

Date: 6.9.2012Exhibit number: 55

Establishment Management Program

Frequently Asked Questions

1. What is the Establishment Management Program?

The Director-General of the Department of the Premier and Cabinet advised on 27 and 28 March 2012 that the incoming Government has asked for greater scrutiny over the hiring decisions associated with non-frontline positions.

Therefore, an Establishment Management Program (EMP) incorporating a vacancy review process has been introduced, to ensure recruitment decisions regarding non-frontline vacancies align with Government priorities.

The EMP is also designed to ensure critical frontline positions continue to be filled as a matter of priority, to ensure there is no detrimental impact to frontline service delivery for clients.

2. Which agencies does the EMP apply to?

EMP applies broadly across the Queensland public service including departments, public service offices and agencies.

For departments, a fortnightly reporting and monitoring process will be implemented.

3. What is a critical frontline service delivery position?

Generally, a critical frontline service delivery role is one in which the employee provides services directly to the public. The definition of a frontline employee is set out in the Minimum Obligatory Human Resource Information (MOHRI). [Click here](#) for MOHRI service delivery definitions. Further clarification may be sought from your agency's human resource area.

4. Why has the EMP been implemented?

The Government is committed to addressing the fiscal status of the State, and to deliver a program of reform outlined in its 100-day plan. The reprioritisation of services is central to this task, alongside a strong commitment to frontline service delivery. At this stage, the Government is reviewing and considering the current fiscal position. By putting a hold on recruitment to non-frontline positions that are not essential for frontline service delivery, the Government has the opportunity to redirect resources to areas it considers to be of higher priority.

5. Which positions are exempt from the EMP?

The EMP does not apply to critical frontline service delivery positions. Refer to question 3.

Chief Executive Officers (CEOs) will determine which positions within their agency are critical frontline service delivery roles based on the MOHRI definition of a frontline employee.

6. Are there exceptional circumstances whereby a CEO may fill a position that would otherwise be affected by the EMP?

Yes. A CEO may use their discretion to fill a non-frontline position, if he/she is of the opinion that by not filling the role there would be adverse impacts on critical frontline service delivery.

CEO discretion may also be applied in situations where not filling a position, or not continuing a temporary arrangement, could result in the loss of critical talent required by the organisation in the future e.g. roles identified as part of a graduate program.

7. How does the EMP apply to current recruitment processes?

All recruitment processes that are not yet finalised, must be assessed in accordance with a vacancy review process to ensure recruitment continues only where it is critical to the government's priorities for frontline service delivery to the community.

8. What about workload management?

It is critical for managers to ensure employee workloads are managed appropriately, and organisational priorities and services are adjusted where necessary.

Departments and agencies have processes for workload management that are to be applied. A general guide on workload management for managers is available on the Public Service Commission website. Alternatively, your department or agency may have tailored and implemented its own workload management process to better meet client and or organisational needs. Where an industrial instrument specifies the application of a workload management tool, these provisions must be applied.

9. Has the union been consulted about the EMP?

The Public Service Commission has briefed and consulted the major public sector unions, and will continue to engage regularly. Departments will also keep relevant unions informed through existing processes such as agency consultative committees.

10. How will the EMP be managed/monitored?

Governance arrangements have been established to manage the EMP. A monitoring group chaired by the Public Service Commission (PSC) has been formed and includes executives from the Department of the Premier and Cabinet and Queensland Treasury and Trade.

Departments will be required to submit fortnightly reports to the PSC for consideration by the EMP Governance Committee. Regular progress reports will be provided to the Chief Executive Officer Leadership Team.

The PSC has lead responsibility for the EMP, in consultation with agencies.

11. How does the EMP apply to new temporary engagements?

New temporary engagements, in non-frontline positions, must be assessed in accordance with a vacancy review process. Refer to questions 3, 5 and 6 for exceptions.

12. How does the EMP apply to new secondments, higher duties arrangements and casual engagements?

New arrangements, in non-frontline positions, must be assessed in accordance with a vacancy review process. Refer to questions 3, 5 and 6 for exceptions.

13. How does the EMP apply to senior executive, fixed term (including section 122), or other employment contracts?

New employment contracts, in non-frontline positions, including senior executive contracts, fixed term (including section 122) contracts, or other employment contracts, must be assessed in accordance with a vacancy review process (refer to questions 3, 5 and 6 for exceptions).

Renewal of existing senior executive contracts, or the offer of another fixed term (section 122) employment contract to an officer who has fixed term contract which is nearing completion, must also be assessed in accordance with a vacancy review process.

14. How does the EMP apply to extensions of temporary engagements?

Extensions of existing temporary engagements, in non-frontline positions, are also to be assessed in accordance with a vacancy review process. Refer to questions 3, 5 and 6 for exceptions.

Existing temporary engagements may be extended in situations where the circumstances leading to the engagement continue to apply. The period of any extension should be reasonable, having regard to the priorities of the EMP, and be consistent with the historical management of the engagement e.g. month by month arrangements could reasonably be extended on the same basis.

The specific industrial entitlements and employment conditions applicable to temporary employees must be addressed when determining options for the continuation of temporary engagements.

Careful consideration must be given to decisions not to extend temporary engagements where there has been a pattern of regular and ongoing temporary

employment, which could reasonably be considered as 'ongoing'. In these circumstances, there are obligations to consult with the affected employee/s, provide notice, and potentially to make severance payments. Directive 3/11 *The Retrenchment of Temporary Employees Engaged on a Full Time or Part Time Basis* sets out industrial entitlements that are required to be applied.

15. How does the EMP apply to extensions of secondments and higher duties arrangements?

Extensions of existing arrangements, in non-frontline positions, are to be assessed in accordance with a vacancy review process. Refer to questions 3, 5 and 6 for exceptions.

Existing arrangements may be extended in situations where the circumstances leading to the arrangement continue to apply. The period of any extension should be reasonable, and align with the priorities of the EMP, and be consistent with the historical management of the arrangement e.g.. month by month arrangements could reasonably be extended on the same basis.

Where extensions of arrangements are approved, it is necessary to apply the same decision making process to any other related decisions eg. consequential higher duties arrangements, etc. For example, it may be that a higher duties arrangement continues in a frontline service delivery position, and at the same time, a decision may be made to not fill the officer's substantive position where the substantive position is not a critical frontline service delivery role.

Circumstances will vary across roles and agencies. and should be managed on a case by case basis. Due regard is to be given to the relevant industrial awards, rulings, agreements and workload management obligations, when deciding not to continue a secondment, higher duties arrangement or casual engagement, particularly if it has been in place for some time.

16. How are transfers to be managed during the EMP?

All transfer processes that are not yet finalised, must be assessed in accordance with a vacancy review process to ensure recruitment continues only where it is critical to the government's priorities for frontline service delivery to the community.

17. How are 'employees requiring placement' (ERP) to be managed during the EMP?

Placements associated with ERPs e.g. medical, displaced, unassigned, relinquished, above establishment, compassionate transfers etc should proceed during the EMP, in accordance with existing legislative and industrial provisions.

18. How does the EMP affect staffing provisions contained in industrial instruments, such as the Queensland Health enterprise agreement?

The terms of industrial awards and agreements in relation to staffing provisions must continue to apply. For example, where an industrial instrument requires a role

to be filled within a certain timeframe, or a workload management tool is specified, the intent of the award or agreement must be observed.

19. How does the EMP apply to agency labour hire placements and external contractors (not on the payroll system)?

All labour hire and external contractor engagements, including extensions to these arrangements, in non-frontline positions, must be assessed in accordance with a vacancy review process. Refer to questions 3, 5 and 6 for exceptions.

20. What about consultancies?

Consultancies are not employment arrangements or contracts for the provision of direct labour services and are not within the scope of the EMP. The new government has asked CEOs to review consultancy arrangements that are not essential or critical for frontline service delivery.

21. How long will the EMP apply?

At this stage, the new government is reviewing and considering the current fiscal position and an end date for the EMP has not yet been determined. The EMP will remain in place until further notice.

22. How does the EMP apply to positions that are not funded by the Queensland Government?

CEO discretion should be applied on a case by case basis regarding decisions to fill positions in government agencies (not including Government Owned Corporations) that are not funded by the Queensland Government (eg. self funded through revenue, funded by the Commonwealth Government, etc).

It is acknowledged that a limited opportunity may exist to engage state funded employees against 'other source funded' positions, which in some cases could result in a saving to the Queensland Government (eg. reduction of staffing costs for revenue funded business areas).

NOTE: The EMP is to be administered in line with existing legislative and industrial employment provisions.