INFORMATION FOR VACANCY HIRING MANAGER

There is a whole-of government commitment to the management of employees declared excess through the various redeployment, retraining and retrenchment arrangements that have been included in enterprise agreements.

### PRIORITY CONSIDERATION

Employees with a right to ongoing employment in the public sector, who have been formally declared excess to an agency’s requirements in accordance with *Determination and Guideline 7: Changes to Workforce Composition and Management of Excess Employees – Redeployment, Retraining and Redundancy* may be put forward by their case manager for priority consideration[[1]](#footnote-1) of suitable[[2]](#footnote-2) roles within a South Australian government agency.

Priority consideration can be requested at any stage of a recruitment process.

**What are your responsibilities?**

An excess employee must be provided appropriate priority consideration for the role/vacancy. The home agency has initially assessed the excess employee’s suitability for the vacancy prior to being put forward. It is highly recommended that:

* You arrange a meeting with the employee as quickly as possible to the priority consideration request.
* You provide the employee the opportunity to demonstrate or provide evidence of capabilities required to perform the role responsibilities in person. This can be achieved by (verbal (suitability meeting), written (respond to four essential criteria), and obtain referee reports).
* If this is not possible you may ask that they provide examples of their work, which relate to the criteria, to you in writing if appropriate.

If the employee is covered by the *South Australian Public Sector Enterprise Agreement: Salaried 2021*, the case manager should have provided you with a completed “Suitability Assessment and Assignment Template”.

The excess employee is **not required to undertake a merit based selection** process but needs to be able to demonstrate/evidence capabilities to perform the role to a reasonable standard, which may include you asking questions to clarify the employee’s capabilities.

Referees can be sought for verification of capabilities.

Should you deem the employee:

1. suitable for the role – notify your human resource to progress into role/contract/assignment
2. suitable for the role – with additional training/development requirements (contact the case manager to discussed options or support available)
3. not suitable for the role, you will be asked to provide written information on the appropriate form[[3]](#footnote-3) and return this to the employee’s case manager.
	* The employee must be provided the opportunity to respond and/or provide additional relevant information or evidence.
	* All parties[[4]](#footnote-4) must be in agreeance before any role can progress further.

In the event of disagreement about releasing any vacancy placed on hold for publication, the matter will, in the first instance be referred by the case manager to the relevant human resources director in the vacancy agency. The case manager may also request their human resources director to contact the human resources director in the vacancy agency. The dispute processes within the relevant enterprise agreements should be referred to and complied with.

Vacancies will be held until a final determination is made, taking all issues and perspectives that have been brought forward into consideration. This means that the status quo will remain until the matter is resolved.

If the employee is covered by the *South Australian Public Sector Enterprise Agreement: Salaried 2021*, and there is disagreement about a matter concerning a vacancy, the vacancy will remain on hold until a resolution is reached, or if applicable, the outcome of a referral to the South Australian Employment Tribunal.

**Additional Information**

Additional information is available from the employee’s case manager; your human resources area, the Office of the Commissioner for Public Sector Employment website <http://publicsector.sa.gov.au>, or by contacting the Office of the Commissioner for Public Sector Employment on 1800 317 333 or emailing publicsectorhr@sa.gov.au.

1. Priority consideration – considered before any other employee (with the exception of employee who is in receipt of weekly payments for a compensable workplace injury or illness and/or subject to a Rehabilitation and Return to Work Plan) internal or external or considered equally, merit based only if more than one excess employee is put forward for the vacancy. [↑](#footnote-ref-1)
2. Suitable – Ability to perform the role responsibilities to a reasonable standard, within a reasonable timeframe and with reasonable training and development. Shows reasonable transferable skills to be able to perform role responsibilities.
 [↑](#footnote-ref-2)
3. Information on the relevant form is available by request from the excess employee’s case manager or from your own human resources [↑](#footnote-ref-3)
4. Vacancy hiring manager, case manager and excess employee
 [↑](#footnote-ref-4)