

HR029 – Redeployment and Redundancy Policy

1. POLICY CERTIFICATION

Policy title:	Redeployment and Redundancy Policy
Policy number:	HR029
Category:	Council Policy
Classification:	Human Resources
Link to Strategic Plan Goals:	Goal 1: Strong Leadership through Good Governance. Strong Financial Management, Corporate Planning and Operational Support
Link to Strategic Plan Strategy:	Goal 2: To ensure that the Council remains resilient and prepared
Link to Business Plan Strategy:	Goal 1: Achieve best practice in Governance within the term of Council
Status:	Approved

2. PURPOSE

Under the *Fair Work Act 2009* (Cth) (FW Act) a redundancy occurs when “...*the person’s employer no longer requires the person’s job to be performed by anyone because of changes in the operational requirements of the employer’s enterprise.*”

Where excess positions are identified, this policy outlines the principles by which the CEO determines which employees are excess and steps to be made to offer either redeployment or severance packages in a fair and reasonable fashion, compliant with the FW Act.

The key to implementing retrenchment effectively is to have defensible criteria. Such criteria must be applied consistently and communicated to all interested parties.

3. ORGANISATIONAL SCOPE

This policy applies to all permanent and maximum term RGRC staff.

4. POLICY STATEMENT

This policy provides guidelines to be used in the event of operational requirement to reduce staffing numbers.

5. DEFINITIONS

Excess Employees	The person’s employer no longer requires the person’s job to be performed by anyone because of changes in the operational
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HR029 – Redeployment and Redundancy Policy

	requirements of the employer’s enterprise.
CEO	Chief Executive Officer
RGRC	Roper Gulf Regional Council

6. PRINCIPLES

1. INTRODUCTION

- a) The following provisions only apply to permanent and maximum term RGRC employees not on probation.
- b) For the purposes of this policy, an employee may be declared excess if the CEO considers that:
 - i. the employee is included in a class of employees employed in RGRC, which class comprises a greater number of employees than is necessary for the efficient and economical working of RGRC; or
 - ii. the services of the employee cannot be effectively used because of technological or other changes in the work methods of RGRC; or
 - iii. structural or similar changes in the nature, extent or organisation of the functions of RGRC; or
 - iv. the duties are to be performed at a different locality, and the employee is not willing to move to the different locality.
- c) If requested, the employee may have a representative present at any discussions concerning the application of this section to the employee.

2. NOTIFICATION AND CONSULTATION PROCESS

- a) When the CEO is aware that an employee is likely to become excess, the CEO will at the earliest practicable time commence the consultation process by advising the employee of the situation.
- b) Discussions with the potentially excess employee will be held to consider:
 - i. reasons for the excess employee situation and the method used to determine excess employees;
 - ii. redeployment opportunities for the employee at or below level within RGRC.
- c) Where an employee is potentially excess or is excess, the CEO may (at the CEO’s discretion):
 - i. where those retrenchments would permit the redeployment of employees who are potentially excess, allow redeployment within RGRC where it is judged that:
 - a. the employee is suitable for the job after a reasonable period of adjustment; and
 - b. it would be of no detriment to the efficient operation of the gaining area;

HR029 – Redeployment and Redundancy Policy

- d) Where the CEO notifies an employee that he or she is excess, the employee will receive the following information:
- i. the amount of redundancy benefit, pay in lieu of notice and paid up leave credits;
 - ii. taxation rules applicable to the various payments.

3. REDUNDANCY BENEFIT

An excess employee who elects to accept an offer of a redundancy and whose employment is then terminated by the CEO is entitled to be paid a redundancy payment as provided for in the National Employment Standards (NES).

4. RATE OF PAYMENT — REDUNDANCY BENEFIT

For the purpose of calculating a payment, salary will include:

- i. the employee's full-time salary, adjusted on a pro rata basis for periods of part-time service; or
- ii. to the extent that redundancy payment is required by the NES, any additional amount required by the NES.

7. REFERENCES

Acknowledgements (original author/source documents)	RGRC
Related Policies	HR001 Employee Code of Conduct HR004 Recruitment and Selection Policy
Related Publications	<i>Fair Work Act 2009 (Cth) Local Government Act</i>

8. DOCUMENT CONTROL

Policy Number	HR029
Policy Owner	Manager Human Resources
Approved By	Council
Approval Date	15 December 2017
Revisions	None
Amendments	None
Next revision due	June 2021

10. CONTACT PERSON

Position **Manager – Human Resources**
Contact number **08 8972 9012**