

PS301*

Public Sector Management Act 1994

Public Sector Management (Redeployment and Redundancy) Amendment Regulations 2006

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Public Sector Management (Redeployment and Redundancy) Amendment Regulations 2006*.

2. The regulations amended

The amendments in these regulations are to the *Public Sector Management (Redeployment and Redundancy) Regulations 1994**.

[* Reprinted as at 1 March 2002.

For amendments to 10 July 2006 see *Western Australian Legislation Information Tables for 2005, Table 4, p. 319.*]

3. Regulation 4AA inserted

Before regulation 4A the following regulation is inserted in Part 1A —

“

4AA. Entitlement to be consulted regarding redundancy

- (1) As soon as is practicable after an employing authority determines that —
 - (a) the office, post or position of an employee is to be abolished; and
 - (b) the employee may become surplus to the requirements of the department or organisation,the employing authority must give the employee written notice of all relevant information relating to the determination.
- (2) Without limiting subregulation (1), the notice given under that subregulation is to include —
 - (a) the reasons why —
 - (i) the office, post or position is to be abolished; and
 - (ii) the employee may become surplus to the requirements of the department or organisation;and
 - (b) any measures the employing authority considers could be taken that would avoid the employee becoming surplus to the requirements of the department or organisation; and
 - (c) the period within which the employee may become surplus to the requirements of the department or organisation; and
 - (d) if other employees in the same department or organisation are the subject of a determination of the kind referred to in subregulation (1), the number of those employees.
- (3) The employing authority of an employee given a notice under subregulation (1) must consult the employee in relation to the matters set out in the notice.

- (4) Nothing in this regulation requires an employing authority to disclose confidential information that the employing authority considers would be contrary to the interests of its department or organisation to disclose.
- (5) Notice given to an employee under subregulation (1) does not constitute notice for the purposes of regulation 4A(2).

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4. Regulation 20 amended

- (1) Regulation 20(1) is amended after “subregulations” by inserting —
 - “ (1a), ”.
- (2) After regulation 20(1) the following subregulation is inserted —
 - “
 - (1a) A severance payment made under regulation 6, 7, 15, 16 or 17 to an employee who has completed more than one year of continuous service but less than 2 years of continuous service is the payment of an amount equal to 4 weeks’ pay.

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By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.