

COMMISSIONER FOR PUBLIC EMPLOYMENT

GUIDELINE

for the South Australian Public Service

Responsive and Safe Employment Conditions

MARCH 2001



Government
of South Australia

INTRODUCTION

Responsive and safe employment conditions assist the public sector to ensure the safety of employees and attract, develop and retain the workforce government needs to provide effective and efficient services.

This Guideline identifies key principles which agencies can use to develop appropriate employment conditions.

It recognises that public sector workforce policies provide the framework for employee relations, remuneration and other employment conditions. However, chief executives have a key role in establishing responsive and safe employment conditions at the agency level.

KEY RESULT AREA

This guideline is linked to the Responsive and Safe Employment Conditions key result area of the Strategic Human Resource Management Framework for the South Australian Public Sector.

Responsive and Safe Employment Conditions

Provide remuneration and employment conditions so as to economically attract, develop and retain the best staff and ensure workplace safety.

(eg employee relations, remuneration, flexible working arrangements, job design, occupational health and safety, leave)

PRINCIPLES

1. Responsive employment conditions are linked to an agency's strategic direction

Operational flexibility and the attraction and retention of appropriate staff will be enhanced by the development of responsive employment conditions within the context of an agency's strategic direction and corporate plan.

Agencies should seek to provide employment conditions that:

- (a) are flexible, equitable, recognise special skill and other agency specific requirements, and accommodate changing organisational needs
- (b) are developed through a consultative approach with employees and recognised organisations
- (c) comply with conditions outlined in legislation, awards and industrial and enterprise agreements
- (d) reflect government public sector wide workforce employment and remuneration policies and objectives as outlined by the remuneration structures and general employment conditions established by the Commissioner for Public Employment.

2. Employee relations are productive and harmonious

Achievement of an agency's objectives and employee job satisfaction will be enhanced by productive and harmonious employee relations.

For their part of the employer-employee relationship, agencies should ensure:

- (a) employee relations and interactions result in an outcomes-oriented environment
 - (b) an equitable working environment that results in fair and consistent treatment of employees and which does not disadvantage individual employees or groups of employees
 - (c) communication and consultation processes which are generally inclusive of all employees and reflect legislative and industrial requirements
 - (d) effective dispute resolution practices are established such that any disputes are settled in an agreed manner at an early stage.
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3. A safe and healthy working environment exists

Productivity and employee job satisfaction are enhanced by a safe and healthy working environment, through the positive effect on employee morale and the minimisation of disruption and costs associated with work injuries.

Chief executives must ensure that they take reasonable steps to:

- (a) secure the health, safety and welfare of all employees and protect employees against risks to their health or safety in the workplace
 - (b) provide alternative duties to enable work injured employees, or those at risk of injury, to attain optimal health whilst continuing to contribute productively to the agency
 - (c) prevent workplace bullying and harassment
 - (d) comply with occupational health and safety legislation which sets out provisions and standards for a safe and healthy working environment, and adhere to these principles in designing any new work environment
 - (e) meet the requirements of the South Australian Government Charter for Public Sector Occupational Health, Safety and Welfare and Injury Management
 - (f) maintain integrated management systems for the continual improvement of occupational health, safety and welfare and injury management.
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4. Working arrangements are flexible

Flexible working arrangements that provide better customer service and effective service delivery, while at the same time being responsive to the needs and responsibilities of individual employees, will assist an agency to achieve its objectives.

Agencies should:

- (a) provide a range of flexible working arrangements, which could include flexible hours, part-time work and job sharing, compressed weeks, working from home and purchased leave
- (b) provide equitable access to flexible working arrangements to employees at all levels and in all types of work, unless it can be clearly demonstrated that such arrangements would have an overall negative outcome for the agency. In making such decisions agencies should consider the costs of not providing flexible working arrangements
- (c) give particular consideration to employees trying to balance work and family or other responsibilities.

5. Leave policy and practices are equitable and responsive

An agency should develop leave policies and practices which allow employees equitable access to their leave entitlements and enable an appropriate balance between the organisational requirements, individual needs and responsibilities, and community obligations.

In developing these policies and practices, agencies:

- (a) should develop a planned approach to recreation and long service leave which allows equitable access by employees to rest, while minimising the agency's accrued leave liability
 - (b) should encourage employees to take sick leave when they need to spend time away from work to adequately recover from a sickness or injury, but also effectively manage sick leave to minimise its unnecessary or inappropriate use
 - (c) should make employees aware of and provide access to alternative leave and working arrangements which enable an appropriate balance between work and life
 - (d) must grant up to 12 months leave without pay for each pregnancy and/or care of a young child not of school age for whom the employee is exercising parental responsibilities if such leave is requested. Paid maternity leave provisions are available in some enterprise agreements.
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OTHER INFORMATION

Legislation

Public Sector Management Act 1995

- Part 2 General Public Sector Aims and Standards
- Part 4 Chief Executives
- Part 6 General Employment Determinations and Positions
- Part 8 General Public Service Employment Provisions: Division 2 - Remuneration; and Division 3 - Hours of Duty and Leave
- Part 9 Miscellaneous: Section 71 Extension of operation of certain provisions of the Act; Section 72 Operation of Industrial and Employee Relations Act; and Section 73 Freedom of association for employees
- Schedule 2 Hours of Attendance, Holidays and Leave of Absence
- Regulations 19, 20,21,22,23,24 and 25

Industrial and Employee Relations Act, 1994 and Regulations, together with any relevant awards, determinations or enterprise or industrial agreements in force under this legislation, including:

- SA Government Wages Parity Enterprise Agreement, 1999
- SA Public Sector Salaried Employees Interim Award
- Public Service (Recreation Leave Loading) Award

Workers Rehabilitation and Compensation Act, 1986 and Regulations

Occupational Health, Safety and Welfare Act, 1986 and Regulations

Publications issued by the Commissioner for Public Employment

- PSM Act Determination 1 – Executive Employment
- PSM Act Determination 2 – Recruitment and Employment of Non-Executive Employees
- PSM Act Determination 3 – A Managed Workforce
- PSM Act Determination 4 – Enhanced Targeted Voluntary Separation Package Scheme
- PSM Act Determination 5 – Voluntary Flexible Working Arrangements
- PSM Act Determination 6 – Leave
- PSM Act Determination 11 – Hours of Duty/Overtime/Meal Allowances
- PSM Act Determination 12 – Adjustments to Salaries

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- PSM Act Determination 13 – Allowances and Reimbursements for Employees Stationed in Country Areas
 - PSM Act Determination 14 – First Aid
 - PSM Act Determination 15 – Motor Vehicle Allowances
 - PSM Act Determination 16 – Travelling Expenses Reimbursement and Allowances
 - PSM Act Determination 17 – Camp Allowances
 - PSM Act Determination 18 – Camping Out Allowances
 - PSM Act Determination 19 – Relocation Expenses
 - PSM Act Determination 20 – Allowance for Casual Cashiers and Paying Officers
 - PSM Act Determination 21 – Payment of Private Telephone Rental and Official Calls/Licences to Drive Motor Vehicles
 - PSM Act Determination 22 – Piloting of Hired or Government Owned Aircraft by Departmental Employees
 - PSM Act Determination 23 – Part Time Interpreters or Translators Allowance
 - PSM Act Determination 24 – Miscellaneous Industrial Provisions
 - PSM Act Determination 25 – Industrial Disputes
 - PSM Act Determination 26 – Salaries Adjustment (Public Offices) Act
 - PSM Act Determination 28 – Job Representatives
 - PSM Act Determination 29 – Overpayment of Salaries
 - PSM Act Determination 30 – Management of Working in the Heat
 - PSM Act Determination 31 – Remuneration during Leave
 - Background Briefing Paper - Voluntary Flexible Working Arrangements
 - Background Briefing Paper - Recruitment and Employment of Non-Executive Employees (being developed)
 - Working from Home – A Guide to Occupational Health, Safety and Injury Management Requirements
 - General conditions of employment applying to weekly paid employees not under the Public Sector Management Act
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About Guidelines

The Commissioner for Public Employment issues guidelines in accordance with Section 22 of the Public Sector Management Act 1995.

The guidelines detail the principles underpinning the eight key result areas of the Strategic Human Resource Management Framework for the South Australian Public Sector.

This guideline has been prepared in consultation with agencies with a view to facilitating agency level decision making. Where a requirement exists under legislation, or in government policy, the guideline indicates this.

Where necessary, the Commissioner issues PSM Act Determinations and supporting material. The determinations are binding, so as to ensure the effective implementation of Government public sector workforce policies and the personnel management standards of the Act, and the protection of key employment conditions. The supporting materials explain best practice in human resource management and provide additional information to agencies.