

Redeployment and Redundancy procedures at CSIRO

KNOW YOUR RIGHTS

The Know Your Rights series of fact sheets assist CSIRO union members to better understand and enforce rights at work. The source of these rights is contained Schedule Three (3) of the CSIRO Enterprise Agreement 2017-2020 (EA).

1) When do I have a right to redeployment?

You have a right to redeployment if CSIRO deems that you are potentially redundant. You do not have redeployment rights under the agreement if you are on probation, a casual employee, or have been appointed for a specified term. There are separate redeployment provisions for term employees contained at Schedule Two (2) of the EA.

2) What are legitimate reasons for making an officer potentially redundant?

An officer can be deemed potentially redundant if: The matters are:

- the officer is included in a group of officers, which group comprises a greater number of officers than is necessary for the efficient and economic working of CSIRO;
- the services of the officer cannot be effectively used because of technological, structural or other changes in the work methods of CSIRO or changes in the nature, extent or organisation of the functions of CSIRO; or
- the duties usually performed by the officer are to be performed in a different city and the officer is not willing to perform duties at that city.

3) Do potentially redundant officers have a right to be consulted?

Yes, where ten or more officers are likely to become potentially redundant, the following information shall be made available and discussed with those officers:

- details of the circumstances causing the potential redundancy situation
- the impact of the proposed change upon science, research capabilities and/ or support for these areas;
- the anticipated number of officers affected and their level, functional area and location; and
- the method of identifying potentially redundant officers;

In all other cases, CSIRO is required to consult in line with the provisions of EA Clause 55 (Staff Participation and Consultation).

4) Do potentially redundant officers have the right to be represented by a staff representative?

Yes. If an officer is a member of the Staff Association, they are entitled to representation as per Schedule 3, Clause 3(c).

5) Does the Staff Association get advised of potential redundancies?

Yes, if more than ten (10) officers are affected or if a potentially redundant officer requests the involvement of a staff representative, as per Schedule 3, Clause 3(a) and Clause 6 (b).

6) What is Voluntary Redundancy Substitution and how does it work?

Voluntary Redundancy Substitution (VRS) is where no suitable redeployment opportunities are identified and an officer who is potentially redundant exchanges positions with another officer who will not contest redundancy.

CSIRO will, on an annual basis, make all officers aware of the option of being listed on a VRS register. CSIRO will not refuse an officer's election to be placed on the register. In addition when organisational change or restructuring is occurring, officers will be advised of the opportunity for VRS. Substitution will however only be approved where CSIRO determines that the skills of both individuals are a close match and there will be no adverse impact to ongoing work requirements.

Important points

- Redeployment rights differ between ongoing and specified term employees.
- CSIRO can utilise legitimate reasons to declare a position potentially redundant.
- Where ten (10) or more CSIRO staff are potentially affected, specific consultation and union representation is available.
- Voluntary Redundancy Substitution (VRS) may be utilised if redeployment efforts are unsuccessful.
- Employees who opt in for VRS and have substitution approved can access 'fast track' redundancy.
- For information regarding Redundancy Entitlements refer to factsheet of the same name.

This resource was produced by the CSIRO Staff Association and paid for by union members. Every member contributes to the resources, strength and capacity of the Staff Association. Non-members seeking advice and support at work need to join today. For more information about membership talk to your local organiser, email csstaff@cspu.org.au or visit www.cpsu-csiro.org.au



CSIRO STAFF ASSOCIATION

Redeployment and Redundancy procedures

7) If I opt-in and approved for Voluntary Redundancy Substitution, can I leave the organisation faster?

Yes. Where substitution is approved, the Senior Manager will provide the officer the following information and formal advice:

- a written estimate of the financial termination benefits which apply for each of the redundancy options (including income maintenance);
- formal advice in written detailing that:
 - I. the officer can agree to a termination date that is within 10 working days of receipt of this formal advice;
 - II. the officer will be paid the equivalent of 8 weeks pay in lieu of notice in addition to the lump sum or income maintenance benefit, (where applicable); and
 - III. the officer must provide written advice as to their preferred benefit as soon as practicable, prior to the termination date.

Where ten or more officers are likely to become potentially redundant, unless a shorter period is agreed between CSIRO and the officer, the above formal advice will not be provided earlier than four weeks from the date on which the 10 or more impacted officers were provided initial notification of redundancy, as per Schedule 3, Clause 4(c).

8) How are individual officers identified from a group?

After VRS has been considered, in any situation where the number of roles available is fewer than the number of officers the following process will be adopted:

- The responsible line manager will use available information to assess each officer against the organisational requirements for the role/s
- The principles of procedural fairness will be applied
- The officer will not be required to make an application for their existing role but may provide information to the responsible line manager if they choose.
- The line manager will make a decision and the officer will be advised. Where it is determined that there is no ongoing requirement for the officer's skills they will be advised that they are potentially redundant and provided with the information detailed below.

9) What information must CSIRO provide to an individual impacted officer?

CSIRO management is bound to provide potentially redundant officers with comprehensive information concerning redundancy procedures and available assistance. Information which must be provided includes:.

- details of the circumstances which gave rise to the potential redundancy
- why the individual officer's position has been identified as potentially redundant
- potential redeployment, including retraining prospects, within the Business Unit and more broadly, within CSIRO (this is very important- it is not good enough for a business unit to simply state there are no redeployment prospects at a particular time)
- other options available which may prevent the redundancy
- a written estimate of the financial termination benefits which apply for each of the redundancy
- options (including income maintenance) in the event that redundancy is confirmed; and
- comprehensive information concerning redeployment and redundancy procedures and the assistance that CSIRO Human Resources will provide..

10) What is the redeployment process?

CSIRO must carry out an organisation-wide survey, of existing and foreseeable vacancies which are at, or one level below, the officer's substantive CSOF level and in the same functional area. The minimum period over which this survey will be conducted will be 8 weeks or a shorter period may be agreed between CSIRO and the officer as per Schedule 3, Clause 7(a).

A position will be considered to be a suitable opportunity if the officer meets all the essential selection criteria immediately or could reasonably expected to do so after a reasonable period of retraining (up to six months in the case of ongoing vacancies), per Schedule 3, Clause 7(b).

Where an officer accepts redeployment to a position of lower substantive classification payment will be made at the rate necessary to bring their salary up to the salary received immediately before the date of redeployment for:

- In the case of officers who have twenty or more years of service 14 months; or
- In the case of other officers eight months

The income maintenance period shall commence on the day of transfer to a position of lower classification, per Clause 7(c).