



ATTORNEY-GENERAL AND MINISTER FOR INDUSTRIAL RELATIONS

DIRECTIVE No. 22/10
October 2010

In accordance with section 52(3) of the *Public Service Act 2008* and section 687(3) of the *Industrial Relations Act 1999*, this Directive prevails over an industrial instrument to the extent of any inconsistency except in circumstances where the industrial instrument provides for conditions in excess of this Directive. Industrial instrument means an award, certified agreement or decision of the Queensland Industrial Relations Commission. This Directive prevails over other Ministerial Directives to the extent of any inconsistency.

- 1. TITLE:** **Senior Officers – Employment Conditions**
- 2. PURPOSE:** To declare employment conditions for officers appointed as senior officers.
- 3. LEGISLATIVE PROVISION:** Sections 54(1), 116, 119 and 121 of the *Public Service Act 2008*.
- 4. APPLICATION:** This directive applies to senior officers.
- 5. STANDARD:** The conditions and entitlements prescribed in the Schedules apply.
- 6. EFFECTIVE DATE:** This directive is effective from **1 August 2010**.
- 7. VARIATION:** This Directive can be varied by:
 - The Minister responsible for industrial relations; or
 - Legislation.
- 8. PREVIOUS REFERENCES:** Directive No. 6/09 “Senior Officers – Employment Conditions”
Directive No. 7/06 “Senior Executives and Senior Officers – Employment Conditions”
Directive No. 3/06 “Amendment of Directive – Senior Executives and Senior Officers – Employment Conditions”
Directive No. 6/00 “Amendment of Directive – Senior Executives and Senior Officers – Employment Conditions”
Directive No. 1/00 “Amendment of Directive – Senior Executives and Senior Officers – Employment Conditions”
Directive No. 29/99 “Senior Executives and Senior Officers – Employment Conditions”
Directive No. 2/99 “Senior Officers – Employment Conditions”
Directive No. 1/99 “Senior Executives – Employment Conditions”
Directive No. 9/98 “Senior Executives – Employment Conditions”
Directive No. 15/97 “Senior Executives – Employment Conditions”
Directive No. 2/97 “Who are Senior Officers?”
Directive No. 2/96 “Who are Senior Officers?”

SCHEDULE A

EMPLOYMENT OF SENIOR OFFICERS

1. Classification and work value range

Unless otherwise determined by the chief executive of the employing authority (the 'chief executive'), the classification and work value range of a senior officer role will be assessed according to the work value of the role by using the Queensland Public Sector Job Evaluation Management System (JEMS).

A senior officer role is one with an assessed work value above 719 points but below that required for inclusion in the Senior Executive Service. A senior officer is an officer appointed on tenure unless the chief executive determines the appointment is on contract.

From 1 August 2010, a new classification structure of a single SO classification level with three (3) paypoints will be progressively introduced for senior officers whereby the current classification level of SO2 will be phased out over the 12 month period up to 1 August 2011. Transitional arrangements for implementing the new structure are outlined in section 5 below.

Schedule B(i) (with variations approved by the chief executive of the agency responsible for industrial relations from time to time) indicates the classification level work value range and remuneration amounts for all senior officers. Schedule B(ii) indicates the new classification level work value range and remuneration amounts which take effect from 1 August 2010.

2. Recruitment and selection

The recruitment and selection of senior officers must be performed in accordance with the relevant directive issued by the Public Service Commission Chief Executive.

3. Redeployment of a senior executive

In the event of the redeployment of a senior executive to senior officer level, the remuneration package may allow for the private use of a government motor vehicle at the SES1 level.

4. Salary rates, employment conditions and entitlements of senior officers

The applicable salary rates for senior officers are set out in Schedule B. The employment conditions and entitlements of senior officers are set out in Schedule C.

5. New classification structure – transitional arrangements

- (a) There will be a transition period of 12 months from 1 August 2010. At the completion of the transition period, all senior officers will have been transitioned to the new classification structure.
- (b) The current classification structure outlined at Schedule B(i) will be retained during the transition period to facilitate the transition to the new classification structure.
- (c) Existing SO2(1) officers who have been at that classification level for 12 months or more as at 1 August 2010 will transition to SO(1) as from 1 August 2010.
- (d) Existing SO2(1) officers with less than 12 months service at that classification level as at 1 August 2010 will transition to SO(1) upon achieving 12 months service at SO2(1).

- (e) A summary of transitional arrangements for existing SO2(1) officers is outlined in Schedule D.
- (f) Newly-appointed senior officers in roles assessed at the work value equivalent to the existing SO2 level during the 12 month period commencing 1 August 2010 will be appointed to the existing SO2(1) pay point with transition to the new SO(1) to occur on 1 August 2011 or when 12 months "recognised service" is achieved, whichever is the earlier.
- (g) Newly-appointed senior officers in roles assessed at the work value equivalent to the existing SO2 level during the 12 month period commencing from 1 August 2010 who already have achieved more than 12 months "recognised service" will be appointed at new SO(1) classification level.
- (h) Officers relieving at existing SO2(1) level as at 1 August 2010 or officers who commence relieving in a role assessed at the work value equivalent to the existing SO2 level during the 12 month transition period shall transition to the new SO(1) level on 1 August 2011 or when 12 months "recognised service" is achieved, whichever is the earlier.
- (i) Officers relieving at existing SO2(2) level as at 1 August 2010 and who have been relieving at that level for less than 12 months, will continue to be paid at the new SO(1) classification level until the higher duties period expires. If such an employee is subsequently permanently appointed to the role assessed at the work value equivalent to the existing SO2 level immediately after relieving in that position at the SO(1) level with less than 12 months "recognised service", the permanent appointment will be at the SO(1) level.
- (j) A summary of transitional arrangements for newly appointed senior officers is outlined in Schedule E.
- (k) For the purposes of (f), (g) and (h) above, "recognised service":
 - for existing SO2(1) officers or officers relieving at SO2(1) as at 1 August 2010, shall mean continuous service (including relieving) at level SO2 or higher which either concluded in the 12 month period prior to 1 August 2010 or occurred immediately prior to 1 August 2010; or
 - for newly-appointed senior officers or officers commencing relieving during the transition period in roles assessed as the work value equivalent to existing SO2 level, shall mean continuous service (including relieving) at level SO2 or higher which concluded in the 12 month period immediately prior to such new appointment or commencement of relieving.
- (l) A general principle of "no disadvantage" will apply during the period of the transitional arrangements. Subject to endorsement by the Executive Director, Public Sector Industrial and Employee Relations, Department of Justice and Attorney-General, a chief executive can approve arrangements in excess of those prescribed in this Directive in order to ensure an officer suffers no disadvantage.

SCHEDULE B

SENIOR OFFICERS REMUNERATION RATES

(i) Effective from 1 July 2010

LEVEL	Package Point	Assessed Work Value	Annual Salary \$ per annum	Superannuation 12.75% \$ per annum	Fortnights = 26.0892857142		Fortnightly Salary \$ per F/N
					Leave Loading \$ per annum	Total Employment Cost \$ per annum	
SO1	2		120,324	15,341	1,614	137,279	4,612.00
	1	770 - 819	114,996	14,662	1,543	131,201	4,407.80
SO2	2		109,674	13,983	1,471	125,128	4,203.80
	1	720 - 769	105,239	13,418	1,412	120,069	4,033.80

(ii) Effective from 1 August 2010

LEVEL	Pay Point	Assessed Work Value	Annual Salary \$ per annum	Superannuation 12.75% \$ per annum	Fortnights = 26.0892857142		Fortnightly Salary \$ per F/N
					Leave Loading \$ per annum	Total Employment Cost \$ per annum	
SO	3		120,324	15,341	1,614	137,279	4,612.00
	2	720 - 819	114,996	14,662	1,543	131,201	4,407.80
	1		109,674	13,983	1,471	125,128	4,203.80

SCHEDULE C

EMPLOYMENT CONDITIONS AND ENTITLEMENTS OF SENIOR OFFICERS

6. Transfer

In accordance with section 133 of the *Public Service Act 2008*, an officer appointed as a senior officer accepts that he/she may be transferred or seconded within the department at the discretion of the chief executive, or to another department by agreement between the chief executives of the officer's department and the other department.

However, the provisions of section 134 of the *Public Service Act 2008* are to be complied with in the event that a senior officer does not wish to be transferred or seconded.

7. Hours of duty

The ordinary hours of duty shall be those hours of duty determined by the chief executive ensuring the good health and well-being of the senior officer and appropriate work-life balance.

8. Part-time employment

The chief executive has the discretion to implement part-time work arrangements for senior officer roles in the agency.

Officers working part-time have the same benefits and entitlements as other officers, including a proportionate entitlement to remuneration and leave.

9. Compensation for duty outside ordinary hours

Senior officers are not entitled to be paid for work performed outside ordinary hours. However, a meal allowance may be paid for performing authorised duties outside ordinary hours of duty in accordance with the provisions contained in the Schedule of a Directive relating to overtime meal allowances issued by the Minister responsible for industrial relations under section 54 of the *Public Service Act 2008* as if senior officers were covered by such Schedule.

10. Reporting absences from duty

Senior officers shall, as soon as practicable, report to their employing authority any inability to perform their duties, and the reason for that inability.

11. Determination of paypoint

The chief executive will determine the paypoint of the remuneration package amount to be paid to a senior officer within the work value range appropriate to the assessed work value of the position. While movement within a work value range is not incremental, the chief executive is able to review the paypoint to take account of changed circumstances, responsibilities and/or duties.

12. Remuneration package benefits

The following are the remuneration package benefits that senior officers may elect to access via in-house salary packaging arrangements at no cost to the officer:

- (a) the payment of employee superannuation contributions
- (b) the payment of subscriptions in respect to membership of professional or occupational bodies

- (c) any other benefit of a kind approved by the chief executive of the agency responsible for industrial relations.

The remuneration benefits selected by a senior officer from the above options are to be specified in a signed agreement, and must not exceed the percentage of the superannuable salary that would apply if the senior officer was to access the agency's fee-for-service salary packaging scheme.

In addition, senior officers are able to access a wider menu of items for salary packaging purposes by using the services of the agency's salary packaging bureau service provider and complying with the rules and charges associated with using that service as if senior officers were covered by the relevant circular issued by the agency responsible for industrial relations and the relevant departmental certified agreement pertaining to salary packaging.

13. Remuneration package benefits for temporary placements

The remuneration packaging benefits in clauses 12 (a), (b) and (c) above are available to officers who temporarily perform the duties of a senior officer provided the initial placement exceeds 12 months and the officer was selected for the placement through a merit selection process under this Directive and any Directive dealing with recruitment and selection current at the time the appointment is made.

14. Telephone and/or other technology

Where the chief executive considers it necessary for a senior officer to be contactable out of hours or to conduct official business from home and the officer is not provided with an official mobile telephone, the officer is entitled to be reimbursed for the cost of the standard base rental on one nominated telephone line in the officer's residence, and at the discretion of the chief executive, up to 50% of local calls on that line.

All official STD and ISD calls made from the home telephones of senior officers are to be reimbursed on production of a receipt and certification by the officer that the call was work related.

In addition and only if the chief executive considers it warranted, other communications technology may be installed in the homes of senior officers. This equipment remains the property of the department and must be accounted for during annual equipment audits.

If the chief executive considers that the above arrangements are insufficient to meet the away-from-work communication needs of some or all of the senior officers in the agency, that chief executive may make alternative arrangements that suit the business needs of the agency. Any such arrangement should be approved only in the context of prudent and responsible financial management and be clearly documented.

Unless the chief executive otherwise determines, home telephone cost reimbursement arrangements for individual officers in place before the publication of this directive should not be varied.

15. Higher duties in senior officer roles

Payment of a higher duties allowance shall be in accordance with the provisions contained in the Schedule of a Directive relating to higher duties issued by the Minister responsible for industrial relations under section 54 of the *Public Service Act 2008* as if senior officers were covered by such Schedule, except that:

- the minimum period shall mean "more than 3 days";
- the relevant percentage will be 100% only;

- the sections dealing with “Payment of increments during relieving period” and “Recognition of higher duties upon appointment” do not apply to employees relieving in senior officer roles; and
- while the calculation of the higher duties allowance should generally be based on the minimum of the range, payment above the minimum paypoint may be authorised if considered warranted by the chief executive. A decision to pay above the minimum should be documented.

16. Leave

Senior officers have the leave arrangements that apply generally in the public service, including purchased leave arrangements. Leave is granted in accordance with the provisions contained in the Schedules of Directives issued by the Minister responsible for industrial relations and the provisions (except clauses 1.6, 3.4 and 3.5) of the *Family Leave (Queensland Public Sector) Award – State 2004*, as if senior officers were covered by those arrangements. References to time off in lieu and/or accrued hours do not apply to senior officers.

17. Public holidays

The employing authority may require the attendance of a senior officer to undertake official duties for the whole or part of a public holiday as warranted by the circumstances.

18. Transfer and appointment expenses

Reimbursement of transfer and appointment expenses shall be made either:

- (a) in accordance with the provisions contained in the Schedule of a Directive relating to transfer and appointment expenses issued by the Minister responsible for industrial relations under section 54 of the *Public Service Act 2008* as if senior officers were covered by such Schedule, or
- (b) in accordance with another proposal, approved by the relevant Minister and supported by documentary evidence approved by the chief executive that the total quantum of appointment expenses under the proposal will be no greater than the expenses that would be paid if reimbursement had been in accordance with the Directive.

19. Applicable Ministerial Directives

The following Directives (including wherever replaced or amended from time to time) issued by the Minister responsible for industrial relations under section 54 of the *Public Service Act 2008* will apply to senior officers as if senior officers were covered by such Directive:

- Recognition of previous service and employment;
- Leave without salary credited as service;
- Court attendance and jury service;
- Domestic travelling and relieving expenses;
- International travelling and relieving expenses;
- Locality allowances;
- Critical incident entitlements and conditions – Schedules A (except for clauses 5.4, 5.5, 5.8, 5.9 and 5.12), C and D only;
- Leave and travel concessions – isolated centres;
- Engaging officers on fixed term contracts of employment;
- Superannuation entitlements for certain employees;
- Rewards for creating commercially valuable intellectual property;
- Voluntary early retirement; and
- Retrenchment.

SCHEDULE D

EXISTING SENIOR OFFICERS AS AT 31 JULY 2010

	Would transition to	When
Existing SO2(1) officers with \geq 12 months service at SO2(1)	New SO(1)	1 August 2010
Existing SO2(1) officers with <12 months service at SO2(1)	New SO(1)	Upon achieving 12 months service at existing SO2(1)
Existing SO2(2) officers	New SO(1)	1 August 2010
Existing SO1(1) officers	New SO(2)	1 August 2010
Existing SO1(2) officers	New SO(3)	1 August 2010

SCHEDULE E

NEWLY APPOINTED SENIOR OFFICERS APPOINTED ON OR AFTER 1 AUGUST 2010

	Would be appointed to	On completion of 12 month period after 1 August 2010
<p>Newly-appointed officers in SO roles valued in assessed Work Value Range of 720 – 769 (former SO2 range)</p> <ul style="list-style-type: none"> - with ≥12 months recognised service at SO2 or higher - with <12 months recognised service at SO2 or higher 	<p>New SO(1)</p> <p>Former SO2(1) rate, with transition to new SO(1) upon 12 months recognised service or on completion of the 12 month after 1 August 2010 whichever is earlier</p>	<p>All SO roles filled in accordance with new structure. *</p>
<p>Newly-appointed officers in SO roles valued in assessed Work Value Range of 770 – 819 (former SO1 range)</p>	<p>New SO structure in accordance with this Directive.*</p>	

** - Clause 11 in Schedule C states that “The chief executive will determine the paypoint of the remuneration package amount to be paid to a senior officer within the work value range appropriate to the assessed work value of the position. While movement within a work value range is not incremental, the chief executive is able to review the paypoint to take account of changed circumstances, responsibilities and/or duties.”*