

Employment Direction No. 10

ABORIGINAL AND TORRES STRAIT ISLANDER TAGGED AND IDENTIFIED POSITIONS

Operative Date:

Directive

Pursuant to Section 17 of the *State Service Act 2000*, I hereby direct that the arrangements and requirements set out in this Employment Direction are to apply.

..... 

Issued by authority of the Minister administering the *State Service Act 2000*.

Date: 

Contents

1. Purpose.....	2
2. Application.....	2
3. Definitions	2
4. Legislation/Award Basis and Related Documents.....	2
5. Date of Operation.....	2
6. Direction	3
7. Recruitment Process for Identified Positions.....	3
8. Eligibility for Identified Positions	4
9. Reporting and Monitoring	4
10. Review	4

1. Purpose

This Direction specifies the criteria applicable to the employment of Aboriginal people and Torres Strait Islanders in the Tasmanian State Service in specific positions.

2. Application

This Direction is to apply to all State Service Agencies and officers and employees within those Agencies.

This Direction applies to identified and tagged positions in the Tasmanian State Service.

3. Definitions

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

'The Minister' means the Minister administering the Act.

'Employee' means a permanent or fixed-term employee appointed under Section 37 of the Act.

'Officer' means a person appointed as a holder of a prescribed office, senior executive or equivalent specialist in accordance with Section 31 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.

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

'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.

'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.

4. Legislation/Award Basis and Related Documents

State Service Act 2000 Part 4 (sections 14,15,16) and sections 15, 17, 20, 21, 31 and 37.

5. Date of Operation

This Direction will take effect from the date the issue and will remain in force until varied or revoked.

6. Direction

Employment Definitions

There are two types of position defined under this Direction:

6.1 An **identified position** is a position in which Aboriginal and Torres Strait Islander people are the principal groups affected by the duties of the position. The duties associated with these positions include:

- working with Aboriginal and/or Torres Strait Islander clients; and/or
- providing a service to Aboriginal and/or Torres Strait Islander clients; and/or
- developing policies and programs which affect Aboriginal and/or Torres Strait Islander people.

Identified positions can only be filled by Aboriginal and Torres Strait Islander people in accordance with this Direction.

6.2 A **tagged position** may involve:

- working with Aboriginal and/or Torres Strait Islander clients; and/or
- providing a service to Aboriginal and/or Torres Strait Islander clients; and/or
- developing policies and programs which affect Aboriginal and Torres Strait Islander people.

An essential requirement of tagged positions is the ability to communicate effectively and sensitively with Aboriginal and Torres Strait Islander people and a knowledge and understanding of contemporary Aboriginal or Torres Strait Islander culture and society.

7. Recruitment Process for Identified Positions

- 7.1 The Agency will create a Statement of Duties which specifies the essential requirement that the position must be filled by an Aboriginal or Torres Strait Islander person, and will have attached a copy of this Direction.
- 7.2 The completed Statement of Duties must be sent to the Office of Aboriginal Affairs who will forward the Statement of Duties to the Director or Deputy Director, State Service Management Office for approval of the specified essential requirement.
- 7.3 For fixed-term vacancies of up to twelve months, the Agency may use the Aboriginal and Torres Strait Islander Fixed-Term Employment Register, which is administered through the Office of Aboriginal Affairs.
- 7.4 The Aboriginal and Torres Strait Islander Fixed-Term Employment Register will be advertised annually. People wishing to register will be required to complete an application form and submit details of relevant personal and employment particulars. Applicants will be required to confirm their eligibility for inclusion on the register.
- 7.5 Where an Agency seeks to fill an identified position through the Register, the Office of Aboriginal Affairs will provide a referral list to the Agency.

- 7.6 Where use of the Register does not result in the position being filled the position should be advertised in accordance with State Service procedures.
- 7.7 An Aboriginal or Torres Strait Islander person must be a member of the selection panel established in respect of an identified position.
- 7.8 When short-listing of applicants for the position is complete, the agency will consult with the Office of Aboriginal Affairs in relation to the eligibility of the applicants to meet the essential requirement. Where it believes it to be appropriate, the Office of Aboriginal Affairs may request applicants to provide evidence, or further evidence, of their eligibility to meet the essential requirement and will advise the relevant Agency accordingly.

8. Eligibility for Identified Positions

- 8.1 Applicants for identified positions must meet the Tasmanian Government's eligibility requirements for Aboriginal and Torres Strait Islander programs and services.

9. Reporting and Monitoring

Not applicable.

10. Review

This Direction will be reviewed by 4 February 2017.