

1.1. REDEPLOYMENT AND REDUNDANCY

Policy Statement
Domestic
Retraining

(Only applies to clerical and supervisory staff. staff are covered by a separate Redeployment, and Redundancy Award 1994)

1. **Summary.** Effective 1 October 1994, the Authority shall comply with the terms and conditions relating to redeployment and redundancy as set out in Part 6 of the Public Sector Management Act and within the Public Sector Management (Redeployment and Redundancy) Regulations 1994.

A comprehensive account of the full redeployment process is covered by the manual:

Redeployment and Redundancy

Policy and Procedures Manual

July 1995

compiled by: *Workforce Management Branch of the Public Sector Management Office* (held at Central Office)

2. **Internal Transfers.** Where an employee's position is or is about to be abolished or the employee is or will become surplus to requirements, the Authority shall in the first instance seek suitable alternative job placements for the employee within the organisation.

Suitable alternative employment shall be defined as that which provides the employee with a position which:

- has a rate of pay as close as possible to the existing rate of pay with a safety net whereby the rate of pay is not less than 80% and not more than 110% of the maximum pay, applicable to the range of classification occupied. (This refers only to the employee's base rate of pay and does not include the supervisory staff loading allowance nor fringe benefits);
 - does not require relocation;
 - similar levels of responsibilities and requirements for experience, qualifications and competence.
3. **Redeployment.** Employees who cannot be transferred to other positions within the organisation shall be registered for redeployment with the Workforce Management and Development Office (WMDO). Employees registered for redeployment will be eligible for transfer to suitable alternative employment within other government departments.

The redeployment process is to be thoughtfully managed, with expert assistance from the Workforce Management Branch.

It is also expected that registered employees actively pursue alternative employment on their own behalf. When referred for vacancies, they are expected to prepare for an interview by familiarising themselves with the requirements of the vacancy and the role of the agency in a professional manner.

Whilst awaiting redeployment the Authority shall provide their employees with temporary work and continue to pay their salary.

Employees registered as redeployees will be treated with empathy and every assistance will be provided to ensure that they are **fully** informed of their redeployment, retraining and redundancy entitlements.

The Authority shall grant registered employees reasonable leave without loss of pay to attend employment interviews within the public and private sectors and career counselling of a kind approved by the Authority.

4. **Entitlements.** Upon accepting a suitable position within another government department, the employee is entitled to the following benefits:

- unused accrued and *pro rata* annual, long service and sick leave to be transferred to and credited by the new employer;
- rate of pay maintained for 6 months, after which the pay rate will revert to the employee's current classification rate;
- reimbursement of all reasonable relocation expenses incurred.

Employees accepting a suitable private sector position arranged by the government are entitled to the following benefits:

- cash in lieu of all unused accrued and *pro rata* annual and long service leave (calculated on each completed month of service);
- a transition payment, as determined by the Minister responsible for the Public Sector Management Act, which is not less than 4 weeks' pay and not more than 12 weeks' pay.

5. **Refusal of an Offer of Suitable Employment.** Where a registered employee has been offered suitable employment in an organisation, but has refused that offer, or hindered or obstructed redeployment to that position, he or she may be directed by the Minister to accept that offer.

Refusal of suitable alternative employment will be considered a breach of discipline under the Public Sector Management Act 1994. An employee who is dismissed under the Act is not entitled to a severance payment. Likewise employing authorities can be directed to accept redeployed officers.

6. **Retraining.** The Authority may arrange for a registered employee to be employed for retraining purposes inside or outside the public sector in a position other than their present or former post. Retraining shall take place in order to increase the employee's skills therefore increasing the chances of redeployment and will be for periods of no more than six months.

Retraining proposals shall only be approved where the employee cannot be redeployed with their existing skills, or when an alternative job that retraining would secure is identified.

7. **Voluntary Severance.** The Authority may with the approval of the Minister offer voluntary severance to employees. A registered employee who wishes to receive an offer of voluntary severance may also apply in writing to the Authority for such an offer. All requests for severance are submitted to the Workforce Management Development Office for assessment of the employee's appropriateness for redeployment and retraining. Where an employee has skills that are in demand or could be used by another agency, it is unlikely that they would be granted severance. Approval shall be obtained from the Workforce Management Development Office prior to employees being advised of their severance being approved.

Unless granted an exemption, employees taking a voluntary severance payment cannot be re employed within the public sector for the period of time equal to the amount paid for severance and accrued leave.

A severance payment is made up of:

- two weeks' pay for each completed year of service to a maximum of 46 weeks' pay;
- any unused accrued and *pro rata* annual leave;
- any unused accrued and *pro rata* long service leave.

The rate of pay used to calculate the two weeks' pay for each year of service is the employee's normal rate of pay. The redundancy payment usually qualifies for a lower rate of tax. Employees accepting voluntary severance are required to sign a Deed of Severance to pay back a *pro rata* amount of the severance received if they are re-employed within the period that was used to calculate the severance payment.

8. **Leave Without Pay.** Where the employee is interested in taking leave without pay, the Authority shall consider this request if the leave is used for purposes such as full-time study or to search for a job in the private sector.

Where leave is approved by the Authority, the period of absence will not count for the accrual of any leave or payment of increments. Neither will it count for the purpose of calculating any subsequent severance payment.

9. **Review of Decisions**

A Breach of Standard claim can be submitted due to an action or decision contrary to this Authority's published standard. (see 10.3)