

DIRECTIVE

(refer Section 34 of the *Public Service Act 1996*)

No: 4/98

Supersedes: No.20/97 -
Deployment and Redeployment

1. TITLE: DEPLOYMENT AND REDEPLOYMENT

2. PURPOSE:

To specify the action to be taken in relation to surplus employees who reject the offer of Voluntary Early Retirement (VER) or to whom a VER scheme is not applied.

3. LEGISLATIVE PROVISION: *Public Service Act 1996* - Section 81

4. EFFECTIVE DATE: 13 February 1998

5. DIRECTIVE:

- 5.1 Surplus employees who reject the offer of a VER or to whom a VER scheme is not applied are to be provided with transfer at level (deployment) and/or redeployment (appointment to a lower level) and reasonable retraining opportunities for a period of not less than six months in the case of non Senior Executive Service (SES) and non senior officers, and a period not less than ten weeks for tenured SES and senior officers, commencing from the date notification is given to the Office of the Public Service (OPS) that the employee is surplus.
- 5.2 At the conclusion of this deployment period, where the Chief Executive is satisfied that no viable transfer and redeployment opportunities exist in any Department, the Chief Executive may seek approval from the Public Service Commissioner to apply the provisions of Directive 2/98, Retrenchment.
- 5.3 The Chief Executive may continue the deployment period at his or her discretion.
- 5.4 The Chief Executive shall establish internal staff deployment procedures and retraining arrangements appropriate to the circumstances.
- 5.5 The Chief Executive shall ensure surplus employees have reasonable access to vacancy details, as advertised in relevant Gazette/s.
- 5.6 Surplus employees shall participate actively in the deployment process by making themselves available to be considered for vacancies, accepting reasonable deployment and retraining opportunities and maintaining a pro-active job search. The Chief Executive may apply to the Public Service Commissioner for approval to commence retrenchment action where it is determined that a surplus employee is not participating actively in the process.
- 5.7 The employing Department shall register surplus employees with the OPS.
- 5.8 All surplus employees seeking redeployment are to notify their Chief Executive and the OPS of the classification level and stream for which they wish to be considered at any time during the deployment period.
- 5.9 Departments shall refer permanent SES, Senior Officer and base grade Administrative Officer vacancies to OPS prior to advertising, or filling, for surplus employees to be considered.

- 5.10 Surplus employees may be deployed to a permanent vacancy without advertising and if applying for an advertised vacancy shall be considered before other applicants. Assessment shall be in terms of suitability with regard to the selection criteria for the job, as opposed to relative merit. Where more than one surplus employee is assessed as suitable for appointment to a single vacancy, selection is on closed merit.
- 5.11 There shall be no requirement to consider surplus employees where the level of the duties being performed is reclassified to a higher level and there is a permanently appointed occupant performing the duties, or where an agreement exists between the relevant employee organisation and the Chief Executive, which agreement has been approved by the Public Service Commissioner. In these circumstances the vacancy advertisement shall be endorsed to the effect that surplus employees shall be considered on relative merit.
- 5.12 Where a surplus employee is transferred or redeployed to another Department, salary costs including income maintenance, shall be provided by the Department from which the employee was made surplus from the date of transfer for a maximum period of six months, unless other arrangements have been made between the relevant Chief Executives and/or the Public Service Commissioner.
- 5.13 The Chief Executive may approve voluntary early retirement packages¹ for surplus employees who elect to withdraw early from the deployment period.
- 5.14 The Chief Executive shall ensure that the requirements for consultation with employee organisations detailed in Sections 228 and 229 of the Workplace Relations Act 1997 are met.
- 5.15 Grievances are to be dealt with by Departments in accordance with OPS Directives.

6. INCOME MAINTENANCE

- 6.1 A surplus employee redeployed to a lower classification level shall be entitled to income maintenance at the paypoint to which they would currently be entitled at their substantive level for a period of twelve months from the date of redeployment. No increments are to be paid during this period. An extension to the period of income maintenance shall only occur with the approval of the Public Service Commissioner. For tenured senior executives, income maintenance shall include current salary packaging arrangements.
- 6.2 Following expiry of income maintenance arrangements, an employee redeployed to a lower classification level in the same salary stream shall be placed at the maximum paypoint of the lower classification level.
- 6.3 If redeployed to a lower classification level in another salary stream, appointment shall be made to an equal or next highest paypoint in the lower level with normal incremental movement through the classification level, subject to award requirements.

7. NON APPLICATION:

Unsatisfactory performance or allegations of unsatisfactory performance are not grounds for declaring an employee surplus. Excluded from the provisions of this Directive are all temporary employees, casual employees, contract employees, employees whose termination is in accordance with disciplinary action and employees whose termination is in accordance with retirement because of mental or physical incapacity.

¹ Voluntary retirement packages shall be the same value as that detailed in Directive 1/98, Voluntary Early Retirement (VER), but shall not include an incentive payment.