

REDEPLOYMENT, RETRAINING AND REDUNDANCY – AGENCIES AND EMPLOYEES COVERED BY THE SOUTH AUSTRALIAN PUBLIC SECTOR WAGES PARITY ENTERPRISE AGREEMENT: WEEKLY PAID 2017

Note: Clause references in this flow chart are those in Appendix 1 of the Enterprise Agreement

ORGANISATIONAL CHANGE

Chief Executive, agency head or delegate seriously considering organisational change involving changes to composition of weekly paid workforce

Do employees work/reside in a regional or remote locality?

Yes

No

Refer to Clause 1.4 for processes

Continue with consultation process

Will the change occur as a result of the Chief Executive, agency head or delegate's decision to privatise, outsource, contract out or the closure/part closure of a service/s?

Yes

No

Note requirements for suitable ongoing employment

Continue with consultation process

Continue with consultation process

CONSULTATION

Chief Executive, agency head or delegate to notify and consult with employees and union (Clauses 1.1 and 1.2)

Written information to be provided (Clause 1.1.1)

Timeframes (Clauses 1.1.3 and 1.1.5)

Reduction, where possible, in the use of labour hire, temporary and casual employees (Clause 1.1.12)

Meet and seek to reach an agreement on the proposed changes to workforce composition, taking into account service delivery and work schedules (Clause 1.2)

NOTIFICATION

Chief Executive, agency head or delegate identifies the new workforce composition ie the full time equivalent required to undertake the required duties (Clause 1.3)

Written advice to the affected employees and relevant union/s of the new workforce composition (Clause 1.3.1)

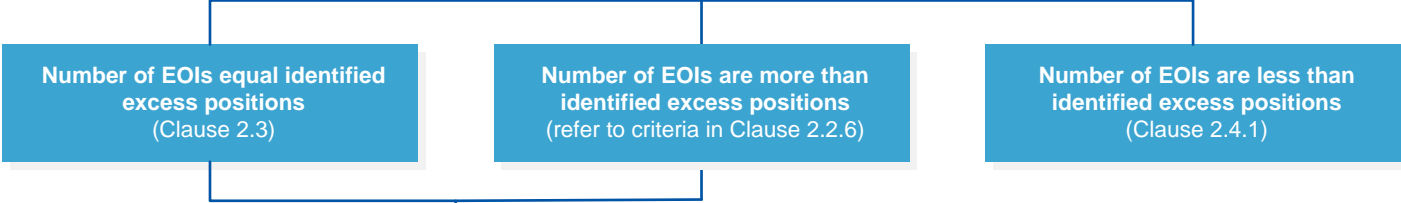


VOLUNTARY SEPARATION PROCESS

Chief Executive, agency head or delegate writes to permanent/ongoing employees in the work sites affected by the proposed change requesting expression of interest (EOI) for a Voluntary Separation Package (VSP) (Clause 2.1)

Employees will have a minimum of 21 days to express an interest in a VSP offer (Clause 2.1.3)

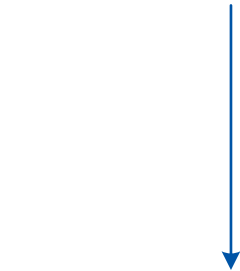
Consultation on outcome of process with relevant employees and unions (Clause 2.2)



Write to employee/s that EOI for a VSP has been accepted (CE, agency head or delegate will not unreasonably refuse to offer employee a VSP) (Clause 2.4.1)

Employee receives VSP and \$15,000 (Clause 2.6 and 4.7.3)

Employment in the Public Sector will cease (Clause 2.6.2)



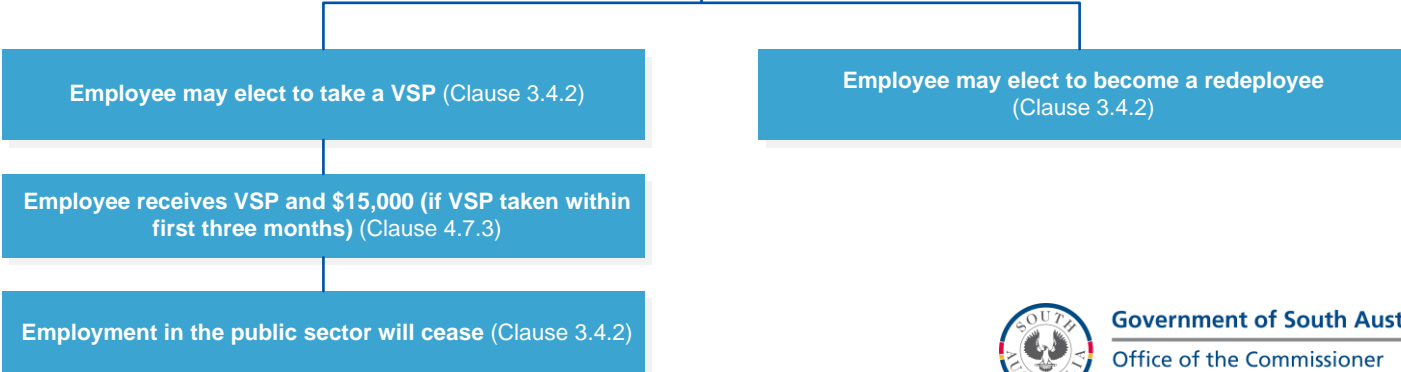
PROCESS FOR IDENTIFYING EXCESS EMPLOYEES (Clause 3.1 and 3.2)

Chief Executive, agency head or delegate will consult with employees and union/s

SELECTION CRITERIA
EOIs less than excess positions (Clauses 3.1 to 3.3)

DECLARATION
The Chief Executive, agency head or delegate confirms the employee's position is no longer required and therefore excess (redundant) (Clause 3.4.1)

NOTIFICATION TO EMPLOYEE/S
Affected employees are notified the position, role or duties are abolished resulting in them becoming excess to requirements 28 days from the date notification is received. Notification to include the reason position was made redundant, information regarding a VSP and the redeployment process (Clause 3.4.2)



REDEPLOYMENT PROCESS (Clause 4)

At any time while an employee is a redeployee, they give notice that they wish to accept a VSP (Clause 4.7.1)

Employee assigned a case manager and a redeployment plan is established (Clause 4.1)

Employee participates in the redeployment plan and retraining program (Clauses 4.1.2 to 4.1.5)

Employee negotiates and agrees to an additional separation payment and has waived the requirement of a suitable and reasonable job offer (Clause 4.6.1(c))

Employee receives payment and VSP (Clause 4.7)

Employment in the Public Sector will cease

No 'reasonable match' identified after 12 months, employment may be terminated (Clause 4.3)

Suitable employment identified (Clause 4.2)
Employee has 14 days to consider (Clause 4.4.2)

Employee rejects

Employee accepts

Employment may be terminated on the basis that the process in Clause 4.3 is completed

Redeployment concluded, no longer 'excess' and subject to redeployment process

Given 5 weeks notice of intended separation (Clause 4.6.3)

The organisational change was as a result of a decision to privatise, outsource, contract out or the closure/part closure of a service/s

Has the employee negotiated and agreed to an additional separation payment? (Clause 4.6.1(c))

Yes

Employee receives payment and VSP (Clause 4.7)

Employment in the Public Sector ceases

No

Has the employee agreed to vary the criteria for suitable employment? (Clause 4.2.1 and 4.2.2)

Employee to have suitable employment identified and offered (there is no time restriction for this to occur) (Clause 4.2)

CRITICAL REVIEW DATES

At 6 months from the date the employee becomes excess
Discussion and review of the employee's Redeployment Plan (Clause 4.3.2)

At 9 months from the date the employee becomes excess
If no suitable ongoing permanent role has been identified:
- Notify the Office of the Commissioner for Public Sector Employment
- Review process and options available (Clause 4.3.4 and 4.3.5)

At 12 months from the date the employee becomes excess
If no suitable ongoing permanent role has been identified:
- Meeting with the Office for the Public Sector, employee and union
- Redeployment plan and retraining plan reviewed (Clause 4.3.6)

Note: The date the employee becomes excess is defined in Appendix 1 of the Enterprise Agreement as meaning "the date of written notice to the employee that their position is no longer required"

