

Implementation support guide: employees on leave

Directive 17/16: Supporting employees affected by workplace change

Supporting employees on leave

The provisions of Directive 17/16 apply to employees who are on leave when workplace change occurs or who commence a period of leave while registered for service-wide priority transfer (and/or redeployment).

This guide provides information to support the implementation of Directive 17/16 for employees on various types of leave.

Communicating about workplace change

Open and timely communication with employees about changes that affect them is equally important for employees on leave as those in the workplace. When communicating with an employee on leave, consider the type/circumstances of the leave in determining the best communication strategies and seek the employee's input into their preferences.

Communication strategies can include (but are not limited to):

- arranging a time to talk to the employee about the change and the impact on them
- inviting the employee to attend briefings/information sessions
- forwarding copies of communiques to the employee's personal email address/postal address.

Registering and referring the employee for priority transfer and/or redeployment

Employees should not be denied the opportunity to be transferred (and/or redeployed) because they are on leave.

Case managers:

- should liaise with employees to ensure they are registered for service-wide priority transfer (and/or redeployment) in a timely manner, taking into account the nature and circumstances of the leave^{1 2}
- must continue to assess whether an employee on leave should be referred for a vacancy. Depending on the duration of the leave it may not be appropriate to refer an employee to a longer term secondment, but referrals for suitable permanent vacancies need to continue
- should liaise with the employee and the receiving department about the employee's participation in the suitability assessment. This might include considering non-traditional options, such as conducting the suitability conversation via telephone or Skype rather than face-to-face.

Absence on any form of leave is not a reason to assess someone as unsuitable for a vacancy. If an employee is suitable (as defined in Directive 17/16) the transfer and/or redeployment (and in some cases, secondment) should take effect. The employee's existing leave can be transferred to the receiving agency and the employee can take up duty when their existing period of leave ceases (or as amended in accordance with applicable directives). The receiving agency may choose to backfill the employee in such circumstances.

¹ Where applicable, the employee's rehabilitation/return to work coordinator (or similar) should be included in this conversation.

² Negotiations can occur with employees on leave about return to duty to facilitate this process. In such circumstances applicable industrial instruments must be adhered to.



Case study

The Special Projects division of Department X is undergoing change—a result of which will be a reduction in staff numbers.

Allison is a permanent employee in the Special Projects division. Allison has recently commenced a period of maternity leave (for 12 months)—her baby is due in four weeks.

Allison's manager contacts her by phone to advise that there are some changes occurring in the workplace that will affect staff. The manager advises that an information session is being held the following day which Allison is welcome to attend, or that they can make other arrangements to discuss the changes and the impacts. Allison advises that she'd like to come to the session and then meet with her manager to discuss how they'll communicate after that.

Allison attends the meeting and is advised of the changes. Information about the impacts is provided to staff, including the department's decision to invite expressions of interest for voluntary redundancies. Expressions of interest are required within two weeks and the department will decide what offers to make within the two weeks that follows.

Allison meets with her manager after the information session. They agree that Allison will be given additional time to consider and, if she wants, express interest in receiving a redundancy. In the meantime, the manager will email Allison with any updates on the changes. They also agree that Allison's manager will contact her again four weeks after the baby is born to discuss this further.

Four weeks after Allison's baby is born, her manager calls. Allison advises that the first few weeks at home were a bit rough and they've only recently settled into a routine. They agree that the manager will call again in two weeks to check how things are going.

Two weeks later, Allison advises things are going well and that she's decided not to express interest in a voluntary redundancy. The manager advises that Allison will now be assigned a case manager. They agree the case manager will contact Allison the following week to discuss registration and the referral/placement process.

Allison's case manager calls and they agree on steps and timeframes to get Allison registered. This includes Allison providing a copy of her current resume that week. They agree that if Allison is unable to do this, she'll contact the case manager to discuss alternative arrangements. They also discuss any training/support requirements Allison has and agree that this will be progressed further when Allison's baby is three-months-old.

The case manager works with Allison over the next week or so and Allison is registered for service-wide priority transfer. Over the following weeks, the case manager assesses referred vacancies against Allison's resume. When a possible suitable vacancy is identified, the case manager refers Allison in accordance with the directive. The case manager liaises with the receiving agency and Allison about the suitability assessment and they agree to a telephone chat about Allison's suitability.

The receiving agency assesses Allison as suitable, but notes that some training will need to occur and a transfer direction is made. Allison accepts the transfer and becomes an employee of the receiving agency. Allison's new manager contacts her to discuss how they'll communicate over the remainder of her leave. Allison is interested in learning more about her new agency, particularly as it gets closer to her return date. She agrees to come to some team meetings and attend some training prior to her return.

The receiving agency decides to backfill the role for the remainder of Allison's maternity