as defined above and is not excluded under s193 of the Public Service Act 2008— the employee may lodge a complaint.

- Employee complaints must be made in writing, and sufficient information must be provided by the employee to enable the agency to take appropriate action.
- Action by the agency to resolve employee complaints must be within 21 days of receipt of written request from the employee making a complaint.
- At the completion of the local action, the agency must provide a written response to the employee. The decision must include:
  - Detail of the action taken and the outcome
  - The reasons for the decision
  - Any action the agency will take as a result of the decision, and
  - Be capable of review.

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Employees Requiring Placement (ERP)
Employees Complaints Process Information Sheet

Stage 2 Internal Review — lodged with the DG or Delegate. The Manager Employee Relations or Manager Governance & Ethics must be advised of all reviews lodged.
If an employee is dissatisfied with the decision made during Stage 1 the employee may make a request to the agency chief executive (or delegate) for an internal review.

- A request for an internal review must be received by the agency chief executive (or delegate) within 14 days of the employee receiving a copy of the decision being made.
- The internal review must be completed within 14 days of receipt of written request from the employee making a complaint
- At the completion of the internal review, the chief executive (or delegate) must provide a written response that includes:
    - Details of the action taken and the outcome
    - The reasons for the decision
    - Any action the chief executive (or delegate) will take as a result of the decision, and
    - Be capable of review.

Stage 3 External Review of a decision made at internal review

- If the employee is dissatisfied with the decision made at internal review, the employee may apply for external review. Avenues of review include:
    - Public Service Commission
    - Queensland Ombudsman
    - Queensland Industrial Relations Commission
    - Anti-Discrimination Commission Queensland

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AUTHORITY:

- *Public Service Act 2008*
- Public Service Regulation 2008
- Directive 06/12 – Employees Requiring Placement
- Directive 08/10 – Managing Employee Complaints
- Directive 19/10 – Appeals
- Directive 11/11 – Transfer and Appointments
- Directive 04/12 – Early retirement, redundancy and retrenchment

ALLIED POLICIES AND PROCEDURES:

- DERM Managing Employee Complaints Procedure HRS/2011/4704
- DEEDI Managing Employee Complaints Policy HR10/11
- QWC Managing Employee Complaints Policy and Procedure HRM-PPR-013
- Department of Communities Complaints Management Policy and Procedure

OTHER REFERENCE DOCUMENTS:

- Frequently Asked Questions – Directive 06/12: Employees Requiring Placement

ERP Case Manager
Role Statement

A case manager is assigned to each employee requiring placement (ERP) and provides support from the time they are registered as an ERP to when they are either transferred into another role or have exited through the retrenchment process.

The role of the Case Manager is to:

- Contact the employee within 24 hours of their decision not to accept a voluntary redundancy and maintain regular contact (a minimum of once per week) until permanent placement or otherwise occurs.
- Support the implementation of strategies and activities to achieve the earliest possible placement of the employee in a substantive role.
- Attend to all enquiries as the primary point of contact for any matter relating to the employee requiring placement including ensuring the employee understands the ERP process, their responsibilities and obligations under the relevant Directives and departmental policies and procedures.
- Provide the employee with advice in relation to their job search eg: suitability assessment process, feedback on their resume, practice interviews, skill analysis.
- Obtain the employee's resume, Employee Requiring Placement profile, including role category preferences, referee contact details and the referee statement as prescribed in the employee requiring placement directive 06/12 and support the employee in completing relevant departmental forms in a timely manner.
- Liaise with Public Service Commission, ERP departmental contact officer and the employee's substantive supervisor/manager to identify potential placements.
- Maintain effective records, ensure information is provided to update the relevant placement register and provide reports, upon request, on the status, progress and level of participation of the employee.
- Refer the employee to other departmental and non-departmental support services eg: Employee Assistance Program, career counselling, resume preparation.

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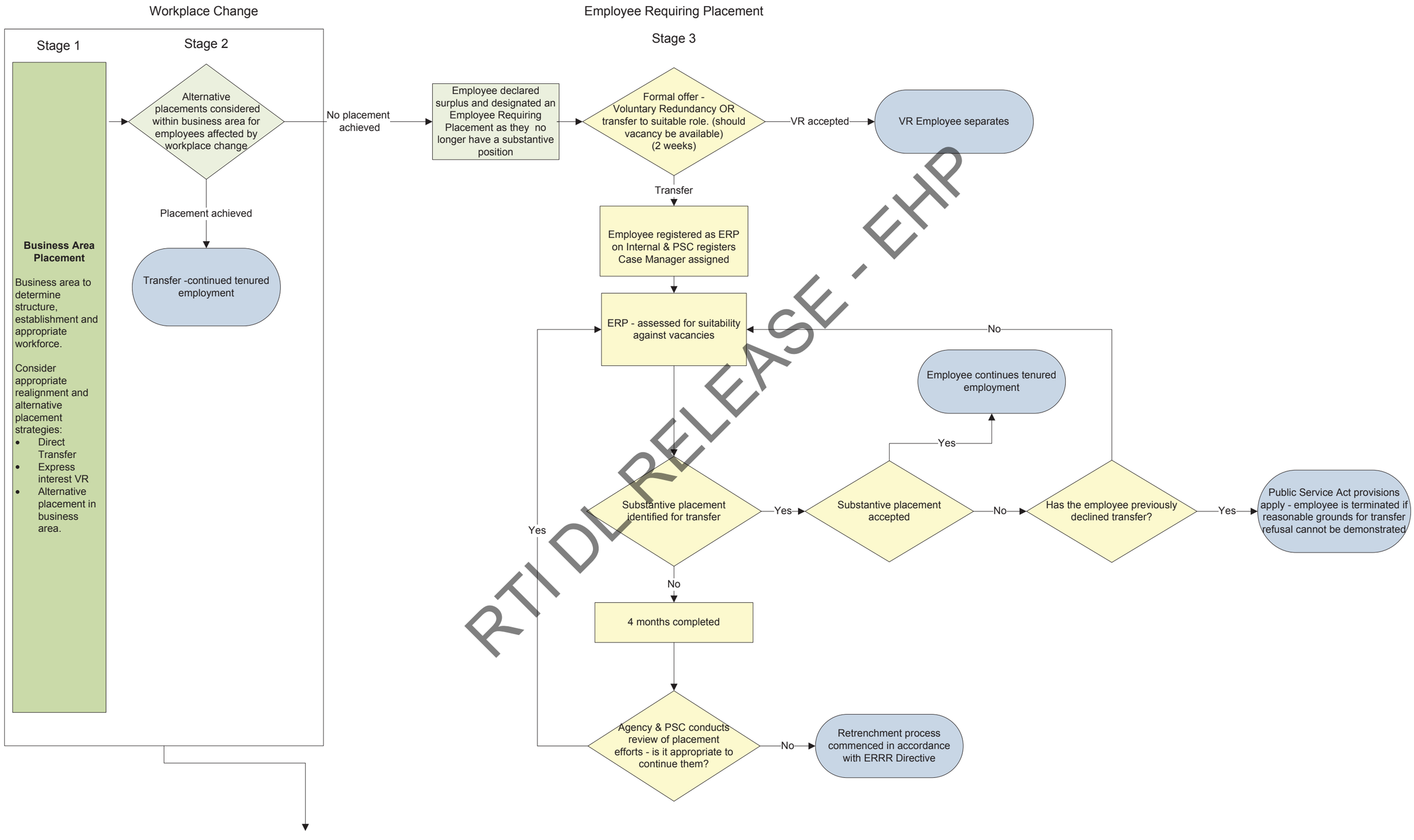
The Case Manager does not:
- advocate directly on behalf of the employee or find them a job.
- provide personal or career counselling.
- make decisions

Aboriginal and Torres Strait Islander employees:
For Aboriginal and Torres Strait Islander employees, an Indigenous case manager may be available to case manage and discuss issues.

Employees Requiring Placement Flowchart

Workplace Change and Placement Process



Note: If the ERP alternative placement is subsequently made redundant the above process recommences.

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Frequently Asked Questions -Voluntary Redundancy

Note: The FAQ's should be read in conjunction with Directive 04/12: Early retirement, redundancy and retrenchment.

What is a Voluntary Redundancy (VR)?

A voluntary redundancy is the situation where a position or function becomes redundant as a result of workplace change, which leads to an employee being declared surplus and the department offering an employee a voluntary redundancy package.

What is a genuine or "bona fide" redundancy?

An employee is considered to be genuinely surplus if:

- the chief executive has made a definite decision that the job the employee has been doing is no longer required to be done by an employee;
- that decision is not due to the ordinary and customary turnover of labour;
- the decision led to the proposal to terminate the employee's employment; and
- the proposed termination of employment is not on account of any personal act or default of the employee e.g. unsatisfactory performance or behaviour.

You should also refer to ATO TR2009/2 for information about bona fide redundancy payments

What is the difference between a VR, Voluntary Separation Program or Voluntary Early Retirement?

- Voluntary Redundancies (VRs) are where workplace change has resulted in redundant positions. Once an employee accepts a VR, their position must be abolished.
- The Voluntary Separation Program (VSP) was a government-run initiative with specific conditions determined by negotiation between the state government, unions and the Australian Tax Office.
- Voluntary Early Retirements (VERs) are offered to a **class** of officers, e.g. all AO8s. Once an employee accepts a VER, their position must be abolished. VER process is subject to Commissioner of Taxation approval.

What is included in the VR package?

A redundancy package comprises the following-

- Accrued recreation leave;
- Accrued long service leave for employees who have worked for at least one year, on the basis of 1.3 weeks for each year of continuous service and a proportionate amount for an incomplete year of service and;
- A severance payment of two weeks' full-time pay per full-time equivalent year of service and a proportionate amount for an incomplete year of service paid at the employee's substantive appointed level. (minimum 4 weeks pay & maximum of 52 weeks pay).
- It may also include an incentive payment (see below)

(Note: A redundancy package does not include payment for unused sick leave)

Part Time Employees

Part-time employees affected by redundancy situations will be entitled to a severance payment. The payment is calculated on two weeks' full-time pay per year of full-time equivalent service and a proportionate amount for an incomplete year of service (minimum 4 weeks pay & maximum of 52 weeks pay).

Incentive payment (full-time employees)

An incentive payment will be offered once only to encourage employees to exit the department on or by a specified date. The payment will be $6,500 or twelve weeks' pay at the employee's substantive level, whichever is the greater.

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Incentive Payment (part-time employees)

Part-time employees who are offered an incentive payment will be entitled to a portion of the incentive payment, which will be adjusted to reflect the proportion of full-time hours worked by the employee. For example, if .5 is the proportion of full-time hours worked by an employee in the position at the date of offer, the incentive payment applicable would be $3,250 or twelve week's salary, calculated at the employee's usual part-time rate (i.e. in this example .5), whichever is the greater.

Does the clause 'years of continuous service' include permanent position only or does it include any temporary employment as well?

It includes all service recognised for the purposes of Long Service Leave (in accordance with the Long Service Leave Directive), including temporary employment. Temporary employment includes temporary engagements directly through the government. It **does not** include temporary engagements with the government through a recruitment agency.

What entitlements are there to long service leave – is this just for employees who have worked for government for longer than 7 years, or is there an entitlement for all staff?

Accrued long service leave is included in the package for employees who have worked for at least one year. Refer to the Long Service Leave Directive for more information.

Is sick leave paid out?

No. Flexitime and sick leave are not paid out. Employees are encouraged to reduce their flexitime account balance to zero before separating from the department.

Recreation and long service leave are paid out (where applicable).

Will VR offers be calculated on an employee's higher duties salary or on their substantive salary?

Offers will be calculated on an employee's **substantive** salary.
However, where an employee is working in a higher duties role at the date of separation from the department, the recreation leave component will be calculated at the higher duties rate.
Where an employee is working in a higher duties role at the date of separation from the department and has been working in a higher duties position for greater than twelve months, recreation and long service leave component of the package will be paid at the higher duties rate.

What conditions apply to employees who accept a VR and have previously or continue to receive SARAS assistance and payments?

The employee's SARAS agreement will be cancelled by the acceptance of a VR. Any SARAS payments made to employees up to and including the end of Semester 1 2012 will not require repayment. Any SARAS payments made in advance after this date will be evaluated on a case by case basis.

Can a calculation of a potential VR package be provided to employees before applying/considering this offer?

There are two VR calculators available on Govnet <http://intranet.govnet.qld.gov.au/information/infores.htm#vrc>, one for simple calculations and one for staff with a complicated employment history. All employees who are offered a VR are encouraged to use this tool to calculate their package entitlements. Should you have any queries regarding your calculation using these calculators you can email ERP@dnrm.qld.gov.au for DEWS/DNRM and HRDAFF@daff.qld.gov.au for DAFF and DTESB for assistance.

How is a voluntary redundancy taxed?

A genuine redundancy attracts concessional tax. Information about tax rates can be obtained from the Australian Taxation Office (www.ato.gov.au). Employees considering a voluntary redundancy offer are encouraged to seek independent financial advice.

What are the tax implications if we receive payout and then start earning income same financial year?

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You should refer to ATO TR2009/2 for information about bona fide redundancy payments. Information about tax rates can be obtained from the Australian Taxation Office (www.ato.gov.au) Employees considering a voluntary redundancy offer are encouraged to seek independent financial advice.

How long between accepting a VR and separating from the Department?

Once an employee has accepted a VR they are given approximately two (2) weeks to separate from the department.

What if I am on leave when my position is made surplus?

If an employee is on leave when they are considered to be genuinely surplus each situation will be evaluated on a case by case basis depending on each individual's circumstances. All information and decisions will be communicated in a timely manner.

What is the period of time you cannot work for government following the acceptance of a VR?

- There are no time restrictions.
- However, an employee who has accepted a VR and who is subsequently engaged by a Queensland Government entity for a total period of more than **twenty full time equivalent working days** in the severance payment period is required to repay a portion of their severance payment. The person will be entitled to retain only that portion of the severance payment which covers the period of time for which they were not engaged in a Queensland Government entity or a minimum of twenty days' salary, whichever is greater. **NB: the severance payment period is defined in the Directive as 'the period of time which equates to the payment of the severance payment expressed in weeks'. It does not include recreation leave, long service leave, the notice period or the incentive payment.**
- For example, if an employee receives a severance payment of 30 weeks' pay and works full time for a maximum four week period (i.e. 20 working days) they will not be required to repay any of their severance payment.
- However, if that same employee works full time for a twenty week period (i.e. more than 20 working days) they will be required to repay twenty weeks' worth of their severance pay.
- Further, if that same employee works full time for a twenty eight week period they would be required to repay a maximum of 26 weeks' salary (i.e. meaning they would otherwise be entitled to less than twenty days' salary).

Are you restricted from working for government as a contractor or just as a staff member?

There are no restrictions, but the above repayment requirements apply to any person who has received a VR and who is subsequently engaged by one or more Queensland Government entities as a consultant, contractor, or employee.

Do I have any review or appeal rights?

If you are aggrieved by decisions or actions made under Directive 04/12 you may access the department's complaints process, in accordance with relevant department policies.

What support is available for me?

You can access support from a range of people, to help you understand the VR process:

- your local HR officer and manager/supervisor;
- The department's employee assistance program (PPC Worldwide:1800 604 640)
- Unions can also provide advice and support to their members.

More information

If you are requiring further information on the VR process please visit the PSC Website or contact ERP@dnrm.qld.gov.au for DEWS/DNRM and HRDAFF@daff.qld.gov.au for DAFF and DTESB

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Fact Sheet: Management of transitioning medical Employees Requiring Placement

Under Directive 6/12, employees who are unable to continue in their role for medical reasons are only considered to be employees requiring placement (ERPs), if they had been registered as such under the former *Directive 12/09: Employment Arrangements Following Workplace Change* (repealed) – 'transitioning medical ERPs'.

Employees who were not registered under Directive 12/09 **and** who cannot perform their substantive role for medical reasons are not considered to be ERPs under Directive 6/12.

Application of Directive 6/12 to transitioning medical ERPs

Directive 6/12 applies to transitioning medical ERPs. This means that:

- agencies and transitioning medical ERPs must proactively consider the placement of the employee into an alternative role. This includes ensuring that the roles transitioning medical ERPs are performing are correctly designated and reflect the nature of the duties being performed (rather than their previous role designation).
- Clause 6.2 of Directive 6/12, provides that the voluntary redundancy offer is in accordance with the provisions of *Directive 4/12: Early Retirement, Redundancy and Retrenchment*. Therefore:
    - transitioning medical ERPs can be offered a voluntary redundancy **if** the bona fides of the redundancy can be maintained i.e. if the role the transitioning medical ERP is undertaking is no longer required and that is the predominant reason for the redundancy
    - a medical ERP cannot be offered a voluntary redundancy if the role they are attached to is still required **and** is vacant / would need to be re-filled. In this instance, transitioning medical ERPs should be registered in the central placement pool for transfer (and if relevant, redeployment) opportunities.
        - E.g. if a medical ERP has been temporarily assigned to a role that will continue, they cannot be offered a genuine redundancy or if a medical ERP is on long term leave from a continuing role (e.g. a frontline role) then they cannot be offered a genuine redundancy.

Template letters will need to be adjusted accordingly.

Other actions

Agencies can and should be taking action to resolve situations that preclude a transitioning medical ERP from returning to their substantive role or being placed into an alternative role. This may include finalising WorkCover and QSuper claims and applying the provisions of Chapter 5, Part 7 of the *Public Service Act 2008* (mental or physical incapacity).

These actions may be taken in conjunction with actions under Directive 6/12.

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TEMPLATE – ERP Expression of interest process

Please note the following information:
This template is provided as a guide for managers who have decided to implement an 'expression of interest' process as an alternative placement strategy. This process is implemented where there are more permanent employees than positions available.

Employees may be invited to express interest in being transferred into an ongoing role, with the caveat that any employee not expressing interest may be transferred to a new/continuing role at the discretion of the department.

A role profile/role description **must** be used to assess individual's suitability against the key attributes for the role/s.

If employees are invited to express interest, prior knowledge will be used to determine their suitability. Where there is insufficient prior knowledge, the employee may be asked to provide and/or participate in one (or a combination) of the following:

- copy of their current resume
- written assessment against key attributes of the role
- work/skills tests
- informal interview.

A referee check or additional verification activities could be undertaken. (Refer to the suitability assessment section of the ERP procedure).

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Letter to the Employee *(This letter may accompany the Role Profile)*

You are invited to express your interest in the role of….

As you are aware of the changes being implemented across the department and specifically within the work unit, as a result an assessment process is required to be undertaken to fill the roles available.

The role profile is designed to provide you with a brief summary of the purpose of the role and the key capabilities for assessment purposes. Only employees substantively at the role classification level, in the work unit, who wish to be considered are required to provide a resume and employee response.

Therefore, I am asking you to submit your resume in the template provided and a response to the key capabilities in either a dot point format or a written statement within the 1 page Role Profile – Employee's Response format provided. This will be used in the assessment process along with a referee report if required.

A panel consisting of the Manager and a person external to the work group will create an order of merit based on the information presented. Additional recruitment tools may be used to support the process.

Instructions *(may be revised according to the specific requirements detailed above)*

- Responses must be no more than 1 page in the template provided.
- This response, your resume (in the prescribed template) and details of referees (where necessary) are to be submitted no later than the closing date and time.
- Late responses will not be considered except in extremely exceptional circumstances and provided there will be minimal impact on other employees being considered.
- Support for writing resumes and responses to key capabilities can be found on the intranet
- Manager will compile responses and complete the process in accordance with the ERP procedure.

Role Profile

Role Title:	
Classification:	
Work Unit:	
Number of roles:	
Location:	
Closing date and time:	
Responses submitted to:	
Contact number for more information:	

About the role:

Provide a paragraph or two describing the purpose of the role (consider including significant projects or deliverables that are required in the next 12 months).

Key capabilities:

Use an existing role description or your department's existing role profile and refer to CLF or Lominger to ensure consistency with the classification (seek help from HR)

- Provide 3 or 4
- <key capability>
- <key capability>

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Role Profile - Employee's response

Name:	
Employee Number:	

Response to Key Capabilities

Key Capability 1
Key Capability 2
Key Capability 3

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Suitability Report

This report documents the process and decision relating to the suitability of surplus employees and internal placement process in accordance with Employee Requiring Placement Directive 06/12.

To:	Executive Director, Human Resources
From:	
Title:	
Phone no:	
Date:	

Position Information

Department:	
Position Title:	
Work Unit:	
Position Number/s:	
Classification level:	
Position type:	
Location:	
Type of process: Note: Refer to Employees Requiring Placement procedure and Manager's Guide for more information.	☐ Expression of interest process ☐ Vacancy approved through Establishment Management Program ☐ Vacancy referred via the PSC central process
Background:	*eg: staff advised that of the 7 policy officer positions, only 4 would continue to be funded). Employees invited to express interest by cob Friday.*

Employee/s considered

Name:	Employee No:	Department

Assessment process

Process and techniques used to assess suitability:
In consideration of the position requirements specified in the (role description/role profile), the following information was assessed: • Employee Requiring Placement Registration Form/s • Referee report/s • Resume Please attach any relevant selection documentation.

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Suitability Assessment Decision

Suitability confirmed *Include all details relating to the placement such as training to be provided or a trial period*
On the basis of the assessment process, it is recommended that (name/s) be (transferred / offered a trial period of _____). The recommended start date is: / /
Comparative assessment *A comparative assessment is required for a process where more than one employee has been assessed*

Unsuitable candidates
As a result of this decision, the following employees remain surplus with justification:

or

No suitable candidate *A statement of reasons is a requirement under section f (iv) of the Employees Requiring Placement Directive (attachment 1).*

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Approvals:

Manager:	
Name:	
Signature:	
Date:	

Interview panel (if relevant):	
Name:	
Business Group:	
Signature:	
Date:	

Delegate:	
Name:	
Business Group:	
Signature:	
Date:	

Human Resources:	
Comments:	
Name:	
Signature:	
Date:	

Public Sector Commission (only where no suitable candidate is Identified) :	
Comments:	
Name:	
Signature:	
Date:	

Forward this form to the relevant Human Resources team as follows:

EHP and NPRSR employeeplacements@ehp.qld.gov.au
DNRM and DEWS ERP@dnrm.qld.gov.au
DAFF and DTESB HRDAFF@daff.qld.gov.au

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Individual ERP Suitability Assessment
Statement of reasons

Employee

Name:	Employee No:	Department

Position Information

Department:	
Position Title:	
Work Unit:	
Classification level:	
Position type:	
Location:	

Assessment of employee against the key attributes

Overall statement regarding unsuitability for this role

Manager:	
Name:	
Signature:	
Date:	

Interview panel (if relevant):	
Name:	
Business Group:	
Signature:	
Date:	

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Guide to Suitability Assessment

An employee registered as an employee requiring placement either with the department or the PSC must be considered for permanent and temporary vacancies (greater than 6 months) prior to any other action to fill the position.

A suitability assessment process must be undertaken for an employee who is referred for or applies for a vacancy and should take no more than seven (7) working days for completion.

The assessment of suitability is the means of determining whether an employee requiring placement is capable of effectively performing the duties of a vacancy.

The suitability assessment **must** be directed at determining whether an employee has the minimum skills to undertake the requirements of the role to a satisfactory level. The panel should consider if the following would enable the employee to effectively perform the duties of the vacancy:

- Reasonable training and development to assist employees to transition to new roles. Work trials would be considered reasonable training and development.
- Reasonable induction training with orientation and induction to current work systems and operations
- Reasonable adjustment to consider an employee's medical condition or disability and make appropriate and reasonable adjustments to the workplace to lessen the impact of the condition.

An assessment on merit will occur when there is more than one person identified for the role. This assessment relates to the applicants abilities, aptitude, skills, qualifications, knowledge, experience and personal qualities against the Key Attributes and "look fors" required for the role.

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Process

1. An assessment panel, of no less than two (2) members is convened to conduct the suitability assessment. The panel is responsible for ensuring that fair and transparent processes are undertaken to assess employees requiring placement and assist with the placement of tenured employees.
2. The panel ensures they have sufficient information to determine suitability. The panel reviews the resume and referee statement and if there is insufficient information use additional selection processes such as interview, informal conversation, work/skills tests or written response to the key attributes. Where more than one employee is assessed as suitable, the final decision will be on the basis of relative merit between those employees.
3. At the conclusion of the suitability assessment process the panel will submit the finalised ERP Suitability Report to the delegate for endorsement.
4. The delegate will provide the report to Human Resources for review.
5. If no employee/s is assessed as suitable (either through suitability assessment or trial placement) the Panel is still required to forward the ERP Suitability Report and Suitability Assessment forms through the delegate to Human Resources, Corporate Services. Human Resources will review the reports and if necessary, return with a recommendation to undertake further assessment activities.
6. For vacancies under the PSC Central Placement Process, Human Resources will provide the report to PSC for review.
7. If deemed unsuitable, employees will be notified by the panel chair of the outcome of the suitability assessment and reasons in writing.

From: Himstedt Dale [Dale.Himstedt@nprsr.qld.gov.au]
Sent: Wednesday, 12 September 2012 7:29 AM
To: Paolini Marisa; Mays Debbie; Ashton Georgina
CC: Swain Randall; Baddeley Eric
Subject: FW: ERP review process - role of PSC

FYI

From: Kurt Marsden [mailto:Kurt.Marsden@psc.qld.gov.au]
Sent: Wednesday, 12 September 2012 7:00 AM
To: Parker Brenda; Marshall Chris; Himstedt Dale; Debbie Paterson; 'Duncan McKellar'; 'Fiona Krause'; 'Greg Coughlan'; 'Julie Dahl'; 'Lyn Rowland'; 'Mark Rogers'; Williams Mark; 'Matthew Skoien'; 'Neil Smith'; 'Nicole Bunning'; 'Patsy Jones'; 'Shelley Murphy'; 'Stephen Long'; 'Scott Findlay'; 'Scott Peut'; 'Jeff.SHELDEN@dete.qld.gov.au'
Cc: Sonia Cooper; Ross Musgrove; Anne-Maree Hauritz; Vivienne Van Der Laak; Paul Casey; Kylie Armstrong
Subject: ERP review process - role of PSC

Dear colleagues

The PSC has received a number of queries regarding our role in the four month (or earlier) review process for employees requiring placement (ERP).

As you are aware, section 6.6 of Directive 6/12 – *Employees Requiring Placement* – refers to the review process that will occur after an employee has been an ERP for four months, or at an earlier time determined by the agency. The Directive states that the review will be conducted, together with the PSC, to determine whether continuing efforts to secure a permanent placement remains appropriate.

The role of the PSC in the review process, is to provide information from the central placement process that we facilitate, to assist agencies in reaching a decision. Such information would include:

- Advice on outcomes from the centrally managed placement process for each ERP – such as:
  - number of referrals for matching opportunities,
  - assessments of non-suitability,
  - offers declined,
  - employee's level of participation in the process
  - case manager commentary (where available)
- Number of registered ERPs currently at the employee's substantive classification (or redeployment level where relevant) at the time of the review
- Number of vacancies that have been referred to the central matching process since the period that the employee became an ERP - at the employee's substantive classification (or redeployment level where relevant).

It is not the intention of the PSC to assess the review decisions made by departments.

I trust this clarifies the PSC's role. Should you have any queries in relation to this advice please feel free to contact me or Anne-Maree Hauritz on 3247 5383.

Regards
Kurt

Kurt Marsden
Executive Director | Public Service Commission

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p. 07 303 30684 | **f.** 07 3224 2635 s.4(1)(b)
s.4(6) Personal information
e. kurt.marsden@psc.qld.gov.au | **w**. www.psc.qld.gov.au
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From: Paolini Marisa [Marisa.Paolini@ehp.qld.gov.au]
Sent: Monday, 17 September 2012 2:37 PM
To: Himstedt Dale; Swain Randall
CC: Mays Debbie; Ashton Georgina; Cini Terrina
Subject: RE: ERPs and temporary placements

Hi Dale

The issue with what is being proposed is that the ERP who is "placed" in the funded temporary role for >12 months will be removed from the ERP register and therefore not considered for future permanent vacancies during the temporary placement period. Not in the spirit of the Directive! How is this fair?!

MP

From: Himstedt Dale
Sent: Monday, 17 September 2012 1:29 PM
To: Paolini Marisa; Swain Randall
Cc: Mays Debbie; Ashton Georgina
Subject: FW: ERPs and temporary placements

The greater than 12 months scenario is different to what we were led to believe

Dale

From: Kurt Marsden [mailto:Kurt.Marsden@psc.qld.gov.au]
Sent: Monday, 17 September 2012 1:09 PM
To: 'Beth Gowen'; Parker Brenda; 'Brian Carroll'; Marshall Chris; Himstedt Dale; Debbie Paterson; 'Duncan Mckellar'; 'Fiona Krause'; 'Greg Coughlan'; 'Julie Dahl'; 'Keith Bowden'; 'Lyn Rowland'; 'Margarita McCracken'; Mark Goldsworthy; 'Mark Rogers'; 'Mark Weinert'; Williams Mark; 'Matthew Skoien'; 'Neil Smith'; 'Nicole Bunning'; 'Patsy Jones'; 'Scott Peut'; 'Shelly Murphy'; 'Stephen Long'; 'Scott Findlay'; 'Jeff.SHELDEN@dete.qld.gov.au'
Cc: Sonia Cooper; Anne-Maree Hauritz; Vivienne Van Der Laak; Ross Musgrove
Subject: ERPs and temporary placements

Dear colleagues

At our last EMP meeting we discussed the issue of how best to manage ERPs in the context of temporary placements – long and short term.

Please find below some dot points (for a more detailed discussion when we meet tomorrow) that could be applied in a practical sense. I am keen to ensure we don't make this an over burdensome approach that could result in perverse outcomes.

Employees are covered by the provisions of Directive 6/12 where they are no longer allocated to a substantive role following workplace change. For those employees who elect to become registered ERPs the aim is to achieve an alternative substantive placement at level. The directive does not define what a substantive role is. Whilst a substantive role is commonly considered to be e permanent ongoing funded role, agencies may elect to consider long term (i.e. minimum of 12 months) temporary placements as 'substantive roles' for the purposes of applying the provisions of the directive.

The below represents a practical approach to interpreting and applying the provisions of the directive to placements into long term (i.e. minimum of 12 months) non-recurrently roles.

Vacancies greater than 12 months – broader interpretation of 'substantive role'

- Employee transferred to vacancy agency and removed from ERP pool
- At end of placement period, employee is deemed surplus and process recommences from beginning

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- Vacancy agency responsible for managing the employee as ERP when declared surplus.
- The implications of adopting the broader definition should be discussed with affected employees (e.g. that the conditions applicable to surplus employees will be determined by what is in force at the time (noting there is currently no intention to change these provisions)).

Vacancies less than 12 months

- Employee remains on home agency establishment unless otherwise agreed
- Employee remains in ERP pool and will continue to be referred for permanent vacancies
- Continuing allocation to duties viewed as a compelling reason to extend the placement period at points of review.

For further discussion tomorrow.

Regards
Kurt

Kurt Marsden
Executive Director | Public Service Commission
p. 07 303 30684 | **f.** 07 3224 2635 | **m**. s. 4(6) Personal information
e. kurt.marsden@psc.qld.gov.au | **w**. www.psc.qld.gov.au
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From: Himstedt Dale [Dale.Himstedt@nprsr.qld.gov.au]
Sent: Friday, 8 February 2013 8:05 AM
To: Mays Debbie; Beaumont Briony; Mcfarlane Lauren; Ford Roxanne
Subject: FW: Potential changes to ERP and vacancy processes

All

FYI

Dale

From: Kurt Marsden [mailto:Kurt.Marsden@psc.qld.gov.au]
Sent: Friday, 8 February 2013 7:13 AM
To: 'Beth Gowen'; 'Brenda Parker'; 'Brian Carroll'; Marshall Chris; Himstedt Dale; Debbie Paterson; 'Duncan Mckellar'; 'Fiona Krause'; 'Greg Coughlan'; 'Julie Dahl'; 'Lyn Rowland'; 'Margarita McCracken'; Mark Goldsworthy; 'Mark Rogers'; 'Mark Weinert'; Mark.Williams; Matthew Skoien; 'Neil Smith'; Nicole Bunning; 'Patsy Jones'; 'Scott Peut'; 'Stephen Long'; Venables Celia; Paul Carlson
Cc: Sonia Cooper; Anne-Maree Hauritz
Subject: Potential changes to ERP and vacancy processes

Dear colleagues

As we move through the ERP process, the PSC is continually looking for opportunities to make the process more effective and efficient for agencies and ERPs.

Recent feedback from a number of ERPs, case managers and key agency contacts in relation to the central matching process suggests some improvements to the process could be of benefit. There is also an opportunity to improve the timeframe surrounding the releasing of positions where no ERPs are identified for referral.

In this regard, I would like to discuss, at our fortnightly EMP meeting next Tuesday, a potential revised process for both the matching of ERPs and the release of positions, as detailed below.

Referral of vacancies for ERP matching:

As you are aware, in the current process, agencies provide all vacancies under within their establishment in their weekly vacancy reports.

- The 'purple' part of the report relates to those vacancies that are available for immediate filling
- The 'blue' component of the report are all other vacancies for which decisions are yet to be made

Under the proposed process we recommend only reporting those vacancies that are available for immediate filling and the apply the following process. The PSC will retain the role of oversighting/managing all ERP referrals.

1. agencies submit vacancies (including role descriptions) that have been approved to be filled/advertised to the PSC by cob each Monday
2. PSC collates the list of vacancies from all agencies and distributes them, along with role descriptions, to each agency ERP Contact Officer for matching of their PSC registered ERPs by cob each Wednesday
3. agencies advise the PSC of any ERP matches with a brief rationale regarding potential suitability (PSC will continue to conduct central matching in parallel and will liaise with agencies where we identify a possible match and the agency does not)
4. PSC collates and refers candidates to relevant vacancies within agencies for assessment

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file:///C|/DDrive/Sniffer/2013%2002%2008%200805.htm[1/10/2014 10:59:59 AM]

Requests for release of positions:

If there are no immediate matches via the above process, vacancies will be held on the PSC master vacancy list for consideration of future ERP, and position details will continue to be circulated each week.

If there is a business reason requiring a position/s to be released and filled/advertised urgently, agencies may send a request to the PSC for release of positions, together with the reason/s for the request. PSC will consider requests for release and respond within 48 hours.

Potential benefits:

- Clear and consistent process timeframes
- Improved efficiency in ERP matching (less time + candidate knowledge of case manager being utilised) – reduced risk of matches being missed
- Improved transparency = greater confidence in process
- Increased cross-agency collaboration in efforts to place ERP
- More efficient release of critical positions

I look forward to discussing the above with you next Tuesday.

Anne-Maree Hauritz is meeting with your agency ERP contacts next Wednesday. Should we agree to any changes to the current process based on the above suggestions, Anne-Maree will brief them accordingly along with the detail that underpins any changes.

Please feel free to contact prior to our discussion on Tuesday if you would like to discuss this.

Thanks and regards
Kurt

Kurt Marsden
Executive Director | Public Service Commission
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e. kurt.marsden@psc.qld.gov.au | **w**. www.psc.qld.gov.au
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From: Employee Placement [employeeplacement@psc.qld.gov.au]
Sent: Monday, 27 May 2013 12:40 PM
To: Alan Chambers; Alfia Di Gregorio; Alison Kollmorgen; Alison O'Neill ; Amanda White; Amy Werner; Andrea Faux; Andrea Thompson; Annette Ozanne; Barry Salmon; Barry Thomas; establishment management; Bill Barlow; Bob Van-Kempen; Bradley Wise; Brent Kinnane; Brett Walker; Beaumont Briony; Bronwyn Greenaway; Brooke Halpin; Candice Howell; Catherine Meafua; Chris Firrell; Christina Murdoch; Christine Granger; Colin McVay; Colleen Smith; David Hill; Mays Debbie; Debbie Paterson; Donna Urquhart; DSDIP HR; Duane Lucas; Frankie Carroll (QLDRA); Rooney Gerard; Graeme Wilson; Graham Smith; Office of the information commissioner; HPW ERP Mailbox; Anderson Jane; Green Jenny; Lord Jenny; Spalding Jenny; Jo Shambler; Jody Montgomery; Joelene Hicks; John Bruce; John Kyriakidis; Julie Imber; Kathy Bishop; Katrina Hale; Ken Raymer; Khylie Wood; Kristin Furber-Burgess; Dynes Lisa; Lisa Richardson; Louise Barrett; Lyn Stevens (EWOQ); Michael Demy-Geroe; Michael Phillips; Michelle Brooker; Natalie Davies; Nick Twist; Patrea Walton; Paula Higham; Philip Goodwin; Pierina Curties; Qld Health HR Team - Placement; Richard Bosanquet; Scott Peut; Shane Maher; Shaun Gordon; Sonia DeLacruz; Sue Breitenbach; Trudy Snowdon; Vanessa Griffani; Vesna Cattalini; Vicki Peterson; Vivienne Norrie; Warren Edwards
CC: Kurt Marsden; Sonia Cooper; Donna Andrews; Jennifer Schreiber; Jo Ekstrom; Katie Holm; PSC Enquiries; Beth Gowen; Brenda Parker; Brian Carroll; Cheryllyn Phillips; Marshall Chris; Himstedt Dale; Duncan Mckellar; Fiona Krause; Greg Coughlan; Julie Dahl; Margarita McCracken; Mark Goldsworthy; Mark Rogers; Mark Weinert; Matthew Skoien; Neil Smith; Patsy Jones; Paul Carlson; Stephen Long
Subject: Update Frequently Asked Questions document - Directive 6/12 Employees Requiring Placement
Attachments: ERP Frequently Asked Questions - Revised 27-05-2013.docx

Good afternoon ERP Agency Contact Officer Network

Please find attached updated version of the Frequently Asked Questions document that is to be read in conjunction with Directive 6/12 Employees Requiring Placement.

Question 20 has been changed in relation to the date upon which an ERPs four (4) month placement period commences. There are no other changes to this document.

This change is effective immediately and applies to all current employees requiring placement (including those who have received notification that they are surplus, but who have not yet registered on the PSC placement database).

Please email employeeplacement@psc.qld.gov.au with any questions regarding this change.

Regards
Anne-Maree

Anne-Maree Hauritz
Program Manager, Workforce Strategy (VR/ERP Program)| Public Service Commission
p. 07 3003 2832 | **f.** 07 3224 6635
e. anne-maree.hauritz@psc.qld.gov.au | **w**. www.psc.qld.gov.au

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Frequently Asked Questions

Directive 06/12: Employees Requiring Placement

1 What is an Employee Requiring Placement (ERP)?

An ERP is a permanent public service employee who, as a result of workplace change, is no longer assigned to a ongoing role.

2 What happens when an employee is deemed to be an ERP?

Where there is the potential to transfer an ERP into a suitable alternative ongoing position, the department and the ERP will proactively consider this option, and facilitate immediate transfer.

If an alternative suitable ongoing position cannot be identified for an ERP, the agency will offer the ERP a choice between accepting a redundancy or pursuing other transfer opportunities. Employees will have two weeks to consider and make their decision.

An employee designated as an ERP retains their substantive classification level.

3 What does the option of a redundancy entail?

If an ERP chooses to accept the department's offer of a redundancy package, they will receive entitlements in line with the *Directive 11/12: Early retirement, redundancy and retrenchment* (available on the PSC website). This includes a severance payment and an incentive payment.

If an ERP declines the offer of a redundancy package, they will not be offered this option again at any future stage of the process. By declining the offer, the ERP is agreeing to actively engage with the department to seek and pursue transfer opportunities.

4 How is the redundancy package calculated for part-time employees?

The severance component of the redundancy package is two week's full-time pay per full-time equivalent year of service (e.g. a part-time employee who has worked 0.5 FTE for 10 years, has five years of full-time equivalent service). Where an employee has a combination of full-time and part-time service, both components are considered when determining the full-time equivalent service.

The incentive component of the redundancy package is 12 week's pay or $6,500, pro rata for part-time employees, based on their FTE at the date of offer.

5 Are leave accruals paid out if an employee accepts the redundancy?

Accrued leave will be paid out in accordance with the relevant leave directives.

- *1/11: Long Service Leave*
- *2/11: Recreation Leave*

RTI DL RELEASE - ERP

6 How is a redundancy taxed?

Although the employee's acceptance of a redundancy is requested, the decision to terminate the employment relationship rests with the department; as such redundancies made in accordance with directive 11/12 are genuine redundancies for taxation purposes.[1] A genuine redundancy attracts concessional tax. Information about tax rates can be obtained from the Australian Taxation Office (www.ato.gov.au).

7 What happens if an ERP has concurrent employment (two part-time jobs)?

An ERP with concurrent employment may be offered and accept a redundancy in relation to one role or both roles.

Where a redundancy is accepted in one role only, the employee will be required to refund a portion of the severance payment if they increase their hours in the remaining role (refer to Directive 11/12, Schedule A, Section 6.4).

8 What are the impacts on superannuation or salary packaging?

The impact of a redundancy package on superannuation or salary packaging arrangements will depend on the employees circumstances. Employees should contact QSuper / QInvest and where applicable, their salary packaging provider as soon as possible to discuss their options.

QSuper
www.qsuper.qld.gov.au
1300 360 750

QInvest
www.qinvest.com.au
1800 643 893

RemServ
www.remserv.com.au
1300 304 010

SmartSalary
www.smartsalary.com.au
1300 476 278

9 What happens when an ERP chooses to pursue transfer opportunities?

The ERP will be assigned a case manager, who will actively work with the ERP to place them in an alternative role. This may be in a role that arises within the ERP's home agency, or in a vacancy identified in another agency within the public service. All ERPs will be registered on a central placement database, managed by the Public Service Commission (PSC), which will assist this process. A referee statement will be obtained as part of the registration process. Where an employee does not agree with the comments contained in the referee statement, they will be provided with an opportunity to respond.

While transfer opportunities are being considered, the ERP must be provided with meaningful duties. This may include assigning them to temporary vacancies (e.g. temporary backfill of a substantively occupied role or temporary roles).

Agencies should also review existing temporary arrangements (e.g. temporary employees, secondment arrangements or higher duties) and resolve these in favour of

[1] Note: An employee must be less than 65 years old at the time of termination for a redundancy payment to qualify as a genuine redundancy payment. See section 3.6 of Directive 11/12.

RTI DL RELEASE - EHP

temporarily placing an ERP(at level) whilst transfer/placement opportunities are being pursued.

Agencies can also consider, where feasible and consistent with Government service priorities, the opportunity to create placement opportunities e.g. through:

- job redesign which increases, decreases or revises the qualifications and responsibilities of available vacancies to achieve a skills and classification match
- rotation of staff across roles to create a vacancy
- agreed reductions in working hours to for the ERP and other employees (e.g. leading to job share arrangements)

10 How are ERPs matched with vacancies?

Through the central placement database, the PSC will review registered ERPs against available vacancies across the public service. Classification level, job category and location, along with the ERP's resume and referee report will be used to identify possible matches between the ERP and a role/s.

When a possible match is identified, the ERP's details and resume will be referred to the relevant agency to conduct a suitability assessment against the vacancy.

Agencies will also continue to look for opportunities to place their own ERPs in vacancies that arise in their agency.

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11 How long will the assessment process take?

The assessment process should take no more than seven (7) working days, however an assessment process may take longer where employment screening checks are required. A suggested timeline is outlined below:

Day 1	Day 2 / Day 3	Day 4 / Day 5	Day 6	Day 7
Possible match identified PSC provides resume to agency	Agency conducts preliminary suitability assessment Agency advises employee of possible match and requests employee to be available to attend interview	Suitability assessment occurs, including referee check. Suitability report prepared.	Delegate signs suitability report*	Employee advised of outcome and provided with suitability report.

* a report must be provided to the PSC for review, regarding any ERP that is deemed unsuitable by the agency before the ERP is advised of the outcome.

12 How is suitability assessed?

An ERP is assessed as suitable for a role if they have the minimum skills to undertake the role to a satisfactory level, if provided with reasonable retraining, induction and (if required due to a medical condition) reasonable adjustment. If an employee is assessed as unsuitable, they will be provided with written reasons for this decision.

13 Does an ERP have to accept a transfer?

The *Public Service Act 2008* provides chief executives with the authority to transfer employees; the consent (agreement) of the employee is not required. An employee can decline a transfer if they can demonstrate reasonable grounds for doing so.

ERPs are provided with one opportunity to decline a transfer, to which they have been deemed suitable by the receiving agency, without having to rely upon demonstrating reasonable grounds to the agency chief executive's satisfaction. If, however, an employee refuses a second transfer **and** cannot demonstrate reasonable grounds, their employment may be terminated by written notice. Termination in these circumstances does not attract a retrenchment package.

14 What are 'reasonable grounds' for refusing a transfer?

Whether reasonable grounds exist for refusing a transfer will depend on the particular circumstances of each case.

Factors that may be considered by a chief executive in determining if reasonable grounds for refusal exist include but are not limited to:

(a) skills match (having regard to reasonable training and induction)
(b) impact of location changes (e.g. medical/personal or other impacts).

A change in travel time, direction, or method, may have an impact on an ERP. A specific maximum travel distance/time in relation to a transfer is not prescribed, however an ERP may make submissions on these issues in relation to the impact of the transfer on them.

15 When will a transfer take effect?

Where a transfer is agreed a start date is to be negotiated, this should generally be no longer than two weeks, however, a longer period might be appropriate in certain circumstances, such as where the transfer involves a geographical relocation.

16 Can an ERP be moved to a lower classification level?

In accordance with the *Public Service Act 2008*, an employee can only be *re-deployed* (transferred to a *lower* classification level) with their consent. ERPs can therefore nominate to be considered for roles at a lower classification level. An employee who does not nominate for re-deployment when first registered can do so at a later date, and vice versa. An employee can also amend the classification level(s) they wish to be considered for re-deployment to.

ERPs who elect to be considered for redeployment and subsequently accept a role at a lower classification level are entitled to salary maintenance. Information about salary maintenance is contained in section 6.7 of Directive 06/12.

17 Can an ERP be transferred to a statutory authority?

An ERP can be transferred to any department, public service office (listed in Schedule 1 of the *Public Service Act 2008*) and certain declared public service offices (listed in Schedule 1 of the *Public Service Regulation 2008*).

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There are a number of public sector entities, including statutory authorities, that do not fall into this group (e.g. the Crime and Misconduct Commission or the Queensland Ombudsman). Where vacancies arise in these organisations, they may contact the PSC to determine if there are any suitable ERPs who may be interested in transitioning to their organisation. An ERP cannot, however, be directed to transfer to one of these organisations.

18 What happens if an ERP is on secondment or higher duties?

An ERP on secondment or higher duties can be considered for and transferred to a role at their substantive classification level, and is expected to participate in placement activities.

If the ERP is assessed as suitable and the transfer accepted (see question 8), then the receiving agency and the seconding / higher duties agency need to determine an appropriate start date. The agencies may agree that the ERP can complete the secondment / higher duties or may determine it is appropriate that the employee be recalled to commence in the new ongoing role.

19 What happens when a part-time ERP is identified as a possible match for a full-time role?

Part-time employees are to be considered for full-time roles.

Where the PSC identifies a possible match between a part-time employee and a full-time vacant role, the match will be referred to the vacancy agency for consideration (see question 9).

Part time ERPs are required to participate in the reasonable re-negotiation of their part time hours, if necessary to facilitate their permanent placement.

Employees with permanent part-time arrangements
The ERP and receiving agency will need to discuss whether a part-time arrangement is operationally suitable for the role, including exploring options of job-sharing, and/or job redesign to accommodate a permanent part-time employee.

Employees with temporary part-time arrangements
Temporary part-time arrangements are based on operational convenience and may need to be re-negotiated, and in some cases adjusted, particularly where such re-negotiation and/or adjustment will lead to the placement of an ERP.

Employees working part-time for parental reasons
Where an employee is seeking to work, or to continue to work part-time, for parental reasons, the provision of the *Family Leave (Queensland Public Sector) Award – State 2012* and/or the *Industrial Relations Act 1999* apply.

20 How long can an employee remain an ERP?

A formal review will occur once the employee has been an ERP for no longer than four (4) months.

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The four (4) month period will commence fourteen (14) calendar days after the date of the letter notifying the employee that they are surplus to agency requirements.

The aim of the review is to determine whether it is appropriate to continue to pursue transfer opportunities.

If it is determined that reasonable placement efforts have been undertaken and it is not appropriate to continue to pursue transfer opportunities, the ERP's chief executive will advise the ERP of their intention to retrench the employee (in accordance with Directive 11/12. The employee must be provided with an opportunity to demonstrate why the proposed retrenchment is not reasonable, before a final decision is made.

If an employee is retrenched, they will receive entitlements in accordance with Directive 11/12, including a severance payment, but not an incentive payment.

21 What happens if an ERP is on leave?

An ERP on leave can be considered for and transferred to a role.

If there are particular reasons why an ERP on leave cannot participate in placement activities, including suitability assessments whilst on leave, these reasons should be discussed with the case manager and will be considered as part of the four (4) month review.

22 Are there any review or appeal rights?

Employees who are aggrieved by decisions or actions made under Directive 06/12 may access their agency complaints process, in accordance with relevant departmental policies.

If the complaints process has been reasonably exhausted, an ERP may have appeal rights in accordance with the appeals directive.

An employee cannot, however, lodge an appeal about the decision to transfer another employee.

23 What support is available for an ERP?

ERPs can access support from a range of people, to help them understand the ERP process and in trying to secure an alternative ongoing role:

- their case manger
- their local HR officer and manager
- their agency employee assistance service

Unions can also provide advice and support to their members.

RTI DL RELEASE - EHP

From: Employee Placement [employeeplacement@psc.qld.gov.au]
Sent: Friday, 21 June 2013 9:49 AM
To: Alan Chambers; Alison Kollmorgen; Alison O'Neill ; Amanda White; Amy Werner; Andrea Faux; Andrea Thompson; Annette Ozanne; Barry Salmon; Barry Thomas; establishment management; Bill Barlow; Bob Van-Kempen; Bradley Wise; Brent Kinnane; Brett Walker; Beaumont Briony; Bronwyn Greenaway; Brooke Halpin; Candice Howell; Catherine Meafua; Chris Firrell; Christina Murdoch; Christine Granger; Colin McVay; Colleen Smith; Darcy Harten; David Hill; Mays Debbie; Debbie Paterson; Donna Urquhart; DSDIP HR; Duane Lucas; Elizabeth Mandelkow; Frankie Carroll (QLDRA); Rooney Gerard; Graeme Wilson; Graham Smith; Office of the information commissioner; HPW ERP Mailbox; Anderson Jane; Green Jenny; Lord Jenny; Spalding Jenny; Jo Shambler; Jody Montgomery; Joelene Hicks; John Bruce; John Kyriakidis; Julie Imber; Kathy Bishop; Wiemann Katrina; Ken Raymer; Khylie Wood; Kristin Furber-Burgess; Dynes Lisa; Lisa Richardson; Louise Barrett; Lyn Stevens (EWOQ); Michael Demy-Geroe; Michael Phillips; Michelle Brooker; Natalie Davies; Nick Twist; Patrea Walton; Paula Higham; Philip Goodwin; Pierina Curties; Qld Health HR Team - Placement; Richard Bosanquet; Scott Peut; Shane Maher; Shaun Gordon; Sonia DeLacruz; Lino Starsky; Sue Breitenbach; Tracey Buhner; Trudy Snowdon; Vanessa Griffani; Vesna Cattalini; Vicki Peterson; Vivienne Norrie; Warren Edwards
CC: Kurt Marsden; Sonia Cooper; Jennifer Schreiber; Jo Ekstrom; PSC Enquiries; Alison Gardiner; Beth Gowen; Brian Carroll; Venables Celia; Marshall Chris; Himstedt Dale; Duncan Mckellar; Greg Coughlan; Jen O'Carroll; Margarita McCracken; Mark Goldsworthy; Mark Rogers; Mark Weinert; Neil Smith; Patsy Jones; Paul Carlson; Stephen Long
Subject: Summary of Changes to ERP Program from 1 July 2013

RTI DE-RELEASE - EHP

Good morning ERP Agency Contact Officers

Following on from my email of Friday 14 June 2013 and Wednesday's Departmental ERP Representatives Agency Network Meeting, please find below a summary of the changes to the ERP Program that will become effective from 1 July 2013 (unless otherwise advised).

Key Changes

- A new directive for Employees Requiring Placement, to reflect the proposed process changes, will commence from 1 July 2013 (including transitional arrangements) – pending CCE approval
- The PSC will cease coordinating a central ERP management process from 1 July 2013

Changes in more detail

-

- PSC central ERP management and matching processes will cease, including:
    - The PSC Central ERP database will be closed on 30 June 2013 (no further registrations after this date) – current registrants will be informed of this change in the week beginning Monday 24 June 2013, and will be directed to their case manager or agency ERP contact officer for assistance
    - The PSC will cease issuing agency initiated ERP referrals on Friday 21 June 2013 – PSC initiated referrals will cease on Friday 30 June 2013
    - Agencies will refer ERP to the nominated contact person in the relevant agency from 1 July 2013
    - PSC endorsement of suitability assessments is no longer required from 1 July 2013
    - PSC endorsement of proposals for trial placements is no longer required from 1 July 2013
    - PSC ERP Team will be disbanded on 28 June 2013 – ERP enquiry email remains (employeeplacement@psc.qld.gov.au) and ERP advice may be obtained from the Workforce Strategy Team (phone 3003 2831)

- PSC input into Placement Reviews relating to ERP **extension** is no longer required after 1 July 2013

- The master vacancy list was discontinued on 14 June 2013 – PSC approval to advertise/fill a vacancy that has been circulated for ERP consideration is no longer required

- Weekly reporting of EEAP activity ceases from 1 July 2013. EEAP reporting will be required monthly from relevant agencies.

- VR/ERP statistics will be required monthly (changed from weekly) from July 2013 (new template and lodgement schedule will be issued in a separate email)

What will continue?

-

- The PSC will continue to have an active oversight, monitoring and support role.

- Agencies will continue to submit weekly vacancy details to employeeplacement@psc.qld.gov.au by cob each Friday (new template and information issued in separate email earlier today)

- The Placement Review Process in relation to any proposals for **retrenchment** is unchanged – the PSC will continue to contribute to reviews in the same way as at present

- Fortnightly ERP Agency Contact Officer (Departmental) meetings will continue – separate advice will be issued

- The PSC ERP email enquiry service remains as at present – employeeplacement@psc.qld.gov.au

- ERP advice may be obtained from the Workforce Strategy Team within PSC (phone 3003 2831)

- ERP information will be updated on the PSC website on 1 July 2013

- Arrangements for funding the EEAP scheme will change on 1 July 2013 – agencies without a specific EEAP funding allocation for 2013/14 should contact the PSC for any EEAP requirements after 1 July 2013

Please contact the PSC by email (employeeplacement@psc.qld.gov.au) or phone 3003 2831 for any further enquiries or clarification of these changes.

Thank you again for your ongoing support and collaboration throughout this process.

Regards
Kurt Marsden
Executive Director | Public Service Commission
p. 07 300 32829 | **f.** 07 3224 2635 | **m**. sch4p4(6) Personal information
e. kurt.marsden@psc.qld.gov.au | **w**. www.psc.qld.gov.au

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From: Himstedt Dale [Dale.Himstedt@nprsr.qld.gov.au]
Sent: Friday, 28 June 2013 11:15 AM
To: Mays Debbie
CC: Wiemann Katrina
Subject: FW: Revised directive for employees requiring placement
Attachments: 2013-6-employees-requiring-replacement-directive.pdf

FYI

Dale

From: Ian Maynard [mailto:ian.maynard@psc.qld.gov.au]
Sent: Friday, 28 June 2013 11:13 AM
To: Chesterman Andrew; Andrew Garner (Science, IT, Innovation and Arts); Barry Broe (Coordinator-General); Craig Evans; Hunt Dan; David Edwards (State Development, Infrastructure and Planning); Debbie Best; Graeme Newton (QRA); Helen Gluer (Treasury); Ian Maynard; Ian Stewart (Queensland Police); Noye Jack; Jim Watterston(Education); Glaister John; John Sosso; Black Jon; Jon Grayson; Kelvin Anderson (Community Safety); Margaret Allison (Communities, Child Safety and Disability); Neil Castles (Housing and Public Works); Neil Scales (Transport and Main Roads); Eden Richard; Tony O'Connell (Health); Andrew Greaves - Auditor-General; Barry Salmon - A/Commissioner for Children and Young People and Child Guardian; Barry Thomas - President, Mental Health Review Tribunal; Carmel MacDonald - President, Land Tribunal; Cheryl Herbert - CEO Health Quality and Complaints Commission; Clare Smith - A/Information Commissioner; David Glasgow - Commissioner Families Responsibilities Commission; Elizabeth Woods - CEO QComp; Forbes Smith; Gary Savill - Industrial Registrar - Registry of the Queensland Industrial Relations Commission; Graeme Wilson - General Manager Qleave; John Ryan; Kevin Cocks - Anti-Discrimination Commissioner; Kevin Martin - Adult Guardian; Margaret Isaac - Executive Director, Prostitution Licensing Authority; Michael Demy-Geroe - Executive Officer, Office of Health Practitioner Registration Boards; Patrea Walton - CEO Queensland Studies Authority; Peter Carne; Rod Camm - CEO Skills Queensland; Russell Witt - A/CEO Gold Coast Waterways Authority; Theresa Johnson; Walter van der Merwe - A/Electoral Commissioner
Cc: Kurt Marsden; Katie Holm; Vivienne Van Der Laak; Barbara Tollenaere; Cargill Brie-Anna; Carol McNamara (Queensland Police); Laing Debby; Emma Medland; Jenny Grace; Anderson Jodie; Kara Wallis (Communities); Kathryn Janiczak (DSITIA); Johnson Katrina; Kelly Skuse; Vella Kim; Kym Asprey (Housing and Public Works); Lauren Edminson; Lisa Pennisi (DETE); Lynette Williams; Marilyn Buswell (Local Government); Georgieff Rachael; Rebecca Lincoln (Coordinator-General); Stewart Rebecca; Rebecca Stratford (QldRA); Renee Gallagher (Justice); Roslyn Raleigh; Serena Niblock (Treasury); Trish Nielsen; Vicki Puplett (Community Safety); Anne Hayes; Candice Howell; Catherine Meafua; Christina Murdoch; Christopher Hope; David Mills; Graham Smith; Julie Imber; Kristen Furber-Burgess; Michelle Brooker; Paula Higham; Rob White; Tony Cacciola; Warren Edwards; Yvette Zischke; Parker Brenda; Brian Carroll; Cathy Bray; Venables Celia; Marshall Chris; Craig Allen; Himstedt Dale; David Reed; Debbie Paterson; Duncan McKellar; Elizabeth Buckby; Greg Cochlan; Janice Saleh; Julie Dahl; Lyn Rowland; Margarita McCracken; Mark Goldsworthy; Mark Rogers; Mark Weinert; Matthew Skoien; Neil Smith; Nick Twist; Patsy Jones; Paul Carlson; Paul Casey; Ross Musgrove; Scott Peut; Stephen Long
Subject: Revised directive for employees requiring placement

RTI RELEASE - FOR

Dear colleagues

I write to advise that I have approved a revised directive for employees requiring placement; Directive 06/13 is effective 1 July 2013 and replaces Directive 6/12 of the same name. A copy of the revised directive is **attached** and will be available on the Public Service Commission's (PSC) website.

You would be aware that Directive 6/12 was introduced in July 2012 to support service wide placement efforts for employees affected by workplace change. The current process has reached a strong level of maturity across departments which has resulted in high placement rates. This is a credit to the hard work and collaborative attitude of your staff and has contributed to the decision to revise the directive.

As you are aware, under Directive 6/12, the PSC had a very active role in cross agency placement efforts, co-ordinating cross agency referrals, reviewing suitability reports and partnering in all reviews of the status of employees requiring placement (ERP). In support of streamlining processes, realigning accountability and reducing red tape, the PSC has reviewed the processes for managing ERPs and following discussions with agency heads of human resources, has determined that it is appropriate to adjust this. It is important that I emphasise the revised directive retains the underpinning policy framework for

the placement of ERPs, however changes some process aspects:

- agencies will continue to provide case management to ERPs as part of efforts to achieve placements
- ERPs will continue to be considered for relevant vacancies ahead of filling by other means both within their agency and across the public service. Instead of identification of cross agency matches being undertaken by the PSC, agencies will be responsible for identifying possible matches of their own ERPs against weekly vacancy lists distributed by the PSC
- ERPs will continue to be assessed against vacancies on a suitability basis, however instead of the PSC reviewing reports where an ERP has been assessed as unsuitable, this will be done by agency heads of human resources (or a suitably experienced delegate)
- reviews will continue to be undertaken to determine the ongoing appropriateness of continuing placements efforts for ERPs after four (4) months. In an adjustment to the current process, agencies will be solely responsible for reviews where it is determined that placement efforts should be continued, but the PSC will remain involved where reviews recommend the retrenchment of an ERP.

With the continuing workforce change occurring across the service it is critical that the high standards set by agencies in managing ERP over the last 12 months in maintained. To this end, the PSC will continue to provide guidance and support to agencies through the Strategic Leadership Workforce Management Forum and the ERP Contact Officers network. The PSC may also conduct audits on agencies practices in implementing the revised directive.

I believe the revised directive provides an appropriate balance between removing red-tape and increasing departmental authority while ensuring a high service wide standard is maintained. Should you have any queries regarding the revised directive you are welcome to contact me on telephone 07 3003 2810 or your HR officers may contact the PSC's Advisory Service on telephone 1300 038 472 or the Employees Requiring Placement team on telephone 3003 2831.

Regards, Ian

Ian Maynard
Commission Chief Executive
Public Service Commission
p. 07 3003 2810 sch 4(6) Personal information
e. **ian.maynard@psc.qld.gov.au** | www.psc.qld.gov.au

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DIRECTIVE No. 06/13

Supersedes:06/12

Commission Chief Executive Directive: Employees requiring placement

1. Purpose:

To establish a framework for the management of employees who require placement as a result of workplace change, in a manner that supports government workforce management priorities.

2. Effective date: 1 July 2013

3. Legislative provisions:

Sections 25, 42, 46, 53, 55, 133, 134, 138 and 178 of the *Public Service Act 2008* (PSA).

4. Application:

This directive applies to all chief executives and tenured public service employees as defined under the PSA.

In accordance with section 55 of the PSA, for the purposes of this directive, sections 133 and 134 of the PSA are applied to tenured general employees as though they were public service officers.

5. Previous references

Directives 12/09, 4/99, 4/02, 31/99, 3/99, 4/98, 20/97

Deployment and redeployment provisions PSM Standard No. 9

6. Related information:

Directive relating to early retirement, redundancy and retrenchment

Directive:

7. Principles

7.1. A flexible and mobile public service workforce enables departments to respond to government priorities and changing service delivery requirements.

7.2. Chief executives are responsible for managing their departmental workforce to deliver government priorities.

7.3. Following workplace change, departments and employees are responsible for working co-operatively to give effect to new arrangements.

7.4. Where workplace change impacts on an employee's substantive role, placement of the employee into an alternative role is the joint responsibility of the department and the employee.

8. Procedures for employees requiring placement

8.1. In the first instance, the department and the employee must proactively consider options to facilitate the immediate placement of the employee into a suitable alternative permanent role.

8.2. Where an employee is unable to be placed into an alternative permanent role following workplace

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change, the department must advise the employee in writing that the employee has been designated as an employee requiring placement **and** provide the employee with two calendar weeks to decide between two courses of action:

(a) accept a voluntary redundancy (in accordance with the directive relating to early retirement, redundancy and retrenchment); or

(b) pursue transfer (and/or re-deployment) opportunities.

8.3. Where an employee declines a voluntary redundancy under clause 8.2(a), no further voluntary redundancies will be offered.

8.4. Where the employee does not advise of their decision, in writing, within the two week period, the employee will be considered to have elected to pursue transfer (and/or re-deployment) opportunities.

9. Registration process

9.1. Departments must establish and maintain a register of employees who require placement and who have elected to pursue transfer (and/or re-deployment) opportunities.

(a) Employees requiring placement must advise whether they wish to be considered for placement in roles at level only and/or also for placements at levels below their current substantive classification level ('re-deployment'). Where an employee elects to be considered for re-deployment they must specify the lowest classification level to which they consent to being re-deployed.

9.2. A case manager must be assigned to an employee requiring placement to facilitate the placement process. The registration process must be jointly undertaken by the employee requiring placement and their case manager, as soon as practical after the employee declined the voluntary redundancy under clause 8.2.

9.3. When registering an employee must:

(a) nominate three role categories in which they have the most skill and experience;

(b) attach a copy of their current resume and a referee statement from a current or recent supervisor (along with the name and contact details of a second referee).

9.4. The referee statement must include information about the employee's work performance and conduct. Employees requiring placement must be provided with a copy of the referee statement and given an opportunity to respond to any adverse comments. The department must consider any response and determine whether a revised referee statement should be obtained. The referee checking provisions contained in the directive relating to recruitment and selection apply.

9.5. A declaration of satisfactory conduct and performance must be made by the department as part of the registration process.

(a) Where a referee statement for an employee requiring placement contains adverse information, the employee is not eligible for cross department placement under clause 11 (but may be placed into roles within their department).

10. Actions to support placement

10.1. Departments and employees requiring placement must work co-operatively to secure new placements.

(a) Employees must actively look for placements including applying for suitable advertised vacancies within and external to their department.

(b) Departments must consider employees requiring placement for temporary and permanent vacancies before proceeding to fill a vacancy by other means.

(c) Departments must provide employees requiring placement with meaningful duties whilst placement opportunities are being pursued.

(d) Departments should discuss opportunities for transfer (and/or redeployment) to all roles where the employee's skills and any necessary accreditations would require only reasonable re-training for them to be suitable.

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11. Service wide placement process

11.1. To support employment security and permanent placement of employees, the Commission Chief Executive (CCE) may direct the referral of classes of vacancies for service wide placement.

11.2. Vacancies referred under clause 11.1 will be distributed to all departments for identification of possible matches with their employees requiring placement prior to filing by any other means.

11.3. Where a department identifies a possible match, they may refer an employee requiring placement by submitting a short statement outlining the reason for possible suitability to the receiving department. Departments have seven (7) calendar days to submit referral statements.

(a) Where no referral statements have been received within seven (7) calendar days, the receiving department may proceed to fill the vacancy by other means.

11.4. Where a referral is made under clause 11.3 a suitability assessment must be undertaken by the receiving department.

(a) For transfers, where the employee is assessed as suitable, a transfer direction is made in accordance with section 133 of the PSA. If the employee accepts the direction, a start date (usually no longer than two weeks) is to be agreed. Refusal of a transfer direction shall be managed in accordance with s134 of the PSA, provided an employee requiring placement shall be afforded one opportunity to decline a transfer without having to demonstrate grounds. An employee is to be provided with a minimum of five (5) working days in which to advise of their acceptance or refusal of the transfer direction.

(b) For re-deployments, where the employee is assessed as suitable, a re-deployment offer is made. If the employee accepts the offer, a start date (usually no longer than two (2) weeks) is to be agreed. If an employee declines the offer, they will remain registered for placement opportunities.

(c) A trial placement of up to three (3) months may be agreed where the employee's suitability cannot be reasonably determined through the initial suitability assessment process. The receiving department should consult the releasing department where a trial period is being considered. The receiving department is responsible for the employee's salary (excluding salary maintenance) during any trial period.

(d) Where the employee is assessed as unsuitable (either following an initial suitability assessment or trial placement), a suitability report must be completed and discussed between the heads of Human Resources (or suitably experienced delegate) of the releasing and receiving agencies. The purpose of this review is to ensure the minimum requirements of a suitability assessment and report have been met. Employees must be notified of the outcome of the suitability assessment and reasons in writing.

(e) Where more than one employee requiring placement is assessed as suitable, transfer directions shall be on the basis of relative merit between the employees.

(f) The suitability assessment process should take no more than seven (7) working days from referral of the possible match to advice of outcome, including advice of trial placement.

11.5. A refusal or failure by the employee requiring placement to participate in suitability assessment processes may give rise to discipline action.

12. Review

12.1. Where an employee has been an employee requiring placement for four (4) months[1], their department will conduct a review to determine whether continuing efforts to secure a permanent placement for the employee remains appropriate (including taking into account the employee's participation in the placement process). Where the review determines that reasonable placement efforts have been undertaken and it is not appropriate to continue these efforts, the department must provide the PSC with a copy of the review assessment. The PSC will consider the review and return it to the department with any relevant comments.

[1] Starting with the employee declines a voluntary redundancy offer under clause 8

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12.2. Where the review determines that reasonable placement efforts have been undertaken and it is not appropriate to continue these efforts, the retrenchment provisions of the directive relating to early retirement, retrenchment and redundancy apply.

12.3. A department may initiate a review at an earlier time if it considers reasonable placement efforts have been undertaken[2] and/or a transfer opportunity for the employee is unlikely to occur as a result of the employee's specialised skill set or location.

12.4. If a review under clause 12.1 or 12.3 results in a decision to continue to pursue placement opportunities, a further review date must be nominated; unless exceptional circumstances apply, the next review date must be no more than three (3) months later than the date on which the review was completed.

13. Salary maintenance for transfer and redeployment

13.1. An employee who is transferred at level to another department is to be paid their salary and any applicable allowances by the receiving department from the date of duty.

13.2. An employee who is re-deployed is to be paid by the receiving department at the top pay point of their new classification level plus any applicable allowances.

13.3. In addition to salary arrangements under clause 13.2 the employee is entitled, for a period of 12 months following redeployment, to be paid the salary and allowances applicable to the substantive role which they held prior to redeployment. The releasing department is to fund the difference between salary and allowances to be paid by the receiving department and the salary and allowances the employee would have been entitled to if they had remained in their substantive position. The employee will not receive any pay point increments during this period but will receive salary increases determined by the applicable industrial instrument in the receiving department.

13.4. For tenured senior executives and for senior officers who have been redeployed, the arrangements outlined in clause 13.3 are to include any applicable remuneration packaging arrangements specified in a current directive relating to senior executive employment conditions or senior officer employment conditions, as applicable.

13.5. Employees transferred into a permanent role across streams of a classification system will be paid in accordance with the current directive relating to transfer within and between classification levels and systems.

13.6. If an employee is transferred or accepts redeployment to a role which is subject to different conditions established by award or certified agreement then, apart from arrangements outlined in clause 13.3, the employee is to assume the employment conditions of the role.

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14. Salary arrangements for secondments and temporary arrangements

14.1. Subject to clause 14.2 salary costs for an employee placed at level in a temporary vacancy in another department are to be met by the receiving department.

14.2. Where an employee accepts a temporary placement in another department at a salary level lower than their substantive level, the income difference will be paid by the releasing department. This provision includes differences in salary due to conditions established by award and certified agreement.

14.3. Salary maintenance paid during secondments or temporary engagements will count towards the salary maintenance period referenced in clause 13, unless otherwise determined by the chief executive(s).

15. Records and reporting

15.1. Departments must maintain appropriate records of activities undertaken to support the placement of employees under this directive, which the PSC may audit.

15.2. Chief executives must report on the implementation of this directive as required by the CCE.

[2] Including taking into account the employee's participation in placement efforts

16. Transitional Provisions

16.1. Where, on or prior to 30 June 2013, a (un)suitability report has been referred to the PSC for review under clause 6.5(f)(iv) **or** a review has been commenced under clause 6.6 of Directive 6/12: *Employees requiring placement*, the reviews will be conducted in accordance with the superseded directive.

17. Definitions

Unless otherwise provided, the terms in this directive have the meaning prescribed in the PSA.

Categories means the job category groups used on Smart Jobs and Careers for advertising

Employee requiring placement means an employee who has been unable to be substantively allocated to a role following workplace change (a surplus employee) and includes a person who is surplus as a result of being unattached from their role (relinquishment). It does not include persons who need or are seeking alternative placements as a result of decisions under sections 178 (mental or physical incapacity) or 188 (discipline action) of the PSA or following a transfer request.

Department has the meaning prescribed under the PSA and includes public service offices and relevant declared public services offices.

Receiving department means a department which has referred a vacancy and/or to which an employee requiring placement is placed on a permanent or temporary basis and may be the same as the releasing department.

Re-deploy means the transfer of an employee to a lower classification level, with their consent.

Referred vacancy means a vacancy that is unable to be filled by a department's own employees requiring placement (ERP) and has been referred for whole of service placement.

Releasing department is the department in which an employee requiring placement holds tenure.

Suitability assessment must include a review of the employee's resume and referee report and a conversation with the employee. The receiving department is responsible for determining whether additional assessment strategies need to occur to enable a determination of the employee's suitability for the role.

Suitable/suitability – an employee is considered suitable for a role if they have the skills and abilities necessary to meet the requirements of the role to a satisfactory level, given a reasonable period of training and on-the-job experience, and are fit to undertake the role with reasonable adjustment, if required.

Suitability report is a statement outlining the department's assessment of the employee's suitability against the key attributes for the role. Where an employee is assessed as unsuitable, the suitability report must address why reasonable training, induction and on-the-job experience would not enable the employee to satisfactorily undertake the role.

Workplace change includes decisions that affect the services and programs a department delivers, its workforce structures or establishment.

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