

Practices, Procedures and Standards No. 1

**AGENCY FIXED-TERM AND CASUAL  
EMPLOYMENT REGISTERS**

Operative date: **OCTOBER 2014**

Pursuant to Section 15(1)(b) of the *State Service Act 2000*, I hereby direct that the arrangements and requirements, set out in this Practices, Procedures and Standards document apply.



Issued by the Director, State Service Management Office under delegation from the Head of the State Service.

Date: <sup>29<sup>th</sup></sup> October 2014

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## 1. Definitions

**'The Act'** means the *State Service Act 2000*.

**'Casual'** means employment on an irregular basis which may be at short notice and which may be accepted or rejected on each and every occasion. A casual employee receives a loading of 20 per cent in addition to the normal salary rate in lieu of paid leave entitlements and holidays with pay.

**'Employment Direction'** means an Employment Direction relating to the administration of the *State Service* and employment matters as issued by the Employer in accordance with Section 17 of the Act.

**'Fixed-term'** means employment that is for a specified term, or for the duration of a specified task, in accordance with Section 37(3)(b) of the Act.

**'Head of Agency'** is the person holding that office for the purposes of the Act in accordance with Section 30 of the Act.

**'Head of the State Service'** means the person appointed by the Premier to perform the functions and powers of the Employer, other than the power to issue Employment Directions, in accordance with Section 20 of the Act.

**'Merit-assessment'** in accordance with Section 7(2) of the Act, means objectively measuring an applicant's skills, knowledge and experience against the inherent requirements of a position, and in comparison to other suitable applicants, in order to appoint the best person for the job.

**'Position'** means an allocation of duties in accordance with Section 34(1)(c) of the Act.

**'Suitability'** means an assessment of whether an applicant could potentially and satisfactorily carry out the duties of a vacant position.

**'The Employer'** is the Minister administering the *State Service Act 2000* in accordance with Section 14 of the Act.

## 2. Purpose

- 2.1. To specify the practices, procedures and standards to apply to the establishment and operation of Agency Fixed-term and Casual Employment Registers.
- 2.2. The purpose of registers is to provide a mechanism to fill specific short, fixed-term (including casual) duties that are critical for business or service continuity, and where normal advertising requirements for fixed-term duties under *Employment Direction No. 1: Employment in the State Service* are not practicable or efficient in securing employees at short notice.
- 2.3. Fixed-term appointments arising from the operation of registers are not to be managed in a manner that would give rise to an expectation of ongoing employment or permanent appointment.
- 2.4. Appointments from fixed-term registers are not to be used as a replacement for permanent filling of genuine vacancies.

### 3. Application

- 3.1. These Practices, Procedures and Standards apply to any State Service Agency defined under Schedule 1 of the *State Service Act 2000* (the Act), that establishes and operates a Fixed-term Employment Register.

### 4. Legislation/Award Basis and Related Documents

- 4.1. The Head of the State Service (or delegate) may determine Practices, Procedures and Standards in relation to management of, and employment in, the State Service and evaluate their application (Section 15 (1)(b) of the Act).
- 4.2. The Agency Fixed-term and Casual Employment Register Program has been established under Section 15(1)(h) of the Act, under which the Head of the State Service (or delegate) may develop and implement recruitment programs for the State Service.
- 4.3. The Head of the State Service may delegate any of the functions or powers required to be exercised under Section 20 of the Act (Section 21 of the Act).
- 4.4. *Employment Direction No. 1: Employment in the State Service.*
- 4.5. *Managing Positions in the State Service (September 2014).*

### 5. Date of Operation

These Practices, Procedures and Standards will take effect from the date of issue and will remain in force until varied or revoked.

### 6. Establishing a Register

A Head of Agency may, subject to the approval of the Head of the State Service (or delegate), establish a fixed-term and casual employment register for the purpose of filling short (less than 12 months), fixed-term, or casual vacancies in specified duties in that Agency.

Agencies may either establish and operate an approved register internally or contract an external organisation to operate that register on behalf of that Agency, provided that Government Procurement requirements are complied with.

An Agency may choose to share an internally operated register with another Agency, and must notify the Head of the State Service (or delegate) of their intention to do so. Candidates applying to be included on an approved register must be advised when applying which Agencies are a party to the register, and that their application may be accessed by multiple Agencies if a suitable vacancy arises.

### 7. Managing Positions in the State Service

Prior to filling any fixed-term vacancy from an approved register, all vacancies, must be referred to State Service Vacancy Control for review or clearance to recruit.

Agencies may fill casual vacancies from an approved register only where the vacancy is truly casual, i.e. subject to irregular hours and on an as-and-when needed basis. Genuine casual vacancies do not require clearance under *Managing Positions in the State Service*.

## 8. Fixed-term Appointment

Subject to vacancy control approvals under *Managing Positions in the State Service*, an applicant may only be appointed from an approved register for a maximum period of 12 months in any one instance.

The appointment of an applicant from an approved register is not to be extended without prior approval from State Service Vacancy Control, and extensions must be in accordance with Clause 9.2(a) of ED No.1.

## 9. Register Practices, Procedures and Standards

The following practices, procedures and standards apply to the approval and operation of Agency employment registers:

### (a) Register Approval

- Registers are to be approved by the Head of the State Service (or delegate).
- Registers may be approved for a period of either 12 months or 24 months.
- Registers are to be posted on [www.jobs.tas.gov.au](http://www.jobs.tas.gov.au) within **30 days** of the date of written approval, or approval will lapse.
- Registers **must** be posted on [www.jobs.tas.gov.au](http://www.jobs.tas.gov.au) **at all times** during the approved period.
- Registers **must** be open **at all times** during the approved period to all potential applicants, at no cost.
- If a register is no longer required, the Head of Agency **must** seek approval from the Head of the State Service (or delegate) to withdraw the register prior to the advertised application close date. Until such time as approval is granted the register must remain active on the jobs website.
- The Head of Agency may determine whether applicants on an employment register need to reapply each time an employment register is re-approved.

### (b) Managing Applicants

- Fixed-term employees who complete an appointment do not need to re-apply to be placed back on an approved register.
- Applicants are to be assessed for **suitability** only against the specified duties prior to placement on a register.
- Placement of a suitable applicant on an approved register does not imply an offer of employment.
- Applicants who have been assessed as unsuitable for placement on a register are to be notified accordingly.

**(c) Merit Assessment**

- Registered applicants are to be merit-assessed when being considered for available duties.
- Merit assessment for the purpose of appointment from a fixed-term and casual employment register must include a comparative and competitive assessment of a field of applicants sourced from the approved register.
- Any appointment from a fixed-term or casual employment register must be made by the Employer (or delegate), in accordance with Clause 37(1) of the Act.
- Evidence of the merit assessment of applicants must be documented in line with normal recruitment practices and maintained for two years for the purpose of reporting to, and evaluation by the Head of the State Service.
- Evidence of merit should include a summary document which provides an overview of the selection process including;
  - the register applicants were sourced from;
  - how many applicants were considered (2-3 minimum to allow a comparative assessment);
  - the names of applicants;
  - the process of assessment (e.g. interview, practical assessment, referee checks); and
  - a table of assessment against the selection criteria (e.g. highly satisfactory, satisfactory, unsatisfactory, etc), with applicants ranked in order of merit. See example below.

	Criterion 1	Criterion 2	Criterion 3	Criterion 4	Order of merit
Applicant A	HS	S	HS	S	2
Applicant B	HS	S	S	S	3
Applicant C	S	S	U	S	4
Applicant D	HS	HS	HS	S	1