

PROFESSIONAL STAFF

**WORTH
EVERY
CENT** ✓

CPSU NSW

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WHAT HAPPENS DURING A RESTRUCTURE



**Information is from clauses 17 and 59 of the
University of Technology Sydney Professional Staff Agreement 2018.**

PLEASE REFER DIRECTLY TO THESE CLAUSES FOR MORE DETAILS

THE PROCESS

When there is a proposal for change, the University will consult with all affected staff and the CPSU NSW about the need for the change.

Consultation will be initiated in a timely manner prior to any final decision being made, involving one or more meeting(s) to which affected staff will be invited to allow discussion of issues. The University will provide relevant information and documentation to the affected staff as part of the consultation process. Consultation will occur with all relevant staff and the CPSU NSW, covering:

- the nature of and rationale for the change,
- the potential benefits for staff or possible adverse effects on staff, if any,
- suggestions for avoiding or mitigating any potentially adverse effects on staff including any workload implications,
- the timeframe for the proposed change process; and
- whether a post implementation review is not appropriate.

Once the University decides to proceed with the proposed change in either its original or a revised form then the University will consult with the affected staff

and the CPSU NSW on strategies and timelines for the implementation of change. The University will also confer with staff and the CPSU NSW on any measures necessary to mitigate any negative consequences for affected staff arising from the change.

WHAT DOES THE CPSU NSW DO?

Your union will support its members through this process by:

- Ensuring the university follows the correct process
- Standing ready to challenge flawed or misinterpreted application of your Enterprise Agreement
- Submitting feedback on your behalf
- Ensuring all redundancies are genuine and not a redistribution of work
- Supporting individual members with advice or in meetings as a support

For support during this process, join your union- we are your best line of defence. However, the CPSU NSW can only support you if you're a member prior to an issue arising.

Join here: www.cpsunsw.org.au/join



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WHAT IF YOUR POSITION HAS BEEN MADE REDUNDANT?

The Vice-Chancellor may invite the staff member(s), to apply for voluntary separation or redeployment. A staff member will have five working days to request a review of the University's decision to make her/his position redundant.

VOLUNTARY SEPARATION

A staff member will have six weeks from the date of the Vice-Chancellor's invitation in which to submit an application for voluntary separation. A request for voluntary separation may be declined. The staff member will be advised of the reason(s) in writing for this decision and will be informed that their employment is to continue.

VOLUNTARY SEPARATION BENEFIT

The amount paid for voluntary separation will consist of the following components:

- a lump sum of 12 weeks' pay.
- severance pay at the rate of three weeks' pay for each completed year of service for the first ten years of service.
- severance pay at the rate of two weeks' pay for each completed year of service thereafter.
- the total amount of payment shall not in total exceed payment equivalent to 78 weeks' pay.
- entitlements in the form of accrued annual leave and long service leave.

REDEPLOYMENT

A staff member will have six weeks to respond with a written request for the redeployment option to the Deputy Vice-Chancellor. The redeployment option provides for a period of up to 20 weeks of redeployment and retraining, commencing from the date of the staff member's written request, for staff in HEW levels one to seven inclusive, and 15 weeks for all other staff.

If at the end of the redeployment period, there is no offer to be redeployed then the staff member's employment will be terminated. They will be provided with the voluntary separation benefits less the period of redeployment served if the redeployment period is 20 weeks or 12 weeks if the redeployment period is 15 weeks. There is no obligation on the staff member to complete the period of redeployment. A staff member may accept voluntary separation and end the period of redeployment before the end of the 15 or 20-week period. The voluntary separation benefit will be reduced by the period of redeployment up to a maximum equivalent to the lump sum of 12 weeks' pay where the redeployment period was 15 weeks.



The staff member is to participate fully in the redeployment process. The University will provide assistance and support to staff seeking redeployment.

RETRENCHMENT

The Vice-Chancellor may formally advise in writing any staff member who has not applied for voluntary separation that the staff member is an excess staff member and that their employment will be terminated. This is referred to as a 'retrenchment'. A staff member will be given eight weeks' notice (or equivalent compensation) prior to a retrenchment taking effect. On retrenchment, a staff member will receive a severance payment of two weeks for each completed year of service with the University, to a maximum of 38 weeks' salary. Payment will be at the staff member's base rate of pay on a pro rata basis.