

Policy Name	Redeployment and Redundancy Policy
Policy Type	Human Resources
Policy Number	HR17
Version	1
Approval Date	January 2019
Renewal Date	January 2022



**Policy Number**            **HR17**

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## SUMMARY

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 redundancy packages in a fair and reasonable fashion, compliant with the Fair Work Act.

## POLICY STATEMENT

The following provisions only apply to permanent and maximum term West Daly Regional Council employees. For the purposes of this policy, an employee may be declared excess if the Chief Executive Officer (CEO) considers that:

- I. the employee is included in a class of employees employed in West Daly Regional Council, which class comprises a greater number of employees than is necessary for the efficient and economical working of West Daly Regional Council or
- II. the services of the employee cannot be effectively used because of technological or other changes in the work methods of West Daly Regional Council; or
- III. structural or similar changes in the nature, extent or organisation of the functions of West Daly Regional Council; or
- IV. the duties are to be performed at a different locality, and the employee is not willing to move to the different locality.

If requested, the employee may have a representative present at any discussions concerning the application of this section to the employee.

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## NOTIFICATION AND CONSULTATION PROCESS

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.

- I. Discussions with the potentially excess employee will be held to consider:
  - a. reasons for the excess employee situation and the method used to determine excess employees;
  - b. redeployment opportunities for the employee at or below level within West Daly Regional Council.
- II. Where an employee is potentially excess or is excess, the CEO may (at the CEO's discretion):
  - a. where those retrenchments would permit the redeployment of employees who are potentially excess, allow redeployment within West Daly Regional Council where it is judged that:
    - i. the employee is suitable for the job after a reasonable period of adjustment; and
    - ii. it would be of no detriment to the efficient operation of the gaining area;
- III. Where the CEO notifies an employee that he or she is excess, the employee will receive the following information:
  - a. the amount of redundancy benefit, pay in lieu of notice and paid up leave credits;
  - b. taxation rules applicable to the various payments.

## 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).

## 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.

## **TERMINOLOGY AND REFERENCES**

### **REFERENCES**

*Local Government Act*

*Fair Work Act*

### **FURTHER INFORMATION:**

*Chief Executive Officer*

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