

QUICK REFERENCE GUIDE (QRG) REDEPLOYMENT AND REDUNDANCY PROFESSIONAL & ACADEMIC STAFF

OVERVIEW OF THE SECTION

CLAUSE REFERENCES:

WESTERN SYDNEY UNIVERSITY ACADEMIC STAFF AGREEMENT 2022

Redeployment and Redundancy (Clause 47)

WESTERN SYDNEY UNIVERSITY PROFESSIONAL STAFF AGREEMENT 2022

Redeployment and Redundancy (Clause 55)

BRIEF DESCRIPTION:

The Redeployment and Redundancy clause in the Agreements applies to ongoing employees (full-time or part-time) who are directly affected by organisational change. The clause does not apply to casual or fixed-term employees. A displaced employee is given the option of choosing between redeployment (where the University tries to find the employee another suitable role within the University or an associated entity) or redundancy (termination with severance pay). If the University is unable to redeploy the employee after a designated period, the employee will be retrenched with severance based on their service length.

INTREPRETATION AND APPLICATION

DISPLACED EMPLOYEES

Displacement applies to ongoing employees only and occurs when a position is permanently abolished due to organisational change. The University will:

- inform an employee in writing that they are displaced;
- identify the grounds on which the University has determined the employee's job is no longer required to be performed by anyone;
- discuss with the employee their options for redeployment or redundancy;
- case manage and consult with the employee; and
- provide the employee with calculations of their estimated redundancy entitlements including taxation, and annual and long service leave entitlements.

The University will also provide the following support to displaced employees:

- professional assistance in applying for positions, interview techniques, and career planning;
- professional counselling; and or
- job search and career transition management services.

Consideration Period

A **displaced employee** has 10 working days to:

- **elect in writing to be considered for redeployment;** or
- **express an interest in voluntary redundancy.**

If the employee does not make an election and there are no positions into which the employee can be redeployed, the University will immediately start the redeployment period for the employee.

REDEPLOYMENT

The length of a displaced employee's redeployment period will depend on their classification:

Category of Employee	Redeployment Period
HEW 6 and below	20 Weeks
HEW 7 and above displaced due to outsourcing and aged 45+ OR has more than 15 years of continuous service	16 weeks (with option to receive 4 weeks in lieu)
Academic employee aged 45+ OR has more than 15 years of continuous service	12 weeks, plus an additional 4 week period unless the employee elects to be paid in lieu of this period
All other employees	12 weeks

The University may approve a longer or shorter redeployment period if requested by the employee.

During the redeployment period, an employee can continue working in their current unit (and/or work temporarily in another work unit and/or undertake training), and/or will be given reasonable paid time off work to attend interviews or undertake other job search activities.

The University will actively seek to identify suitable vacant positions for a displaced employee, offer retraining if necessary, and avoid externally advertising a role until the redeployment team determines that there is no displaced employee that could be redeployed into the role.

Offers of redeployment

A displaced employee must not refuse a reasonable offer of redeployment or training.

If an employee accepts redeployment to a lower-level position, their salary will be maintained at the level of their previous position:*

- for 12 months, for academic staff;
- for 12 months, for professional staff who are redeployed to a position that is more than 1 level lower than their previous position;
- for 24 months, for professional staff who are redeployed to a position that is 1 level lower than their previous position.

****Note: At the end of this period, all employees will have their salary adjusted to the maximum salary step of the position into which they have been redeployed.***

Retrenchment

A displaced employee who chooses redeployment will not be retrenched if there is suitable work being done by casual employees that could be reallocated to the employee, provided they are qualified or can be retrained to perform the work.

However, if at the end of the redeployment period, a displaced employee is not redeployed, the employee will be retrenched and entitled to the following payment:

Professional Employees	
HEW 6 and below	20 weeks' salary minus up to 12 weeks of redeployment period, plus 3 weeks' salary for each completed year of continuous service, up to a maximum of 60 weeks.
HEW 7 and above displaced due to outsourcing and aged 45+ OR has more than 15 years of continuous service	20 weeks' salary minus the redeployment period, plus 3 weeks' salary for each completed year of continuous service, up to a maximum of 60 weeks
All other employees	20 weeks' salary minus the redeployment period, plus 3 weeks' salary for each completed year of continuous service, up to a maximum of 60 weeks.
Academic Employees	
All employees displaced for reasons other than outsourcing	20 weeks' salary minus the redeployment period, plus 3 weeks' salary for each completed year of continuous service, up to a maximum of 60 weeks
Employees displaced due to outsourcing	8 weeks' salary (increased to 10 weeks if aged 45+ or has more than 15 years of service) plus 4 weeks' salary for each completed year of continuous service, up to a maximum of 60 weeks.

REDUNDANCY

A displaced employee who chooses redundancy is entitled to:

- A notice payment of **20 weeks' salary** at their base rate; and
- An additional payment of **3 weeks' salary for each year of continuous service**, up to a maximum of 60 weeks.*

****Note: If the displacement is due to outsourcing, the additional payment increases to 4 weeks' salary per year of service, up to a maximum of 60 weeks.***

If an employee elects redundancy, their employment will cease 10 working days after they notify the University of their election, or on another mutually agreed upon date. However, before making a decision, it is recommended that the employee seek independent advice on taxation, superannuation and their personal circumstances.

Calculating redundancy or retrenchment entitlements

When calculating an employee's redundancy or retrenchment entitlements, any part-time service will be converted to its full-time equivalent, and the payment will be made based on the employee's full-time base rate of pay.

FREQUENTLY ASKED QUESTIONS

QUESTION	ANSWER
What happens if my position is made redundant?	If your position is made redundant, you will become a displaced employee and be eligible to elect between redeployment or redundancy.
What is redeployment?	Redeployment is where the Change Manager in conjunction with the Senior HR Partner proactively tries to identify suitable vacant positions for you if you are a displaced employee. In addition, if there is suitable work being performed by casual employees that you are qualified to do (or could be retrained within a reasonable period to do), this work may be reassigned to you as an ongoing full-time or part-time role.
I am a displaced employee and have elected redeployment. What are the next steps?	During your redeployment period, you may continue to work in your own work unit, temporarily work in another unit or undertake training. The Change Manager in conjunction with the Senior HR Partner (the redeployment team) will proactively try to identify suitable vacant positions for you based on your relevant skills, qualifications and

QUESTION	ANSWER
	experience. All vacant roles will be examined before advertising to determine whether they represent a suitable redeployment option for you. This is a very collaborative approach between you and the redeployment team. Should the redeployment team identify a suitable role, this is then discussed with you and a further conversation is also held between you, the redeployment team, and the hiring manager for the role. As part of the redeployment process, you must agree to undertake any reasonable training the University may require to enable you to be redeployed into a suitable vacant position. You must also not refuse a reasonable offer of redeployment or training.
What is the difference between redundancy and retrenchment?	Redundancy refers to a position being disestablished in the organisational structure, whereas retrenchment is the termination of employment when redeployment has not been possible. The severance payments for redundancy and retrenchment are also different.
Am I guaranteed redeployment if my position is redundant?	No. You will only be redeployed if: • there is a suitable vacant position available during your redeployment period; or • there is a body of work being performed by casual employees that can be reallocated to you as an ongoing full-time or part-time position and you are suitably qualified to perform the work (or could be retrained in a reasonable time to do so). If you cannot be redeployed during your redeployment period, you will be retrenched.
What are my redundancy entitlements if I choose redundancy instead of redeployment?	If you elect redundancy, you will be entitled to: • 20 weeks' notice payment at your base rate of pay, and

QUESTION

ANSWER

- **3 weeks' pay** for each completed year of continuous service (up to a maximum of 60 weeks).

If your displacement is due to outsourcing, you will be entitled to **4 weeks' pay** for each year of service, up to a maximum of 60 weeks.

If you elect redeployment but cannot be redeployed, your 20-week notice payment will be reduced by the length of your redeployment period.

How soon will my employment end if I choose redundancy?

If you choose redundancy, your employment will end **10 working days** after notifying the University of your election, unless otherwise agreed between you and the University.

What happens if I accept another position within the University?

If you accept an offer for a substantially similar or comparable position within the University during the redeployment period, a redundancy entitlement will not arise. Furthermore, if you are successfully redeployed, you will not receive redundancy payments since your employment continues in a new role.

EXAMPLES

EXAMPLE 1: PROFESSIONAL EMPLOYEE - REDEPLOYMENT

Anna, a professional employee at Level 6, works in Student Services. She is informed that her position is being made redundant due to restructuring in the department. Anna chooses redeployment instead of redundancy. During the redeployment period, the University identifies a similar role in the Admissions department at the same level. Since Anna is qualified for the new role and can be retrained quickly, she is offered the position. Anna is redeployed into the Admissions role and continues her employment with the University.

EXAMPLE 2: ACADEMIC EMPLOYEE - CASUAL WORK CONSIDERATION

Dr. James, a lecturer in the School of Social Sciences, is notified that his full-time, ongoing position is being made redundant due to decreased student enrollments. Dr. James elects redeployment and the University is unable to identify a suitable vacant role for him. However, before retrenching Dr. James, the University checks whether any casual lecturers are performing suitable work and identifies that there are several casuals teaching units that Dr. James is fully qualified to deliver. The University reallocates this work to Dr. James on an ongoing, full-time basis and he continues his employment with the University.

EXAMPLE 3: RETRENCHMENT AFTER REDEPLOYMENT

John, an IT professional (Level 7), has been informed that his role is being made redundant. He opts for redeployment, but the University is unable to find a suitable position for him during the redeployment period and there is no suitable work being performed by casual employees. At the end of the redeployment period, John is retrenched. John receives severance pay of 8 weeks' notice (being 20 weeks' notice minus the length of his 12-week redeployment period) plus 3 weeks of pay for each year

EXAMPLE 4: REDUNDANCY DUE TO OUTSOURCING - PROFESSIONAL EMPLOYEE

Amir is a Level 6 professional staff member in the School of Business who has become displaced due to outsourcing. He notifies the University that he would like to elect redundancy rather than redeployment.

As Amir's position has been made redundant due to outsourcing, he will receive a severance payment of 20 weeks' notice, plus 4 weeks of pay for each year of service (up to 60 weeks) at his base rate of pay.

INFORMATION IN THIS GUIDE IS A SUMMARY ONLY

This document provides a general summary to assist staff understand the rights and processes related to this entitlement. To avoid doubt, this document:

- does not contain a complete account of the rights, entitlements, conditions, or obligations that may be available;
- does not replace or override the terms of the relevant enterprise agreement or under legislation, or the Western Sydney University's policies or procedures; or
- does not constitute legal or financial advice.

FURTHER INFORMATION

For further details on Redeployment and Redundancy, please refer to the relevant Professional/Academic [Enterprise Agreement](#).

KEY CONTACTS FOR FURTHER ADVICE

If you have any questions or would like to discuss your Redeployment and Redundancy options, please contact your HR Advisor, the HR Operations Team, or the Employee Relations Team.