



MINUTE

Corporate

| | | | |
|-------------------|-----------|-------------------|------------------|
| To: s22(1)(a)(ii) | Secretary | Cc: s22(1)(a)(ii) | Deputy Secretary |
| | | s22(1)(a)(ii) | |

20.4.18

For Action

Approval of updated Human Resources Delegations and Authorisations.

Recommendation

It is recommended that you:

- remake the Department of Industry, Innovation and Science (the department) Human Resources Delegations and Authorisations (Attachments A and B).

Background

The department has a number of employees whose employment will cease as a result of the transition of the Australian Astronomical Observatory (AAO) to the Australian National University and Macquarie University.

Due to the nature of their non-ongoing and casual employment, some of these employees are not eligible for a redundancy payment under the Department of Industry, Innovation and Science Enterprise Agreement 2016-2019. The department sought legal advice and has determined that these employees are eligible for payment of pro-rata long service leave due to the reason of their termination.

The department is required to provide pro-rata long service leave payments to AAO non-ongoing and casual (irregular and intermittent) employees, whose employment is to be terminated by the department within the definition of 'retrenchment' as defined by the *Long Service Leave (Commonwealth Employees) Act 1976* (LSL Act), subsection 17(2)(b)).

There is currently no provision for this action under the HR Delegations and Authorisations instrument. The instrument and matrix have therefore been updated to include this delegation under the LSL Act that permits the delegate to:

- authorise pro-rata long service leave entitlements to be paid out to employees with more than one year's, but less than 10 years' service, where the employee is retrenched.

Attachments

- A Human Resources Delegations and Authorisations Instrument
- Human Resources Delegations and Authorisations Matrix

s22(1)(a)(ii)

s22(1)(a)(ii)

A/g General Manager, People and Planning Branch

19 April 2018



Human Resources Delegations and Authorisations

Public Service Act 1999

Public Service Regulations 1999

Australian Public Service Commissioner's Directions 2016

Public Service Classification Rules 2000

Long Service Leave (Commonwealth Employees) Act 1976

Maternity Leave (Commonwealth Employees) Act 1973

Safety, Rehabilitation and Compensation Act 1988

Work Health Safety Act 2011

Fair Work Act 2009

Department of Industry, Innovation and Science Enterprise Agreement 2016-2019

Resource Management Guide No. 408: Recruitment Advertising Policy

I, ^{s22(1)(a)(ii)} Secretary of the Department of Industry, Innovation and Science, hereby:

1. Revoke all previous 'Departmental' delegations in respect to the powers and functions which are the subject of this instrument.
2. Delegate, pursuant to the delegation powers specified below:
 - a. under those provisions specified in the column titled 'Source' of the attached Human Resources Delegations Matrix (Matrix);
 - b. the powers and functions specified in the column titled 'Description of power or function that has been delegated or authorised' of the Matrix;
 - c. to the officials within the Department of Industry, Innovation and Science from time to time holding, occupying, or performing the duties of, the specified offices or positions that are listed in the columns of the Matrix.
3. Authorise, pursuant to the legislation specified below:
 - a. under those provisions specified in the column titled 'Source' of the Matrix;
 - b. the officials within the Department of Industry, Innovation and Science from time to time holding, occupying, or performing the duties of, the specified offices or positions that are listed in the columns of the Matrix;
 - c. to exercise the powers, functions and duties specified in the column titled 'Description of power or function that has been delegated or authorised' of the Matrix for and on my behalf.

I make the above delegations in accordance with:

- (i) Subsection 78(7) of the *Public Service Act 1999* (PS Act)
- (ii) Regulation 9.3(3) of the *Public Service Regulations 1999* (PS Regulations)
- (iii) Direction 52(1) of the *Australian Public Service Commissioner's Directions 2016*
- (iv) Rule 13(1) of the *Public Service Classification Rules 2000*
- (v) Subsection 9(1) of the *Long Service Leave (Commonwealth Employees) Act 1976*
- (vi) Subsection 11(1) of the *Maternity Leave (Commonwealth Employees) Act 1973*
- (vii) Clause A5 of the *Department of Industry, Innovation and Science Enterprise Agreement 2016–2019*
- (viii) Section 41A of the *Safety, Rehabilitation and Compensation Act 1988*.

I make the above authorisations under:

- (i) *Work Health Safety Act 2011*
- (ii) *Fair Work Act 2009*
- (iii) *Resource Management Guide No. 408: Recruitment Advertising Policy*.

Directions, instructions and limitations

The delegations and authorisations made by this instrument to officials of the Department of Industry, Innovation and Science are to be exercised in accordance with the directions, instructions and limitations referred to or incorporated by reference in the Matrix.

For the purposes of this instrument, an 'official' of the Department of Industry, Innovation and Science is an 'APS employee' within the meaning of the *Public Service Act 1999*.

The delegations and authorisation made by this instrument do not replace current delegations and authorisations to the Director General, IP Australia; the Chief Executive Officer, Geoscience Australia and other employees of IP Australia and Geoscience Australia.

Commencement

This instrument takes effect on the date it is signed by me.

s22(1)(a)(ii)

—

s22(1)(a)(ii)

Secretary

Department of Industry, Innovation and Science

Dated the 26 day of **April 2018**.



Human Resources Delegations and Authorisations

| | |
|---------|---|
| SES3 | Deputy Secretary [^] |
| HR SES2 | Chief Operating Officer [^] |
| HR SES1 | Branch Manager, People & Planning# |
| HR EL2 | Manager, People & Planning Branch# |
| HR EL1 | Assistant Manager, People & Planning Branch# |
| HR APS6 | HR Advisor, People & Planning Branch# |
| SES2 | Head of Division* Chief Scientist* Commissioner Anti-Dumping Commission* |
| SES1 | General Manager* |
| EL2 | EL2 Manager (or equivalent)* Science and Technical 8a, 9a & 10a* AAO Level 7* |
| EL1 | EL1 Assistant Manager* |
| SUP | APS4 to APS6, Supervisor* |
| SM | State Manager* |

[^]Can exercise unlimited powers within the HR Delegations.
[#]Before exercising powers or functions under the delegation, the delegate should ensure it is proper for them to do so having regard to the role they are performing.
^{*}A delegate exercising powers or functions under the delegation can only exercise those powers for employees up to and including the classification one level below the delegate's classification.

Source Definitions:

- PSA — *Public Service Act 1999*
- SRC — *Safety, Rehabilitation and Compensation Act 1988*
- WHS Act — *Work Health and Safety Act 2011*
- LSL — *Long Service Leave (Commonwealth Employees) Act 1976*
- ML — *Maternity Leave (Commonwealth Employees) Act 1973*
- PS Regs — *Public Service Regulations 1999*
- PS Class Rules — *Public Service Classification Rules 2000*
- CD — *Australian Public Service Commissioner's Directions 2016*
- EA – Department of Industry, Innovation and Science Enterprise Agreement 2016-2019
- DOF RP - Department of Finance Resource Management Guide No.408 – Recruitment Advertising Policy

Please Note:

If you are not an APS employee of the Department of Industry, Innovation and Science you are not able to exercise any HR Delegations and should seek further advice from People & Planning Branch.

| | Page |
|--|------|
| TABLE OF CONTENTS | |
| <u>ALLOWANCES</u> | 3 |
| <u>ASSIGNMENT OF DUTIES</u> | 3 |
| <u>CLASSIFICATION STRUCTURE</u> | 3 |
| <u>CODE OF CONDUCT</u> | 3 |
| <u>DISABILITY</u> | 3 |
| <u>DISCLOSURE OF INFORMATION</u> | 4 |
| <u>EXCESS EMPLOYEES</u> | 4 |
| <u>EXTRA DUTY AND OVERTIME</u> | 4 |
| <u>FITNESS FOR DUTY</u> | 4 |
| <u>HEALTH AND SAFETY REPRESENTATIVES</u> | 4 |
| <u>INDIVIDUAL FLEXABILITY ARRANGEMENT</u> | 4 |
| <u>LEAVE</u> | 4 |
| <u>ADOPTION LEAVE</u> | 4 |
| <u>COMMUNITY SERVICE LEAVE</u> | 5 |
| <u>COMPASSIONATE LEAVE</u> | 5 |
| <u>DEFENCE RESERVE LEAVE</u> | 5 |
| <u>FOSTERING LEAVE</u> | 5 |
| <u>LONG SERVICE LEAVE</u> | 5 |
| <u>MATERNITY LEAVE</u> | 5 |
| <u>OTHER PAID LEAVE</u> | 5 |
| <u>OTHER UNPAID LEAVE</u> | 5 |
| <u>PARENTAL LEAVE (UNPAID)</u> | 5 |
| <u>PERSONAL/CARERS LEAVE</u> | 5 |
| <u>PRIMARY CARER/GIVER LEAVE</u> | 5 |
| <u>PURCHASED LEAVE</u> | 6 |
| <u>RECREATION LEAVE</u> | 6 |
| <u>SUPPORTING PARTNER LEAVE</u> | 6 |
| <u>WAR SERVICE SICK LEAVE</u> | 6 |
| <u>MACHINERY OF GOVERNMENT</u> | 6 |
| <u>PROGRESSION WITHIN A BROADBAND</u> | 6 |
| <u>RECRUITMENT</u> | 6 |
| <u>ADVERTISING</u> | 6 |
| <u>ACCESS MERIT LIST</u> | 6 |
| <u>ENGAGEMENT / PROMOTION / TRANSFER</u> | 6 |
| <u>REVIEW</u> | 7 |
| <u>OTHER</u> | 7 |
| <u>REHABILITATION</u> | 7 |
| <u>RELOCATION ASSISTANCE</u> | 7 |
| <u>REVIEW OF ACTIONS</u> | 8 |
| <u>PRIMARY REVIEW</u> | 8 |
| <u>SECONDARY REVIEW</u> | 8 |
| <u>SALARY</u> | 7 |
| <u>STUDIES ASSISTANCE</u> | 8 |
| <u>TERMINATION OF EMPLOYMENT</u> | 8 |
| <u>TRAVEL</u> | 8 |
| <u>UNDERPERFORMANCE</u> | 8 |
| <u>WORKPLACE DIVERSITY</u> | 9 |
| <u>MISCELLANEOUS</u> | 9 |

Human Resources Delegations Matrix

| Description of power or function that has been delegated or authorised | Source | SES3 | HR SES2 | HR SES1 | HR EL2 | HR EL1 | HR APS6 | SES2 | SES1 | EL2 | EL1 | SUP | SM |
|---|--------------------------------|------|---------|---------|--------|--------|---------|------|------|-----|-----|-----|----|
| | | | | | | | | | | | | | |
| Allowances | | | | | | | | | | | | | |
| Approve <u>reimbursement of vacation child care subsidy</u> (per primary school age child) on production of a receipt from an accredited provider. | EA E14 | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | ✓ | | | ✓ |
| Approve payment of <u>Fire Warden, Health and Safety Representative or First Aid Officer Allowance</u> . | EA B47-B48 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | | | | | |
| Determine need for a higher First Aid qualification in the workplace. | EA B48 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | | | | | |
| Approve payment of <u>Departmental Liaison Officer allowance</u> . | EA B51 | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | ✓ | | | ✓ |
| Authorise an employee to use a private motor vehicle for official purposes and approve payment of <u>motor vehicle allowance</u> . | EA B52 | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | ✓ | | | ✓ |
| Approve additional motor vehicle allowance in accordance with the General allowances policy. | EA B52 | ✓ | ✓ | ✓ | | | | ✓ | ✓ | | | | |
| Determine a rate of <u>disruption allowance</u> . | EA B53 | ✓ | ✓ | ✓ | | | | | | | | | |
| Authorise reimbursement of an reasonable amount for loss or damage to clothing or personal effects. | EA B54 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | | | | | |
| Approve payment of a <u>healthy lifestyle subsidy</u> up to \$200 per financial year | EA B55 | ✓ | ✓ | ✓ | ✓ | ✓ | | ✓ | ✓ | ✓ | ✓ | | ✓ |
| Approve payment of <u>overtime, overtime meal allowance</u> and <u>additional overtime allowance</u> if applicable. | EA B70 & EA B84 | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | ✓ | | | ✓ |
| Approve payment of <u>overtime to Executive Level employees</u> or equivalents. | EA B74 | ✓ | ✓ | ✓ | | | | ✓ | | | | | |
| Determine alternative rate of Restriction allowance. | EA B92 | ✓ | ✓ | ✓ | ✓ | | | | | | | | |
| Review and adjust regional conditions from time to time. | EA S2.1.1 | ✓ | ✓ | ✓ | | | | ✓ | | | | | |
| Assignment of Duties | | | | | | | | | | | | | |
| Determine the duties of an employee in the department and the place, or places, at which the duties are to be performed. | PSA s.25 | ✓ | ✓ | ✓ | ✓ | ✓ | | ✓ | ✓ | ✓ | | | ✓ |
| Temporarily assign duties to an employee (at level or at a higher classification). | PSA s.25 | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | ✓ | | | ✓ |
| Determine a higher salary point for <u>temporary performance of duties</u> at higher classification. | EA B40 EA B43 - B44 | ✓ | ✓ | ✓ | | | | ✓ | ✓ | | | | ✓ |
| Classification Structure | | | | | | | | | | | | | |
| Allocate, in writing, the creation or re-classification of a Executive Level or APS Level position based on the work value of the duties. | PSA s.77 PS Class Rules r.9 | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | | | | |
| <u>Non-SES Work Level Standards</u> - Issue, in writing, work level standards at the Executive Level or APS Level, describing the work requirements for each classification applying to a group of duties to be performed in the department. | PS Class Rules r.10 | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | | | | |
| Allocate more than one classification to a group of duties, at the Executive Level or APS Level. | PS Class Rules r.9(4) | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | | | | |
| <u>SES Work Level Standards</u> - Issue, in writing, work level standards at the SES level, describing the work requirements for each classification applying to a group of duties to be performed in the department. | PS Class Rules r.10 | ✓ | ✓ | ✓ | | | | | | | | | |
| Allocate, in writing, the creation or re-classification of a SES Level position based on the work value of the duties. | PSA s.77 PS Class Rules r.9 | ✓ | ✓ | ✓ | | | | | | | | | |
| <u>Reduce the classification</u> of an Executive Level or APS Level employee with or without the employee's consent. | PSA s.23(4) EA F36 | ✓ | ✓ | | | | | ✓ | | | | | |
| Determine roles to be incorporated into the <u>Science and Technical Stream</u> . | EA S1.5.2 | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | | | | |
| <u>Legal Stream</u> - Determine the requirement for possession of a current restricted practising certificate issued by the ACT Law Society. | EA S1.7.2-S1.7.3 | ✓ | ✓ | | | | | | | | | | |
| Code of conduct | | | | | | | | | | | | | |
| <u>Establish procedures</u> for determining sanctions that are to be imposed if an employee is found to have breached the Code of Conduct. | PSA s.15(3) | ✓ | ✓ | ✓ | ✓ | | | | | | | | |
| <u>Impose specified sanctions</u> on an employee who is found to have breached the APS Code of Conduct. | PSA s.15(1) | ✓ | ✓ | ✓ | ✓ | | | ✓ | | | | | |
| Request the Australian Public Service Commissioner inquire into and determine whether an employee or former employee has breached the Code of Conduct and request recommended sanctions. | PSA s.41B | ✓ | ✓ | ✓ | ✓ | | | | | | | | |
| Request Merit Protection Commissioner to inquire into and determine whether an APS employee or former APS employee has breached the Code of Conduct. | PSA s.50A | ✓ | ✓ | ✓ | ✓ | | | | | | | | |
| Ensure the documents that set out the procedures for determining whether an APS employee has breached the Code of Conduct are publicly available. | PSA s.15(7) | ✓ | ✓ | ✓ | ✓ | | | | | | | | |
| <u>Suspend an employee from duties</u> with or without remuneration, <u>review the decision to suspend, end the suspension</u> , and/or decide whether there reasonable grounds for it not to be appropriate to have due regard to procedural fairness. | PS Regs 3.10(1-7) | ✓ | ✓ | ✓ | | | | ✓ | | | | | |
| Disability | | | | | | | | | | | | | |

Human Resources Delegations Matrix

| Description of power or function that has been delegated or authorised | Source | SES3 | HR SES2 | HR SES1 | HR EL2 | HR EL1 | HR APS6 | SES2 | SES1 | EL2 | EL1 | SUP | SM |
|--|-------------------------------|------|---------|---------|--------|--------|---------|------|------|-----|-----|-----|----|
| <u>Affirmative measure</u> - identify a vacancy as open only to persons who have a disability or a particular type of disability. | CD 27 | ✓ | ✓ | ✓ | | | | | | | | | |
| <u>Affirmative measure</u> - in consultation with the disability employment service provider, engage a person as an ongoing or non-ongoing APS employee. | CD 27 (2) and PS Regs 3.5 | ✓ | ✓ | ✓ | ✓ | | | | | | | | |
| Engage an ongoing employee, after requesting authorisation from the Australian Public Service Commissioner to do so, a non-ongoing employee that was engaged under the auspices of CD 27. | CD 25 | ✓ | ✓ | ✓ | ✓ | | | | | | | | |
| Disclosure of information | | | | | | | | | | | | | |
| Authorise disclosure of official information. | PS Regs 2.1(5)(b) and 2.1(6) | ✓ | ✓ | | | | | | ✓ | | | | |
| Excess Employees | | | | | | | | | | | | | |
| Where an excess employee situation is identified: advise the employee(s) in writing (and their representative) of the situation, reasons and scope; discuss the voluntary termination and reassignment processes with affected employees; hold discussions with the employee(s) and their representatives; and offer affected employee(s) voluntary termination, including when it is proposed to issue the termination notice if the offer is accepted, and take any action necessary in order to comply with Chapter 2, Part 2-2, Division 11 of the Fair Work Act 2009. | EA F6 FWA Div 2 Part -6 | ✓ | ✓ | ✓ | ✓ | ✓ | | | ✓ | | | | |
| <u>Reduce an excess employee's classification</u> if a suitable vacancy does not exist at the same level within the Department on the ground that the employee is excess to the requirements of the agency at the higher classification. | PSA s.23(4)(c) & EA F24(d) | ✓ | ✓ | ✓ | ✓ | | | | ✓ | | | | |
| <u>Extend an excess employee's redeployment period</u> for absence on leave for personal illness or injury that is supported by appropriate evidence or Paid or Unpaid Maternity Leave where the period of absence exceeds one week or for other absences where exceptional circumstances exist. | EA F27 | ✓ | ✓ | ✓ | ✓ | | | | ✓ | | | | |
| <u>Terminate the employment of an excess employee</u> by notice in writing, where they are unsuccessful in obtaining permanent reassignment at the end of their redeployment period, taking into account any re-assignment process that may be in progress. | EA F29-F32 PSA s.29 | ✓ | ✓ | ✓ | ✓ | | | | ✓ | | | | |
| Invite employees to express interest in/elect for voluntary retrenchment. | EA F7 | ✓ | ✓ | ✓ | ✓ | | | | ✓ | | | | |
| <u>Approve a job exchange</u> during the consideration period with another departmental employee or an employee from another agency. | EA F9 | ✓ | ✓ | ✓ | ✓ | | | | ✓ | | | | |
| Agree to <u>issue a 'notice of termination'</u> under s.29 of the PS Act where an employee accepts an offer of voluntary termination of employment. | EA F5 PSA s. 29 | ✓ | ✓ | ✓ | ✓ | | | | ✓ | | | | |
| Approve an offer of voluntary termination to an excess employee who is not fit for and not at work. | EA F4 & PSA s.29 | ✓ | ✓ | ✓ | ✓ | | | | ✓ | | | | |
| Determine an employee is no longer excess. | EA F8 | ✓ | ✓ | ✓ | ✓ | | | | ✓ | | | | |
| <u>Redeployment Register</u> - Notify the Australian Public Service Commissioner in writing that an employee is excess to the requirements of the department. | PSA s.27(2) | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | | | | | |
| Approve higher amount for redeployment/training services. | EA F24(a) | ✓ | ✓ | ✓ | ✓ | | | | ✓ | | | | |
| Agree to reducing the consideration period. | EA F13 | ✓ | ✓ | ✓ | ✓ | | | | ✓ | | | | |
| Terminate the employment of an employee before the end of the notice period. | EA F34 | ✓ | ✓ | ✓ | ✓ | | | | ✓ | | | | |
| Extra Duty and Overtime | | | | | | | | | | | | | |
| Restriction duty – direct employees to be contactable and available for extra duty. | EA B90 | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | ✓ | | | ✓ |
| Overtime rates – instruct employees to resume duty with or without an 8 hour break. | EA B82 | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | ✓ | | | ✓ |
| Emergency duty – instruct employees to resume duty without an 8 hour break. | EA B88 | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | ✓ | | | ✓ |
| Fitness for duty | | | | | | | | | | | | | |
| Direct an employee to undergo a medical examination by a nominated medical practitioner for an assessment of the employee's fitness for duty and give the delegate medical report of the examination. | PS Regs 3.2 | ✓ | ✓ | ✓ | ✓ | ✓ | | | | | | | |
| Health and safety representatives | | | | | | | | | | | | | |
| Establish work health safety arrangements relating to health and safety representatives. | WHS Act s.51-59 | ✓ | ✓ | ✓ | ✓ | ✓ | | | | | | | |
| Individual Flexibility Arrangement | | | | | | | | | | | | | |
| Make an Individual Flexibility Arrangement (IFA) with an employee varying the effect of the terms of the industry, Innovation and Science EA. | EA A8-A11 | ✓ | ✓ | ✓ | | | | | ✓ | ✓ | | | |
| Terminate an IFA, with the employee's agreement. | EA A12 | ✓ | ✓ | ✓ | | | | | ✓ | ✓ | | | |
| Terminate an IFA, without the employee's agreement. | EA A12 | ✓ | ✓ | ✓ | | | | | ✓ | ✓ | | | |

Human Resources Delegations Matrix

| Description of power or function that has been delegated or authorised | Source | SES3 | HR SES2 | HR SES1 | HR EL2 | HR EL1 | HR AP56 | SES2 | SES1 | EL2 | EL1 | SUP | SM |
|--|------------------------------------|-------|---------|---------|--------|--------|---------|------|------|-----|-----|-----|----|
| | | Leave | | | | | | | | | | | |
| Adoption leave | | | | | | | | | | | | | |
| Approve <u>paid adoption leave</u> for an eligible employee. | EA D22 | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | ✓ | | | ✓ |
| Approve up to two days of <u>unpaid pre-adoption leave</u> to attend interviews or examinations required for the adoption of a child. | FWA s.85 | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | ✓ | | | ✓ |
| Community Service leave | | | | | | | | | | | | | |
| Approve paid leave for community service activities, including jury service and emergency management activities as per the FWA s.108. | EA D32, D33 FWA s.108 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Compassionate leave | | | | | | | | | | | | | |
| Approve up to two days compassionate leave. | EA D9-D11 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Defence Reserve leave | | | | | | | | | | | | | |
| Approve leave in accordance with the policy of the Defence Reserve Support Council. | EA D34 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Fostering leave | | | | | | | | | | | | | |
| Approve <u>paid fostering leave</u> for an eligible employee. | EA D23 | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | ✓ | | | ✓ |
| Long Service leave | | | | | | | | | | | | | |
| Approve <u>long service leave</u> (LSL) on full pay or half pay (a minimum of seven calendar days on full pay or minimum of 14 days at half pay). | EA D28 & LSL 16(2&3) | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Deem service to be continuous where satisfied that termination of previous employment was due to ill health and recommencement occurred within 12 months of being able to work again. | LSL s.12 (8&9) | ✓ | ✓ | ✓ | ✓ | | | | | | | | |
| LSL on full pay prior to cessation if the employee has less than 10 years' service on or subsequent to his or her attaining the minimum retiring age, or upon retrenchment. | LSL s.17(1) | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | ✓ | | | ✓ |
| Authorise <u>pro-rata long service leave entitlements to be paid out to employees with more than one year's but less than 10 years' service where the employee is retrenched.</u> | LSL s.17(2)(b) | ✓ | ✓ | ✓ | | | | | | | | | |
| After consideration of all the circumstances, direct that, death to have occurred on a specific date for an employee whose period of service is at least one year. | LSL s.23 (1-4) | ✓ | ✓ | ✓ | ✓ | ✓ | | | | | | | |
| Authorise payment of LSL following the death of an employee. | LSL s.23(1-4) | ✓ | ✓ | ✓ | ✓ | ✓ | | | | | | | |
| Maternity leave | | | | | | | | | | | | | |
| Approve <u>paid maternity leave</u> , 2 weeks additional paid leave, and up to 52 weeks unpaid maternity leave for an eligible employee. | MLA s.6(3) EA D21 MLA s.6(1) | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | ✓ | | | ✓ |
| Approve a period of <u>unpaid special maternity leave</u> where an employee is not fit for duty due to the reasons prescribed by the Fair Work Act. | FWA s.80 | ✓ | ✓ | ✓ | ✓ | | | | | | | | |
| Determine unauthorised absence prior to maternity leave is in extenuating circumstances. | MLA s.6(4C) | ✓ | ✓ | ✓ | ✓ | | | | | | | | |
| Determine person on leave without pay can be granted maternity leave. | MLA 6(4F) | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | | | | |
| Permit employee to continue/resume duty based on medical certificate. | MLA 7 | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | ✓ | | | ✓ |
| Grant or refuse an application to resume duty/furnish reasons for refusal. | MLA 7A(1), (2), (4) & (6) | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | ✓ | | | ✓ |
| Other paid leave | | | | | | | | | | | | | |
| Approve <u>up to 5 days</u> paid other leave. | EA D30 | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | | | | ✓ |
| Approve <u>in excess of 5 days</u> paid other leave, in exceptional circumstances. | EA D30 | ✓ | ✓ | ✓ | | | | | | | | | |
| Other unpaid leave | | | | | | | | | | | | | |
| Approve unpaid other leave, not to count for service as per the departments leave policy. | EA D30 | ✓ | ✓ | ✓ | | | | ✓ | ✓ | | | | ✓ |
| Approve unpaid other leave, to count for service as per the departments leave policy. | EA D30 | ✓ | ✓ | ✓ | | | | ✓ | | | | | |
| Approve unpaid other leave, without the requirement to utilise accrued recreation or long service leave in exceptional circumstances (except where an employee is taking Maternity Leave or parental leave without pay). | EA D30 EA D1 | ✓ | ✓ | ✓ | | | | | | | | | |
| Approve <u>unpaid leave</u> to an ongoing APS employee who applies for leave to undertake or continue employment under the <u>Governor-General Act 1974</u> or <u>Members of Parliament (Staff) Act 1984</u> . | CD 49(1) | ✓ | ✓ | ✓ | ✓ | | | ✓ | | | | | |
| Where employee is granted unpaid leave under CD 49(1), notifies, in writing, that he or she wishes to return to the department, arrange as soon as practicable and employ the employee at their former classification level or equivalent. | CD 49(2) | ✓ | ✓ | ✓ | ✓ | | | ✓ | | | | | |
| Parental leave (unpaid) | | | | | | | | | | | | | |

Human Resources Delegations Matrix

| Description of power or function that has been delegated or authorised | Source | SES3 | HR SES2 | HR SES1 | HR EL2 | HR EL1 | HR APS6 | SES2 | SES1 | EL2 | EL1 | SUP | SM |
|--|---|------|---------|---------|--------|--------|---------|------|------|-----|-----|-----|----|
| Approve unpaid parental leave in accordance with the Fair Work Act. | EA D25 FWA s.72 | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | | | | |
| Personal/Carer's leave | | | | | | | | | | | | | |
| Approve <u>personal leave</u> with pay, or where personal leave credits are exhausted, without pay. | EA D4 - D7 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Approve <u>personal leave at half pay</u> instead of full pay where extraordinary circumstances exist. | EA D8 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | ✓ |
| Request that <u>supporting evidence</u> is provided by the employee for any future period of leave. | EA D13 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | ✓ |
| Primary Caregiver leave | | | | | | | | | | | | | |
| Approve a one off grant of 2 weeks paid primary caregiver leave. | EA D26 | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | ✓ | | | ✓ |
| Purchased leave | | | | | | | | | | | | | |
| Approve up to 10 weeks additional leave, inline with the departments leave policy. | EA D27 | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | ✓ | | | ✓ |
| Recreation Leave | | | | | | | | | | | | | |
| Approve <u>recreation leave</u> at full or half pay. | EA D18-D19 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Direct an employee, with more than 40 days accrued recreation leave as at 30 September, to take up to 25% of their recreation leave. | EA D16 | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | ✓ | | | ✓ |
| Approve requests to <u>cash out recreation leave</u> . | EA D20 | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | ✓ | | | ✓ |
| Supporting Partner leave | | | | | | | | | | | | | |
| Approve 2 weeks paid supporting partner leave. | EA D24 | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | ✓ | | | ✓ |
| War Service Sick leave | | | | | | | | | | | | | |
| Approve war service sick leave. | EA D35 EA Schedule 4 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Machinery of Government | | | | | | | | | | | | | |
| Consult with affected employees on varying conditions of service. | PS Reg 8.1(3)(a) | ✓ | ✓ | ✓ | | | | | | | | | |
| Consult with affected non-APS employees on varying conditions of service | PS Reg 8.2(2)(a) | ✓ | ✓ | ✓ | | | | | | | | | |
| Authorise use and disclosure of personal information and authorise the further use or disclosure of personal information for the circumstances set out in the PS Regs. | PS Act 72E PS Regs 9.2 | ✓ | ✓ | ✓ | | | | | | | | | |
| Progression within a Broadband | | | | | | | | | | | | | |
| Approve the movement of an ongoing employee to the next highest classification level within a Broadband (<u>affecting ASL</u>). | EA B2 & CD 6 Class Rules r.6(1) | ✓ | ✓ | ✓ | | | | ✓ | | | | | |
| Approve the movement of an ongoing employee to the next highest classification level within a Broadband (<u>not affecting ASL</u>). | EA B2 & CD 6 Class Rules r.6(1) | ✓ | ✓ | ✓ | | | | ✓ | ✓ | | | | |
| Recruitment | | | | | | | | | | | | | |
| Advertising | Additional requirements are currently in place to fill a position. Please click here to view the current process on iCentral. | | | | | | | | | | | | |
| Approve a <u>job to be filled through an open merit process</u> involving external advertising including approval of the recruitment selection report and use of subsequent merit lists/pool. | CD 19 | ✓ | ✓ | ✓ | ✓ | ✓ | | ✓ | ✓ | | | | |
| Approve an <u>exemption to allow the advertisement of hard to fill positions</u> (such as SES) or target groups in major daily newspapers as per the Department of Finance Resource Management Guide No. 408 – Recruitment Advertising Policy. | DOF RP | ✓ | ✓ | ✓ | | | | | | | | | |
| Decide because of considerations of costs or operational efficiency <u>not to provide an opportunity to all eligible members of the community</u> to apply for the relative employment. | CD 20(3) | ✓ | ✓ | | | | | ✓ | | | | | |
| Access Merit List | Additional requirements are currently in place to fill a position. Please click here to view the current process on iCentral. | | | | | | | | | | | | |
| Approve <u>inter-agency access to a merit pool</u> candidates from a departmental recruitment process. | CD 9 | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | | | | |
| Approve a job to be filled through a <u>recruitment process undertaken by another agency</u> . | CD 9 | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | | | | |
| Engagement/Promotion/Transfer | Additional requirements are currently in place to fill a position. Please click here to view the current process on iCentral. | | | | | | | | | | | | |
| Allocate an approved classification to each APS employee in the department. | PS Class Rules r.6 | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | ✓ | | | ✓ |
| Allocate an approved classification (or another approved classification in the same group) to an ongoing employee who moves to the department on a temporary basis. | PS Class Rules r.7(3), and PSA s.26(1) | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | ✓ | | | ✓ |
| <u>Engage a person as an ongoing or non-ongoing APS employee</u> . (If non-ongoing, for a specified term or the duration of a specified task; or for duties that are irregular or intermittent). | PSA s.22 (1&2) | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | ✓ | | | ✓ |
| <u>Extend a non-ongoing engagement</u> for a specified term, subject to any limitations prescribed by the PS Regs. | PSA s.22(5) | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | ✓ | | | ✓ |
| Agree on a date of effect for <u>promotion or move between agencies</u> . | CD 36 & 37 | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | ✓ | | | ✓ |

Human Resources Delegations Matrix

| Description of power or function that has been delegated or authorised | Source | SES3 | HR SES2 | HR SES1 | HR EL2 | HR EL1 | HR APS6 | SES2 | SES1 | EL2 | EL1 | SUP | SM |
|--|-----------------------------------|------|---------|---------|--------|--------|---------|------|------|-----|-----|-----|----|
| <u>Agree to an ongoing or temporary transfer</u> of an employee between agencies, including the date of effect (including variation of a temporary move period). | CD 37 & 38 PSA s.26 | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | ✓ | | | ✓ |
| Approve conditions on which a person can be engaged as an ongoing or non-ongoing APS employee (including but not limited to, probation, citizenship, formal qualifications, security and character clearances, health clearances). | PSA s.22(6) | ✓ | ✓ | ✓ | ✓ | | | ✓ | | | | | |
| Determine whether it is appropriate to engage a person who is <u>not an Australian citizen</u> . | PSA s.22(8) | ✓ | ✓ | ✓ | ✓ | | | ✓ | | | | | |
| <u>Engage persons overseas</u> to perform duties overseas as employees (locally engaged employees). | PSA s.74 | ✓ | ✓ | | | | | | | | | | |
| <u>Engage a person who has received a redundancy benefit</u> (when the redundancy benefit period has not ended). | CD 48 | ✓ | ✓ | ✓ | ✓ | | | | | | | | |
| Approve the <u>engagement of a person for an entry-level training program</u> . | PSA s.22 | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | | | | |
| Approve a scheme for persons to be engaged as non-ongoing employees in the department to gain skills and experience to participate in the workforce. | PS Regs 3.3 | ✓ | ✓ | | | | | | | | | | |
| Approve assignment of a person to the <u>Legal Stream designation</u> . | EA S1.7.1 – S1.7.3 | ✓ | ✓ | | | | | | | | | | |
| <u>Re-engage an employee to the APS</u> without a merit process subject to the provisions in Schedule 1 of the Public Service Commissioner's Directions. | PSA s.22 | ✓ | ✓ | ✓ | | | | | | | | | |
| Review | | | | | | | | | | | | | |
| Request the Merit Protection Commissioner to establish an <u>Independent Selection Advisory Committee</u> (ISAC) subject to any fee the Merit Protection Commissioner may charge. | PS Regs 4.2 | ✓ | ✓ | ✓ | ✓ | ✓ | | ✓ | | | | | |
| Nominate a person as a member of an ISAC. | PS Regs 4.3(1)(b) | ✓ | ✓ | ✓ | ✓ | ✓ | | ✓ | ✓ | | | | |
| Receive reports and recommendations from an ISAC. | PS Regs 4.7 | ✓ | ✓ | ✓ | ✓ | ✓ | | ✓ | ✓ | | | | |
| Nominate an employee as a member of a <u>Promotion Review Committee</u> . | PS Regs 5.11 | ✓ | ✓ | ✓ | ✓ | ✓ | | ✓ | ✓ | ✓ | | | ✓ |
| <u>Give information or documents</u> relevant to a review in the way, and at or within the time, stated in the written notice of the request by the Promotion Review Committee. | PS Regs 5.17 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | | ✓ |
| Other | | | | | | | | | | | | | |
| Notify <u>certain employment decisions</u> and <u>cancellation decisions</u> in the Public Service Gazette. | CD 34(1) CD 35 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | | | | | |
| <u>Extend or waive, in writing, the probation period</u> of an employee. | PSA s.22 (6&7) | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | | | | |
| Direct an employee, as a condition of engagement, to <u>undergo a medical examination</u> by a nominated medical practitioner for an assessment of the employee's fitness for duty, and give the delegate a medical report of the examination. | PSA s.22(6) PS Regs 3.1 | ✓ | ✓ | ✓ | ✓ | ✓ | | ✓ | ✓ | ✓ | | | ✓ |
| <u>Movement from a training classification</u> - Allocate to the employee a operational classification (column 3 of Schedule 2) that relates to the employee's current training classification, after the employee satisfactorily completes each training requirement. | PS Class Rules r.11(1) | ✓ | ✓ | ✓ | | | | | | | | | |
| Nominate employee to occupy position created under PS Act 77(1). | PSA s.77(2) | ✓ | ✓ | | | | | ✓ | | | | | |
| Request the Commissioner authorise the promotion of an ongoing employee, where the employee was formerly appointed to a statutory office. | CD 29 | ✓ | ✓ | ✓ | | | | ✓ | ✓ | | | | |
| Re-engage an unsuccessful election candidate in accordance with the Commissioner's Directions and within the time limits provided by those Directions. | PSA s.32 CD 32 | ✓ | ✓ | ✓ | ✓ | | | | | | | | |
| Enter into an agreement with a State or Territory, or an authority of a State or Territory, to engage a person as a non-ongoing APS employee for a specified term. | PS Regs 3.5(6)(a)(ii) CD 23(B) | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | ✓ | | | ✓ |
| Rehabilitation | | | | | | | | | | | | | |
| Arrange for the <u>assessment of an employee's capability</u> of undertaking a rehabilitation program. | SRC s.36(1) | ✓ | ✓ | ✓ | ✓ | ✓ | | | | | | | |
| Nominate a legally qualified medical practitioner. | SRC s.36(2)(a) | ✓ | ✓ | ✓ | ✓ | ✓ | | | | | | | |
| Nominate a suitably qualified person (other than a medical practitioner). | SRC s.36(2)(b) | ✓ | ✓ | ✓ | ✓ | ✓ | | | | | | | |
| Nominate a legally qualified medical practitioner or other suitably qualified persons (or both) to comprise a panel. | SRC s.36(2)(c) | ✓ | ✓ | ✓ | ✓ | ✓ | | | | | | | |
| <u>Require an employee to undergo an examination</u> to assess their capability to undertake a rehabilitation program. | SRC s.36(3) | ✓ | ✓ | ✓ | ✓ | ✓ | | | | | | | |
| <u>Suspend compensation entitlements</u> where an employee refuses or fails, without reasonable excuse, to attend a medical examination to assess their capacity to undertake a rehabilitation program. | SRC s.36(4) | ✓ | ✓ | ✓ | ✓ | ✓ | | | | | | | |
| <u>Receive a written assessment</u> of an employee's capability of undertaking a rehabilitation program. | SRC s.36(8) | ✓ | ✓ | ✓ | ✓ | ✓ | | | | | | | |

Human Resources Delegations Matrix

| Description of power or function that has been delegated or authorised | Source | SES3 | HR SES2 | HR SES1 | HR EL2 | HR EL1 | HR APS6 | SES2 | SES1 | EL2 | EL1 | SUP | SM |
|---|------------------------------|------|---------|---------|--------|--------|---------|------|------|-----|-----|-----|----|
| Make a determination that an employee should <u>undertake a rehabilitation program</u> . | SRC s.37(1) | ✓ | ✓ | ✓ | ✓ | ✓ | | | | | | | |
| Provide an employee with a <u>rehabilitation program</u> or make arrangements with an approved program provider for the provision of a rehabilitation program for an employee. | SRC s.37(2) | ✓ | ✓ | ✓ | ✓ | ✓ | | | | | | | |
| <u>Suspend compensation entitlements</u> where an employee refuses or fails, without reasonable excuse, to undertake a rehabilitation program. | SRC s.37(7) | ✓ | ✓ | ✓ | ✓ | ✓ | | | | | | | |
| Conduct a <u>Reconsideration of Own Motion</u> of a determination made by the department. | SRC s62 | ✓ | ✓ | ✓ | ✓ | ✓ | | | | | | | |
| Relocation assistance | | | | | | | | | | | | | |
| <u>Approve all reasonable costs associated</u> with relocation where the employee is relocated at the department's initiative or where an APS employee is relocated to the department as a result of a merit recruitment process. | EA B66 | ✓ | ✓ | ✓ | ✓ | | | | | | | | |
| <u>Approve payment of a one-off lump sum</u> of \$500 for employees without dependants or \$1000 for employees with dependants to whom the relocation provisions apply. | EA B67 | ✓ | ✓ | ✓ | ✓ | | | | | | | | |
| Review of Actions | | | | | | | | | | | | | |
| Primary review | | | | | | | | | | | | | |
| Refer review to Merit Protection Commissioner (MPC) after MPC agreement. | PS Reg 5.25(1) | ✓ | ✓ | ✓ | ✓ | ✓ | | ✓ | | | | | |
| Determine internal review not appropriate including due to seriousness or sensitivity. | PS Reg 5.25(2) | ✓ | ✓ | ✓ | ✓ | ✓ | | ✓ | | | | | |
| Advise employee of referral to MPC. | PS Reg 5.25(3) | ✓ | ✓ | ✓ | ✓ | ✓ | | ✓ | | | | | |
| Advise employee certain things in relation to a notice that action is not reviewable. | PS Reg 5.26 | ✓ | ✓ | ✓ | ✓ | ✓ | | ✓ | | | | | |
| Conduct formal review in any manner considered to be fit and may confirm, vary or set aside and substitute a new action. | PS Reg 5.27(1), (2), (3)&(4) | ✓ | ✓ | ✓ | ✓ | ✓ | | ✓ | | | | | |
| Advise employee of decision, reason, actions to be taken and right to review by MPC. | PS Reg 5.27(5) | ✓ | ✓ | ✓ | ✓ | ✓ | | ✓ | | | | | |
| Secondary review | | | | | | | | | | | | | |
| Give the application and documents related to primary review to the MPC and provide employee with copy of documents sent to MPC. | PS Reg 5.30 | ✓ | ✓ | ✓ | ✓ | ✓ | | ✓ | | | | | |
| Consider and make decision about MPC recommendations. | PS Reg 5.32 (1)&(2) | ✓ | ✓ | ✓ | ✓ | ✓ | | ✓ | | | | | |
| Advise employee and MPC of delegate's decision and the reasons for decision. | PS Reg 5.32(4) | ✓ | ✓ | ✓ | ✓ | ✓ | | ✓ | | | | | |
| Provide information/documents as requested by investigating person/committee. | PS Reg 5.35(2) | ✓ | ✓ | ✓ | ✓ | ✓ | | ✓ | | | | | |
| Provide the MPC stated information in relation to the conduct of a review by a former employee. | PS Reg 7.2F | ✓ | ✓ | ✓ | ✓ | ✓ | | ✓ | | | | | |
| Salary | | | | | | | | | | | | | |
| Approve payment of salary above the minimum rate, <u>on commencement</u> with the department. | EA B9 | ✓ | ✓ | ✓ | | | | ✓ | ✓ | | | | |
| Approve salary advancement. | EA B19 | ✓ | ✓ | ✓ | | | | ✓ | ✓ | | | | |
| | EA C1 | | | | | | | ✓ | ✓ | | | | |
| <u>Determine, at any time, that an employee will paid at a higher pay point</u> within the employees classification level. | EA B20 | ✓ | ✓ | ✓ | | | | ✓ | ✓ | | | | |
| Studies Assistance | | | | | | | | | | | | | |
| Approve up to 8 hours per week of study leave. | EA C6 | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | ✓ | | | ✓ |
| Approve study leave absence in Aurion. | EA C6 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Approve financial assistance for study leave. | EA C6 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Termination of employment | | | | | | | | | | | | | |
| Terminate the employment of an ongoing APS employee where the employee is <u>excess to the requirements of the department</u> . | PSA s. 29(1) and 29(3)(a) | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | | | | |
| Terminate the employment of an ongoing APS employee where the employee <u>lacks, or has lost, an essential qualification</u> for performing his or her duties. | PSA s.29(1) and 29(3)(b) | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | | | | |
| Terminate the employment of an ongoing APS employee due to <u>non-performance, or unsatisfactory performance of duties</u> . | PSA s.29(1) and (3)(c) | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | | | | |
| Terminate the employment of an ongoing APS employee due to <u>inability to perform duties because of physical or mental incapacity</u> . | PSA s.29(1) and (3)(d) | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | | | | |
| Terminate the employment of an ongoing APS employee due to <u>failure to satisfactorily complete an entry-level training course</u> . | PSA s.29(1) and (3)(e) | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | | | | |
| Terminate the employment of an ongoing APS employee due to <u>failure to meet a conditions imposed under s.22(6) of the PS Act</u> . | PSA s.29(1) and (3)(f) | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | | | | |

Human Resources Delegations Matrix

| Description of power or function that has been delegated or authorised | Source | SES3 | HR SES2 | HR SES1 | HR EL2 | HR EL1 | HR APS6 | SES2 | SES1 | EL2 | EL1 | SUP | SM |
|---|--|------|---------|---------|--------|--------|---------|------|------|-----|-----|-----|----|
| Terminate the employment of an ongoing APS employee due to a <u>breach of the Code of Conduct</u> . | PSA s.29(1), 29(3)(g), PSA s.15(1) and CD 34 | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | | | | |
| Terminate the employment of an ongoing APS employee <u>on a ground prescribed by the Regulations</u> . | PSA s.29(1), 29(3)(h) | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | | | | |
| Terminate the employment of a <u>non-ongoing APS employee</u> , other than an SES employee. | PSA s.29 | ✓ | ✓ | ✓ | ✓ | | | | | | | | |
| <u>Direct employee to be retired</u> under Sections 20 of PS Act. | EA F8 | ✓ | ✓ | | | | | ✓ | | | | | |
| Travel | | | | | | | | | | | | | |
| Consider reasonable additional accommodation/meals and incidentals entitlements. | EA B59 (f) | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | ✓ | | | ✓ |
| Approve payment of <u>cash advance</u> . | EA B60 | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | | | | |
| Authorise <u>travel for purpose of reunion visit</u> to a locality other than former locality in accordance with the departments relocation policy. | EA B66 to B67 | ✓ | ✓ | ✓ | | | | ✓ | | | | | |
| Underperformance | | | | | | | | | | | | | |
| <u>Direct an impartial assessment</u> of an employees work performance, in accordance with the departments underperformance policy. | EA C3 - C5 | ✓ | ✓ | ✓ | ✓ | ✓ | | ✓ | | | | | |
| <u>Extend time frame to properly assess employee's work performance</u> , in accordance with the departments underperformance policy. | EA C3 - C5 | ✓ | ✓ | ✓ | ✓ | ✓ | | ✓ | | | | | |
| Direct employee to be <u>assessed by independent person</u> . | EA C5 | ✓ | ✓ | ✓ | ✓ | ✓ | | ✓ | | | | | |
| Workplace diversity | | | | | | | | | | | | | |
| Establish a workplace diversity program to assist in giving effect to the APS Employment Principles. | PSA s.18 | ✓ | ✓ | ✓ | | | | | | | | | |
| Miscellaneous | | | | | | | | | | | | | |
| Make a <u>Determination under s.24(1) of the PSA</u> , applying to an employee or employees in the department. | PSA s.24(1) | ✓ | ✓ | | | | | | | | | | |
| <u>Delegate the powers and functions of the Secretary under the EA</u> , including the power to sub-delegate, subject to conditions. | EA A5 | ✓ | ✓ | | | | | | | | | | |
| Give notice to employee regarding additional non-Commonwealth remuneration. | PSA s.31(1) | ✓ | ✓ | ✓ | ✓ | ✓ | | ✓ | | | | | |
| <u>State of Service Report</u> - Provide APS Commissioner with required information. | PSA s.44(3) | ✓ | ✓ | ✓ | ✓ | ✓ | | ✓ | ✓ | | | | |
| <u>Annual Report</u> - Provide Minister with report for presentation. | PSA 63(1) | ✓ | ✓ | ✓ | ✓ | ✓ | | ✓ | | | | | |
| <u>Paying officer (Judgment debts)</u> - Appoint Paying Officer(s) for purpose of making deductions. | PS Reg 8A 4(1) | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | | | | | |
| Reach agreement with employee to <u>substitute public holiday</u> for religious/cultural day. | EA D38 | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | ✓ | | | ✓ |
| Approve <u>employee rostered to work on part time hours to absent themselves or day off in lieu</u> . | EA D37 | ✓ | ✓ | ✓ | ✓ | | | ✓ | | | | | |
| <u>Withdraw access to Flextime</u> . | EA E8 | ✓ | ✓ | ✓ | ✓ | ✓ | | ✓ | | | | | |
| Approve <u>part-time work arrangements for primary care givers</u> . | EA E13 | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | ✓ | | | ✓ |
| Approve teleworking. | EA 16 | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | | | | ✓ |
| Approve participation by an employee in employment or other remunerative work outside of their official duties. | PSA s.13 | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | ✓ | | | ✓ |



Australian Government
Department of Industry, Science,
Energy and Resources

Instrument of Delegation and Authorisation for Human Resource Matters

February 2020

I, ^{s22(1)(a)(ii)} Secretary of the Department of Industry, Science, Energy and Resources (the department), make this instrument of delegation and authorisation under:

- a) subsection 78(7) of the *Public Service Act 1999*;
- b) sub-regulation 9.3(3) of the *Public Service Regulations 1999*;
- c) subclause 52(1) of the *Australian Public Service Commissioner's Directions 2016*;
- d) sub-rule 13(1) of the *Public Service Classification Rules 2000*;
- e) subsection 9(1) of the *Long Service Leave (Commonwealth Employees) Act 1976*;
- f) subsection 11(1) of the *Maternity Leave (Commonwealth Employees) Act 1973*;
- g) section 41A of the *Safety, Rehabilitation and Compensation Act 1988*; and
- h) clause 5 of the *Department of Industry, Innovation and Science Enterprise Agreement 2019-2022*.

Subject to this instrument, I:

- a) delegate to any person from time to time holding the classification or performing the duties of a position identified in the Human Resources Delegation Matrix (the Matrix), those powers and functions assigned in the Matrix to a particular classification or position; and
- b) revoke all previous human resource delegations.

The exercise of delegations described is subject to any directions or guidelines issued by me by instrument in writing.

The delegations and authorisation made by this instrument do not revoke current delegations and authorisations to the Director General, IP Australia; the Chief Executive Officer, Geoscience Australia and other employees of IP Australia and Geoscience Australia.

Commencement

This instrument takes effect on the date it is signed by me.
^{s22(1)(a)(ii)}

^{s22(1)(a)(ii)}

Secretary
Department of Industry, Science, Energy and Resources

Date: 1st Feb 2020

Contents

| | |
|---|----|
| Instrument of Delegation and Authorisation for Human Resource Matters | 1 |
| Annexure 1—Delegation protocols | 3 |
| Human Resources Delegations Legend | 4 |
| Delegation and Authorisation | 4 |
| Source of Power | 4 |
| Human Resources Delegation Matrix | 5 |
| 1. Remuneration and Conditions..... | 5 |
| 2. Leave | 7 |
| 3. Performance and Code of Conduct..... | 9 |
| 4. Recruitment..... | 10 |
| 5. Redundancy and Redeployment..... | 14 |
| 6. Rehabilitation and Comcare | 16 |
| 7. Review of actions | 17 |
| 8. Separation of employment..... | 17 |
| 9. Other | 18 |

Annexure 1—Delegation protocols

Delegations are the means by which decision makers can exercise the power to undertake certain statutory functions.

A delegation is the conferral of the ability to exercise a power or duty to a person or body from a person or body that is vested with the responsibility to exercise that power or duty.

The department's employees are employed under the *Public Service Act 1999* (Cth) (PS Act) as employees of the Australian Public Service (APS)

As an Agency Head under section 20 of the PS Act, the Secretary has all the rights, duties and powers of an employer in respect of APS employees in the department. Section 78 of the PS Act enables the Agency Head to delegate those powers.

The attached delegations are given on the understanding that:

- The exercise of these delegations will at all times be in accordance with approved policies, practices and procedures of the department and/or as required in accordance with legislation, regulations and/or instructions from central agencies with appropriate authority to make those instructions; and
- Any requirements and/or limits specified in the delegations schedule are met/observed.

Delegates are accountable for the delegations that they exercise but should impress upon recommending employees that those employees are personally accountable for ensuring the quality and appropriateness of the recommendations and for ensuring that all relevant facts and other relevant considerations have been set out for the delegate so that the decision taken is fully informed and appropriate.

Human Resources Delegations Legend

Delegation and Authorisation

Subject to this instrument, each employee who occupies or performs the duties of the category shown as “Delegate” is authorised to exercise or perform the corresponding powers and functions.

| Legend | Delegate |
|----------------|--|
| DS | Deputy Secretary. |
| COO | Chief Operating Officer for the department. |
| HR GM | General Manager, People Branch. |
| HR EL2 | An employee who occupies the position of Manager within People Branch (Executive Level 2). |
| HR EL1 | An employee who occupies the position of Assistant Manager within People Branch (Executive Level 1). |
| HR 5-6 | An employee who occupies the position of Human Resources (HR) Adviser or Senior HR Adviser within People Branch (APS 5 and APS 6 classifications). |
| HOD | An employee ¹ who occupies or performs duties of one of the following positions: <ul style="list-style-type: none">• Head of Division (SES Band 2);• Commissioner, Anti-Dumping Commission;• Chief Executive Officer, Australian Renewable Energy Agency; or• Australian Small Business and Family Enterprise Ombudsman. |
| GM | An employee ¹ who occupies or performs duties of one of the following positions: <ul style="list-style-type: none">• General Manager (SES Band 1); or• Chief Financial Officer, Australian Renewable Energy Agency. |
| SM | An employee who occupies or performs duties of State Manager and their position is classified as an Executive Level 2 (or equivalent). |
| EL2 | An employee who occupies or performs duties of a position classified as an Executive Level 2 (or equivalent) ¹ . |
| EL1 | An employee ¹ who occupies or performs duties of a position classified as an Executive Level 1 (or equivalent). |
| APS 4-6 | An employee ¹ who occupies or performs duties of a position classified as either an APS 4, APS 5 or APS 6 (and equivalent classifications). |

Source of Power

| Legend | Main Source |
|----------------|--|
| APSCD | <i>Australian Public Service Commissioner’s Directions 2016</i> |
| EA | <i>Department of Industry, Innovation and Science Enterprise Agreement 2019-2022</i> |
| LSL Act | <i>Long Service Leave (Commonwealth Employees) Act 1976</i> |
| ML Act | <i>Maternity Leave Act (Commonwealth Employees) 1973</i> |
| PS Act | <i>Public Service Act 1999</i> |
| PSCR | <i>Public Service Classification Rules 2000</i> |
| PS Regs | <i>Public Service Regulations 1999</i> |
| SRC Act | <i>Safety, Rehabilitation and Compensation Act 1988</i> |

¹ Can only exercise those powers for employees up to and including the classification one level below the delegate's classification.

Human Resources Delegation Matrix

| Item | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | HOD | GM SM | EL2 | EL1 | APS 4-6 |
|---------------------------------------|--|--|--|-------------|---------|----|-----|-------|--------|--------|--------|-----|-------|-----|-----|---------|
| 1. Remuneration and Conditions | | | | | | | | | | | | | | | | |
| 1.1 | EL1 and EL2 Overtime | Determine exceptional circumstances for the payment of overtime for Executive level 1 and 2 Employees | | EA | c102 | ☑ | ☑ | ☑ | | | | ☑ | | | | |
| 1.2 | First Aid | Determine there is an identified need for a higher first aid qualification in the workplace which results in the payment of a tier 2 first aid allowance | | EA | cS2.2 | ☑ | ☑ | ☑ | | | | | | | | |
| 1.3 | Higher Duties | Determine a higher salary point for temporary performance of duties at a higher classification | EL2 delegates must consult their GM/SM before exercising this delegation | EA | c69 | ☑ | ☑ | ☑ | | | | ☑ | ☑ | ☑ | | |
| 1.4 | Higher Duties | Determine the amount of higher duties allowance payable, where an employee is assigned to temporarily perform <u>part of the duties</u> of a higher designation | EL2 delegates must consult their GM/SM before exercising this delegation | EA | c70 | ☑ | ☑ | ☑ | | | | ☑ | ☑ | ☑ | | |
| 1.5 | Legal Stream | For roles in the legal stream - Determine a requirement for the possession of a current restricted practising certificate issued by the ACT Law Society (or other equivalent certification within a state or territory), or the obtaining of such a certificate within three months of commencing employment with the Department | | EA | s1.4 | ☑ | ☑ | | | | | | | | | |
| 1.6 | Loss or damage to clothing or personal effects | Authorise reimbursement of an amount considered reasonable to cover the loss or damage to an Employee's clothing or personal effects which resulted from the performance of their duties (subject to that clothing or personal effect having a minimum value of \$20) | | EA | c79 | ☑ | ☑ | ☑ | | | | | | | | |
| 1.7 | Part-Time Work | Approve a part-time work arrangement | | EA | c210 | ☑ | ☑ | ☑ | ☑ | ☑ | | ☑ | ☑ | ☑ | | |
| 1.8 | Part-Time Work | Approve a part-time work arrangement for parents who do not otherwise meet the requirements of clause 213 of the EA | | EA | c214 | ☑ | ☑ | ☑ | ☑ | ☑ | | ☑ | ☑ | ☑ | | |

| Item | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | HOD | GM SM | EL2 | EL1 | APS 4-6 |
|------|------------------------------------|---|---|-------------|-----------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|--------|-------------------------------------|-------------------------------------|-------------------------------------|-----|---------|
| 1.9 | Individual Flexibility Arrangement | Enter into an Individual Flexibility Arrangement with an employee to vary the terms of the EA | | EA | c9 to c12 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 1.10 | Individual Flexibility Arrangement | Terminate an Individual Flexibility Arrangement, by giving no more than 28 days written notice to the other party to the arrangement | | EA | c13 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 1.11 | Flexitime | Withdraw an Employee's access to flexitime | | EA | c208 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| 1.12 | Remote Work | Agree to an employee working remotely on a regular, temporary or intermittent basis | | EA | c218 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| 1.13 | Reduction in classification | Reduce the classification of an employee, without the employee's consent | Section 23(4) of the PS Act prescribes the circumstances where this delegation can be exercised | PS Act | s23(4) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | | | | |
| 1.14 | Terms and conditions of employment | Determine in writing, remuneration and other terms and conditions of employment | | PS Act | s24(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 1.15 | Motor vehicle allowance | Authorise an Employee to use a private motor vehicle owned or hired by that Employee for official purposes where it will result in greater efficiency, or result in a lesser expense for the Commonwealth | | EA | c78 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| 1.16 | Relocation assistance | Determine reasonable relocation costs (for reimbursement or payment) associated with the relocation where an Employee is relocated at the Department's initiative or an Employee is relocated at the Department's request | | EA | c95 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | | | | |
| 1.17 | Restriction Duty | Require an Employee to remain contactable and available to perform extra duty outside the Employee's standard hours of duty | | EA | c121 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| 1.18 | Restriction Duty | Determine an alternative rate of restriction allowance having regard to the circumstances of the restriction situation | | EA | c123 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | | | | |

| Item | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | HOD | GM SM | EL2 | EL1 | APS 4-6 |
|-----------------|-----------------------------|--|--|-------------|--------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|--------|--------|-------------------------------------|-------------------------------------|-----|-----|---------|
| 1.19 | Salary Advancement | Determine that an employee will be paid salary at a higher pay point within the employee's designation (at any time) | | EA | c43 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 1.20 | Salary Advancement | Determine that exceptional circumstances apply to enable an Employee to receive salary advancement (if they do not meet the eligibility requirements as provided in the EA) | | EA | c126 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 1.21 | Salary Advancement | Determine that an employee will receive salary advancement, if they do not meet the eligibility requirements under clauses 42 to 43 of the EA | | EA | c127 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 1.22 | Salary on commencement | Authorise payment of salary above the minimum rate (upon engagement, promotion or movement at level within the APS or from another Commonwealth agency) where experience, qualifications and skills of the employee warrant payment of salary above lowest pay point | Delegate can authorise salary up to the maximum salary point within the Employee's Designation | EA | c36(a) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 1.23 | Special regional conditions | Review and adjust special regional conditions (for NMI Employees) | | EA | S3.4 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 1.24 | Travel Assistance | Approve payment of a cash advance to meet reasonable accommodation, meal and incidental expenses in exceptional circumstances | | EA | c90 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | | | | |
| 1.25 | Travel Class | Agree to an alternative class of travel for official overseas travel (other than business class travel) | | EA | c91 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 2. Leave | | | | | | | | | | | | | | | | |
| 2.1 | Long Service Leave | Determine that a period of leave without pay counts as service for LSL purposes | | LSL Act | s12(3) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 2.2 | Long Service Leave | Break in Service – determine that: (a) termination of previous employment was due to ill-health; and (b) commencement of employment occurred no more than 12 months after | | LSL Act | s12(7) & (8) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |

| Item | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | HOD | GM SM | EL2 | EL1 | APS 4-6 |
|------|------------------------|--|------------------------|-------------|------------------------------|----|-----|-------|--------|--------|--------|-----|-------|-----|-----|---------|
| | | health became restored to enable performance of suitable duties. | | | | | | | | | | | | | | |
| 2.3 | Long Service Leave | Grant LSL to an employee | | LSL Act | s16(2) & (3) | ☑ | ☑ | ☑ | ☑ | ☑ | ☑ | ☑ | ☑ | ☑ | ☑ | ☑ |
| 2.4 | Long Service Leave | Authorise payment in lieu of LSL to a dependent (where an employee whose period of service is at least 10 years dies) | | LSL Act | s16(7) | ☑ | ☑ | ☑ | ☑ | ☑ | | | | | | |
| 2.5 | Long Service Leave | Grant LSL immediately prior to age retirement or retrenchment where an employee has less than 10 years, but at least one year, of service | | LSL Act | s17(1) | ☑ | ☑ | ☑ | ☑ | ☑ | | ☑ | ☑ | ☑ | | |
| 2.6 | Long Service Leave | Authorise payment in lieu of LSL for an employee whose period of service is less than 10 years but at least one year, in prescribed circumstances | | LSL Act | s17(2)(a),(b),(c), (d) & (e) | ☑ | ☑ | ☑ | ☑ | ☑ | | | | | | |
| 2.7 | Long Service Leave | Authorise payment in lieu of LSL to a dependent where an employee dies (where an employee whose period of service is less than 10 years but not less than 1 year dies) | | LSL Act | s17(5) | ☑ | ☑ | ☑ | ☑ | ☑ | | | | | | |
| 2.8 | Long Service Leave | Powers and duties applying where an employee dies | | LSL Act | s23(1), (2), (3) & (4) | ☑ | ☑ | ☑ | ☑ | ☑ | | | | | | |
| 2.9 | Maternity Leave | Determine that unauthorised leave of absence, taken in the six weeks before expected confinement, occurred in extenuating circumstances | | ML Act | s6(4C) | ☑ | ☑ | ☑ | | | | ☑ | ☑ | | | |
| 2.10 | Maternity Leave | Determine that an employee on authorised leave of absence without pay, who becomes pregnant, before or after the commencement of the authorised leave of absence, may absent themselves from duty under the ML Act instead of the already approved authorised leave of absence | | ML Act | s6(4F) | ☑ | ☑ | ☑ | | | | | | | | |
| 2.11 | Maternity Leave | Review a decision to refuse an application to resume work from maternity leave earlier than expected | | ML Act | s7A(5) & (6) | ☑ | ☑ | ☑ | ☑ | | | ☑ | ☑ | | | |
| 2.12 | Personal/Carer's Leave | Approve an Employee taking personal/carer's leave at half pay in exceptional circumstances | | EA | c144 | ☑ | ☑ | ☑ | ☑ | ☑ | ☑ | ☑ | ☑ | ☑ | ☑ | ☑ |

| Item | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | HOD | GM SM | EL2 | EL1 | APS 4-6 |
|---|---------------------------------|--|---|-------------|--------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| 2.13 | Personal/Carer's Leave | Direct an employee to provide supporting evidence for applications of personal/carers or compassionate leave | | EA | c149(c) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2.14 | Other Paid Leave | Approve in excess of five days paid other leave | | EA | c187 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 2.15 | Other Paid Leave | Approve up to five days paid other leave | | EA | c187 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 2.16 | Unpaid other leave | Approve unpaid other leave | | EA | c187 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 2.17 | Unpaid other leave | Determine that unpaid other leave is to count for service as per the department's leave policy | | EA | c136 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 2.18 | Unpaid other leave | Grant leave without pay to an ongoing APS employee who applies for the leave to undertake or continue employment:(a) for the purposes of section 13 of the Governor-General Act 1974; or(b) for the purposes of section 13 or 20 of the Members of Parliament (Staff) Act 1984 | Subclause 49(1) of the APSCD provides that an application for leave in this circumstance must be approved | APSCD | d49(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 2.19 | Unpaid other leave | Arrange for the APS employee to return to the department as soon as practicable; and arrange for the APS employee to undertake duties at the employee's classification immediately before the employee was granted leave without pay or, if the classification no longer exists, at an equivalent classification | If an APS employee who has been granted leave without pay to undertake or continue employment for the purposes mentioned in paragraph (1)(a) or (b) of the APSCD notifies the department, in writing, that he or she wishes to return to the department to undertake duties | APSCD | d49(2) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 3. Performance and Code of Conduct | | | | | | | | | | | | | | | | |
| 3.1 | Breaches of the Code of Conduct | Impose sanctions for breaches of the Code of Conduct | | PS Act | s15(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | | | | |
| 3.2 | Breaches of the Code of Conduct | Establish procedures for determining breaches of the Code of Conduct and ensure these are publicly available | | PS Act | s15(3) & (7) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 3.3 | Code of Conduct | Have regard to relevant standards and guidance issued by the APS Commissioner before making a decision to initiate an inquiry under the Code of Conduct procedures | | APSCD | d40 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | |

| Item | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | HOD | GM SM | EL2 | EL1 | APS 4-6 |
|-----------------------|--|--|---|-------------|---------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-----|---------|
| 3.4 | Code of Conduct | Request the Australian Public Service Commissioner inquire into and determine whether an employee or former employee has breached the Code of Conduct and request recommended sanctions. | | PS Act | s41B(1) & (9) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 3.5 | Code of Conduct | Request Merit Protection Commissioner to inquire into and determine whether an APS employee or former APS employee has breached the Code of Conduct. | | PS Act | s50A(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 3.6 | Managing underperformance | Managing underperformance - Where requested by the Employee, approve an appropriate person from outside the immediate work area to formally assess the Employee's performance | | EA | c131 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | |
| 3.7 | Review of determination of a breach of the Code of Conduct | On receipt of written notice from Merit Protection Commissioner (MPC), provide, to the MPC, information and/or documents relevant to a review | | PS Regs | r7.2F(2) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | |
| 3.8 | Suspension from duties | Suspend an employee from duty, with or without remuneration, review the suspension, end the suspension and have due regard to procedural fairness | | PS Regs | r3.10 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | | | | |
| 4. Recruitment | | | | | | | | | | | | | | | | |
| 4.1 | Assignment of duties | Determine the duties of an employee and the place or places at which the duties are to be performed | For movements at level and higher duty arrangements | PS Act | s25 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| 4.2 | Transfer at Level into the Department | Agree in writing to the (ongoing or temporary) movement of an APS employee into the department | Subject to HoD approval to fill the vacant position | PS Act | s26(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 4.3 | Broadband movement | Determine that an employee may progress through a firm barrier | | EA | c30 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 4.4 | Cancellation of gazettal | Notify a cancellation decision by publication in the Public Service Gazette (APSJobs) | | APSCD | d35(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | |
| 4.5 | Classification of duties | Allocate a classification to each group of duties and ensure the duties include a requirement to undergo training, if a training classification is allocated | | PSCR | cr9(1) & 9(3) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | | | | |

| Item | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | HOD | GM SM | EL2 | EL1 | APS 4-6 |
|------|--|---|---|-------------|--------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|--------|--------|-------------------------------------|-------------------------------------|-----|-----|---------|
| 4.6 | Classification of duties in a broadband | Allocate more than one classification to the group of duties (a broadband), if the group of duties involves value requirements applying to more than one classification | | PSCR | cr9(4) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | | | | |
| 4.7 | Classifications of employees | Allocate an approved classification to each employee | Subject to HoD approval to fill the vacant position or to undertake a recruitment process | PSCR | cr6(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 4.8 | Classifications of employees on movement | Allocate to an employee, who moves under s26 of the PS Act, the classification allocated to the employee immediately before moving, or another classification in the same group | Subject to HoD approval to fill the vacant position or to undertake a recruitment process | PSCR | cr7(3) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 4.9 | Constitution of an Independent Selection Advisory Committee (ISAC) | Nominate a person to participate as a member of an ISAC | | PS Regs | r4.3(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | | | | |
| 4.10 | Constitution of Promotion Review Committee (PRC) | Nominate a person to participate as a member of a PRC | | PS Regs | r5.11(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 4.11 | Date of effect of movement | Agree to a date of effect for a voluntary movement between agencies | Subject to HoD approval to fill the vacant position or to undertake a recruitment process | APSCD | d37(2) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 4.12 | Date of effect of movement | Agree to the movement of an employee taking effect prior to a suspected breach of the Code of Conduct matter being resolved | Subject to HoD approval to fill the vacant position or to undertake a recruitment process | APSCD | d37(4) & (5) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 4.13 | Date of effect of promotion | Agree to the promotion of an employee taking effect prior to a suspected breach of the Code of Conduct matter being resolved | Subject to HoD approval to fill the vacant position or to undertake a recruitment process | APSCD | d38(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 4.14 | Engagement of a parliamentary service employee | Engage an ongoing parliamentary service employee as an ongoing employee (if the person is to be employed at a comparable classification or lower) | Subject to HoD approval to fill the vacant position or to undertake a recruitment process | APSCD | d31 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 4.15 | Affirmative measure— Indigenous employment | As an affirmative measure, identify a vacancy as open only to Aboriginal and/or Torres Strait Islander persons | | APSCD | d26(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |

| Item | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | HOD | GM SM | EL2 | EL1 | APS 4-6 |
|------|---|--|---|-------------|--------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-----|-----|---------|
| 4.16 | Affirmative measure— Disability | As an affirmative measure, identify a vacancy as only open to persons who have a disability or a particular type of disability | | APSCD | d27(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 4.17 | Engagement of employees | Engage a person as either an ongoing or non-ongoing employee | Subject to the person being an Australian Citizen, and HoD approval to fill the vacant position or to undertake a recruitment process | PS Act | s22(1) & (2) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 4.18 | Engagement of non-Australian citizens | Engage a non-Australian citizen where it is appropriate to do so | | PS Act | s22(8) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 4.19 | Establishment of a ISAC | Request, of the Merit Protection Commissioner (MPC), the establishment of an ISAC | | PS Regs | r4.2(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 4.20 | Exclusion of name in gazettal | Decide not to include an employee's name in a Public Service Gazette (APSJobs) notification | | APSCD | d34(4) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 4.21 | Extension of non-ongoing employment | Extend the specified period of non-ongoing employment | Subject to HoD approval to fill the vacant position or to undertake a recruitment process | PS Regs | r3.5(4) & (5) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 4.22 | Extension of time for gazettal | Request approval from the APS Commissioner to an extension of time to notify an employment decision in the Public Service Gazette (APSJobs) | | APSCD | d34(2) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | |
| 4.23 | Gazettal of employment decision | Notify an employment decision for publication in the Public Service Gazette (APSJobs) | | APSCD | d34(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | |
| 4.24 | Medical examination on engagement | Direct an employee to undergo an examination by a nominated medical practitioner and to provide a report of the examination in connection with their engagement | | PS Regs | r3.1(2) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | |
| 4.25 | Movement from a training classification | Allocate to an employee a classification mentioned in column 3 of schedule 2 of the Classification Rules that relates to the employee's training classification, upon satisfactory completion of the training requirements | | PSCR | cr11(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | | | | |
| 4.26 | Non-ongoing employment | Engage a person for a specified term, or for the duration of a specified task in accordance with s22(2)(b) of the PS Act | Subject to HoD approval to fill the vacant position or to undertake a recruitment process | PS Regs | r3.5(2), (3) & (6) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |

| Item | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | HOD | GM SM | EL2 | EL1 | APS 4-6 |
|------|--|---|---|-------------|--------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-----|---------|
| 4.27 | Non-ongoing employment for training purposes | Approve a scheme for employees engaged for a specified term, or for the duration of a specified task, to gain skills and experience for the purpose of assisting them to participate in the workforce | Subject to HoD approval to fill the vacant position or to undertake a recruitment process | PS Regs | r3.3(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 4.28 | Overseas engagement | Engage persons overseas to perform duties overseas as employees | | PS Act | s74(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | | | | |
| 4.29 | Position creation | Create positions and nominate employees to occupy these positions | | PS Act | s77(1) & (2) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| 4.30 | Promotion following a statutory appointment | Request, in writing, that the APS Commissioner authorise the promotion of an ongoing employee on completion of an appointment to a statutory office | | APSCD | d29(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 4.31 | Provision of information to a PRC | Provide, to a PRC, information and/or documents relevant to a review | | PS Regs | r5.17(2) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 4.32 | Redundancy benefit recipients | Engage a redundancy benefit recipient as an ongoing employee | Subject to HoD approval to fill the vacant position or to undertake a recruitment process | APSCD | d48(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 4.34 | Re-engagement of a former APS employee | Re-engage a former APS employee if: (a) satisfied that the person's former employment should not have ended; or (b) the engagement will settle legal action relating to the termination of the employee's employment; or (c) an appropriate authority has recommended or ordered the reinstatement of the person | | APSCD | d33 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 4.35 | Re-engagement of a former APS employee | Re-engage an unsuccessful election candidate in accordance with the Commissioner's Directions and within the time limits provided by those Directions | | APSCD | d32 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 4.38 | Science and Technical Stream | Determine roles to be incorporated into the Science and Technical Stream | | EA | S1.1 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 4.39 | Work level standards | Issue, in writing, work level standards describing the work requirements for each classification applying to a group of duties other than an APS, EL or SES classification | | PSCR | cr10 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |

| Item | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | HOD | GM SM | EL2 | EL1 | APS 4-6 |
|---------------------------------------|---|--|---|-------------|---------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-----|---------|
| 4.40 | Workplace Diversity | Establish a workplace diversity program | | PS Act | s18 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 4.41 | Limit Vacancies to APS employees only | Decide that because of reasons of cost or operational efficiency, a non-SES vacancy should be filled by a person who is already an APS employee with the vacancy notified in the Public Service Gazette (APSJobs) as open only to current APS employees | | APSCD | d20(3) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| 4.42 | Engagement of non-ongoing APS employee as ongoing employee in exceptional circumstances | Request, in writing, that the APS Commissioner authorise the engagement by the department of a non-ongoing employee as an ongoing employee in exceptional circumstances | | APSCD | d25(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 5. Redundancy and Redeployment | | | | | | | | | | | | | | | | |
| 5.1 | Excess Employee | Advise an Employee in writing that they are likely to become excess | All delegates must consult with and have endorsement by People Branch before exercising this delegation | EA | c223 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | | | | |
| 5.2 | Excess Employee | Hold discussions with an Employee and, if the Employee chooses, with their representative, to outline reasons they may become excess and to consider: a) measures that could be taken to avoid the situation, including job swaps and redeployment at or below level within the Department or within the APS; and b) the availability of support and assistance for career planning and training; and c) whether a voluntary redundancy might be appropriate. | All delegates must consult with and have endorsement by People Branch before exercising this delegation | EA | c224 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 5.3 | Excess Employee | At least four weeks after advising the Employee that they are likely to become excess under clause 223 of the EA, advise the Employee in writing that they are an excess Employee and invite them to accept a voluntary redundancy. The | | EA | c226 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | |

| Item | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | HOD | GM SM | EL2 | EL1 | APS 4-6 |
|------|--|--|---|-------------|---------|----|-----|-------|--------|--------|--------|-----|-------|-----|-----|---------|
| | | Employee and the Delegate may agree to a shorter period. | | | | | | | | | | | | | | |
| 5.4 | Excess Employee | As soon as possible within the process of identifying an Employee as potentially excess but, in any event, no later than making the offer of voluntary redundancy in accordance with clause 226 of the EA, give an Employee information as prescribed in clause 230 of the EA. | | EA | c230 | ☑ | ☑ | ☑ | ☑ | ☑ | ☑ | | | | | |
| 5.5 | Excess Employee | Determine that the Redundancy and Redeployment provisions of the EA will apply to an Employee, where the duties usually performed by the Employee are to be performed in a different locality and the Employee is not willing to perform the duties at the other locality. | All delegates must consult with and have endorsement by People Branch before exercising this delegation | EA | c222(c) | ☑ | ☑ | ☑ | ☑ | | | ☑ | | | | |
| 5.6 | Issue notice of termination | Proceed to give notice of termination of employment on the grounds set out in s29(3)(a) of the PS Act | All delegates must consult with and have endorsement by People Branch before exercising this delegation | PS Act | 29(1) | ☑ | ☑ | ☑ | | | | ☑ | ☑ | | | |
| 5.7 | Payment of external services or training opportunities | Approve a higher amount for payment of external services or training opportunities having regard to the particular circumstances of the excess Employee | | EA | c232(a) | ☑ | ☑ | ☑ | ☑ | ☑ | | | | | | |
| 5.8 | Redeployment | Extend the redeployment period for an Employee | | EA | c248 | ☑ | ☑ | ☑ | | | | | | | | |
| 5.9 | Compulsory moves of an excess APS employee | Notify the APS Commissioner, in writing, that an employee is excess to requirements for the purposes of s27(1) of the PS Act | | PS Act | s27(2) | ☑ | ☑ | ☑ | | | | | | | | |
| 5.10 | Redundancy | Give the Employee the required notice of termination of employment under s29 of the PS Act | All delegates must consult with and have endorsement by People Branch before exercising this delegation | EA | c257 | ☑ | ☑ | ☑ | | | | ☑ | ☑ | | | |
| 5.11 | Redundancy | Terminate the employment of an Employee before the end of the notice period. | All delegates must consult with and have endorsement by People Branch before exercising this delegation | EA | c258 | ☑ | ☑ | ☑ | | | | ☑ | ☑ | | | |

| Item | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | HOD | GM SM | EL2 | EL1 | APS 4-6 |
|--------------------------------------|--|--|------------------------|-------------|---------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-----|-------|-----|-----|---------|
| 6. Rehabilitation and Comcare | | | | | | | | | | | | | | | | |
| 6.1 | Assessment of capacity | Arrange for an assessment of an employee's capability to undertake a rehabilitation program | | SRC Act | s36(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | |
| 6.2 | Assessment of capacity – examination | Require an employee to undergo an examination by a person or panel making an assessment of an employee's capability to undertake a rehabilitation program | | SRC Act | s36(3) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | |
| 6.3 | Information to Comcare – salary estimate | Provide a written estimate of salary expenditure for the next financial year, no later than 30 April of the current financial year. Provide any other information required to enable Comcare to determine a premium or a regulatory contribution | | SRC Act | s97F(1) & (2) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | |
| 6.4 | Medical examination | Require an employee to undergo an examination by one legally qualified medical practitioner nominated by the employer | | SRC Act | s57(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | |
| 6.5 | Medical examination – journey costs | Authorise the payment of expenditure reasonably incurred for the journey in connection with the medical examination | | SRC Act | s57(3) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | |
| 6.6 | Medical examination for continuing duty | Direct an employee to undergo an examination by a nominated medical practitioner for an assessment of the employee's fitness for duty and to provide a report of the examination | | PS Regs | r3.2(2) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | |
| 6.7 | Notice to Comcare – retirement | Notify Comcare in writing that an employee has retired, including the date of retirement and the employee's superannuation scheme | | SRC Act | s114A(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | |
| 6.8 | Rehabilitation program | Determine that an employee who has suffered an injury resulting in an incapacity for work or an impairment, should undertake a rehabilitation program | | SRC Act | s37(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | |
| 6.9 | Rehabilitation program | Serve a notice, relating to the determination, on the relevant employee | | SRC Act | s38(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | |

| Item | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | HOD | GM SM | EL2 | EL1 | APS 4-6 |
|------------------------------------|--|--|------------------------|-------------|----------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------|-----|-----|---------|
| 6.10 | Request additional information | Request of the employee, in writing, the provision of information or a document related to the employee's claim | | SRC Act | s58(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | |
| 6.11 | Supply additional information | Provide information or documents relating to a claim made by an employee to that employee, a Commonwealth Authority or a licensed corporation | | SRC Act | s59(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | |
| 7. Review of actions | | | | | | | | | | | | | | | | |
| 7.1 | Review of actions | Review the action, attempt to resolve the employee's concerns and confirm, vary or set aside the action or substitute a new action | | PS Regs | r5.27 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | | | | |
| 7.2 | Referral of a review of actions | Refer an application for review, of a reviewable action to the Merit Protection Commissioner and advise the employee in writing | | PS Regs | r5.25(1) & (3) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 7.3 | Provision of a review of actions application | Give the application and documents relating to a primary review of action to the MPC and copy the affected employee | | PS Regs | r5.30 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | | | | |
| 7.4 | Provision of information for a review of actions | Provide, to the MPC, information and/or documents relevant to a review | | PS Regs | r5.35 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | | | | |
| 7.5 | Recommendations from a review of actions | Consider and make decisions about recommendations received from the MPC regarding a review of actions | | PS Regs | r5.32 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | | | | |
| 8. Separation of employment | | | | | | | | | | | | | | | | |
| 8.1 | Death | Where an Employee dies whilst employed by the Department, authorise payment to the estate or other authorised person of the amount to which the former Employee would have been entitled had the Employee resigned or retired (subject to relevant laws) | | EA | c220 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | |

| Item | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | HOD | GM SM | EL2 | EL1 | APS 4-6 |
|-----------------|---|--|--|-------------|---------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|--------|-------------------------------------|-------------------------------------|-------------------------------------|-----|---------|
| 8.2 | Termination of employment | By notice in writing, terminate the employment of an APS employee in the department | *Subject to limitations set out in 29(3) of the PS Act for ongoing employees. *All delegates must consult with and have endorsement by People Branch before exercising this delegation. | PS Act | s29(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 8.3 | Voluntary move (at level) to another agency | Agree in writing to the (ongoing or temporary) movement of an employee to another agency | | PS Act | s26(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| 9. Other | | | | | | | | | | | | | | | | |
| 9.1 | Administrative arrangements | Consult with an APS employee who is moved to the department in accordance with a determination under paragraph 72(1)(a) of the PS Act about their terms and conditions of employment. | | PS Regs | r8.1(3)(a) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 9.2 | Administrative arrangements | Consult with a person who ceases to be employed as a non-APS employee and becomes engaged as an APS employee in accordance with a determination under paragraph 72(1)(c) of the PS Act about their terms and conditions of employment. | | PS Regs | r8.2(2)(a) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 9.3 | Collection of data | Ensure measures are in place to collect information from each employee and give this information to the APS Commissioner | | APSCD | d50 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 9.4 | Disclosure of information | Use and/or disclose personal information in the circumstances specified in r9.2(2) if the use is necessary or relevant to performance or exercising employer powers | | PS Regs | r9.2(1) & (2) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 9.5 | Disclosure of information | Authorise an employee to disclose information about which the employee has official knowledge ² | | PS Regs | r2.1(5)(b) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | <input checked="" type="checkbox"/> | | | | |

² Official Information – Information obtained or generated in connection with APS employment that if disclosed could be prejudicial to the effective working of government, including the formulation and implementation of policies and program.

| Item | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | HOD | GM SM | EL2 | EL1 | APS 4-6 |
|------|---------------------------------------|---|------------------------|-------------|----------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-----|-------|-----|-----|---------|
| 9.6 | Paying officer | Appoint a person as a paying officer for the purpose of making deductions from a particular debtor's salary | | PS Regs | r8A.4(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | |
| 9.7 | State of the service report | Provide the APS Commissioner with required information for the report on the State of the Service | | PS Act | s44(2) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 9.8 | Forfeiture of additional remuneration | If an APS employee receives any non-Commonwealth remuneration for performing duties as an APS employee - Give notice to an employee regarding forfeiture of whole, or part, of additional non-Commonwealth remuneration received for performing duties as an APS employee | | PS Act | s31(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | |



Australian Government

Department of Industry, Science,
Energy and Resources

Instrument of Delegation and Authorisation for Human Resource Matters

August 2021

I, **s22(1)(a)(ii)** Secretary of the Department of Industry, Science, Energy and Resources (the department), make this instrument of delegation and authorisation under:

- a) subsection 78(7) of the *Public Service Act 1999*;
- b) sub-regulation 9.3(3) of the *Public Service Regulations 1999*;
- c) subclause 52(1) of the *Australian Public Service Commissioner's Directions 2016*;
- d) sub-rule 13(1) of the *Public Service Classification Rules 2000*;
- e) subsection 9(1) of the *Long Service Leave (Commonwealth Employees) Act 1976*;
- f) subsection 11(1) of the *Maternity Leave (Commonwealth Employees) Act 1973*;
- g) section 41A of the *Safety, Rehabilitation and Compensation Act 1988*; and
- h) clause 5 of the *Department of Industry, Innovation and Science Enterprise Agreement 2019-2022*.

Subject to this instrument, I:

- a) delegate to any person from time to time holding the classification or performing the duties of a position identified in the Human Resources Delegation Matrix (the Matrix), those powers and functions assigned in the Matrix to a particular classification or position; and
- b) revoke all previous human resource delegations.

The exercise of delegations described is subject to any directions or guidelines issued by me by instrument in writing.

The delegations and authorisation made by this instrument do not revoke current delegations and authorisations to the Director General, IP Australia; the Chief Executive Officer, Geoscience Australia and other employees of IP Australia and Geoscience Australia.

Commencement

This instrument takes effect on the date it is signed by me.
s22(1)(a)(ii)

s22(1)(a)(ii)

Secretary

Department of Industry, Science, Energy and Resources

Date: _____

4/8/21

Contents

| | |
|---|----|
| Instrument of Delegation and Authorisation for Human Resource Matters | 1 |
| Annexure 1—Delegation protocols | 3 |
| Human Resources Delegations Legend | 4 |
| Delegation and Authorisation | 4 |
| Source of Power | 4 |
| Human Resources Delegation Matrix | 5 |
| 1. Remuneration and Conditions..... | 5 |
| 2. Leave | 7 |
| 3. Performance and Code of Conduct..... | 9 |
| 4. Recruitment..... | 10 |
| 5. Redundancy and Redeployment..... | 14 |
| 6. Rehabilitation and Comcare | 16 |
| 7. Review of actions..... | 17 |
| 8. Separation of employment..... | 18 |
| 9. Other | 18 |

Annexure 1—Delegation protocols

Delegations are the means by which decision makers can exercise the power to undertake certain statutory functions.

A delegation is the conferral of the ability to exercise a power or duty to a person or body from a person or body that is vested with the responsibility to exercise that power or duty.

The department's employees are employed under the *Public Service Act 1999* (Cth) (PS Act) as employees of the Australian Public Service (APS)

As an Agency Head under section 20 of the PS Act, the Secretary has all the rights, duties and powers of an employer in respect of APS employees in the department. Section 78 of the PS Act enables the Agency Head to delegate those powers.

The attached delegations are given on the understanding that:

- The exercise of these delegations will at all times be in accordance with approved policies, practices and procedures of the department and/or as required in accordance with legislation, regulations and/or instructions from central agencies with appropriate authority to make those instructions; and
- Any requirements and/or limits specified in the delegations schedule are met/observed.

Delegates are accountable for the delegations that they exercise but should impress upon recommending employees that those employees are personally accountable for ensuring the quality and appropriateness of the recommendations and for ensuring that all relevant facts and other relevant considerations have been set out for the delegate so that the decision taken is fully informed and appropriate.

Human Resources Delegations Legend

Delegation and Authorisation

Subject to this instrument, each employee who occupies or performs the duties of the category shown as “Delegate” is authorised to exercise or perform the corresponding powers and functions.

| Legend | Delegate |
|---------|---|
| DS | Deputy Secretary. |
| COO | Chief Operating Officer for the department. |
| HR GM | General Manager, People Branch. |
| HR EL2 | An employee who occupies the position of Manager within People Branch (Executive Level 2). |
| HR EL1 | An employee who occupies the position of Assistant Manager within People Branch (Executive Level 1). |
| HR 5-6 | An employee who occupies the position of Human Resources (HR) Adviser or Senior HR Adviser within People Branch (APS 5 and APS 6 classifications). |
| HOD | An employee ¹ who occupies or performs duties of one of the following positions: <ul style="list-style-type: none"> • Head of Division (SES Band 2); • Commissioner, Anti-Dumping Commission; or • Chief Executive Officer, Australian Renewable Energy Agency. |
| GM | An employee ¹ who occupies or performs duties of General Manager (SES Band 1). |
| SM | An employee who occupies or performs duties of State Manager and their position is classified as an Executive Level 2 (or equivalent). |
| EL2 | An employee who occupies or performs duties of a position classified as an Executive Level 2 (or equivalent) ¹ . |
| EL1 | An employee ¹ who occupies or performs duties of a position classified as an Executive Level 1 (or equivalent). |
| APS 4-6 | An employee ¹ who occupies or performs duties of a position classified as either an APS 4, APS 5 or APS 6 (and equivalent classifications). |

Source of Power

| Legend | Main Source |
|---------|--|
| APSCD | <i>Australian Public Service Commissioner’s Directions 2016</i> |
| EA | <i>Department of Industry, Innovation and Science Enterprise Agreement 2019-2022</i> |
| LSL Act | <i>Long Service Leave (Commonwealth Employees) Act 1976</i> |
| ML Act | <i>Maternity Leave Act (Commonwealth Employees) 1973</i> |
| PS Act | <i>Public Service Act 1999</i> |
| PSCR | <i>Public Service Classification Rules 2000</i> |
| PS Regs | <i>Public Service Regulations 1999</i> |
| SRC Act | <i>Safety, Rehabilitation and Compensation Act 1988</i> |

¹ Can only exercise those powers for employees up to and including the classification one level below the delegate's classification.

Human Resources Delegation Matrix

| Item | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | HOD | GM SM | EL2 | EL1 | APS 4-6 |
|---------------------------------------|--|--|--|-------------|---------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|--------|-------------------------------------|-------------------------------------|-------------------------------------|-----|---------|
| 1. Remuneration and Conditions | | | | | | | | | | | | | | | | |
| 1.1 | EL1 and EL2 Overtime | Determine exceptional circumstances for the payment of overtime for Executive level 1 and 2 Employees | | EA | c102 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | | | | |
| 1.2 | First Aid | Determine there is an identified need for a higher first aid qualification in the workplace which results in the payment of a tier 2 first aid allowance | | EA | cS2.2 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 1.3 | Higher Duties | Determine a higher salary point for temporary performance of duties at a higher classification | EL2 delegates must consult their GM/SM before exercising this delegation | EA | c69 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| 1.4 | Higher Duties | Determine the amount of higher duties allowance payable, where an employee is assigned to temporarily perform <u>part of the duties</u> of a higher designation | EL2 delegates must consult their GM/SM before exercising this delegation | EA | c70 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| 1.5 | Legal Stream | For roles in the legal stream - Determine a requirement for the possession of a current restricted practising certificate issued by the ACT Law Society (or other equivalent certification within a state or territory), or the obtaining of such a certificate within three months of commencing employment with the Department | | EA | s1.4 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | |
| 1.6 | Loss or damage to clothing or personal effects | Authorise reimbursement of an amount considered reasonable to cover the loss or damage to an Employee's clothing or personal effects which resulted from the performance of their duties (subject to that clothing or personal effect having a minimum value of \$20) | | EA | c79 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 1.7 | Part-Time Work | Approve a part-time work arrangement | | EA | c210 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| 1.8 | Part-Time Work | Approve a part-time work arrangement for parents who do not otherwise meet the requirements of clause 213 of the EA | | EA | c214 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | |

| Item | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | HOD | GM SM | EL2 | EL1 | AP5 4-6 |
|------|------------------------------------|---|---|-------------|-----------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|--------|-------------------------------------|-------------------------------------|-------------------------------------|-----|---------|
| 1.9 | Individual Flexibility Arrangement | Enter into an Individual Flexibility Arrangement with an employee to vary the terms of the EA | | EA | c9 to c12 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 1.10 | Individual Flexibility Arrangement | Terminate an Individual Flexibility Arrangement, by giving no more than 28 days written notice to the other party to the arrangement | | EA | c13 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 1.11 | Flexitime | Withdraw an Employee's access to flexitime | | EA | c208 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| 1.12 | Remote Work (within Australia) | Agree to an employee working from an alternate office workplace on a regular, temporary or intermittent basis | | EA | c218 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | <input checked="" type="checkbox"/> | | | | |
| 1.13 | Remote Work (outside Australia) | Agree to an employee working from an alternate office workplace on a regular, temporary or intermittent basis | | EA | C218 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | |
| 1.14 | Reduction in classification | Reduce the classification of an employee, without the employee's consent | Section 23(4) of the PS Act prescribes the circumstances where this delegation can be exercised | PS Act | s23(4) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | | | | |
| 1.15 | Terms and conditions of employment | Determine in writing, remuneration and other terms and conditions of employment | | PS Act | s24(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 1.16 | Motor vehicle allowance | Authorise an Employee to use a private motor vehicle owned or hired by that Employee for official purposes where it will result in greater efficiency, or result in a lesser expense for the Commonwealth | | EA | c78 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| 1.17 | Relocation assistance | Determine reasonable relocation costs (for reimbursement or payment) associated with the relocation where an Employee is relocated at the Department's initiative or an Employee is relocated at the Department's request | | EA | c95 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | | | | |
| 1.18 | Restriction Duty | Require an Employee to remain contactable and available to perform extra duty outside the Employee's standard hours of duty | | EA | c121 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | |

| Item | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | HOD | GM SM | EL2 | EL1 | APS 4-6 |
|-----------------|-----------------------------|--|--|-------------|---------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|--------|--------|-------------------------------------|-------------------------------------|-----|-----|---------|
| 1.19 | Restriction Duty | Determine an alternative rate of restriction allowance having regard to the circumstances of the restriction situation | | EA | c123 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | | | | |
| 1.20 | Salary Advancement | Determine that an employee will be paid salary at a higher pay point within the employee's designation (at any time) | | EA | c43 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 1.21 | Salary Advancement | Determine that exceptional circumstances apply to enable an Employee to receive salary advancement (if they do not meet the eligibility requirements as provided in the EA) | | EA | c126 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 1.22 | Salary Advancement | Determine that an employee will receive salary advancement, if they do not meet the eligibility requirements under clauses 42 to 43 of the EA | | EA | c127 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 1.23 | Salary on commencement | Authorise payment of salary above the minimum rate (upon engagement, promotion or movement at level within the APS or from another Commonwealth agency) where experience, qualifications and skills of the employee warrant payment of salary above lowest pay point | Delegate can authorise salary up to the maximum salary point within the Employee's Designation | EA | c36(a) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 1.24 | Special regional conditions | Review and adjust special regional conditions (for NMI Employees) | | EA | S3.4 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 1.25 | Travel Assistance | Approve payment of a cash advance to meet reasonable accommodation, meal and incidental expenses in exceptional circumstances | | EA | c90 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | | | | |
| 1.26 | Travel Class | Agree to an alternative class of travel for official overseas travel (other than business class travel) | | EA | c91 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 2. Leave | | | | | | | | | | | | | | | | |
| 2.1 | Long Service Leave | Determine that a period of leave without pay counts as service for LSL purposes | | LSL Act | s12(3) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |

| Item | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | HOD | GM SM | EL2 | EL1 | APS 4-6 |
|------|--------------------|--|------------------------|-------------|------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| 2.2 | Long Service Leave | Break in Service – determine that: (a) termination of previous employment was due to ill-health; and (b) commencement of employment occurred no more than 12 months after health became restored to enable performance of suitable duties. | | LSL Act | s12(7) & (8) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 2.3 | Long Service Leave | Grant LSL to an employee | | LSL Act | s16(2) & (3) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2.4 | Long Service Leave | Authorise payment in lieu of LSL to a dependent (where an employee whose period of service is at least 10 years dies) | | LSL Act | s16(7) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | |
| 2.5 | Long Service Leave | Grant LSL immediately prior to age retirement or retrenchment where an employee has less than 10 years, but at least one year, of service | | LSL Act | s17(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| 2.6 | Long Service Leave | Authorise payment in lieu of LSL for an employee whose period of service is less than 10 years but at least one year, in prescribed circumstances | | LSL Act | s17(2)(a),(b),(c), (d) & (e) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | |
| 2.7 | Long Service Leave | Authorise payment in lieu of LSL to a dependent where an employee dies (where an employee whose period of service is less than 10 years but not less than 1 year dies) | | LSL Act | s17(5) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | |
| 2.8 | Long Service Leave | Powers and duties applying where an employee dies | | LSL Act | s23(1), (2), (3) & (4) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | |
| 2.9 | Maternity Leave | Determine that unauthorised leave of absence, taken in the six weeks before expected confinement, occurred in extenuating circumstances | | ML Act | s6(4C) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 2.10 | Maternity Leave | Determine that an employee on authorised leave of absence without pay, who becomes pregnant, before or after the commencement of the authorised leave of absence, may absent themselves from duty under the ML Act instead of the already approved authorised leave of absence | | ML Act | s6(4F) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |

| Item | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | HOD | GM SM | EL2 | EL1 | APS 4-6 |
|---|---------------------------------|--|---|-------------|--------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| 2.11 | Maternity Leave | Review a decision to refuse an application to resume work from maternity leave earlier than expected | | ML Act | s7A(5) & (6) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 2.12 | Personal/Carer's Leave | Approve an Employee taking personal/carer's leave at half pay in exceptional circumstances | | EA | c144 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2.13 | Personal/Carer's Leave | Direct an employee to provide supporting evidence for applications of personal/carer's or compassionate leave | | EA | c149(c) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2.14 | Other Paid Leave | Approve in excess of five days paid other leave | | EA | c187 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 2.15 | Other Paid Leave | Approve up to five days paid other leave | | EA | c187 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 2.16 | Unpaid other leave | Approve unpaid other leave | | EA | c187 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 2.17 | Unpaid other leave | Determine that unpaid other leave is to count for service as per the department's leave policy | | EA | c136 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 2.18 | Unpaid other leave | Grant leave without pay to an ongoing APS employee who applies for the leave to undertake or continue employment:(a) for the purposes of section 13 of the Governor-General Act 1974; or(b) for the purposes of section 13 or 20 of the Members of Parliament (Staff) Act 1984 | Subclause 49(1) of the APSCD provides that an application for leave in this circumstance must be approved | APSCD | d49(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 2.19 | Unpaid other leave | Arrange for the APS employee to return to the department as soon as practicable; and arrange for the APS employee to undertake duties at the employee's classification immediately before the employee was granted leave without pay or, if the classification no longer exists, at an equivalent classification | If an APS employee who has been granted leave without pay to undertake or continue employment for the purposes mentioned in paragraph (1)(a) or (b) of the APSCD notifies the department, in writing, that he or she wishes to return to the department to undertake duties | APSCD | d49(2) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 3. Performance and Code of Conduct | | | | | | | | | | | | | | | | |
| 3.1 | Breaches of the Code of Conduct | Impose sanctions for breaches of the Code of Conduct | | PS Act | s15(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | | | | |
| 3.2 | Breaches of the Code of Conduct | Establish procedures for determining breaches of the Code of Conduct and ensure these are publicly available | | PS Act | s15(3) & (7) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |

| Item | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | HOD | GM SM | EL2 | EL1 | APS 4-6 |
|-----------------------|--|--|---|-------------|---------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|--------|-------------------------------------|-------------------------------------|-------------------------------------|-----|---------|
| 3.3 | Code of Conduct | Have regard to relevant standards and guidance issued by the APS Commissioner before making a decision to initiate an inquiry under the Code of Conduct procedures | | APSCD | d40 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | |
| 3.4 | Code of Conduct | Request the Australian Public Service Commissioner inquire into and determine whether an employee or former employee has breached the Code of Conduct and request recommended sanctions. | | PS Act | s41B(1) & (9) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 3.5 | Code of Conduct | Request Merit Protection Commissioner to inquire into and determine whether an APS employee or former APS employee has breached the Code of Conduct. | | PS Act | s50A(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 3.6 | Managing underperformance | Managing underperformance - Where requested by the Employee, approve an appropriate person from outside the immediate work area to formally assess the Employee's performance | | EA | c131 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | |
| 3.7 | Review of determination of a breach of the Code of Conduct | On receipt of written notice from Merit Protection Commissioner (MPC), provide, to the MPC, information and/or documents relevant to a review | | PS Regs | r7.2F(2) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | |
| 3.8 | Suspension from duties | Suspend an employee from duty, with or without remuneration, review the suspension, end the suspension and have due regard to procedural fairness | | PS Regs | r3.10 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | | | | |
| 4. Recruitment | | | | | | | | | | | | | | | | |
| 4.1 | Assignment of duties | Determine the duties of an employee and the place or places at which the duties are to be performed | For movements at level and higher duty arrangements | PS Act | s25 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| 4.2 | Transfer at Level into the Department | Agree in writing to the (ongoing or temporary) movement of an APS employee into the department | Subject to HoD approval to fill the vacant position | PS Act | s26(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 4.3 | Broadband movement | Determine that an employee may progress through a firm barrier | | EA | c30 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |

| Item | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | HOD | GM SM | EL2 | EL1 | APS 4-6 |
|------|--|---|---|-------------|---------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-----|-----|---------|
| 4.4 | Cancellation of gazettal | Notify a cancellation decision by publication in the Public Service Gazette (APSJobs) | | APSCD | d35(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | |
| 4.5 | Classification of duties | Allocate a classification to each group of duties and ensure the duties include a requirement to undergo training, if a training classification is allocated | | PSCR | cr9(1) & 9(3) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | | | | |
| 4.6 | Classification of duties in a broadband | Allocate more than one classification to the group of duties (a broadband), if the group of duties involves value requirements applying to more than one classification | | PSCR | cr9(4) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | | | | |
| 4.7 | Classifications of employees | Allocate an approved classification to each employee | Subject to HoD approval to fill the vacant position or to undertake a recruitment process | PSCR | cr6(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 4.8 | Classifications of employees on movement | Allocate to an employee, who moves under s26 of the PS Act, the classification allocated to the employee immediately before moving, or another classification in the same group | Subject to HoD approval to fill the vacant position or to undertake a recruitment process | PSCR | cr7(3) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 4.9 | Constitution of an Independent Selection Advisory Committee (ISAC) | Nominate a person to participate as a member of an ISAC | | PS Regs | r4.3(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | | | | |
| 4.10 | Constitution of Promotion Review Committee (PRC) | Nominate a person to participate as a member of a PRC | | PS Regs | r5.11(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 4.11 | Date of effect of movement | Agree to a date of effect for a voluntary movement between agencies | Subject to HoD approval to fill the vacant position or to undertake a recruitment process | APSCD | d37(2) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 4.12 | Date of effect of movement | Agree to the movement of an employee taking effect prior to a suspected breach of the Code of Conduct matter being resolved | Subject to HoD approval to fill the vacant position or to undertake a recruitment process | APSCD | d37(4) & (5) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 4.13 | Date of effect of promotion | Agree to the promotion of an employee taking effect prior to a suspected breach of the Code of Conduct matter being resolved | Subject to HoD approval to fill the vacant position or to undertake a recruitment process | APSCD | d38(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 4.14 | Engagement of a parliamentary service employee | Engage an ongoing parliamentary service employee as an ongoing employee (if the person is to be | Subject to HoD approval to fill the vacant position or to undertake a recruitment process | APSCD | d31 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |

| Item | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | HOD | GM SM | EL2 | EL1 | APS 4-6 |
|------|--|---|---|-------------|---------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-----|-----|---------|
| | | employed at a comparable classification or lower) | | | | | | | | | | | | | | |
| 4.15 | Affirmative measure— Indigenous employment | As an affirmative measure, identify a vacancy as open only to Aboriginal and/or Torres Strait Islander persons | | APSCD | d26(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 4.16 | Affirmative measure— Disability | As an affirmative measure, identify a vacancy as only open to persons who have a disability or a particular type of disability | | APSCD | d27(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 4.17 | Engagement of employees | Engage a person as either an ongoing or non-ongoing employee | Subject to the person being an Australian Citizen, and HoD approval to fill the vacant position or to undertake a recruitment process | PS Act | s22(1) & (2) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 4.18 | Engagement of non-Australian citizens | Engage a non-Australian citizen where it is appropriate to do so | | PS Act | s22(8) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 4.19 | Establishment of a ISAC | Request, of the Merit Protection Commissioner (MPC), the establishment of an ISAC | | PS Regs | r4.2(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 4.20 | Exclusion of name in gazettal | Decide not to include an employee's name in a Public Service Gazette (APSJobs) notification | | APSCD | d34(4) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 4.21 | Extension of non-ongoing employment | Extend the specified period of non-ongoing employment | Subject to HoD approval to fill the vacant position or to undertake a recruitment process | PS Regs | r3.5(4) & (5) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 4.22 | Extension of time for gazettal | Request approval from the APS Commissioner to an extension of time to notify an employment decision in the Public Service Gazette (APSJobs) | | APSCD | d34(2) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | |
| 4.23 | Gazettal of employment decision | Notify an employment decision for publication in the Public Service Gazette (APSJobs) | | APSCD | d34(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | |
| 4.24 | Medical examination on engagement | Direct an employee to undergo an examination by a nominated medical practitioner and to provide a report of the examination in connection with their engagement | | PS Regs | r3.1(2) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | |

| Item | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | HOD | GM SM | EL2 | EL1 | APS 4-6 |
|------|--|---|---|-------------|--------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-----|---------|
| 4.25 | Movement from a training classification | Allocate to an employee a classification mentioned in column 3 of schedule 2 of the Classification Rules that relates to the employee's training classification, upon satisfactory completion of the training requirements | | PSCR | cr11(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | | | | |
| 4.26 | Non-ongoing employment | Engage a person for a specified term, or for the duration of a specified task in accordance with s22(2)(b) of the PS Act | Subject to HoD approval to fill the vacant position or to undertake a recruitment process | PS Regs | r3.5(2), (3) & (6) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 4.27 | Non-ongoing employment for training purposes | Approve a scheme for employees engaged for a specified term, or for the duration of a specified task, to gain skills and experience for the purpose of assisting them to participate in the workforce | Subject to HoD approval to fill the vacant position or to undertake a recruitment process | PS Regs | r3.3(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 4.28 | Overseas engagement | Engage persons overseas to perform duties overseas as employees | | PS Act | s74(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | | | | |
| 4.29 | Position creation | Create positions and nominate employees to occupy these positions | | PS Act | s77(1) & (2) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| 4.30 | Promotion following a statutory appointment | Request, in writing, that the APS Commissioner authorise the promotion of an ongoing employee on completion of an appointment to a statutory office | | APSCD | d29(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 4.31 | Provision of information to a PRC | Provide, to a PRC, information and/or documents relevant to a review | | PS Regs | r5.17(2) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 4.32 | Redundancy benefit recipients | Engage a redundancy benefit recipient as an ongoing employee | Subject to HoD approval to fill the vacant position or to undertake a recruitment process | APSCD | d48(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 4.34 | Re-engagement of a former APS employee | Re-engage a former APS employee if: (a) satisfied that the person's former employment should not have ended; or (b) the engagement will settle legal action relating to the termination of the employee's employment; or (c) an appropriate authority has recommended or ordered the reinstatement of the person | | APSCD | d33 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 4.35 | Re-engagement of a former APS employee | Re-engage an unsuccessful election candidate in accordance with the Commissioner's Directions and within | | APSCD | d32 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |

| Item | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | HOD | GM SM | EL2 | EL1 | APS 4-6 |
|------|---|---|------------------------|-------------|---------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|--------|--------|-------------------------------------|-------------------------------------|-------------------------------------|-----|---------|
| 4.38 | Science and Technical Stream | the time limits provided by those Directions Determine roles to be incorporated into the Science and Technical Stream | | EA | S1.1 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 4.39 | Work level standards | Issue, in writing, work level standards describing the work requirements for each classification applying to a group of duties other than an APS, EL or SES classification | | PSCR | cr10 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 4.40 | Workplace Diversity | Establish a workplace diversity program | | PS Act | s18 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 4.41 | Limit Vacancies to APS employees only | Decide that because of reasons of cost or operational efficiency, a non-SES vacancy should be filled by a person who is already an APS employee with the vacancy notified in the Public Service Gazette (APSJobs) as open only to current APS employees | | APSCD | d20(3) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| 4.42 | Engagement of non-ongoing APS employee as ongoing employee in exceptional circumstances | Request, in writing, that the APS Commissioner authorise the engagement by the department of a non-ongoing employee as an ongoing employee in exceptional circumstances | | APSCD | d25(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |

5. Redundancy and Redeployment

| | | | | | | | | | | | | | | | | |
|-----|-----------------|---|---|----|------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|--|--|--|
| 5.1 | Excess Employee | Advise an Employee in writing that they are likely to become excess | All delegates must consult with and have endorsement by People Branch before exercising this delegation | EA | c223 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | | | | |
| 5.2 | Excess Employee | Hold discussions with an Employee and, if the Employee chooses, with their representative, to outline reasons they may become excess and to consider: a) measures that could be taken to avoid the situation, including job swaps and redeployment at or below level within the Department or within the APS; and b) the availability of support and assistance for career planning and training; and | All delegates must consult with and have endorsement by People Branch before exercising this delegation | EA | c224 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |

| Item | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | HOD | GM SM | EL2 | EL1 | APS 4-6 |
|------|--|---|---|-------------|---------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-----|-----|---------|
| 5.3 | Excess Employee | c) whether a voluntary redundancy might be appropriate. At least four weeks after advising the Employee that they are likely to become excess under clause 223 of the EA, advise the Employee in writing that they are an excess Employee and invite them to accept a voluntary redundancy. The Employee and the Delegate may agree to a shorter period. As soon as possible within the process of identifying an Employee as potentially excess but, in any event, no later than making the offer of voluntary redundancy in accordance with clause 226 of the EA, give an Employee information as prescribed in clause 230 of the EA. | | EA | c226 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | |
| 5.4 | Excess Employee | Determine that the Redundancy and Redeployment provisions of the EA will apply to an Employee, where the duties usually performed by the Employee are to be performed in a different locality and the Employee is not willing to perform the duties at the other locality. | | EA | c230 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | |
| 5.5 | Excess Employee | Proceed to give notice of termination of employment on the grounds set out in s29(3)(a) of the PS Act | All delegates must consult with and have endorsement by People Branch before exercising this delegation | EA | c222(c) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | | | | |
| 5.6 | Issue notice of termination | Approve a higher amount for payment of external services or training opportunities having regard to the particular circumstances of the excess Employee | All delegates must consult with and have endorsement by People Branch before exercising this delegation | PS Act | 29(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 5.7 | Payment of external services or training opportunities | Extend the redeployment period for an Employee | | EA | c232(a) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | |
| 5.8 | Redeployment | Notify the APS Commissioner, in writing, that an employee is excess to requirements for the purposes of s27(1) of the PS Act | | EA | c248 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 5.9 | Compulsory moves of an excess APS employee | | | PS Act | s27(2) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |

| Item | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | HOD | GM SM | EL2 | EL1 | APS 4-6 |
|--------------------------------------|--|--|---|-------------|---------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-----|-----|---------|
| 5.10 | Redundancy | Give the Employee the required notice of termination of employment under s29 of the PS Act | All delegates must consult with and have endorsement by People Branch before exercising this delegation | EA | c257 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 5.11 | Redundancy | Terminate the employment of an Employee before the end of the notice period. | All delegates must consult with and have endorsement by People Branch before exercising this delegation | EA | c258 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 6. Rehabilitation and Comcare | | | | | | | | | | | | | | | | |
| 6.1 | Assessment of capacity | Arrange for an assessment of an employee's capability to undertake a rehabilitation program | | SRC Act | s36(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | |
| 6.2 | Assessment of capacity – examination | Require an employee to undergo an examination by a person or panel making an assessment of an employee's capability to undertake a rehabilitation program | | SRC Act | s36(3) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | |
| 6.3 | Information to Comcare – salary estimate | Provide a written estimate of salary expenditure for the next financial year, no later than 30 April of the current financial year. Provide any other information required to enable Comcare to determine a premium or a regulatory contribution | | SRC Act | s97F(1) & (2) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | |
| 6.4 | Medical examination | Require an employee to undergo an examination by one legally qualified medical practitioner nominated by the employer | | SRC Act | s57(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | |
| 6.5 | Medical examination – journey costs | Authorise the payment of expenditure reasonably incurred for the journey in connection with the medical examination | | SRC Act | s57(3) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | |
| 6.6 | Medical examination for continuing duty | Direct an employee to undergo an examination by a nominated medical practitioner for an assessment of the employee's fitness for duty and to provide a report of the examination | | PS Regs | r3.2(2) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | |
| 6.7 | Notice to Comcare – retirement | Notify Comcare in writing that an employee has retired, including the date of retirement and the employee's superannuation scheme | | SRC Act | s114A(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | |

| Item | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | HOD | GM SM | EL2 | EL1 | APS 4-6 |
|-----------------------------|--|---|------------------------|-------------|----------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------|-----|-----|---------|
| 6.8 | Rehabilitation program | Determine that an employee who has suffered an injury resulting in an incapacity for work or an impairment, should undertake a rehabilitation program | | SRC Act | s37(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | |
| 6.9 | Rehabilitation program | Serve a notice, relating to the determination, on the relevant employee | | SRC Act | s38(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | |
| 6.10 | Request additional information | Request of the employee, in writing, the provision of information or a document related to the employee's claim | | SRC Act | s58(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | |
| 6.11 | Supply additional information | Provide information or documents relating to a claim made by an employee to that employee, a Commonwealth Authority or a licensed corporation | | SRC Act | s59(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | |
| 7. Review of actions | | | | | | | | | | | | | | | | |
| 7.1 | Review of actions | Review the action, attempt to resolve the employee's concerns and confirm, vary or set aside the action or substitute a new action | | PS Regs | r5.27 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | | | | |
| 7.2 | Referral of a review of actions | Refer an application for review, of a reviewable action to the Merit Protection Commissioner and advise the employee in writing | | PS Regs | r5.25(1) & (3) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 7.3 | Provision of a review of actions application | Give the application and documents relating to a primary review of action to the MPC and copy the affected employee | | PS Regs | r5.30 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | | | | |
| 7.4 | Provision of information for a review of actions | Provide, to the MPC, information and/or documents relevant to a review | | PS Regs | r5.35 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | | | | |
| 7.5 | Recommendations from a review of actions | Consider and make decisions about recommendations received from the MPC regarding a review of actions | | PS Regs | r5.32 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | | | | |
| 7.6 | Application for primary review | Receiving Review of Action requests | | PS Regs | R5.24(1) | | | | | | | | | | | |

Power not delegated

| Item | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | HOD | GM SM | EL2 | EL1 | APS 4-6 |
|------------------------------------|---|--|--|-------------|---------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|--------|-------------------------------------|-------------------------------------|-------------------------------------|-----|---------|
| 8. Separation of employment | | | | | | | | | | | | | | | | |
| 8.1 | Death | Where an Employee dies whilst employed by the Department, authorise payment to the estate or other authorised person of the amount to which the former Employee would have been entitled had the Employee resigned or retired (subject to relevant laws) | | EA | c220 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | |
| 8.2 | Termination of employment | By notice in writing, terminate the employment of an APS employee in the department | *Subject to limitations set out in 29(3) of the PS Act for ongoing employees. *All delegates must consult with and have endorsement by People Branch before exercising this delegation. | PS Act | s29(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 8.3 | Voluntary move (at level) to another agency | Agree in writing to the (ongoing or temporary) movement of an employee to another agency | | PS Act | s26(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| 9. Other | | | | | | | | | | | | | | | | |
| 9.1 | Administrative arrangements | Consult with an APS employee who is moved to the department in accordance with a determination under paragraph 72(1)(a) of the PS Act about their terms and conditions of employment. | | PS Regs | r8.1(3)(a) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 9.2 | Administrative arrangements | Consult with a person who ceases to be employed as a non-APS employee and becomes engaged as an APS employee in accordance with a determination under paragraph 72(1)(c) of the PS Act about their terms and conditions of employment. | | PS Regs | r8.2(2)(a) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 9.3 | Collection of data | Ensure measures are in place to collect information from each employee and give this information to the APS Commissioner | | APSCD | d50 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 9.4 | Disclosure of information | Use and/or disclose personal information in the circumstances specified in r9.2(2) if the use is | | PS Regs | r9.2(1) & (2) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |

| Item | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | HOD | GM SM | EL2 | EL1 | APS 4-6 |
|------|---------------------------------------|--|------------------------|-------------|------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------|-----|-----|---------|
| 9.5 | Disclosure of information | necessary or relevant to performance or exercising employer powers Authorise an employee to disclose information about which the employee has official knowledge ² | | PS Regs | r2.1(5)(b) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | <input checked="" type="checkbox"/> | | | | |
| 9.6 | Paying officer | Appoint a person as a paying officer for the purpose of making deductions from a particular debtor's salary | | PS Regs | r8A.4(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | |
| 9.7 | State of the service report | Provide the APS Commissioner with required information for the report on the State of the Service | | PS Act | s44(2) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 9.8 | Forfeiture of additional remuneration | If an APS employee receives any non-Commonwealth remuneration for performing duties as an APS employee - Give notice to an employee regarding forfeiture of whole, or part, of additional non-Commonwealth remuneration received for performing duties as an APS employee | | PS Act | s31(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | |

² Official Information – Information obtained or generated in connection with APS employment that if disclosed could be prejudicial to the effective working of government, including the formulation and implementation of policies and program.



Australian Government
Department of Industry,
Science and Resources

Instrument of Delegation and Authorisation for Human Resource Matters

August 2022

I, ^{s22(1)(a)(ii)} Secretary of the Department of Industry, Science and Resources (the department), make this instrument of delegation and authorisation under:

- a) subsection 78(7) of the *Public Service Act 1999*;
- b) sub-regulation 9.3(3) of the *Public Service Regulations 1999*;
- c) subclause 69(1) of the *Australian Public Service Commissioner's Directions 2022*;
- d) sub-rule 13(1) of the *Public Service Classification Rules 2000*;
- e) subsection 9(1) of the *Long Service Leave (Commonwealth Employees) Act 1976*;
- f) subsection 11(1) of the *Maternity Leave (Commonwealth Employees) Act 1973*;
- g) subsection 36(5) of the *Governance of Australian Government Superannuation Schemes Act 2011*;
- h) section 41A of the *Safety, Rehabilitation and Compensation Act 1988*; and
- i) clause 5 of the *Department of Industry, Innovation and Science Enterprise Agreement 2019-2022*.

Subject to this instrument, I:

- a) delegate to any person from time to time holding the classification or performing the duties of a position identified in the Human Resources Delegation Matrix (the Matrix), those powers and functions assigned in the Matrix to a particular classification or position; and
- b) revoke all previous human resource delegations.

The exercise of delegations described is subject to any directions or guidelines issued by me by instrument in writing, and the protocols outlined in Annexure 1.

The delegations and authorisation made by this instrument do not revoke current delegations and authorisations to the Director General, IP Australia; the Chief Executive Officer, Geoscience Australia and other employees of IP Australia and Geoscience Australia.

Commencement

This instrument takes effect on the date it is signed by me.

^{s22(1)(a)(ii)}

^{s22(1)(a)(ii)}

Secretary
Department of Industry, Science and Resources

Date: 26 August 2022

Contents

| | |
|---|----|
| Instrument of Delegation and Authorisation for Human Resource Matters | 1 |
| Annexure 1—Delegation protocols | 3 |
| Human Resources Delegations Legend | 4 |
| Human Resources Delegation Matrix | 5 |
| 1. Classifications | 5 |
| 2. Progression to a Higher Designation | 5 |
| 3. Setting salary | 5 |
| 4. Salary advancement | 5 |
| 5. Individual Flexibility Arrangement | 5 |
| 6. Allowances | 5 |
| 7. Hours and Location of Work | 6 |
| 8. Leave | 6 |
| 9. Performance and Code of Conduct | 7 |
| 10. Recruitment and Engagement | 7 |
| 11. Redundancy and Redeployment | 9 |
| 12. Rehabilitation and Comcare | 9 |
| 13. Review of actions | 10 |
| 14. Separation of employment | 10 |
| 15. Other | 10 |

Annexure 1—Delegation protocols

Delegations are the means by which decision makers can exercise the power to undertake certain statutory functions.

A delegation is the conferral of the ability to exercise a power or duty to a person or body from a person or body that is vested with the responsibility to exercise that power or duty.

The department's employees are employed under the *Public Service Act 1999* (Cth) (PS Act) as employees of the Australian Public Service (APS)

As an Agency Head under section 20 of the PS Act, the Secretary has all the rights, duties and powers of an employer in respect of APS employees in the department. Section 78 of the PS Act enables the Agency Head to delegate those powers.

The attached delegations are given on the understanding that:

- The exercise of these delegations will at all times be in accordance with approved policies, practices and procedures of the department and/or as required in accordance with legislation, regulations and/or instructions from central agencies with appropriate authority to make those instructions; and
- Any requirements and/or limits specified in the delegations schedule are met/observed.

Delegates are accountable for the delegations that they exercise but should impress upon recommending employees that those employees are personally accountable for ensuring the quality and appropriateness of the recommendations and for ensuring that all relevant facts and other relevant considerations have been set out for the delegate so that the decision taken is fully informed and appropriate.

Human Resources Delegations Legend

Delegation and Authorisation

Subject to this instrument, each officer who occupies or performs the duties of the category shown as “Delegate” is authorised to exercise or perform the corresponding powers and functions.

| Legend | Delegate |
|----------------|--|
| DS | Deputy Secretary. |
| COO | Chief Operating Officer for the department. |
| HR GM | General Manager, People Branch. |
| HR EL2 | An employee who occupies the position of Manager within People Branch (Executive Level 2). |
| HR EL1 | An employee who occupies the position of Assistant Manager within People Branch (Executive Level 1). |
| HR 5-6 | An employee who occupies the position of Human Resources (HR) Adviser or Senior HR Adviser within People Branch (APS 5 and APS 6 classifications). |
| HOD | An officer who occupies or performs duties of one of the following positions ¹ : <ul style="list-style-type: none">• Head of Division (SES Band 2 employee);• Chief Executive Officer, Australian Radioactive Waste Agency; and• Commissioner, Anti-Dumping Commission. |
| GM | An employee who occupies or performs duties of General Manager (SES Band 1) ¹ . |
| SM | An employee who occupies or performs duties of State Manager and their position is classified as an Executive Level 2 (or equivalent) ² . |
| EL2 | An employee who occupies or performs duties of a position classified as an Executive Level 2 (or equivalent) ¹ . |
| EL1 | An employee ¹ who occupies or performs duties of a position classified as an Executive Level 1 (or equivalent) ¹ . |
| APS 4-6 | An employee who occupies or performs duties of a position classified as either an APS 4, APS 5 or APS 6 (and equivalent classifications) ¹ . |
| Payroll | An employee who occupies or performs duties within the department’s payroll team, classified as either an APS5, APS 6, EL1 or EL2. |

Source of Power

| Legend | Main Source |
|------------------|--|
| APSCD | <i>Australian Public Service Commissioner’s Directions 2022</i> |
| EA | <i>Department of Industry, Innovation and Science Enterprise Agreement 2019-2022</i> |
| GAGSS Act | <i>Governance of Australian Government Superannuation Schemes Act 2011</i> |
| LSL Act | <i>Long Service Leave (Commonwealth Employees) Act 1976</i> |
| ML Act | <i>Maternity Leave Act (Commonwealth Employees) 1973</i> |
| PS Act | <i>Public Service Act 1999</i> |
| PSCR | <i>Public Service Classification Rules 2000</i> |
| PS Regs | <i>Public Service Regulations 1999</i> |
| SRC Act | <i>Safety, Rehabilitation and Compensation Act 1988</i> |

¹ Can only exercise those powers for employees up to and including the classification one level below the delegate's equivalent classification.

² Can only exercise those powers for employees up to and including the EL2 classification level.



Human Resources Delegation Matrix

| Item | Section | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | Payroll | HOD | GM SM | EL2 | EL1 | APS 4-6 | |
|---|------------------------------------|---|--|---|-------------|---------------|----|-----|-------|--------|--------|--------|---------|-----|-------|-----|-----|---------|--|
| 1. Classifications | | | | | | | | | | | | | | | | | | | |
| 1.1 | Classification structure | Work level standards | Issue, in writing, work level standards describing the work requirements for each classification applying to a group of duties other than an APS, EL or SES classification | | PSCR | cr10 | * | * | * | * | | | | | | | | | |
| 1.2 | Classification structure | Classification of position | Allocate, in writing, the creation or re-classification of an APS or Executive Level position based on the work value of the duties. | | PSCR | cr9 | * | * | * | * | | | | * | | | | | |
| 1.3 | Classification structure | Classification of position | Allocate, in writing, the creation or re-classification of an SES position based on the work value of the duties | | PSCR | cr10 | * | * | * | | | | | | | | | | |
| 1.4 | Classification structure | Classification of duties | Allocate a classification to each group of duties and ensure the duties include a requirement to undergo training, if a training classification is allocated | | PSCR | cr9(1) & 9(3) | * | * | * | * | | | | * | | | | | |
| 1.5 | Classification structure | Classification of duties in a broadband | Allocate more than one classification to the group of duties (a broadband), if the group of duties involves value requirements applying to more than one classification | | PSCR | cr9(4) | * | * | * | | | | | * | | | | | |
| 1.6 | Classification structure | Qualifications - Legal Stream | For roles in the legal stream - Determine a requirement for the possession of a current restricted practising certificate issued by the ACT Law Society (or other equivalent certification within a state or territory), or the obtaining of such a certificate within three months of commencing employment with the Department | | EA | s1.4 | * | * | | | | | | | | | | | |
| 1.7 | Classification structure | Science and Technical Stream | Determine roles to be incorporated into the Science and Technical Stream | | EA | S1.1 | * | * | * | * | | | | | | | | | |
| 1.8 | Classification of employees | Classifications of employees | Allocate an approved classification to each employee | | PSCR | cr6(1) | * | * | * | * | | | | * | * | | | | |
| 1.9 | Classification of employees | Classification of employees on movement | Allocate to an employee, who moves under s26 of the PS Act, the classification allocated to the employee immediately before moving, or another classification in the same group | | PSCR | cr7(3) | * | * | * | * | | | | * | * | | | | |
| 1.10 | Classification of employees | Movement from a training classification | Allocate to an employee a classification mentioned in column 3 of schedule 2 of the Classification Rules that relates to the employee's training classification, upon satisfactory completion of the training requirements | | PSCR | cr11(1) | * | * | * | * | | | | * | | | | | |
| 1.11 | Classification of employees | Reduction in classification | Reduce the classification of an employee, without the employee's consent | Section 23(4) of the PS Act prescribes the circumstances where this delegation can be exercised | PS Act | s23(4) | * | * | * | | | | | * | | | | | |
| 2. Progression to a Higher Designation | | | | | | | | | | | | | | | | | | | |
| 2.1 | Progression through Broadband | Broadband movement | Determine that an employee may progress through a firm barrier | | EA | c30 | * | * | * | * | | | | * | * | | | | |
| 3. Setting salary | | | | | | | | | | | | | | | | | | | |
| 3.1 | Setting salary | Salary on commencement | Authorise payment of salary above the minimum rate (upon engagement, promotion or movement at level within the APS or from another Commonwealth agency) where experience, qualifications and skills of the employee warrant payment of salary above lowest pay point | Delegate can authorise salary up to the maximum salary point within the Employee's Designation | EA | c36(a) | * | * | * | | | | | * | * | | | | |
| 4. Salary advancement | | | | | | | | | | | | | | | | | | | |
| 4.1 | Salary advancement | Salary Advancement | Determine that an employee will be paid salary at a higher pay point within the employee's designation (at any time) | | EA | c43 | * | * | * | * | | | | * | * | | | | |
| 4.2 | Salary advancement | Salary Advancement | Determine that exceptional circumstances apply to enable an Employee to receive salary advancement (if they do not meet the eligibility requirements as provided in the EA) | | EA | c126 | * | * | * | * | | | | * | * | | | | |
| 4.3 | Salary advancement | Salary Advancement | Determine that an employee will receive salary advancement, if they do not meet the eligibility requirements under clauses 42 to 43 of the EA | | EA | c127 | * | * | * | * | | | | * | * | | | | |
| 5. Individual Flexibility Arrangement | | | | | | | | | | | | | | | | | | | |
| 5.1 | Individual Flexibility Arrangement | Enter into an arrangement | Enter into an Individual Flexibility Arrangement with an employee to vary the terms of the EA | | EA | c9 to c12 | * | * | * | | | | | | | | | | |
| 5.2 | Individual Flexibility Arrangement | Terminate an arrangement | Terminate an Individual Flexibility Arrangement, by giving no more than 28 days written notice to the other party to the arrangement | | EA | c13 | * | * | * | | | | | * | * | | | | |
| 6. Allowances | | | | | | | | | | | | | | | | | | | |
| 6.1 | Allowances | First Aid | Determine there is an identified need for a higher first aid qualification in the workplace which results in the payment of a tier 2 first aid allowance | | EA | cS2.2 | * | * | * | * | | | | | | | | | |
| 6.2 | Allowances | Higher Duties | Determine a higher salary point for temporary performance of duties at a higher classification | EL2 delegates must consult their GM/SM before exercising this delegation | EA | c69 | * | * | * | | | | | * | * | * | | | |

| Item | Section | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | Payroll | HOD | GM SM | EL2 | EL1 | APS 4-6 | |
|--------------------------------------|-------------------------|--|--|--|-------------|------------------------------|----|-----|-------|--------|--------|--------|---------|-----|-------|-----|-----|---------|--|
| 6.3 | Allowances | Higher Duties | Determine the amount of higher duties allowance payable, where an employee is assigned to temporarily perform part of the duties of a higher designation | EL2 delegates must consult their GM/SM before exercising this delegation | EA | c70 | * | * | * | | | | | * | * | * | | | |
| 6.4 | Allowances | Loss or damage to clothing or personal effects | Authorise reimbursement of an amount considered reasonable to cover the loss or damage to an Employee's clothing or personal effects which resulted from the performance of their duties (subject to that clothing or personal effect having a minimum value of \$20) | | EA | c79 | * | * | * | | | | | | | | | | |
| 6.5 | Allowances | Motor vehicle allowance | Authorise an Employee to use a private motor vehicle owned or hired by that Employee for official purposes where it will result in greater efficiency, or result in a lesser expense for the Commonwealth | | EA | c78 | * | * | * | | | | | * | * | * | | | |
| 6.6 | Extra Duty and Overtime | Restriction Duty | Require an Employee to remain contactable and available to perform extra duty outside the Employee's standard hours of duty | | EA | c121 | * | * | * | | | | | * | * | * | | | |
| 6.7 | Extra Duty and Overtime | Restriction Duty | Determine an alternative rate of restriction allowance having regard to the circumstances of the restriction situation | | EA | c123 | * | * | * | | | | | * | | | | | |
| 6.8 | Extra Duty and Overtime | EL1 and EL2 Overtime | Determine exceptional circumstances for the payment of overtime for Executive level 1 and 2 Employees | | EA | c102 | * | * | * | | | | | * | | | | | |
| 6.9 | Conditions | Special regional conditions | Review and adjust special regional conditions (for National Measurement Institute Employees) | | EA | S3.4 | * | * | * | | | | | | | | | | |
| 6.10 | Relocation assistance | Determine level of assistance | Determine reasonable relocation costs (for reimbursement or payment) associated with the relocation where an Employee is relocated at the Department's initiative or an Employee is relocated at the Department's request | | EA | c95 | * | * | * | * | | | | * | | | | | |
| 6.11 | Travel | Travel Assistance | Approve payment of a cash advance to meet reasonable accommodation, meal and incidental expenses in exceptional circumstances | | EA | c90 | * | * | * | * | | | | * | | | | | |
| 6.12 | Travel | Travel Class | Agree to an alternative class of travel for official overseas travel (other than business class travel) | | EA | c91 | * | * | * | | | | | * | * | | | | |
| 7. Hours and Location of Work | | | | | | | | | | | | | | | | | | | |
| 7.1 | Hours of Work | Part-Time Work | Approve a part-time work arrangement | | EA | c210 | * | * | * | * | * | | | * | * | * | | | |
| 7.2 | Hours of Work | Part-Time Work | Approve a part-time work arrangement for parents who do not otherwise meet the requirements of clause 213 of the EA | | EA | c214 | * | * | * | * | * | | | * | * | * | | | |
| 7.3 | Hours of Work | Flexitime | Withdraw an Employee's access to flexitime | | EA | c208 | * | * | * | * | * | | | * | * | * | | | |
| 7.4 | Flexible work | Remote Work (within Australia) | Agree to an employee working from an alternate office workplace on a regular, temporary or intermittent basis | | EA | c218 | * | * | * | | | | | * | | | | | |
| 7.5 | Flexible work | Remote Work (outside Australia) | Agree to an employee working from an alternate office workplace on a regular, temporary or intermittent basis | | EA | c218 | * | * | * | | | | | | | | | | |
| 7.6 | Flexible work | Other Office Location | Approve a flexible work request to work from a non-departmental office | | EA | c218 | * | * | * | | | | | * | | | | | |
| 8. Leave | | | | | | | | | | | | | | | | | | | |
| 8.1 | Long Service Leave | Grant leave | Grant LSL to an employee on full or half pay (a minimum of 7 calendar days on full pay or 14 calendar days at half pay) | | LSL Act | s16(2) & (3) | * | * | * | * | * | * | | * | * | * | * | * | |
| 8.2 | Long Service Leave | Grant leave | Grant LSL immediately prior to age retirement or retrenchment where an employee has less than 10 years, but at least one year, of service | | LSL Act | s17(1) | * | * | * | * | * | | | * | * | * | | | |
| 8.3 | Long Service Leave | Authorise payment in lieu | Authorise payment in lieu of LSL to a dependent (where an employee whose period of service is at least 10 years dies) | | LSL Act | s16(7) | * | * | * | * | * | | | | | | | | |
| 8.4 | Long Service Leave | Authorise payment in lieu | Authorise payment in lieu of LSL for an employee whose period of service is less than 10 years but at least one year, in prescribed circumstances | | LSL Act | s17(2)(a),(b),(c), (d) & (e) | * | * | * | * | * | | | | | | | | |
| 8.5 | Long Service Leave | Authorise payment in lieu | Authorise payment in lieu of LSL to a dependent where an employee dies (where an employee whose period of service is less than 10 years but not less than 1 year dies) | | LSL Act | s17(5) | * | * | * | * | * | | | | | | | | |
| 8.6 | Long Service Leave | Determine period of service | Determine that a period of leave without pay counts as service for LSL purposes | | LSL Act | s12(3) | * | * | * | | | | | | | | | | |
| 8.7 | Long Service Leave | Determine period of service | Break in Service – determine that: (a) termination of previous employment was due to ill-health; and (b) commencement of employment occurred no more than 12 months after health became restored to enable performance of suitable duties. | | LSL Act | s12(7) & (8) | * | * | * | | | | | | | | | | |
| 8.8 | Long Service Leave | Death of employee | Powers and duties applying where an employee dies | | LSL Act | s23(1), (2), (3) & (4) | * | * | * | * | * | | | | | | | | |
| 8.9 | Maternity Leave | Grant leave | Determine that an employee on authorised leave of absence without pay, who becomes pregnant, before or after the commencement of the authorised leave of absence, may absent themselves from duty under the ML Act instead of the already approved authorised leave of absence | | ML Act | s6(4F) | * | * | * | | | | | | | | | | |
| 8.10 | Maternity Leave | Review decision | Review a decision to refuse an application to resume work from maternity leave earlier than expected | | ML Act | s7A(5) & (6) | * | * | * | * | | | | * | * | | | | |
| 8.11 | Maternity Leave | Determine period of service | Determine that unauthorised leave of absence, taken in the six weeks before expected confinement, occurred in extenuating circumstances | | ML Act | s6(4C) | * | * | * | | | | | * | * | | | | |

| Item | Section | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | Payroll | HOD | GM SM | EL2 | EL1 | APS 4-6 | |
|---|------------------------|--|--|---|-------------|---------------|----|-----|-------|--------|--------|--------|---------|-----|-------|-----|-----|---------|--|
| 8.12 | Personal/Carer's Leave | Grant leave at half pay | Approve an Employee taking personal/carer's leave at half pay in exceptional circumstances | | EA | c144 | * | * | * | * | * | * | | * | * | * | * | * | |
| 8.13 | Personal/Carer's Leave | Supporting evidence | Direct an employee to provide supporting evidence for applications of personal/carer's or compassionate leave | | EA | c149(c) | * | * | * | * | * | * | | * | * | * | * | * | |
| 8.14 | Other Paid Leave | Grant leave | Approve up to five days paid other leave | | EA | c187 | * | * | * | * | | | | * | * | | | | |
| 8.15 | Other Paid Leave | Grant leave | Approve in excess of five days paid other leave | | EA | c187 | * | * | * | | | | | | | | | | |
| 8.16 | Unpaid other leave | Grant leave | Approve unpaid other leave | | EA | c187 | * | * | * | * | | | | * | * | | | | |
| 8.17 | Unpaid other leave | Determine period of service | Determine that unpaid other leave is to count for service as per the department's leave policy | | EA | c136 | * | * | * | | | | | | | | | | |
| 8.18 | Unpaid other leave | Grant leave | Grant leave without pay to an ongoing APS employee who applies for the leave to undertake or continue employment: (a) for the purposes of section 13 of the Governor-General Act 1974; or (b) for the purposes of section 13 or 20 of the Members of Parliament (Staff) Act 1984. | Subclause 49(1) of the APSCD provides that an application for leave in this circumstance must be approved | APSCD | d67(1) | * | * | * | * | * | | | * | * | | | | |
| 8.19 | Unpaid other leave | Return to work | Arrange for the APS employee to return to the department as soon as practicable; and arrange for the APS employee to undertake duties at the employee's classification immediately before the employee was granted leave without pay or, if the classification no longer exists, at an equivalent classification | If an APS employee who has been granted leave without pay to undertake or continue employment for the purposes mentioned in paragraph (1)(a) or (b) of the APSCD notifies the department, in writing, that he or she wishes to return to the department to undertake duties | APSCD | d67(2) | * | * | * | * | * | | | * | * | | | | |
| 9. Performance and Code of Conduct | | | | | | | | | | | | | | | | | | | |
| 9.1 | Code of Conduct | Breaches of the Code of Conduct | Impose sanctions for breaches of the Code of Conduct | | PS Act | s15(1) | | | | * | | | | | | | | | |
| 9.2 | Code of Conduct | Breaches of the Code of Conduct | Establish procedures for determining breaches of the Code of Conduct and ensure these are publicly available | | PS Act | s15(3) & (7) | * | * | * | * | | | | | | | | | |
| 9.3 | Code of Conduct | Request inquiry | Request the Australian Public Service Commissioner inquire into and determine whether an employee or former employee has breached the Code of Conduct and request recommended sanctions. | | PS Act | s41B(1) & (9) | * | * | * | * | | | | | | | | | |
| 9.4 | Code of Conduct | Request inquiry | Request Merit Protection Commissioner to inquire into and determine whether an APS employee or former APS employee has breached the Code of Conduct. | | PS Act | s50A(1) | * | * | * | * | | | | | | | | | |
| 9.5 | Code of Conduct | Review of determination of a breach of the Code of Conduct | On receipt of written notice from Merit Protection Commissioner (MPC), provide, to the MPC, information and/or documents relevant to a review | | PS Regs | r7.2F(2) | * | * | * | * | * | | | | | | | | |
| 9.6 | Code of Conduct | Suspension from duties | Suspend an employee from duty, with or without remuneration, review the suspension, end the suspension and have due regard to procedural fairness | | PS Regs | r3.10 | * | * | * | * | | | | * | * | | | | |
| 9.7 | Code of Conduct | Person making determination to be independent and unbiased | Take reasonable steps to ensure that: (a) the person who determines whether an APS employee has breached the Code of Conduct is, and appears to be, independent and unbiased; and (b) the person who determines any sanction to be imposed is, and appears to be, independent and unbiased. | | APSCD | d61 | * | * | * | * | | | | | | | | | |
| 9.8 | Code of Conduct | Consult with the Australian Public Service Commissioner | If an SES employee is suspected of breaching the Code of Conduct: (a) consult with the Commissioner on the process for determining whether the employee has breached the Code of Conduct; and (b) if considering imposing a sanction—consult with the Commissioner before imposing the sanction. | | APSCD | d64 | * | * | * | | | | | | | | | | |
| 9.9 | Performance | Managing underperformance | Where requested by the Employee, approve an appropriate person from outside the immediate work area to formally assess the Employee's performance | | EA | c131 | * | * | * | * | * | | | | | | | | |
| 9.10 | Performance | Managing underperformance | Determine to extend the period in which an Employee's performance is to be formally assessed (in line with the department's underperformance policies and procedures) | | EA | c130 | * | * | * | * | * | | | | | | | | |
| 10. Recruitment and Engagement | | | | | | | | | | | | | | | | | | | |
| 10.1 | Assignment of duties | Assignment of duties | Determine the duties of an employee and the place or places at which the duties are to be performed | An employee cannot be assigned duties at a lower classification without their consent, other than in exceptional circumstances. These circumstances are described in subsection 23(4) of the Public Service Act 1999 (PS Act). | PS Act | s25 | * | * | * | * | | | | * | * | * | | | |
| 10.2 | Advertising | Limit Vacancies to APS employees only | Decide that because of reasons of cost or operational efficiency, a non-SES vacancy should be filled by a person who is already an APS employee with the vacancy notified in the Public Service Gazette (APSJobs) as open only to current APS employees | | APSCD | d25(4) | * | * | * | * | | | | * | * | | | | |

| Item | Section | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | Payroll | HOD | GM SM | EL2 | EL1 | APS 4-6 |
|-------|----------------------|---|---|--|-------------|--------------------|----|-----|-------|--------|--------|--------|---------|-----|-------|-----|-----|---------|
| 10.3 | Affirmative measures | Aboriginal and Torres Strait Islander employment | As an affirmative measure, identify a vacancy as open only to Aboriginal and/or Torres Strait Islander persons | | APSCD | d31(1) | * | * | * | * | | | | * | * | | | |
| 10.4 | Affirmative measures | Disability employment | As an affirmative measure, identify a vacancy as only open to persons who have a disability or a particular type of disability | | APSCD | d33(1) | * | * | * | * | | | | * | * | | | |
| 10.5 | Engagement | Engagement of employees | Engage a person as either an ongoing or non-ongoing employee | Subject to the person being an Australian Citizen | PS Act | s22(1) & (2) | * | * | * | * | | | | * | * | | | |
| 10.6 | Engagement | Non-ongoing employment | Engage a person for a specified term, or for the duration of a specified task in accordance with s22(2)(b) of the PS Act | | PS Regs | r3.5(2), (3) & (6) | * | * | * | * | | | | * | * | | | |
| 10.7 | Engagement | Extend non-ongoing employment past 18 months | Extend or further extend the engagement of a non-ongoing Employee if: (a) there is a continuing need for the duties to be performed; and (b) the person engaged is performing the duties satisfactorily or better; and (c) the delegate is satisfied that: (i) it is still appropriate for the duties to be performed on a non-ongoing basis; and (ii) the extension, or further extension, will contribute to efficient and effective organisational performance. | The total period of engagement (including any extension), must not exceed 3 years. | APSCD | d(27)(2) | * | * | * | * | | | | * | * | | | |
| 10.8 | Engagement | Ongoing to non-ongoing | Engage an ongoing APS employee as a non-ongoing in certain circumstances as described in direction 29 of the APSCD. | | APSCD | d29 | * | * | * | * | | | | * | * | | | |
| 10.9 | Engagement | Non-ongoing employment for training purposes | Approve a scheme for employees engaged for a specified term, or for the duration of a specified task, to gain skills and experience for the purpose of assisting them to participate in the workforce | | PS Regs | r3.3(1) | * | * | * | * | | | | * | * | | | |
| 10.10 | Engagement | Redundancy benefit recipients | Engage a redundancy benefit recipient as an ongoing APS/SES employee or a non-ongoing SES employee. | | APSCD | d66(1) | * | * | * | * | | | | * | * | | | |
| 10.11 | Engagement | Engagement of a parliamentary service employee | Engage an ongoing parliamentary service employee as an ongoing employee (if the person is to be employed at a comparable classification or lower) | | APSCD | d36 | * | * | * | * | | | | * | * | | | |
| 10.12 | Engagement | Re-engagement of a former APS employee | Re-engage an unsuccessful election candidate in accordance with the Commissioner's Directions and within the time limits provided by those Directions | | APSCD | d37 | * | * | * | | | | | | | | | |
| 10.13 | Engagement | Re-engagement of a former APS employee | Re-engage a former APS employee if: (a) satisfied that the person's former employment should not have ended; or (b) the engagement will settle legal action relating to the termination of the employee's employment; or (c) an appropriate authority has recommended or ordered the reinstatement of the person. | | APSCD | d38(1) | * | * | * | | | | | | | | | |
| 10.14 | Engagement | Engagement of non-ongoing APS employee as ongoing employee in exceptional circumstances | Request, in writing, that the APS Commissioner authorise the engagement by the department of a non-ongoing employee as an ongoing employee in exceptional circumstances | | APSCD | d30(1) | * | * | * | | | | | | | | | |
| 10.15 | Engagement | Medical examination on engagement | Direct an employee, as a condition of engagement, to undergo an examination by a nominated medical practitioner and to provide a report of the examination in connection with their engagement | | PS Regs | r3.1(2) | * | * | * | * | * | * | | | | | | |
| 10.16 | Engagement | Extension of non-ongoing employment | Extend the specified period of non-ongoing employment | | PS Regs | r3.5(4) & (5) | * | * | * | * | | | | * | * | | | |
| 10.17 | Engagement | Engagement of non-Australian citizens | Engage a non-Australian citizen where it is appropriate to do so | | PS Act | s22(8) | * | * | * | | | | | | | | | |
| 10.18 | Engagement | Overseas engagement | Engage persons overseas to perform duties overseas as employees (locally engaged employees) | | PS Act | s74(1) | * | * | * | * | | | | * | | | | |
| 10.19 | Movement | Transfer at Level | Agree in writing to the (ongoing or temporary) movement of an APS employee | | PS Act | s26(1) | * | * | * | * | | | | * | * | * | | |
| 10.20 | Movement | Between agencies | Agree to a date of effect for a voluntary movement between agencies | | APSCD | d46(2) | * | * | * | * | | | | * | * | * | | |
| 10.21 | Movement | Code of Conduct | Agree to the movement of an employee taking effect prior to a suspected breach of the Code of Conduct matter being resolved | | APSCD | d46(5) & (6) | * | * | * | * | | | | * | * | | | |
| 10.22 | Movement | Date of effect of promotion | Agree to the promotion of an employee taking effect prior to a suspected breach of the Code of Conduct matter being resolved | | APSCD | d47(1) | * | * | * | * | | | | * | * | | | |
| 10.23 | Movement | Promotion following a statutory appointment | Request, in writing, that the APS Commissioner authorise the promotion of an ongoing employee on completion of an appointment to a statutory office | | APSCD | d34(1) | * | * | * | * | | | | | | | | |
| 10.24 | Gazettal | Extension of time for gazettal | Request approval from the APS Commissioner to an extension of time to notify an employment decision in the Public Service Gazette (APSJobs) | | APSCD | d40(2) | * | * | * | * | * | | | | | | | |
| 10.25 | Gazettal | Gazettal of employment decision | Notify an employment decision for publication in the Public Service Gazette (APSJobs) | | APSCD | d40(1) | * | * | * | * | * | * | | | | | | |
| 10.26 | Gazettal | Exclusion of name in gazettal | Decide not to include an employee's name in a Public Service Gazette (APSJobs) notification | | APSCD | d40(4) | * | * | * | * | | | | | | | | |
| 10.27 | Gazettal | Exclusion of name in gazettal | If a notification on APSJobs does not include the employee's name, advise the Commissioner of the employee's name as soon as practicable after the notification is published. | | APSCD | d(40)(6) | * | * | * | * | | | | | | | | |
| 10.28 | Gazettal | Cancellation of gazettal | Notify a cancellation decision by publication in the Public Service Gazette (APSJobs) | | APSCD | d41(1) | * | * | * | * | * | * | | | | | | |

| Item | Section | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | Payroll | HOD | GM SM | EL2 | EL1 | APS 4-6 | |
|--|---|--|--|---|-------------|--------------|----|-----|-------|--------|--------|--------|---------|-----|-------|-----|-----|---------|--|
| 10.29 | Probation | Waive probationary period | Waive the requirement of a period of probation if you are satisfied that there are reasonable circumstances justifying the waiver. | | APSCD | d44(2) | * | * | * | * | | | | | | | | | |
| 10.30 | Independent Selection Advisory Committee (ISAC) | Establishment of a ISAC | Request, of the Merit Protection Commissioner (MPC), the establishment of an ISAC | | PS Regs | r4.2(1) | * | * | * | | | | | | | | | | |
| 10.31 | Independent Selection Advisory Committee (ISAC) | Constitution of an ISAC | Nominate a person to participate as a member of an ISAC | | PS Regs | r4.3(1) | * | * | * | * | | | | * | | | | | |
| 10.32 | Organisational structure | Position creation and occupancy | Create positions and nominate employees to occupy these positions | | PS Act | s77(1) & (2) | * | * | * | * | * | * | | * | * | * | | | |
| 10.33 | Promotion Review Committee (PRC) | Constitution of Promotion Review Committee (PRC) | Nominate a person to participate as a member of a PRC | | PS Regs | r5.11(1) | * | * | * | * | | | | | | | | | |
| 10.34 | Promotion Review Committee (PRC) | Provision of information to a PRC | Provide, to a PRC, information and/or documents relevant to a review | | PS Regs | r5.17(2) | * | * | * | * | | | | | | | | | |
| 10.35 | Workplace Diversity | Workplace Diversity | Establish a workplace diversity program | | PS Act | s18 | * | * | * | | | | | | | | | | |
| 11. Redundancy and Redeployment | | | | | | | | | | | | | | | | | | | |
| 11.1 | Excess Employee | Consultation | Advise an Employee in writing that they are likely to become excess | All delegates must consult with and have endorsement by People Branch before exercising this delegation | EA | c223 | * | * | * | * | | | | * | | | | | |
| 11.2 | Excess Employee | Consultation | Hold discussions with an Employee and, if the Employee chooses, with their representative, to outline reasons they may become excess and to consider: a) measures that could be taken to avoid the situation, including job swaps and redeployment at or below level within the Department or within the APS; and b) the availability of support and assistance for career planning and training; and c) whether a voluntary redundancy might be appropriate. | All delegates must consult with and have endorsement by People Branch before exercising this delegation | EA | c224 | * | * | * | * | * | * | | * | * | | | | |
| 11.3 | Excess Employee | Notifications | At least four weeks after advising the Employee that they are likely to become excess under clause 223 of the EA, advise the Employee in writing that they are an excess Employee and invite them to accept a voluntary redundancy. The Employee and the Delegate may agree to a shorter period. | | EA | c226 | * | * | * | * | * | * | | | | | | | |
| 11.4 | Excess Employee | Notifications | As soon as possible within the process of identifying an Employee as potentially excess but, in any event, no later than making the offer of voluntary redundancy in accordance with clause 226 of the EA, give an Employee information as prescribed in clause 230 of the EA. | | EA | c230 | * | * | * | * | * | | | | | | | | |
| 11.5 | Excess Employee | Location of work | Determine that the Redundancy and Redeployment provisions of the EA will apply to an Employee, where the duties usually performed by the Employee are to be performed in a different locality and the Employee is not willing to perform the duties at the other locality. | All delegates must consult with and have endorsement by People Branch before exercising this delegation | EA | c222(c) | * | * | * | * | | | | * | | | | | |
| 11.6 | Excess Employee | Issue notice of termination | Proceed to give notice of termination of employment on the grounds set out in s29(3)(a) of the PS Act | All delegates must consult with and have endorsement by People Branch before exercising this delegation | PS Act | 29(1) | * | * | * | | | | | * | * | | | | |
| 11.7 | Excess Employee | Payment of external services or training opportunities | Approve a higher amount for payment of external services or training opportunities having regard to the particular circumstances of the excess Employee | | EA | c232(a) | * | * | * | * | * | | | | | | | | |
| 11.8 | Excess Employee | Redeployment | Extend the redeployment period for an Employee | | EA | c248 | * | * | * | | | | | | | | | | |
| 11.9 | Excess Employee | Reduce classification | Reduce an excess employee's classification if a suitable vacancy does not exist at the same level within the Department on the ground that the employee is excess to the requirements of the agency at the higher classification. | | PS Act | s23(4)(c) | * | * | * | | | | | | | | | | |
| 11.10 | Excess Employee | Compulsory moves of an excess APS employee | Notify the APS Commissioner, in writing, that an employee is excess to requirements for the purposes of s27(1) of the PS Act | | PS Act | s27(2) | * | * | * | | | | | | | | | | |
| 11.11 | Excess Employee | Redundancy | Give the Employee the required notice of termination of employment under s29 of the PS Act | All delegates must consult with and have endorsement by People Branch before exercising this delegation | EA | c257 | * | * | * | | | | | * | * | | | | |
| 11.12 | Excess Employee | Redundancy | Terminate the employment of an Employee before the end of the notice period. | All delegates must consult with and have endorsement by People Branch before exercising this delegation | EA | c258 | * | * | * | | | | | * | * | | | | |
| 12. Rehabilitation and Comcare | | | | | | | | | | | | | | | | | | | |
| 12.1 | Fitness for duty | Medical examination for continuing duty | Direct an employee to undergo an examination by a nominated medical practitioner for an assessment of the employee's fitness for duty and to provide a report of the examination | | PS Regs | r3.2(2) | * | * | * | * | * | * | | | | | | | |

| Item | Section | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | Payroll | HOD | GM SM | EL2 | EL1 | APS 4-6 | |
|-------------------------------------|-----------------------------|--|--|--|-------------|----------------|----|-----|-------|--------|--------|--------|---------|-----|-------|-----|-----|---------|--|
| 12.2 | Rehabilitation | Assessment of capacity | Arrange for an assessment of an employee's capability to undertake a rehabilitation program | | SRC Act | s36(1) | * | * | * | * | * | * | | | | | | | |
| 12.3 | Rehabilitation | Assessment of capacity – examination | Require an employee to undergo an examination by a person or panel making an assessment of an employee's capability to undertake a rehabilitation program | | SRC Act | s36(3) | * | * | * | * | * | * | | | | | | | |
| 12.4 | Rehabilitation | Rehabilitation program | Suspend an employee's rights to compensate for refusing or failing, without reasonable excuse, to undergo an examination | | SRC Act | s36(4) | * | * | * | * | | | | | | | | | |
| 12.5 | Rehabilitation | Rehabilitation program | Determine that an employee who has suffered an injury resulting in an incapacity for work or an impairment, should undertake a rehabilitation program | | SRC Act | s37(1) | * | * | * | * | * | * | | | | | | | |
| 12.6 | Rehabilitation | Rehabilitation program | Suspend an employee's rights to compensate for refusing or failing, without reasonable excuse, to undertake a rehabilitation program | | SRC Act | s37(7) | * | * | * | * | | | | | | | | | |
| 12.7 | Rehabilitation | Rehabilitation program | Serve a notice, relating to the determination, on the relevant employee | | SRC Act | s38(1) | * | * | * | * | * | * | | | | | | | |
| 12.8 | Comcare | Information to Comcare – salary estimate | Provide a written estimate of salary expenditure for the next financial year, no later than 30 April of the current financial year. Provide any other information required to enable Comcare to determine a premium or a regulatory contribution | | SRC Act | s97F(1) & (2) | * | * | * | * | * | * | | | | | | | |
| 12.9 | Comcare | Notice to Comcare – retirement | Notify Comcare in writing that an employee has retired, including the date of retirement and the employee's superannuation scheme | | SRC Act | s114A(1) | * | * | * | * | * | * | | | | | | | |
| 12.10 | Fitness for duty | Medical Examination | Require an employee to undergo an examination by one legally qualified medical practitioner, nominated by the department. | | SRC Act | s57(1)(b) | * | * | * | * | * | * | | | | | | | |
| 12.11 | Claims for compensation | Request the provision of information | Request of the employee, in writing, the provision of information or a document relating to the Employee's claim | | SRC Act | s58(1) | * | * | * | * | * | * | | | | | | | |
| 12.12 | Claims for compensation | Certain documents to be supplied on request | Provide information or documents relating to a claim made by an Employee to that Employee, a Commonwealth Authority or a licensed corporation. | | SRC Act | s59(1) | * | * | * | * | * | * | | | | | | | |
| 13. Review of actions | | | | | | | | | | | | | | | | | | | |
| 13.1 | Primary review | Application for primary review | Receiving Review of Action requests | | PS Regs | R5.24(1) | | | | | | | | | | | | | |
| 13.2 | Primary review | Internal Review | Review the action, attempt to resolve the employee's concerns and confirm, vary or set aside the action or substitute a new action | | PS Regs | r5.27 | * | * | * | * | * | | | * | | | | | |
| 13.3 | Primary review | Referral of a review of actions | Refer an application for review, of a reviewable action to the Merit Protection Commissioner and advise the employee in writing | | PS Regs | r5.25(1) & (3) | * | * | * | | | | | | | | | | |
| 13.4 | Primary review | Provision of a review of actions application | Give the application and documents relating to a primary review of action to the MPC and copy the affected employee | | PS Regs | r5.30 | * | * | * | * | * | | | * | | | | | |
| 13.5 | Review of actions | Provision of information for a review of actions | Provide, to the MPC, information and/or documents relevant to a review | | PS Regs | r5.35 | * | * | * | * | * | | | * | | | | | |
| 13.6 | Review of actions | Recommendations from a review of actions | Consider and make decisions about recommendations received from the MPC regarding a review of actions | | PS Regs | r5.32 | * | * | * | * | * | | | * | | | | | |
| 14. Separation of employment | | | | | | | | | | | | | | | | | | | |
| 14.1 | Death | Authorise payment in lieu | Where an Employee dies whilst employed by the Department, authorise payment to the estate or other authorised person of the amount to which the former Employee would have been entitled had the Employee resigned or retired (subject to relevant laws) | | EA | c220 | * | * | * | * | * | | | | | | | | |
| 14.2 | Termination of employment | Termination of employment | By notice in writing, terminate the employment of an APS employee in the department | - Subject to limitations set out in 29(3) of the PS Act for ongoing employees. - All delegates must consult with and have endorsement by People Branch before exercising this delegation. | PS Act | s29(1) | * | * | * | | | | | * | * | | | | |
| 14.3 | Termination of employment | Voluntary move (at level) to another agency | Agree in writing to the (ongoing or temporary) movement of an employee to another agency | | PS Act | s26(1) | * | * | * | * | * | | | * | * | * | | | |
| 15. Other | | | | | | | | | | | | | | | | | | | |
| 15.1 | Administrative arrangements | Machinery of Government | Consult with an APS employee who is moved to the department in accordance with a determination under paragraph 72(1)(a) of the PS Act about their terms and conditions of employment. | | PS Regs | r8.1(3)(a) | * | * | * | * | | | | | | | | | |
| 15.2 | Administrative arrangements | Machinery of Government | Consult with a person who ceases to be employed as a non-APS employee and becomes engaged as an APS employee in accordance with a determination under paragraph 72(1)(c) of the PS Act about their terms and conditions of employment. | | PS Regs | r8.2(2)(a) | * | * | * | * | | | | | | | | | |
| 15.3 | Collection of data | Collection of data | Ensure measures are in place to collect information from each employee and give this information to the APS Commissioner | | APSCD | d54 | * | * | * | | | | | | | | | | |
| 15.4 | Disclosure of information | Disclosure of information | Use and/or disclose personal information in the circumstances specified in r9.2(2) if the use is necessary or relevant to performance or exercising employer powers | | PS Regs | r9.2(1) & (2) | * | * | * | | | | | | | | | | |

| Item | Section | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | Payroll | HOD | GM SM | EL2 | EL1 | APS 4-6 |
|-------|--|---|---|------------------------|-------------|------------|----|-----|-------|--------|--------|--------|---------|-----|-------|-----|-----|---------|
| 15.5 | Disclosure of information | Disclosure of information | Authorise an employee to disclose information about which the employee has official knowledge ³ | | PS Regs | r2.1(5)(b) | ⚙ | ⚙ | | | | | | ⚙ | | | | |
| 15.6 | Paying officer | Paying officer | Appoint a person as a paying officer for the purpose of making deductions from a particular debtor's salary | | PS Regs | r8A.4(1) | ⚙ | ⚙ | ⚙ | ⚙ | ⚙ | ⚙ | ⚙ | | | | | |
| 15.7 | Certification for superannuation salary | Certification for superannuation salary | Certifying that a departmental employee is a relevant employee in relation to the Commonwealth Superannuation Scheme | | GAGSS | S36(5) | ⚙ | ⚙ | ⚙ | ⚙ | ⚙ | ⚙ | ⚙ | | | | | |
| 15.8 | State of the service report | State of the service report | Provide the APS Commissioner with required information for the report on the State of the Service | | PS Act | s44(2) | ⚙ | ⚙ | ⚙ | | | | | | | | | |
| 15.9 | Forfeiture of additional remuneration | Forfeiture of additional remuneration | If an APS employee receives any non-Commonwealth remuneration for performing duties as an APS employee - Give notice to an employee regarding forfeiture of whole, or part, of additional non-Commonwealth remuneration received for performing duties as an APS employee | | PS Act | s31(1) | ⚙ | ⚙ | | | | | | | | | | |
| 15.10 | 24.1 Determination | Terms and conditions of employment | Determine in writing, remuneration and other terms and conditions of employment | | PS Act | s24(1) | ⚙ | ⚙ | ⚙ | | | | | | | | | |
| 15.11 | Consultation and reporting on non-disclosure and confidentiality provisions in agreements settling disputes about employment matters | Settling dispute | Consult with the Australian Public Service Commissioner before entering into an agreement with an APS employee or former APS employee that includes a confidentiality or non-disclosure provision and relates to sexual harassment. | | APSCD | d20 | ⚙ | | | | | | | | | | | |
| 15.12 | Consultation and reporting on non-disclosure and confidentiality provisions in agreements settling disputes about employment matters | Notifying the Commissioner | Notify the Commissioner of the number of agreements entered into during that year that: (a) is with a person who is or was an APS employee; and (b) settles a dispute about a matter that relates to the person's APS employment; and (c) limits the person's freedom to disclose information about the matter, the dispute or its settlement. | | APSCD | d21(2) | ⚙ | | | | | | | | | | | |

³ Official Information – Information obtained or generated in connection with APS employment that if disclosed could be prejudicial to the effective working of government, including the formulation and implementation of policies and program.



Australian Government
Department of Industry,
Science and Resources

Instrument of Delegation and Authorisation for Human Resource Matters

June 2023

I, [s22\(1\)\(a\)\(ii\)](#), Secretary of the Department of Industry, Science and Resources (the department), make this instrument of delegation and authorisation under:

- a) subsection 78(7) of the *Public Service Act 1999*;
- b) subsection 105(3) of the *Public Service Regulations 2023*;
- c) subclause 69(1) of the *Australian Public Service Commissioner's Directions 2022*;
- d) sub-rule 13(1) of the *Public Service Classification Rules 2000*;
- e) subsection 9(1) of the *Long Service Leave (Commonwealth Employees) Act 1976*;
- f) subsection 11(1) of the *Maternity Leave (Commonwealth Employees) Act 1973*;
- g) subsection 36(5) of the *Governance of Australian Government Superannuation Schemes Act 2011*;
- h) section 41A of the *Safety, Rehabilitation and Compensation Act 1988*; and
- i) clause 5 of the *Department of Industry, Innovation and Science Enterprise Agreement 2019-2022*.

Subject to this instrument, I:

- a) delegate to any person from time to time holding the classification or performing the duties of a position identified in the Human Resources Delegation Matrix (the Matrix), those powers and functions assigned in the Matrix to a particular classification or position; and
- b) revoke all previous human resource delegations.

The exercise of delegations described is subject to any directions or guidelines issued by me by instrument in writing, and the protocols outlined in Annexure 1.

The delegations and authorisation made by this instrument do not revoke current delegations and authorisations to the Director General, IP Australia; the Chief Executive Officer, Geoscience Australia and other employees of IP Australia and Geoscience Australia.

Commencement

This instrument takes effect on the date it is signed by me.

[s22\(1\)\(a\)\(ii\)](#)

[s22\(1\)\(a\)\(ii\)](#)

Secretary
Department of Industry, Science and Resources

Date: 4 July 2023

Contents

| | |
|--|----|
| Instrument of Delegation and Authorisation for Human Resource Matters..... | 1 |
| Annexure 1—Delegation protocols..... | 3 |
| Human Resources Delegations Legend..... | 4 |
| Human Resources Delegation Matrix | 5 |
| 1. Classifications..... | 5 |
| 2. Progression to a Higher Designation..... | 5 |
| 3. Setting salary..... | 5 |
| 4. Salary advancement..... | 5 |
| 5. Individual Flexibility Arrangement..... | 5 |
| 6. Allowances | 5 |
| 7. Hours and Location of Work | 6 |
| 8. Leave | 6 |
| 9. Performance and Code of Conduct..... | 8 |
| 10. Recruitment and Engagement | 8 |
| 11. Redundancy and Redeployment..... | 9 |
| 12. Rehabilitation and Comcare..... | 10 |
| 13. Review of actions | 11 |
| 14. Separation of employment | 11 |
| 15. Other | 11 |

Annexure 1—Delegation protocols

Delegations are the means by which decision makers can exercise the power to undertake certain statutory functions.

A delegation is the conferral of the ability to exercise a power or duty to a person or body from a person or body that is vested with the responsibility to exercise that power or duty.

The department's employees are employed under the *Public Service Act 1999* (Cth) (PS Act) as employees of the Australian Public Service (APS)

As an Agency Head under section 20 of the PS Act, the Secretary has all the rights, duties and powers of an employer in respect of APS employees in the department. Section 78 of the PS Act enables the Agency Head to delegate those powers.

The attached delegations are given on the understanding that:

- The exercise of these delegations will at all times be in accordance with approved policies, practices and procedures of the department and/or as required in accordance with legislation, regulations and/or instructions from central agencies with appropriate authority to make those instructions; and
- Any requirements and/or limits specified in the delegations schedule are met/observed.

Delegates are accountable for the delegations that they exercise but should impress upon recommending employees that those employees are personally accountable for ensuring the quality and appropriateness of the recommendations and for ensuring that all relevant facts and other relevant considerations have been set out for the delegate so that the decision taken is fully informed and appropriate.

Human Resources Delegations Legend

Delegation and Authorisation

Subject to this instrument, each officer who occupies or performs the duties of the category shown as “Delegate” is authorised to exercise or perform the corresponding powers and functions.

| Legend | Delegate |
|----------------|---|
| DS | Deputy Secretary. |
| COO | Chief Operating Officer for the department. |
| HR GM | General Manager, People Branch. |
| HR EL2 | An officer who occupies the position of Manager within People Branch (Executive Level 2). |
| HR EL1 | An officer who occupies the position of Assistant Manager within People Branch (Executive Level 1). |
| HR 5-6 | An officer who occupies the position of Human Resources (HR) Adviser or Senior HR Adviser within People Branch (APS 5 and APS 6 classifications). |
| HOD | An officer who occupies or performs duties of one of the following positions ¹ : <ul style="list-style-type: none">• Head of Division (SES Band 2);• Chief Executive Officer, Australian Radioactive Waste Agency; and• Commissioner, Anti-Dumping Commission. |
| GM | An employee who occupies or performs duties of General Manager (SES Band 1) ¹ . |
| SM | An employee who occupies or performs duties of State Manager and their position is classified as an Executive Level 2 (or equivalent) ² . |
| EL2 | An employee who occupies or performs duties of a position classified as an Executive Level 2 (or equivalent) ¹ . |
| EL1 | An employee ¹ who occupies or performs duties of a position classified as an Executive Level 1 (or equivalent) ¹ . |
| APS 4-6 | An employee who occupies or performs duties of a position classified as either an APS 4, APS 5 or APS 6 (and equivalent classifications) ¹ . |
| Payroll | An employee who occupies or performs duties within the department’s payroll team, classified as either an APS5, APS 6, EL1 or EL2. |

Source of Power

| Legend | Main Source |
|------------------|--|
| APSCD | <i>Australian Public Service Commissioner’s Directions 2022</i> |
| EA | <i>Department of Industry, Innovation and Science Enterprise Agreement 2019-2022</i> |
| GAGSS Act | <i>Governance of Australian Government Superannuation Schemes Act 2011</i> |
| LSL Act | <i>Long Service Leave (Commonwealth Employees) Act 1976</i> |
| ML Act | <i>Maternity Leave Act (Commonwealth Employees) 1973</i> |
| PS Act | <i>Public Service Act 1999</i> |
| PSCR | <i>Public Service Classification Rules 2000</i> |
| PS Regs | <i>Public Service Regulations 2023</i> |
| SRC Act | <i>Safety, Rehabilitation and Compensation Act 1988</i> |

¹ Can only exercise those powers for employees up to and including the classification one level below the delegate's equivalent classification.

² Can only exercise those powers for employees up to and including the EL2 classification level.



Human Resources Delegation Matrix

| Item | Section | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | Payroll | HOD | GM SM | EL2 | EL1 | APS 4-6 | |
|---|------------------------------------|---|--|---|-------------|---------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|--------|--------|---------|-------------------------------------|-------------------------------------|-------------------------------------|-----|---------|--|
| 1. Classifications | | | | | | | | | | | | | | | | | | | |
| 1.1 | Classification structure | Work level standards | Issue, in writing, work level standards describing the work requirements for each classification applying to a group of duties other than an APS, EL or SES classification | | PSCR | cr10 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | |
| 1.2 | Classification structure | Classification of position | Allocate, in writing, the creation or re-classification of an APS or Executive Level position based on the work value of the duties. | | PSCR | cr9 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | | | | | |
| 1.3 | Classification structure | Classification of position | Allocate, in writing, the creation or re-classification of an SES position based on the work value of the duties | | PSCR | cr10 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | | |
| 1.4 | Classification structure | Classification of duties | Allocate a classification to each group of duties and ensure the duties include a requirement to undergo training, if a training classification is allocated | | PSCR | cr9(1) & 9(3) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | | | | | |
| 1.5 | Classification structure | Classification of duties in a broadband | Allocate more than one classification to the group of duties (a broadband), if the group of duties involves value requirements applying to more than one classification | | PSCR | cr9(4) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | <input checked="" type="checkbox"/> | | | | | |
| 1.6 | Classification structure | Qualifications - Legal Stream | For roles in the legal stream - Determine a requirement for the possession of a current restricted practising certificate issued by the ACT Law Society (or other equivalent certification within a state or territory), or the obtaining of such a certificate within three months of commencing employment with the Department | | EA | s1.4 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | | | |
| 1.7 | Classification structure | Science and Technical Stream | Determine roles to be incorporated into the Science and Technical Stream | | EA | S1.1 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | |
| 1.8 | Classification of employees | Classifications of employees | Allocate an approved classification to each employee | | PSCR | cr6(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | |
| 1.9 | Classification of employees | Classification of employees on movement | Allocate to an employee, who moves under s26 of the PS Act, the classification allocated to the employee immediately before moving, or another classification in the same group | | PSCR | cr7(3) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | |
| 1.10 | Classification of employees | Movement from a training classification | Allocate to an employee a classification mentioned in column 3 of schedule 2 of the Classification Rules that relates to the employee's training classification, upon satisfactory completion of the training requirements | | PSCR | cr11(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | | | | | |
| 1.11 | Classification of employees | Reduction in classification | Reduce the classification of an employee, without the employee's consent | Section 23(4) of the PS Act prescribes the circumstances where this delegation can be exercised | PS Act | s23(4) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | <input checked="" type="checkbox"/> | | | | | |
| 2. Progression to a Higher Designation | | | | | | | | | | | | | | | | | | | |
| 2.1 | Progression through Broadband | Broadband movement | Determine that an employee may progress through a firm barrier | | EA | c30 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | |
| 3. Setting salary | | | | | | | | | | | | | | | | | | | |
| 3.1 | Setting salary | Salary on commencement | Authorise payment of salary above the minimum rate (upon engagement, promotion or movement at level within the APS or from another Commonwealth agency) where experience, qualifications and skills of the employee warrant payment of salary above lowest pay point | Delegate can authorise salary up to the maximum salary point within the Employee's Designation | EA | c36(a) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | |
| 4. Salary advancement | | | | | | | | | | | | | | | | | | | |
| 4.1 | Salary advancement | Salary Advancement | Determine that an employee will be paid salary at a higher pay point within the employee's designation (at any time) | | EA | c43 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | |
| 4.2 | Salary advancement | Salary Advancement | Determine that exceptional circumstances apply to enable an Employee to receive salary advancement (if they do not meet the eligibility requirements as provided in the EA) | | EA | c126 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | |
| 4.3 | Salary advancement | Salary Advancement | Determine that an employee will receive salary advancement, if they do not meet the eligibility requirements under clauses 42 to 43 of the EA | | EA | c127 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | |
| 5. Individual Flexibility Arrangement | | | | | | | | | | | | | | | | | | | |
| 5.1 | Individual Flexibility Arrangement | Enter into an arrangement | Enter into an Individual Flexibility Arrangement with an employee to vary the terms of the EA | | EA | c9 to c12 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | | |
| 5.2 | Individual Flexibility Arrangement | Terminate an arrangement | Terminate an Individual Flexibility Arrangement, by giving no more than 28 days written notice to the other party to the arrangement | | EA | c13 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | |
| 6. Allowances | | | | | | | | | | | | | | | | | | | |
| 6.1 | Allowances | First Aid | Determine there is an identified need for a higher first aid qualification in the workplace which results in the payment of a tier 2 first aid allowance | | EA | cS2.2 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | |
| 6.2 | Allowances | Higher Duties | Determine a higher salary point for temporary performance of duties at a higher classification | | EA | c69 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |

| Item | Section | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | Payroll | HOD | GM SM | EL2 | EL1 | APS 4-6 | |
|--------------------------------------|---------------------------|--|---|--|-------------|------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|---------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|--|
| 6.3 | Allowances | Higher Duties | Determine the amount of higher duties allowance payable, where an employee is assigned to temporarily perform part of the duties of a higher designation | | EA | c70 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 6.4 | Allowances | Loss or damage to clothing or personal effects | Authorise reimbursement of an amount considered reasonable to cover the loss or damage to an Employee's clothing or personal effects which resulted from the performance of their duties (subject to that clothing or personal effect having a minimum value of \$20) | EL2 delegates must consult their GM/SM before exercising this delegation | EA | c79 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | | |
| 6.5 | Allowances | Motor vehicle allowance | Authorise an Employee to use a private motor vehicle owned or hired by that Employee for official purposes where it will result in greater efficiency, or result in a lesser expense for the Commonwealth | EL2 delegates must consult their GM/SM before exercising this delegation | EA | c78 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 6.6 | Extra duty and overtime | Restriction Duty | Require an Employee to remain contactable and available to perform extra duty outside the Employee's standard hours of duty | | EA | c121 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 6.7 | Extra duty and overtime | Restriction Duty | Determine an alternative rate of restriction allowance having regard to the circumstances of the restriction situation | | EA | c123 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | <input checked="" type="checkbox"/> | | | | | |
| 6.8 | Extra duty and overtime | EL1 and EL2 Overtime | Determine exceptional circumstances for the payment of overtime for Executive level 1 and 2 Employees | | EA | c102 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | <input checked="" type="checkbox"/> | | | | | |
| 6.9 | Conditions | Special regional conditions | Review and adjust special regional conditions (for NMI Employees) | | EA | S3.4 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | | |
| 6.10 | Relocation assistance | Determine level of assistance | Determine reasonable relocation costs (for reimbursement or payment) associated with the relocation where an Employee is relocated at the Department's initiative, or an Employee is relocated at the Department's request | | EA | c95 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | | | | | |
| 6.11 | Travel | Travel Assistance | Approve payment of a cash advance to meet reasonable accommodation, meal and incidental expenses in exceptional circumstances | | EA | c90 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | | | | | |
| 6.12 | Travel | Travel Class | Agree to an alternative class of travel for official overseas travel (other than business class travel) | | EA | c91 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | |
| 7. Hours and Location of Work | | | | | | | | | | | | | | | | | | | |
| 7.1 | Hours of Work | Part-Time Work | Approve a part-time work arrangement | | EA | c210 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 7.2 | Hours of Work | Part-Time Work | Approve a part-time work arrangement for parents who do not otherwise meet the requirements of clause 213 of the EA | | EA | c214 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 7.3 | Flexible work | Flexitime | Withdraw an Employee's access to flexitime | | EA | c208 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 7.4 | Flexible work | Remote work (within Australia) | Approve an employee to work from an alternate office workplace on a regular, temporary, or intermittent basis | HOD approval required for 100% work from home requests | EA | c218 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| 7.5 | Flexible work | Remote Work (Outside Australia) | Agree to an employee working from an alternate office workplace on a regular, temporary, or intermittent basis | | EA | c218 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | <input checked="" type="checkbox"/> | | | | | |
| 7.6 | Flexible work | Other Office Location | Approve a flexible work request to work from a non-departmental office | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | <input checked="" type="checkbox"/> | | | | | |
| 8. Leave | | | | | | | | | | | | | | | | | | | |
| 8.1 | Compassionate leave | Grant leave | Approve up to two days paid leave for compassionate reasons as per the EA | | EA | c145 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| 8.2 | Cultural/ceremonial leave | Grant leave | Approve up to five days paid leave (in a calendar year) for an Aboriginal and/or Torres Strait Islander employee to participate in ceremonial activities and meet cultural obligations, including NAIDOC activities. | | EA | c184 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | |
| 8.3 | Cultural/ceremonial leave | Grant leave | Approve up to two days paid leave (in a calendar year) for an employee to take part in significant activities associated with their culture, ethnicity or religion. | | EA | c183 and c185 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | |
| 8.4 | Defence reserves leave | Grant leave | Approve leave with pay, within specified limits, for an employee to fulfil Australian Defence Force Reserve or Cadet Force obligations. | | EA | c192 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 8.5 | Long service leave | Grant leave | Grant LSL to an employee on full or half pay (a minimum of 7 calendar days on full pay or 14 calendar days at half pay) | | LSL Act | s16(2) & (3) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 8.6 | Long service leave | Grant leave | Grant LSL immediately prior to age retirement or retrenchment where an employee has less than 10 years, but at least one year, of service | | LSL Act | s17(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 8.7 | Long service leave | Authorise payment in lieu | Authorise payment in lieu of LSL to a dependent (where an employee whose period of service is at least 10 years dies) | | LSL Act | s16(7) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 8.8 | Long service leave | Authorise payment in lieu | Authorise payment in lieu of LSL for an employee whose period of service is less than 10 years but at least one year, in prescribed circumstances | | LSL Act | s17(2)(a),(b),(c), (d) & (e) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 8.9 | Long service leave | Authorise payment in lieu | Authorise payment in lieu of LSL to a dependent where an employee dies (where an employee whose period of service is less than 10 years but not less than 1 year dies) | | LSL Act | s17(5) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |

| Item | Section | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | Payroll | HOD | GM SM | EL2 | EL1 | APS 4-6 | |
|------|--------------------------|-----------------------------|--|---|-------------|------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|---------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| 8.10 | Long service leave | Determine period of service | Determine that a period of leave without pay counts as service for LSL purposes | | LSL Act | s12(3) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | | |
| 8.11 | Long service leave | Determine period of service | Break in Service – determine that: (a) termination of previous employment was due to ill-health; and (b) commencement of employment occurred no more than 12 months after health became restored to enable performance of suitable duties. | | LSL Act | s12(7) & (8) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | | |
| 8.12 | Long service leave | Death of employee | Powers and duties applying where an employee dies | | LSL Act | s23(1), (2), (3) & (4) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 8.13 | Maternity leave | Grant leave | Act as a 'leave officer' for the purpose of the <i>Maternity Leave (Commonwealth Employees) Act 1973</i> . | | ML Act | s6(1)(a) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 8.14 | Maternity leave | Grant leave | Approve paid parental leave for an employee with less than 12 months qualifying service, in accordance with the EA. | | EA | c168 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 8.15 | Maternity leave | Grant leave | Approve a period of unpaid special maternity leave where an employee is not fit for duty due to the reasons prescribed by the Fair Work Act. | | FW Act | s80 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | |
| 8.16 | Maternity leave | Grant leave | Determine that an employee on authorised leave of absence without pay, who becomes pregnant, before or after the commencement of the authorised leave of absence, may absent themselves from duty under the ML Act instead of the already approved authorised leave of absence | | ML Act | s6(4F) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | | |
| 8.17 | Maternity leave | Return to work | Approve an employee to continue/resume duty consistent with relevant legislation and medical evidence. | | ML Act | s7 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 8.18 | Maternity leave | Review decision | Review a decision to refuse an application to resume work from maternity leave earlier than expected | | ML Act | s7A(5) & (6) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | |
| 8.19 | Maternity leave | Determine period of service | Determine that unauthorised leave of absence, taken in the six weeks before expected confinement, occurred in extenuating circumstances | | ML Act | s6(4C) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | |
| 8.20 | Parental leave | Grant leave | Approve paid and unpaid adoption/fostering leave for an eligible employee. | | EA | c159 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 8.21 | Parental leave | Grant leave | Approve unpaid parental leave in accordance with the Fair Work Act, including flexible unpaid parental leave. | | FW Act | s70 s72A | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 8.22 | Primary caregiver leave | Grant leave | Approve a one-off grant of 2 weeks paid primary caregiver leave (with required evidence) | | EA | c171-172 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 8.23 | Supporting partner leave | Grant leave | Approve 4 weeks paid supporting partner leave. | | EA | c170 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 8.24 | Personal/carers leave | Grant leave | Approve personal leave with pay, or where personal leave credits are exhausted, without pay. | | EA | c140 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 8.25 | Personal/carers leave | Grant leave | Approve an Employee taking personal/carer's leave at half pay in exceptional circumstances | | EA | c144 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 8.26 | Personal/carers leave | Supporting evidence | Direct an employee to provide supporting evidence for applications of personal/carer's or compassionate leave | | EA | c149(c) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 8.27 | Personal/carers leave | Supporting evidence | Determine that additional evidence is not required where an employee has a known circumstance that may require regular absence. | | EA | c151 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 8.28 | Purchased leave | Approve Request | Approve an employee to purchase up to 10 weeks of additional leave (one application within any 12 month period) | | EA | c179 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 8.29 | Recreation leave | Grant leave | Approve recreation leave at full or half pay. | | EA | c152 & 156 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 8.30 | Recreation leave | Cash-out | Approve requests to cash-out recreation leave | | EA | c157 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 8.31 | Recreation leave | Excess credits | Direct an employee, with more than 40 days accrued recreation leave, to take up to 25% of their recreation leave. | | EA | c154 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 8.32 | Other leave | Grant leave | Approve up to five days paid other leave | | EA | c187 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | |
| 8.33 | Other leave | Grant leave | Approve in excess of five days paid other leave | | EA | c187 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | | |
| 8.34 | Other leave | Grant leave | Approve unpaid other leave | | EA | c187 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | |
| 8.35 | Other leave | Grant leave | Approve unpaid other leave, without the requirement to utilise accrued recreation or long service leave in exceptional circumstances (except where an employee is taking Maternity Leave or parental leave without pay). | | EA | c187 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | | |
| 8.36 | Other leave | Determine period of service | Determine that unpaid other leave is to count for service as per the department's leave policy | | EA | c136 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | | |
| 8.37 | Other leave | Grant leave | Grant leave without pay to an ongoing APS employee who applies for the leave to undertake or continue employment: (a) for the purposes of section 13 of the Governor-General Act 1974; or (b) for the purposes of section 13 or 20 of the Members of Parliament (Staff) Act 1984. | Subclause 49(1) of the APSCD provides that an application for leave in this circumstance must be approved | APSCD | d67(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | |
| 8.38 | Other leave | Return to work | Arrange for the APS employee to return to the department as soon as practicable; and arrange for the APS employee to undertake duties at the employee's classification immediately before the employee was granted leave without pay or, if the classification no longer exists, at an equivalent classification | If an APS employee who has been granted leave without pay to undertake or continue employment for the purposes mentioned in paragraph (1)(a) or (b) of the APSCD notifies the department, in writing, that he or she wishes to return to the department to undertake duties | APSCD | d67(2) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | |

| Item | Section | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | Payroll | HOD | GM SM | EL2 | EL1 | APS 4-6 | |
|---|----------------------|--|---|--|-------------|---------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|--------|---------|-------------------------------------|-------------------------------------|-------------------------------------|-----|---------|--|
| 8.39 | Other leave | Grant leave | Approve war service sick leave. | Subject to the provision of a medical certificate stating the nature of the medical condition, and a statement from the Department of Veterans' Affairs stating the medical condition is a war-caused condition. | EA | Sched 5.5 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | |
| 9. Performance and Code of Conduct | | | | | | | | | | | | | | | | | | | |
| 9.1 | Code of Conduct | Breaches of the Code of Conduct | Impose sanctions for breaches of the Code of Conduct | | PS Act | s15(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | |
| 9.2 | Code of Conduct | Breaches of the Code of Conduct | Establish procedures for determining breaches of the Code of Conduct and ensure these are publicly available | | PS Act | s15(3) & (7) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | |
| 9.3 | Code of Conduct | Request inquiry | Request the Australian Public Service Commissioner inquire into and determine whether an employee or former employee has breached the Code of Conduct and request recommended sanctions. | | PS Act | s41B(1) & (9) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | |
| 9.4 | Code of Conduct | Request inquiry | Request Merit Protection Commissioner to inquire into and determine whether an APS employee or former APS employee has breached the Code of Conduct. | | PS Act | s50A(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | |
| 9.5 | Code of Conduct | Review of determination of a breach of the Code of Conduct | On receipt of written notice from Merit Protection Commissioner (MPC), provide, to the MPC, information and/or documents relevant to a review | | PS Regs | s79 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 9.6 | Code of Conduct | Suspension from duties | Suspend an employee from duty, with or without remuneration, review the suspension, end the suspension and have due regard to procedural fairness | | PS Regs | s14 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | |
| 9.7 | Code of Conduct | Person making determination to be independent and unbiased | Take reasonable steps to ensure that: (a) the person who determines whether an APS employee has breached the Code of Conduct is, and appears to be, independent and unbiased; and (b) the person who determines any sanction to be imposed is, and appears to be, independent and unbiased. | | APSCD | d61 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | |
| 9.8 | Code of Conduct | Consult with the Australian Public Service Commissioner | If an SES employee is suspected of breaching the Code of Conduct: (a) consult with the Commissioner on the process for determining whether the employee has breached the Code of Conduct; and (b) if considering imposing a sanction—consult with the Commissioner before imposing the sanction. | | APSCD | d64 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | | |
| 9.9 | Performance | Managing underperformance | Where requested by the Employee, approve an appropriate person from outside the immediate work area to formally assess the Employee's performance | | EA | c131 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 9.10 | Performance | Managing underperformance | Extend the period in which an Employee's performance is to be formally assessed (in line with the department's underperformance policies and procedures) | In accordance with c131, the period shall not be less than one month and not longer than two months. | EA | c130 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 10. Recruitment and Engagement | | | | | | | | | | | | | | | | | | | |
| 10.1 | Assignment of duties | Assignment of duties | Determine the duties of an employee and the place or places at which the duties are to be performed | An employee cannot be assigned duties at a lower classification without their consent, other than in exceptional circumstances. These circumstances are described in subsection 23(4) of the Public Service Act 1999 (PS Act). | PS Act | s25 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 10.2 | Advertising | Limit Vacancies to APS employees only | Decide that because of reasons of cost or operational efficiency, a non-SES vacancy should be filled by a person who is already an APS employee with the vacancy notified in the Public Service Gazette (APSJobs) as open only to current APS employees | | APSCD | d25(4) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | |
| 10.3 | Affirmative measures | Aboriginal and Torres Strait Islander employment | As an affirmative measure, identify a vacancy as open only to Aboriginal and/or Torres Strait Islander persons | | APSCD | d31(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | |
| 10.4 | Affirmative measures | Disability employment | As an affirmative measure, identify a vacancy as only open to persons who have a disability or a particular type of disability | | APSCD | d33(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | |
| 10.5 | Engagement | Engagement of employees | Engage a person as either an ongoing or non-ongoing employee | Subject to the person being an Australian Citizen | PS Act | s22(1) & (2) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | |
| 10.6 | Engagement | Non-ongoing employment | Engage a person for a specified term, or for the duration of a specified task in accordance with s22(2)(b) of the PS Act | | PS Regs | s13 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | |
| 10.7 | Engagement | Non-ongoing employment | Enter into an agreement with a State or Territory, or an authority of a State or Territory, to engage a person as a non-ongoing APS employee for a specified term. | | PS Regs | s13 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | |
| 10.8 | Engagement | Extend non-ongoing employment past 18 months | Extend or further extend the engagement of a non-ongoing Employee if: (a) there is a continuing need for the duties to be performed; and (b) the person engaged is performing the duties satisfactorily or better; and (c) the delegate is satisfied that: (i) it is still appropriate for the duties to be performed on a non-ongoing basis; and (ii) the extension, or further extension, will contribute to efficient and effective organisational performance. | The total period of engagement (including any extension), must not exceed 3 years. | APSCD | d(27)(2) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | |

| Item | Section | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | Payroll | HOD | GM SM | EL2 | EL1 | APS 4-6 |
|-------|---|---|--|------------------------|-------------|--------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|---------|-------------------------------------|-------------------------------------|-------------------------------------|-----|---------|
| 10.9 | Engagement | Ongoing to non-ongoing | Engage an ongoing APS employee as a non-ongoing in certain circumstances as described in direction 29 of the APSCD. | | APSCD | d29 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 10.10 | Engagement | Redundancy benefit recipients | Engage a redundancy benefit recipient as an ongoing APS/SES employee or a non-ongoing SES employee. | | APSCD | d66(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 10.11 | Engagement | Engagement of a parliamentary service employee | Engage an ongoing parliamentary service employee as an ongoing employee (if the person is to be employed at a comparable classification or lower) | | APSCD | d36 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 10.12 | Engagement | Re-engagement of a former APS employee | Re-engage an unsuccessful election candidate in accordance with the Commissioner's Directions and within the time limits provided by those Directions | | APSCD | d37 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | |
| 10.13 | Engagement | Re-engagement of a former APS employee | Re-engage a former APS employee if: (a) satisfied that the person's former employment should not have ended; or (b) the engagement will settle legal action relating to the termination of the employee's employment; or (c) an appropriate authority has recommended or ordered the reinstatement of the person. | | APSCD | d38(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | |
| 10.14 | Engagement | Engagement of non-ongoing APS employee as ongoing employee in exceptional circumstances | Request, in writing, that the APS Commissioner authorise the engagement by the department of a non-ongoing employee as an ongoing employee in exceptional circumstances | | APSCD | d30(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | |
| 10.15 | Engagement | Medical examination on engagement | Direct an employee, as a condition of engagement, to undergo an examination by a nominated medical practitioner and to provide a report of the examination in connection with their engagement | | PS Regs | s10 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | |
| 10.16 | Engagement | Extension of non-ongoing employment | Extend the specified period of non-ongoing employment | | PS Regs | s13 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 10.17 | Engagement | Engagement of non-Australian citizens | Engage a non-Australian citizen where it is appropriate to do so | | PS Act | s22(8) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | |
| 10.18 | Engagement | Overseas engagement | Engage persons overseas to perform duties overseas as employees (locally engaged employees) | | PS Act | s74(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | | | | |
| 10.19 | Movement | Transfer at Level | Agree in writing to the (ongoing or temporary) movement of an APS employee | | PS Act | s26(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| 10.20 | Movement | Between agencies | Agree to a date of effect for a voluntary movement between agencies | | APSCD | d46(2) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| 10.21 | Movement | Code of Conduct | Agree to the movement of an employee taking effect prior to a suspected breach of the Code of Conduct matter being resolved | | APSCD | d46(5) & (6) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 10.22 | Movement | Date of effect of promotion | Agree to the promotion of an employee taking effect prior to a suspected breach of the Code of Conduct matter being resolved | | APSCD | d47(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 10.23 | Movement | Promotion following a statutory appointment | Request, in writing, that the APS Commissioner authorise the promotion of an ongoing employee on completion of an appointment to a statutory office | | APSCD | d34(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 10.24 | Gazettal | Extension of time for gazettal | Request approval from the APS Commissioner to an extension of time to notify an employment decision in the Public Service Gazette (APSJobs) | | APSCD | d40(2) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 10.25 | Gazettal | Gazettal of employment decision | Notify an employment decision for publication in the Public Service Gazette (APSJobs) | | APSCD | d40(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | |
| 10.26 | Gazettal | Exclusion of name in gazettal | Decide not to include an employee's name in a Public Service Gazette (APSJobs) notification | | APSCD | d40(4) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 10.27 | Gazettal | Exclusion of name in gazettal | If a notification on APSJobs does not include the employee's name, advise the Commissioner of the employee's name as soon as practicable after the notification is published. | | APSCD | d(40)(6) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 10.28 | Gazettal | Cancellation of gazettal | Notify a cancellation decision by publication in the Public Service Gazette (APSJobs) | | APSCD | d41(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | |
| 10.29 | Probation | Waive probationary period | Waive the requirement of a period of probation if you are satisfied that there are reasonable circumstances justifying the waiver. | | APSCD | d44(2) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 10.30 | Independent Selection Advisory Committee (ISAC) | Establishment of a ISAC | Request, of the Merit Protection Commissioner (MPC), the establishment of an ISAC | | PS Regs | s60 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | |
| 10.31 | Independent Selection Advisory Committee (ISAC) | Constitution of an ISAC | Nominate a person to participate as a member of an ISAC | | PS Regs | s62 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | | | | |
| 10.32 | Organisational structure | Position creation and occupancy | Create positions and nominate employees to occupy these positions | | PS Act | s77(1) & (2) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| 10.33 | Promotion Review Committee (PRC) | Constitution of Promotion Review Committee (PRC) | Nominate a person to participate as a member of a PRC | | PS Regs | s26 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 10.34 | Promotion Review Committee (PRC) | Provision of information to a PRC | Provide, to a PRC, information and/or documents relevant to a review | | PS Regs | s32 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 10.35 | Workplace Diversity | Workplace Diversity | Establish a workplace diversity program | | PS Act | s18 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | |

11. Redundancy and Redeployment

| Item | Section | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | Payroll | HOD | GM SM | EL2 | EL1 | APS 4-6 | |
|---------------------------------------|------------------|--|--|---|-------------|-----------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|---------|-----|-------|-----|-----|---------|--|
| 11.1 | Excess Employee | Consultation | Advise an Employee in writing that they are likely to become excess | All delegates must consult with and have endorsement by HR GM People Branch before exercising this delegation | EA | c223 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | |
| 11.2 | Excess Employee | Consultation | Hold discussions with an Employee and, if the Employee chooses, with their representative, to outline reasons they may become excess and to consider: a) measures that could be taken to avoid the situation, including job swaps and redeployment at or below level within the Department or within the APS; and b) the availability of support and assistance for career planning and training; and c) whether a voluntary redundancy might be appropriate. | All delegates must consult with and have endorsement by People Branch before exercising this delegation | EA | c224 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 11.3 | Excess Employee | Notifications | At least four weeks after advising the Employee that they are likely to become excess under clause 223 of the EA, advise the Employee in writing that they are an excess Employee and invite them to accept a voluntary redundancy. | | EA | c226 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 11.4 | Excess Employee | Consideration period | Agree to reducing the consideration period at the request of the employee. | | EA | c227 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 11.5 | Excess Employee | Notifications | As soon as possible within the process of identifying an Employee as potentially excess but, in any event, no later than making the offer of voluntary redundancy in accordance with clause 226 of the EA, give an Employee information as prescribed in clause 230 of the EA. | | EA | c230 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 11.6 | Excess Employee | Location of work | Determine that the Redundancy and Redeployment provisions of the EA will apply to an Employee, where the duties usually performed by the Employee are to be performed in a different locality and the Employee is not willing to perform the duties at the other locality. | All delegates must consult with and have endorsement by HR GM People Branch before exercising this delegation | EA | c222(c) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 11.7 | Excess Employee | Issue notice of termination | Proceed to give notice of termination of employment on the grounds set out in s29(3)(a) of the PS Act | All delegates must consult with and have endorsement by HR GM People Branch before exercising this delegation | PS Act | 29(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 11.8 | Excess Employee | Payment of external services or training opportunities | Approve a higher amount for payment of external services or training opportunities having regard to the particular circumstances of the excess Employee | | EA | c232(a) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 11.9 | Excess Employee | Redeployment | Extend the redeployment period for an Employee | | EA | c248 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 11.10 | Excess Employee | Reduce classification | Reduce an excess employee's classification if a suitable vacancy does not exist at the same level within the Department on the ground that the employee is excess to the requirements of the agency at the higher classification. | | PS Act | s23(4)(c) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 11.11 | Excess Employee | Compulsory moves of an excess APS employee | Notify the APS Commissioner, in writing, that an employee is excess to requirements for the purposes of s27(1) of the PS Act | | PS Act | s27(2) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 11.12 | Excess Employee | Redundancy | Give the Employee the required notice of termination of employment under s29 of the PS Act | All delegates must consult with and have endorsement by HR GM People Branch before exercising this delegation | EA | c257 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 11.13 | Excess Employee | Redundancy | Terminate the employment of an Employee before the end of the notice period. | All delegates must consult with and have endorsement by HR GM People Branch before exercising this delegation | EA | c258 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 12. Rehabilitation and Comcare | | | | | | | | | | | | | | | | | | | |
| 12.1 | Fitness for duty | Medical examination for continuing duty | Direct an employee to undergo an examination by a nominated medical practitioner for an assessment of the employee's fitness for duty and to provide a report of the examination | | PS Regs | s11 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 12.2 | Rehabilitation | Assessment of capacity | Arrange for an assessment of an employee's capability to undertake a rehabilitation program | | SRC Act | s36(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 12.3 | Rehabilitation | Assessment of capacity – examination | Require an employee to undergo an examination by a person or panel making an assessment of an employee's capability to undertake a rehabilitation program | | SRC Act | s36(3) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 12.4 | Rehabilitation | Rehabilitation program | Suspend an employee's rights to compensate for refusing or failing, without reasonable excuse, to undergo an examination | | SRC Act | s36(4) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | |
| 12.5 | Rehabilitation | Rehabilitation program | Determine that an employee who has suffered an injury resulting in an incapacity for work or an impairment, should undertake a rehabilitation program | | SRC Act | s37(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 12.6 | Rehabilitation | Rehabilitation program | Suspend an employee's rights to compensate for refusing or failing, without reasonable excuse, to undertake a rehabilitation program | | SRC Act | s37(7) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | |
| 12.7 | Rehabilitation | Rehabilitation program | Serve a notice, relating to the determination, on the relevant employee | | SRC Act | s38(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |

| Item | Section | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | Payroll | HOD | GM SM | EL2 | EL1 | APS 4-6 | |
|-------------------------------------|---|--|--|--|-------------|---------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-----|---------|--|
| 12.8 | Comcare | Information to Comcare – salary estimate | Provide a written estimate of salary expenditure for the next financial year, no later than 30 April of the current financial year. Provide any other information required to enable Comcare to determine a premium or a regulatory contribution | | SRC Act | s97F(1) & (2) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 12.9 | Comcare | Notice to Comcare – retirement | Notify Comcare in writing that an employee has retired, including the date of retirement and the employee's superannuation scheme | | SRC Act | s114A(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 12.10 | Fitness for duty | Medical Examination | Require an employee to undergo an examination by one legally qualified medical practitioner, nominated by the department. | | SRC Act | s57(1)(b) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 12.11 | Claims for compensation | Request the provision of information | Request of the employee, in writing, the provision of information or a document relating to the Employee's claim | | SRC Act | s58(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 12.12 | Claims for compensation | Certain documents to be supplied on request | Provide information or documents relating to a claim made by an Employee to that Employee, a Commonwealth Authority or a licensed corporation. | | SRC Act | s59(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 13. Review of actions | | | | | | | | | | | | | | | | | | | |
| 13.1 | Primary review | Application for primary review | Receiving Review of Action requests | | PS Regs | s38 | Power is not delegated | | | | | | | | | | | | |
| 13.2 | Primary review | Internal Review | Review the action, attempt to resolve the employee's concerns and confirm, vary or set aside the action or substitute a new action | | PS Regs | s41 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | | | | | |
| 13.3 | Primary review | Referral of a review of actions | Refer an application for review, of a reviewable action to the Merit Protection Commissioner and advise the employee in writing | | PS Regs | s39 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | | |
| 13.4 | Primary review | Provision of a review of actions application | Give the application and documents relating to a primary review of action to the MPC and copy the affected employee | | PS Regs | s44 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | | | | | |
| 13.5 | Review of actions | Provision of information for a review of actions | Provide, to the MPC, information and/or documents relevant to a review | | PS Regs | s48 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | | | | | |
| 13.6 | Review of actions | Recommendations from a review of actions | Consider and make decisions about recommendations received from the MPC regarding a review of actions | | PS Regs | s46 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | | | | | |
| 14. Separation of employment | | | | | | | | | | | | | | | | | | | |
| 14.1 | Death | Authorise payment in lieu | Where an Employee dies whilst employed by the Department, authorise payment to the estate or other authorised person of the amount to which the former Employee would have been entitled had the Employee resigned or retired (subject to relevant laws) | | EA | c220 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 14.2 | Termination of employment | Termination of employment | By notice in writing, terminate the employment of an APS employee in the department | - Subject to limitations set out in 29(3) of the PS Act for ongoing employees. - All delegates must consult with and have endorsement by People Branch before exercising this delegation. | PS Act | s29(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | |
| 14.3 | Termination of employment | Termination of employment | Terminate employment of an ongoing APS employee or a non-ongoing employee that an investigation report, within the meaning of the <i>National Anti-Corruption Commission Act 2022</i> , includes a recommendation to terminate the employment of the APS employee. | | PS Regs | s15 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | | |
| 14.4 | Termination of employment | Voluntary move (at level) to another agency | Agree in writing to the (ongoing or temporary) movement of an employee to another agency | | PS Act | s26(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 15. Other | | | | | | | | | | | | | | | | | | | |
| 15.1 | Administrative arrangements | Machinery of Government | Consult with an APS employee who is moved to the department in accordance with a determination under paragraph 72(1)(a) of the PS Act about their terms and conditions of employment. | | PS Regs | s85 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | |
| 15.2 | Administrative arrangements | Machinery of Government | Consult with a person who ceases to be employed as a non-APS employee and becomes engaged as an APS employee in accordance with a determination under paragraph 72(1)(c) of the PS Act about their terms and conditions of employment. | | PS Regs | s86 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | |
| 15.3 | Collection of data | Collection of data | Ensure measures are in place to collect information from each employee and give this information to the APS Commissioner | | APSCD | d54 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | | |
| 15.4 | Disclosure of information | Disclosure of information | Use and/or disclose personal information in the circumstances specified in r9.2(2) if the use is necessary or relevant to performance or exercising employer powers | | PS Regs | s103 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | | |
| 15.5 | Disclosure of information | Disclosure of information | Authorise an employee to disclose information about which the employee has official knowledge ³ | | PS Regs | s7 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | <input checked="" type="checkbox"/> | | | | | |
| 15.6 | Paying officer | Paying officer | Appoint a person as a paying officer for the purpose of making deductions from a particular debtor's salary | | PS Regs | s90 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | |
| 15.7 | Certification for superannuation salary | Certification for superannuation salary | Certifying that a departmental employee is a relevant employee in relation to the Commonwealth Superannuation Scheme | | GAGSS | S36(5) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | |
| 15.8 | State of the service report | State of the service report | Provide the APS Commissioner with required information for the report on the State of the Service | | PS Act | s44(2) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | | |

³ Official Information – Information obtained or generated in connection with APS employment that if disclosed could be prejudicial to the effective working of government, including the formulation and implementation of policies and program.

| Item | Section | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | Payroll | HOD | GM SM | EL2 | EL1 | APS 4-6 | |
|-------|--|---------------------------------------|---|------------------------|-------------|---------|-------------------------------------|-------------------------------------|-------------------------------------|--------|--------|--------|---------|-----|-------|-----|-----|---------|--|
| 15.9 | Forfeiture of additional remuneration | Forfeiture of additional remuneration | If an APS employee receives any non-Commonwealth remuneration for performing duties as an APS employee - Give notice to an employee regarding forfeiture of whole, or part, of additional non-Commonwealth remuneration received for performing duties as an APS employee | | PS Act | s31(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | | | |
| 15.10 | 24.1 Determination | Terms and conditions of employment | Determine in writing, remuneration and other terms and conditions of employment | | PS Act | s24(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | | |
| 15.11 | Consultation and reporting on non-disclosure and confidentiality provisions in agreements settling disputes about employment matters | Settling dispute | Consult with the Australian Public Service Commissioner before entering into an agreement with an APS employee or former APS employee that includes a confidentiality or non-disclosure provision and relates to sexual harassment. | | APSCD | d20 | <input checked="" type="checkbox"/> | | | | | | | | | | | | |
| 15.12 | Consultation and reporting on non-disclosure and confidentiality provisions in agreements settling disputes about employment matters | Notifying the Commissioner | Notify the Commissioner of the number of agreements entered into during that year that: (a) is with a person who is or was an APS employee; and (b) settles a dispute about a matter that relates to the person's APS employment; and (c) limits the person's freedom to disclose information about the matter, the dispute or its settlement. | | APSCD | d21(2) | <input checked="" type="checkbox"/> | | | | | | | | | | | | |



Australian Government
Department of Industry,
Science and Resources

Instrument of Delegation and Authorisation for Human Resource Matters

December 2023

I, ^{s22(1)(a)(ii)} Secretary of the Department of Industry, Science and Resources (the
d ^{s22(1)(a)(ii)} his instrument of delegation and authorisation under:

- a) subsection 78(7) of the *Public Service Act 1999*;
- b) subsection 105(3) of the *Public Service Regulations 2023*;
- c) subclause 69(1) of the *Australian Public Service Commissioner's Directions 2022*;
- d) sub-rule 13(1) of the *Public Service Classification Rules 2000*;
- e) subsection 9(1) of the *Long Service Leave (Commonwealth Employees) Act 1976*;
- f) subsection 11(1) of the *Maternity Leave (Commonwealth Employees) Act 1973*;
- g) subsection 36(5) of the *Governance of Australian Government Superannuation Schemes Act 2011*;
- h) section 41A of the *Safety, Rehabilitation and Compensation Act 1988*; and
- i) clause 5 of the *Department of Industry, Innovation and Science Enterprise Agreement 2019-2022*.

Subject to this instrument, I:

- a) delegate to any person from time to time holding the classification or performing the duties of a position identified in the Human Resources Delegation Matrix (the Matrix), those powers and functions assigned in the Matrix to a particular classification or position; and
- b) revoke all previous human resource delegations.

The exercise of delegations described is subject to any directions or guidelines issued by me by instrument in writing, and the protocols outlined in Annexure 1.

The delegations and authorisation made by this instrument do not revoke current delegations and authorisations to the Director General, IP Australia; the Chief Executive Officer, Geoscience Australia and other employees of IP Australia and Geoscience Australia.

Commencement

This instrument takes effect on the date it is signed by me.

^{s22(1)(a)(ii)}

^{s22(1)(a)(ii)}

Secretary
Department of Industry, Science and Resources

Date: 20/12/2023

Contents

| | |
|---|----|
| Instrument of Delegation and Authorisation for Human Resource Matters | 1 |
| Annexure 1—Delegation protocols | 3 |
| Human Resources Delegations Legend | 4 |
| Human Resources Delegation Matrix | 5 |
| 1. Classifications | 5 |
| 2. Progression to a Higher Designation | 5 |
| 3. Setting salary | 5 |
| 4. Salary advancement | 5 |
| 5. Individual Flexibility Arrangement..... | 5 |
| 6. Allowances | 5 |
| 7. Hours and Location of Work..... | 6 |
| 8. Leave..... | 6 |
| 9. Performance and Code of Conduct | 8 |
| 10. Recruitment and Engagement | 8 |
| 11. Redundancy and Redeployment..... | 10 |
| 12. Rehabilitation and Comcare | 11 |
| 13. Review of actions..... | 11 |
| 14. Separation of employment..... | 11 |
| 15. Other..... | 12 |

Annexure 1—Delegation protocols

Delegations are the means by which decision makers can exercise the power to undertake certain statutory functions.

A delegation is the conferral of the ability to exercise a power or duty to a person or body from a person or body that is vested with the responsibility to exercise that power or duty.

The department's employees are employed under the *Public Service Act 1999* (Cth) (PS Act) as employees of the Australian Public Service (APS)

As an Agency Head under section 20 of the PS Act, the Secretary has all the rights, duties and powers of an employer in respect of APS employees in the department. Section 78 of the PS Act enables the Agency Head to delegate those powers.

The attached delegations are given on the understanding that:

- The exercise of these delegations will at all times be in accordance with approved policies, practices and procedures of the department and/or as required in accordance with legislation, regulations and/or instructions from central agencies with appropriate authority to make those instructions; and
- Any requirements and/or limits specified in the delegations schedule are met/observed.

Delegates are accountable for the delegations that they exercise but should impress upon recommending employees that those employees are personally accountable for ensuring the quality and appropriateness of the recommendations and for ensuring that all relevant facts and other relevant considerations have been set out for the delegate so that the decision taken is fully informed and appropriate.

Human Resources Delegations Legend

Delegation and Authorisation

Subject to this instrument, each officer who occupies or performs the duties of the category shown as “Delegate” is authorised to exercise or perform the corresponding powers and functions.

| Legend | Delegate |
|---------|---|
| DS | Deputy Secretary. |
| COO | Chief Operating Officer for the department. |
| HR GM | General Manager, People Branch. |
| HR EL2 | An officer who occupies the position of Manager within People Branch (Executive Level 2). |
| HR EL1 | An officer who occupies the position of Assistant Manager within People Branch (Executive Level 1). |
| HR 5-6 | An officer who occupies the position of Human Resources (HR) Adviser or Senior HR Adviser within People Branch (APS 5 and APS 6 classifications). |
| ITG GM | General Manager, Integrity Branch. |
| ITG EL2 | An officer who occupies the position of Manager within Integrity Branch (Executive Level 2). |
| ITG EL1 | An officer who occupies the position of Assistant Manager within Integrity Branch (Executive Level 1). |
| ITG 5-6 | An officer who occupies the position within Integrity Branch (APS 5 and 6 classifications). |
| HOD | An officer who occupies or performs duties of one of the following positions ¹ : <ul style="list-style-type: none"> • Head of Division (SES Band 2); • Chief Executive Officer, Australian Radioactive Waste Agency; and • Commissioner, Anti-Dumping Commission. |
| GM | An employee who occupies or performs duties of General Manager (SES Band 1) ¹ . |
| SM | An employee who occupies or performs duties of State Manager and their position is classified as an Executive Level 2 (or equivalent) ² . |
| EL2 | An employee who occupies or performs duties of a position classified as an Executive Level 2 (or equivalent) ¹ . |
| EL1 | An employee ¹ who occupies or performs duties of a position classified as an Executive Level 1 (or equivalent) ¹ . |
| APS 4-6 | An employee who occupies or performs duties of a position classified as either an APS 4, APS 5 or APS 6 (and equivalent classifications) ¹ . |
| Payroll | An employee who occupies or performs duties within the department’s payroll team, classified as either an APSS, APS 6, EL1 or EL2. |

Source of Power

| Legend | Main Source |
|-----------|--|
| APSCD | <i>Australian Public Service Commissioner's Directions 2022</i> |
| EA | <i>Department of Industry, Innovation and Science Enterprise Agreement 2019-2022</i> |
| GAGSS Act | <i>Governance of Australian Government Superannuation Schemes Act 2011</i> |
| LSL Act | <i>Long Service Leave (Commonwealth Employees) Act 1976</i> |
| ML Act | <i>Maternity Leave Act (Commonwealth Employees) 1973</i> |
| PS Act | <i>Public Service Act 1999</i> |
| PSCR | <i>Public Service Classification Rules 2000</i> |
| PS Regs | <i>Public Service Regulations 2023</i> |
| SRC Act | <i>Safety, Rehabilitation and Compensation Act 1988</i> |

¹ Can only exercise those powers for employees up to and including the classification one level below the delegate's equivalent classification.

² Can only exercise those powers for employees up to and including the EL2 classification level.



Table 1: Human Resources Delegation Matrix

| Item | Section | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR ELZ | HR ELL | HR 5-6 | Payroll | HOD | GM SM | EL2 | EL1 | APS 4-6 | |
|---|------------------------------------|---|--|---|-------------|---------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|--------|--------|---------|-------------------------------------|-------------------------------------|-------------------------------------|-----|---------|--|
| 1. Classifications | | | | | | | | | | | | | | | | | | | |
| 1.1 | Classification structure | Work level standards | Issue, in writing, work level standards describing the work requirements for each classification applying to a group of duties other than an APS, EL or SES classification | | PSCR | cr10 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | |
| 1.2 | Classification structure | Classification of position | Allocate, in writing, the creation or re-classification of an APS or Executive Level position based on the work value of the duties. | | PSCR | cr9 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | | | | | |
| 1.3 | Classification structure | Classification of position | Allocate, in writing, the creation or re-classification of an SES position based on the work value of the duties | | PSCR | cr10 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | | |
| 1.4 | Classification structure | Classification of duties | Allocate a classification to each group of duties and ensure the duties include a requirement to undergo training, if a training classification is allocated | | PSCR | cr9(1) & 9(3) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | | | | | |
| 1.5 | Classification structure | Classification of duties in a broadband | Allocate more than one classification to the group of duties (a broadband), if the group of duties involves value requirements applying to more than one classification | | PSCR | cr9(4) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | <input checked="" type="checkbox"/> | | | | | |
| 1.6 | Classification structure | Qualifications - Legal Stream | For roles in the legal stream - Determine a requirement for the possession of a current restricted practising certificate issued by the ACT Law Society (or other equivalent certification within a state or territory), or the obtaining of such a certificate within three months of commencing employment with the Department | | EA | s1.4 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | | | |
| 1.7 | Classification structure | Science and Technical Stream | Determine roles to be incorporated into the Science and Technical Stream | | EA | S1.1 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | |
| 1.8 | Classification of employees | Classifications of employees | Allocate an approved classification to each employee | | PSCR | cr6(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | |
| 1.9 | Classification of employees | Classification of employees on movement | Allocate to an employee, who moves under s26 of the PS Act, the classification allocated to the employee immediately before moving, or another classification in the same group | | PSCR | cr7(3) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | |
| 1.10 | Classification of employees | Movement from a training classification | Allocate to an employee a classification mentioned in column 3 of schedule 2 of the Classification Rules that relates to the employee's training classification, upon satisfactory completion of the training requirements | | PSCR | cr11(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | | | | | |
| 1.11 | Classification of employees | Reduction in classification | Reduce the classification of an employee, without the employee's consent | Section 23(4) of the PS Act prescribes the circumstances where this delegation can be exercised | PS Act | s23(4) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | <input checked="" type="checkbox"/> | | | | | |
| 2. Progression to a Higher Designation | | | | | | | | | | | | | | | | | | | |
| 2.1 | Progression through Broadband | Broadband movement | Determine that an employee may progress through a firm barrier | | EA | c30 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | |
| 3. Setting salary | | | | | | | | | | | | | | | | | | | |
| 3.1 | Setting salary | Salary on commencement | Authorise payment of salary above the minimum rate (upon engagement, promotion or movement at level within the APS or from another Commonwealth agency) where experience, qualifications and skills of the employee warrant payment of salary above lowest pay point | Delegate can authorise salary up to the maximum salary point within the Employee's Designation | EA | c36(a) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | |
| 4. Salary advancement | | | | | | | | | | | | | | | | | | | |
| 4.1 | Salary advancement | Salary Advancement | Determine that an employee will be paid salary at a higher pay point within the employee's designation (at any time) | | EA | c43 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | |
| 4.2 | Salary advancement | Salary Advancement | Determine that exceptional circumstances apply to enable an Employee to receive salary advancement (if they do not meet the eligibility requirements as provided in the EA) | | EA | c126 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | |
| 4.3 | Salary advancement | Salary Advancement | Determine that an employee will receive salary advancement, if they do not meet the eligibility requirements under clauses 42 to 43 of the EA | | EA | c127 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | |
| 5. Individual Flexibility Arrangement | | | | | | | | | | | | | | | | | | | |
| 5.1 | Individual Flexibility Arrangement | Enter into an arrangement | Enter into an Individual Flexibility Arrangement with an employee to vary the terms of the EA | | EA | c9 to c12 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | | |
| 5.2 | Individual Flexibility Arrangement | Terminate an arrangement | Terminate an Individual Flexibility Arrangement, by giving no more than 28 days written notice to the other party to the arrangement | | EA | c13 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | |
| 6. Allowances | | | | | | | | | | | | | | | | | | | |
| 6.1 | Allowances | First Aid | Determine there is an identified need for a higher first aid qualification in the workplace which results in the payment of a tier 2 first aid allowance | | EA | cS2.2 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | |
| 6.2 | Allowances | Higher Duties | Determine a higher salary point for temporary performance of duties at a higher classification | | EA | c69 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |

| Item | Section | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | Payroll | HOD | GM SM | EL2 | EL1 | APS 4-6 | |
|--------------------------------------|---------------------------|--|---|--|-------------|---------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|--|
| 6.3 | Allowances | Higher Duties | Determine the amount of higher duties allowance payable, where an employee is assigned to temporarily perform part of the duties of a higher designation | | EA | c70 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 6.4 | Allowances | Loss or damage to clothing or personal effects | Authorise reimbursement of an amount considered reasonable to cover the loss or damage to an Employee's clothing or personal effects which resulted from the performance of their duties (subject to that clothing or personal effect having a minimum value of \$20) | EL2 delegates must consult their GM/SM before exercising this delegation | EA | c79 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | | |
| 6.5 | Allowances | Motor vehicle allowance | Authorise an Employee to use a private motor vehicle owned or hired by that Employee for official purposes where it will result in greater efficiency, or result in a lesser expense for the Commonwealth | EL2 delegates must consult their GM/SM before exercising this delegation | EA | c78 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 6.6 | Extra duty and overtime | Restriction Duty | Require an Employee to remain contactable and available to perform extra duty outside the Employee's standard hours of duty | | EA | c121 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 6.7 | Extra duty and overtime | Restriction Duty | Determine an alternative rate of restriction allowance having regard to the circumstances of the restriction situation | | EA | c123 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | <input checked="" type="checkbox"/> | | | | | |
| 6.8 | Extra duty and overtime | EL1 and EL2 Overtime | Determine exceptional circumstances for the payment of overtime for Executive level 1 and 2 Employees | | EA | c102 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | <input checked="" type="checkbox"/> | | | | | |
| 6.9 | Conditions | Special regional conditions | Review and adjust special regional conditions (for NMI Employees) | | EA | S3.4 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | | |
| 6.10 | Relocation assistance | Determine level of assistance | Determine reasonable relocation costs (for reimbursement or payment) associated with the relocation where an Employee is relocated at the Department's initiative, or an Employee is relocated at the Department's request | | EA | c95 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | | | | | |
| 6.11 | Travel | Travel Assistance | Approve payment of a cash advance to meet reasonable accommodation, meal and incidental expenses in exceptional circumstances | | EA | c90 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | | | | | |
| 6.12 | Travel | Travel Class | Agree to an alternative class of travel for official overseas travel (other than business class travel) | | EA | c91 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | |
| 7. Hours and Location of Work | | | | | | | | | | | | | | | | | | | |
| 7.1 | Hours of Work | Part-Time Work | Approve a part-time work arrangement | | EA | c210 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 7.2 | Hours of Work | Part-Time Work | Approve a part-time work arrangement for parents who do not otherwise meet the requirements of clause 213 of the EA | | EA | c214 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 7.3 | Flexible work | Flex time | Withdraw an Employee's access to flex time | Can only be exercised where: a) where there is insufficient work; or b) due to operational requirements; or c) where an Employee does not adhere to the flex time requirements; or d) where an Employee's Manager considers the Employee's attendance is unsatisfactory. | EA | c208 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 7.4 | Flexible work | Remote work (within Australia) | Approve an employee to work from an alternate office workplace on a regular, temporary, or intermittent basis | HOD approval required for 100% work from home requests | EA | c218 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 7.5 | Flexible work | Remote Work (Outside Australia) | Agree to an employee working remotely overseas on a regular, temporary or intermittent basis. | Deputy Secretary, Enabling & Business Services approval required for any remote work outside Australia | EA | c218 | <input checked="" type="checkbox"/> | | | | | | | | | | | | |
| 7.6 | Flexible work | Other Office Location | Approve a flexible work request to work from a non-departmental office | | EA | c218 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | |
| 8. Leave | | | | | | | | | | | | | | | | | | | |
| 8.1 | Compassionate leave | Grant leave | Approve up to two days paid leave for compassionate reasons as per the EA | | EA | c145 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 8.2 | Cultural/ceremonial leave | Grant leave | Approve up to five days paid leave (in a calendar year) for an Aboriginal and/or Torres Strait Islander employee to participate in ceremonial activities and meet cultural obligations, including NAIDOC activities. | | EA | c184 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 8.3 | Cultural/ceremonial leave | Grant leave | Approve up to two days paid leave (in a calendar year) for an employee to take part in significant activities associated with their culture, ethnicity or religion. | | EA | c183 and c185 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | |
| 8.4 | Defence reserves leave | Grant leave credit | Approve adding defence reserves leave credit to employee profile if required written evidence is provided that demonstrates association with relevant defence bodies and requirement to undertake training or other relevant opportunities. | | EA | C191 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | |
| 8.5 | Defence reserves leave | Grant leave | Approve leave with pay, within specified limits, for an employee to fulfil Australian Defence Force Reserve or Cadet Force obligations. | | EA | c192 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 8.6 | Long service leave | Grant leave | Grant LSL to an employee on full or half pay (a minimum of 7 calendar days on full pay or 14 calendar days at half pay) | | LSL Act | s16(2) & (3) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | |

| Item | Section | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | Payroll | HOD | GM SM | EL2 | EL1 | APS 4-6 |
|------|--------------------------|-----------------------------|--|---|-------------|-----------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|---------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| 8.7 | Long service leave | Grant leave | Grant LSL immediately prior to age retirement or retrenchment where an employee has less than 10 years, but at least one year, of service | | LSL Act | s17(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| 8.8 | Long service leave | Authorise payment in lieu | Authorise payment in lieu of LSL to a dependent (where an employee whose period of service is at least 10 years dies) | | LSL Act | s16(7) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 8.9 | Long service leave | Authorise payment in lieu | Authorise payment in lieu of LSL for an employee whose period of service is less than 10 years but at least one year, in prescribed circumstances | | LSL Act | s17(2)(a),(b),(c),(d) & (e) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 8.10 | Long service leave | Authorise payment in lieu | Authorise payment in lieu of LSL to a dependent where an employee dies (where an employee whose period of service is less than 10 years but not less than 1 year dies) | | LSL Act | s17(5) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 8.11 | Long service leave | Determine period of service | Determine that a period of leave without pay counts as service for LSL purposes | | LSL Act | s12(3) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | |
| 8.12 | Long service leave | Determine period of service | Break in Service – determine that: (a) termination of previous employment was due to ill-health; and (b) commencement of employment occurred no more than 12 months after health became restored to enable performance of suitable duties. | | LSL Act | s12(7) & (8) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | |
| 8.13 | Long service leave | Death of employee | Powers and duties applying where an employee dies | | LSL Act | s23(1), (2), (3) & (4) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 8.14 | Maternity leave | Grant leave | Approve paid parental leave for an employee with less than 12 months qualifying service, in accordance with the EA. | | EA | c168 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| 8.15 | Maternity leave | Grant leave | Approve a period of unpaid special maternity leave where an employee is not fit for duty due to the reasons prescribed by the Fair Work Act. | | FW Act | s80 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 8.16 | Maternity leave | Grant leave | Determine that an employee on authorised leave of absence without pay, who becomes pregnant, before or after the commencement of the authorised leave of absence, may absent themselves from duty under the ML Act instead of the already approved authorised leave of absence | | ML Act | s6(4F) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | |
| 8.17 | Maternity leave | Return to work | Approve an employee to continue/resume duty consistent with relevant legislation and medical evidence. | | ML Act | s7 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| 8.18 | Maternity leave | Review decision | Review a decision to refuse an application to resume work from maternity leave earlier than expected | | ML Act | s7A(5) & (6) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 8.19 | Maternity leave | Determine period of service | Determine that unauthorised leave of absence, taken in the six weeks before expected confinement, occurred in extenuating circumstances | | ML Act | s6(4C) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 8.20 | Parental leave | Grant leave | Approve paid and unpaid adoption/fostering leave for an eligible employee. | | EA | c159 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| 8.21 | Parental leave | Grant leave | Approve unpaid parental leave in accordance with the Fair Work Act, including flexible unpaid parental leave. | | FW Act | s70 s72A | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| 8.22 | Primary caregiver leave | Grant leave | Approve a one-off grant of 2 weeks paid primary caregiver leave (with required evidence) | | EA | c171-172 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| 8.23 | Supporting partner leave | Grant leave | Approve 4 weeks paid supporting partner leave. | | EA | c170 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| 8.24 | Personal/carers leave | Grant leave | Approve personal leave with pay, or where personal leave credits are exhausted, without pay. | | EA | c140 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 8.25 | Personal/carers leave | Grant leave | Approve an Employee taking personal/carers' leave at half pay in exceptional circumstances | | EA | c144 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 8.26 | Personal/carers leave | Supporting evidence | Direct an employee to provide supporting evidence for applications of personal/carers' or compassionate leave | | EA | c149(c) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 8.27 | Personal/carers leave | Supporting evidence | Determine that additional evidence is not required where an employee has a known circumstance that may require regular absence. | | EA | c151 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 8.28 | Purchased leave | Approve Request | Approve an employee to purchase up to 10 weeks of additional leave (one application within any 12 month period) | | EA | c179 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| 8.29 | Recreation leave | Grant leave | Approve recreation leave at full or half pay. | | EA | c152 & 156 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 8.30 | Recreation leave | Cash-out | Approve requests to cash-out recreation leave | | EA | c157 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| 8.31 | Recreation leave | Excess credits | Direct an employee, with more than 40 days accrued recreation leave, to take up to 25% of their recreation leave. | | EA | c154 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| 8.32 | Other leave | Grant leave | Approve up to five days paid other leave | | EA | c187 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 8.33 | Other leave | Grant leave | Approve in excess of five days paid other leave | | EA | c187 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 8.34 | Other leave | Grant leave | Approve unpaid other leave | | EA | c187 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 8.35 | Other leave | Grant leave | Approve unpaid other leave, without the requirement to utilise accrued recreation or long service leave in exceptional circumstances (except where an employee is taking Maternity Leave or parental leave without pay). | | EA | c187 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 8.36 | Other leave | Determine period of service | Determine that unpaid other leave is to count for service as per the department's leave policy | | EA | c136 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | |
| 8.37 | Other leave | Grant leave | Grant leave without pay to an ongoing APS employee who applies for the leave to undertake or continue employment: | Subclause 49(1) of the APSCD provides that an application for leave | APSCD | D67(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |

| Item | Section | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR S-16 | Payroll | HOD | GM SM | EL2 | EL1 | APS 4-6 |
|---------------------------------------|------------------------|--|---|--|-------------|-----------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|---------|---------|-------------------------------------|-------------------------------------|-------------------------------------|-----|---------|
| 8.38 | Other leave | Return to work | (a) for the purposes of section 13 of the Governor-General Act 1974; or (b) for the purposes of section 13 or 20 of the Members of Parliament (Staff) Act 1984. Arrange for the APS employee to return to the department as soon as practicable; and arrange for the APS employee to undertake duties at the employee's classification immediately before the employee was granted leave without pay or, if the classification no longer exists, at an equivalent classification | in this circumstance must be approved If an APS employee who has been granted leave without pay to undertake or continue employment for the purposes mentioned in paragraph (1)(a) or (b) of the APSCD notifies the department, in writing, that he or she wishes to return to the department to undertake duties | APSCD | D67(2) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| 8.39 | War service sick leave | Grant leave credit | Approve adding war service sick leave credit to employee profile if required written evidence is provided that meets requirements outlined in Leave Policy | | EA | Sched 5.2 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 8.40 | War service sick leave | Grant leave | Approve war service sick leave. | Subject to the provision of a medical certificate stating the nature of the medical condition, and a statement from the Department of Veterans' Affairs stating the medical condition is a war-caused condition. | EA | Sched 5.5 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 9. Performance | | | | | | | | | | | | | | | | | | |
| 9.1 | Performance | Managing underperformance | Where requested by the Employee, approve an appropriate person from outside the immediate work area to formally assess the Employee's performance | | EA | c131 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 9.2 | Performance | Managing underperformance | Extend the period in which an Employee's performance is to be formally assessed (in line with the department's underperformance policies and procedures) | In accordance with c131, the period shall not be less than one month and not longer than two months. | EA | c130 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 10. Recruitment and Engagement | | | | | | | | | | | | | | | | | | |
| 10.1 | Recruitment | Vacant positions | Determine that a specified group of duties needs to be performed, and it is appropriate to consider engaging a person to perform those duties, promoting an APS employee to perform the duties, or assigning the duties to an APS employee, for the purposes of establishing a vacancy exists. Approve a vacancy to be filled through a merit based process, including approval of external advertising, approval of the recruitment selection report and use of subsequent merit lists. | | APSCD | D7 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| 10.2 | Recruitment | Merit processes | For the avoidance of doubt, this also includes approval of use of merit lists to fill a similar vacancy, approval of a shorter period of time for notification of the vacancy, and obtaining approval from the APS Commissioner before notifying a specified vacancy or class of vacancy (where required by the Commissioner). | | APSCD | D23, 24 & 25 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| 10.3 | Assignment of duties | Assignment of duties | Determine the duties of an employee and the place or places at which the duties are to be performed | An employee cannot be assigned duties at a lower classification without their consent, other than in exceptional circumstances. These circumstances are described in subsection 23(4) of the Public Service Act 1999 (PS Act). | PS Act | s25 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| 10.4 | Recruitment | Similar vacancies | Agree with another Agency Head that a vacancy is a similar vacancy (for the purpose of APSCD D9). | | APSCD | D9 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| 10.5 | Advertising | Limit Vacancies to APS employees only | Decide that because of reasons of cost or operational efficiency, a non-SES vacancy should be filled by a person who is already an APS employee, and not to provide an opportunity to all eligible members of the community to apply. | This does not apply to APS1 or training classification vacancies. | APSCD | D25(4) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 10.6 | Affirmative measures | Aboriginal and Torres Strait Islander employment | As an affirmative measure, identify a vacancy as open only to Aboriginal and/or Torres Strait Islander persons in a manner that is compliant with the requirements of section 31. | | APSCD | D31 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 10.7 | Affirmative measures | Disability employment | As an affirmative measure, identify a vacancy as only open to persons who have a disability or a particular type of disability in a manner that is compliant with the requirements of APSCD section 33. | | APSCD | D33 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 10.8 | Engagement | Engagement of employees | Engage a person as either an ongoing or non-ongoing employee | Subject to the person being an Australian Citizen | PS Act | s22(1) & (2) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 10.9 | Engagement | Non-ongoing employment | Engage a person for a specified term, or for the duration of a specified task in accordance with s22(2)(b) of the PS Act | | PS Regs | s13 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 10.10 | Engagement | Non-ongoing employment | Enter into an agreement with a State or Territory, or an authority of a State or Territory, to engage a person as a non-ongoing APS employee for a specified term. | | PS Regs | s13 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 10.11 | Engagement | Engage or extend non-ongoing employment using a modified process | Subject to the conditions of APSCD section 27, and S333E(1) of the Fair Work Act 2009, being satisfied, engage a person on a non-ongoing basis using a modified merit process for an initial period of no more than 18 months and extend up to a maximum period of 3 years. | S.333E(1) of the Fair Work Act 2009 limits employment periods using fixed-term contracts. From 6 December 2023, the initial period is limited to 12 months, and can be | APSCD | D27 (1) and (2) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |

| Item | Section | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | Payroll | HOD | GM SM | EL2 | EL1 | APS 4-6 |
|-------|---|---|--|---|-------------|---------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|---------|-------------------------------------|-------------------------------------|-------------------------------------|-----|---------|
| | | | | extended once for a further duration (to a maximum of 18 months total). | | | | | | | | | | | | | | |
| 10.12 | Engagement | Notifying the community | Ensure that notification of short-term (18 months or less) and irregular and intermittent vacancies are notified to the community. | | APSCD | D27(3) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 10.13 | Engagement | Ongoing to non-ongoing | Engage an ongoing APS employee as a non-ongoing in certain circumstances as described in direction 29 of the APSCD. | | APSCD | D29 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 10.14 | Engagement | Redundancy benefit recipients | Decide that the engagement of a person who has received a redundancy benefit is essential for the agency's operations and obtain the approval of and consult with the APS Commissioner before engaging the person as necessary. | | APSCD | D66(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 10.15 | Engagement | Engagement of a parliamentary service employee | Engage an ongoing parliamentary service employee as an ongoing employee (if the person is to be employed at a comparable classification or lower) | | APSCD | D36 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 10.16 | Engagement | Re-engagement of a former APS employee | Re-engage an unsuccessful election candidate in accordance with the Commissioner's Directions and within the time limits provided by those Directions | | APSCD | D37 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | |
| 10.17 | Engagement | Re-engagement of a former APS employee | Re-engage a former APS employee if: (a) satisfied that the person's former employment should not have ended; or (b) the engagement will settle legal action relating to the termination of the employee's employment; or (c) an appropriate authority has recommended or ordered the reinstatement of the person. | | APSCD | D38(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | |
| 10.18 | Engagement | Engagement of non-ongoing APS employee as ongoing employee in exceptional circumstances | Request authorisation from the Australian Public Service Commissioner to engage a person as an ongoing employee, where satisfied that the conditions of APSCD d30(2) are met. | | APSCD | D30(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | |
| 10.19 | Engagement | Medical examination on engagement | Direct an employee, as a condition of engagement, to undergo an examination by a nominated medical practitioner and to provide a report of the examination in connection with their engagement | | PS Regs | s10 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | |
| 10.20 | Engagement | Engagement of non-Australian citizens | Engage a non-Australian citizen where it is appropriate to do so | | PS Act | s22(8) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | |
| 10.21 | Engagement | Overseas engagement | Engage persons overseas to perform duties overseas as employees (locally engaged employees) | | PS Act | s74(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | | | | |
| 10.22 | Movement | Transfer at Level | Agree in writing to the (ongoing or temporary) movement of an APS employee | | PS Act | s26(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| 10.23 | Movement | Between agencies | Agree to a date of effect for a voluntary movement between agencies | | APSCD | D46(2) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| 10.24 | Movement | Promotion following a statutory appointment | Request, in writing, that the APS Commissioner authorise the promotion of an ongoing employee on completion of an appointment to a statutory office. | | APSCD | D34(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 10.25 | Gazettal | Gazettal of employment decision | Notify an employment decision for publication in the Public Service Gazette (APSJobs) | | APSCD | D40(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | |
| 10.26 | Gazettal | Gazettal of employment decision | Request approval from the APS Commissioner to an extension of time to notify an employment decision in the Public Service Gazette (APSJobs) | | APSCD | D40(2) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | |
| 10.27 | Gazettal | Exclusion of name in gazettal | Determine whether to withhold names from the Public Service Gazette (APS Jobs) because of the person's work-related or personal circumstances. | | APSCD | D40(4)(a) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 10.28 | Gazettal | Exclusion of name in gazettal | Determine whether to withhold names from the Public Service Gazette (APS Jobs) when notifying a decision, where employment was terminated under section 29 (3)(g) of the Public Service Act (breach of code of conduct). | | APSCD | D40(4)(b) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 10.29 | Gazettal | Exclusion of name in gazettal | If a notification on APSJobs does not include the employee's name, advise the Commissioner of the employee's name as soon as practicable after the notification is published. | | APSCD | D40(6) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 10.30 | Gazettal | Cancellation of gazettal | Notify a cancellation decision by publication in the Public Service Gazette (APSJobs) | | APSCD | D41(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | |
| 10.31 | Probation | Waive probationary period | Waive the requirement to engage an APS employee on probation in accordance with subsection 44(2) if satisfied that there are reasonable circumstances justifying the waiver. Ensure that during the period of probation period, there are processes in place to assess the suitability of the APS employee to perform the duties they have been engaged for in accordance with subsection 44(3) | HR EL2- may only exercise delegation in relation to area of delegate's functional responsibility having regard to the duties that the delegate is performing. | APSCD | D44(1), (2) and (3) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 10.32 | Independent Selection Advisory Committee (ISAC) | Establishment of a ISAC | Request, of the Merit Protection Commissioner (MPC), the establishment of an ISAC | | PS Regs | s60 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | |
| 10.33 | Independent Selection Advisory Committee (ISAC) | Constitution of an ISAC | Nominate a person to participate as a member of an ISAC | | PS Regs | s62 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | | | | |
| 10.34 | Organisational structure | Position creation and occupancy | Create positions in the department, and nominate any APS employee to occupy a position in the Department. | HR EL2/EL1/5-6- may only exercise delegation in relation to area of delegate's functional responsibility | PS Act | s77(1) & (2) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | |

| Item | Section | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | Payroll | HOD | GM SM | EL2 | ELL | APS 4-8 | |
|--|----------------------------------|--|--|---|-------------|-----------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|---------|-------------------------------------|-------|-----|-----|---------|--|
| 10.35 | Promotion Review Committee (PRC) | Constitution of Promotion Review Committee (PRC) | Nominate a person to participate as a member of a PRC | having regard to the duties that the delegate is performing. | PS Regs | s26 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | | | | | |
| 10.36 | Promotion Review Committee (PRC) | Provision of information to a PRC | Provide, to a PRC, information and/or documents relevant to a review | | PS Regs | s32 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | |
| 10.37 | Workplace Diversity | Workplace Diversity | Establish a workplace diversity program | | PS Act | s18 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | | |
| 11. Redundancy and Redeployment | | | | | | | | | | | | | | | | | | | |
| 11.1 | Excess Employee | Consultation | Advise an Employee in writing that they are likely to become excess | All delegates must consult with and have endorsement by HR GM People Branch before exercising this delegation | EA | c223 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | |
| 11.2 | Excess Employee | Consultation | Hold discussions with an Employee and, if the Employee chooses, with their representative, to outline reasons they may become excess and to consider: a) measures that could be taken to avoid the situation, including job swaps and redeployment at or below level within the Department or within the APS; and b) the availability of support and assistance for career planning and training; and c) whether a voluntary redundancy might be appropriate. | All delegates must consult with and have endorsement by People Branch before exercising this delegation | EA | c224 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 11.3 | Excess Employee | Notifications | At least four weeks after advising the Employee that they are likely to become excess under clause 223 of the EA, advise the Employee in writing that they are an excess Employee and invite them to accept a voluntary redundancy. | The Employee and the Secretary may agree to a shorter period. | EA | c226 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 11.4 | Excess Employee | Consideration period | Agree to reducing the consideration period at the request of the employee. | | EA | c227 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 11.5 | Excess Employee | Notifications | As soon as possible within the process of identifying an Employee as potentially excess but, in any event, no later than making the offer of voluntary redundancy in accordance with clause 226 of the EA, give an Employee information as prescribed in clause 230 of the EA. | | EA | c230 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 11.6 | Excess Employee | Location of work | Determine that the Redundancy and Redeployment provisions of the EA will apply to an Employee, where the duties usually performed by the Employee are to be performed in a different locality and the Employee is not willing to perform the duties at the other locality. | All delegates must consult with and have endorsement by HR GM People Branch before exercising this delegation | EA | c222(c) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 11.7 | Excess Employee | Issue notice of termination | Proceed to give notice of termination of employment on the grounds set out in s29(3)(a) of the PS Act | All delegates must consult with and have endorsement by HR GM People Branch before exercising this delegation | PS Act | 29(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 11.8 | Excess Employee | Payment of external services or training opportunities | Approve a higher amount for payment of external services or training opportunities having regard to the particular circumstances of the excess Employee | | EA | c232(a) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 11.9 | Excess Employee | Redeployment | Extend the redeployment period for an Employee | | EA | c248 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 11.10 | Excess Employee | Reduce classification | Reduce an excess employee's classification if a suitable vacancy does not exist at the same level within the Department on the ground that the employee is excess to the requirements of the agency at the higher classification. | | PS Act | s23(4)(c) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 11.11 | Excess Employee | Compulsory moves of an excess APS employee | Notify the APS Commissioner, in writing, that an employee is excess to requirements for the purposes of s27(1) of the PS Act | | PS Act | s27(2) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 11.12 | Excess Employee | Redundancy | Give the Employee the required notice of termination of employment under s29 of the PS Act | All delegates must consult with and have endorsement by HR GM People Branch before exercising this delegation | EA | c257 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 11.13 | Excess Employee | Redundancy | Terminate the employment of an Employee before the end of the notice period. | All delegates must consult with and have endorsement by HR GM People Branch before exercising this delegation | EA | c258 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 12. Rehabilitation and Comcare | | | | | | | | | | | | | | | | | | | |
| 12.1 | Fitness for duty | Medical examination for continuing duty | Direct an employee to undergo an examination by a nominated medical practitioner for an assessment of the employee's fitness for duty and to provide a report of the examination | | PS Regs | s11 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 12.2 | Rehabilitation | Assessment of capacity | Arrange for an assessment of an employee's capability to undertake a rehabilitation program | | SRC Act | s36(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 12.3 | Rehabilitation | Assessment of capacity - examination | Require an employee to undergo an examination by a person or panel making an assessment of an employee's capability to undertake a rehabilitation program | | SRC Act | s36(3) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |

| Item | Section | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-6 | Payroll | HOD | GM SM | EL2 | EL1 | APS 4-6 | |
|-------------------------------------|-----------------------------|--|--|--|-------------|---------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|---------|---------------|-------------------------------------|-------------------------------------|-------------------------------------|---------|-------------------------------------|
| 12.4 | Rehabilitation | Rehabilitation program | Suspend an employee's rights to Compensation for refusing or failing, without reasonable excuse, to undergo an examination | | SRC Act | s36(4) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | |
| 12.5 | Rehabilitation | Rehabilitation program | Determine that an employee who has suffered an injury resulting in an incapacity for work or an impairment, should undertake a rehabilitation program | | SRC Act | s37(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 12.6 | Rehabilitation | Rehabilitation program | Suspend an employee's rights to compensation for refusing or failing, without reasonable excuse, to undertake a rehabilitation program until the employee begins to undertake the program. | | SRC Act | s37(7) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | |
| 12.7 | Rehabilitation | Rehabilitation program | Serve a notice, relating to the determination, on the relevant employee | | SRC Act | s38(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 12.8 | Comcare | Information to Comcare – salary estimate | Provide a written estimate of salary expenditure for the next financial year, no later than 30 April of the current financial year. Provide any other information required to enable Comcare to determine a premium or a regulatory contribution | | SRC Act | s97F(1) & (2) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 12.9 | Comcare | Notice to Comcare – retirement | Notify Comcare in writing that an employee has retired, including the date of retirement and the employee's superannuation scheme | | SRC Act | s114A(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 12.10 | Fitness for duty | Medical Examination | Require an employee to undergo an examination by one legally qualified medical practitioner, nominated by the department. | | SRC Act | s57(1)(b) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 12.11 | Claims for compensation | Request the provision of information | Request of the employee, in writing, the provision of information or a document relating to the Employee's claim | | SRC Act | s58(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 12.12 | Claims for compensation | Certain documents to be supplied on request | Provide information or documents relating to a claim made by an Employee to that Employee, a Commonwealth Authority or a licensed corporation. | | SRC Act | s59(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 13. Review of actions | | | | | | | | | | | | | | | | | | | |
| 13.1 | Primary review | Application for primary review | Receiving Review of Action requests | | PS Regs | s38 | | | | | | | | not delegated | | | | | |
| 13.2 | Primary review | Internal Review | Review the action, attempt to resolve the employee's concerns and confirm, vary or set aside the action or substitute a new action | | PS Regs | s41 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | | | | |
| 13.3 | Primary review | Referral of a review of actions | Refer an application for review, of a reviewable action to the Merit Protection Commissioner and advise the employee in writing | | PS Regs | s39 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | | |
| 13.4 | Primary review | Provision of a review of actions application | Give the application and documents relating to a primary review of action to the MPC and copy the affected employee | | PS Regs | s44 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | <input checked="" type="checkbox"/> |
| 13.5 | Review of actions | Provision of information for a review of actions | Provide, to the MPC, information and/or documents relevant to a review | | PS Regs | s48 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | <input checked="" type="checkbox"/> |
| 13.6 | Review of actions | Recommendations from a review of actions | Consider and make decisions about recommendations received from the MPC regarding a review of actions | | PS Regs | s46 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | <input checked="" type="checkbox"/> |
| 14. Separation of employment | | | | | | | | | | | | | | | | | | | |
| 14.1 | Death | Authorise payment in lieu | Where an Employee dies whilst employed by the Department, authorise payment to the estate or other authorised person of the amount to which the former Employee would have been entitled had the Employee resigned or retired (subject to relevant laws) | | EA | c220 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 14.2 | Termination of employment | Termination of employment | By notice in writing, terminate the employment of an APS employee in the department | - Subject to limitations set out in 29(3) of the PS Act for ongoing employees. - All delegates must consult with and have endorsement by People Branch before exercising this delegation. | PS Act | s29(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 14.3 | Termination of employment | Termination of employment | Terminate employment of an ongoing APS employee or a non-ongoing employee that an investigation report, within the meaning of the <i>National Anti-Corruption Commission Act 2022</i> , includes a recommendation to terminate the employment of the APS employee. | | PS Regs | s15 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | | |
| 14.4 | Termination of employment | Voluntary move (at level) to another agency | Agree in writing to the (ongoing or temporary) movement of an employee to another agency | | PS Act | s26(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| 15. Other | | | | | | | | | | | | | | | | | | | |
| 15.1 | Administrative arrangements | Machinery of Government | Consult with an APS employee who is moved to the department in accordance with a determination under paragraph 72(1)(a) of the PS Act about their terms and conditions of employment. | | PS Regs | s85 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | |
| 15.2 | Administrative arrangements | Machinery of Government | Consult with a person who ceases to be employed as a non-APS employee and becomes engaged as an APS employee in accordance with a determination under paragraph 72(1)(c) of the PS Act about their terms and conditions of employment. | | PS Regs | s86 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | |
| 15.3 | Disclosure of information | Disclosure of information | Use and/or disclose personal information in the circumstances specified in r9.2(2) if the use is necessary or relevant to performance or exercising employer powers | | PS Regs | s103 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | | |
| 15.4 | Disclosure of information | Disclosure of information | Authorise an employee to disclose information about which the employee has official knowledge ³ | | PS Regs | s7 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | <input checked="" type="checkbox"/> | | | | |

³ Official Information – Information obtained or generated in connection with APS employment that if disclosed could be prejudicial to the effective working of government, including the formulation and implementation of policies and program.
Instrument of Delegation and Authorisation for Human Resource Matters

| Item | Section | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | HR GM | HR EL2 | HR EL1 | HR 5-15 | Payroll | HOD | GM SM | EL2 | EL1 | APS 44 |
|-------|--|---|---|------------------------|-------------|---------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-----|-------|-----|-----|--------|
| 15.5 | Paying officer | Paying officer | Appoint a person as a paying officer for the purpose of making deductions from a particular debtor's salary | | PS Regs | s90 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | |
| 15.6 | Certification for superannuation salary | Certification for superannuation salary | Certifying that a departmental employee is a relevant employee in relation to the Commonwealth Superannuation Scheme | | GAGSS | s36(5) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | |
| 15.7 | State of the service report | State of the service report | Provide the APS Commissioner with required information for the report on the State of the Service | | PS Act | s44(2) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | |
| 15.8 | Forfeiture of additional remuneration | Forfeiture of additional remuneration | If an APS employee receives any non-Commonwealth remuneration for performing duties as an APS employee - Give notice to an employee regarding forfeiture of whole, or part, of additional non-Commonwealth remuneration received for performing duties as an APS employee | | PS Act | s31(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | | |
| 15.9 | 24.1 Determination | Terms and conditions of employment | Determine in writing, remuneration and other terms and conditions of employment | | PS Act | s24(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | |
| 15.10 | Consultation and reporting on non-disclosure and confidentiality provisions in agreements settling disputes about employment matters | Settling dispute | Consult with the Australian Public Service Commissioner before entering into an agreement with an APS employee or former APS employee that includes a confidentiality or non-disclosure provision and relates to sexual harassment. | | APSCD | D20 | <input checked="" type="checkbox"/> | | | | | | | | | | | |
| 15.11 | Consultation and reporting on non-disclosure and confidentiality provisions in agreements settling disputes about employment matters | Notifying the Commissioner | Notify the Commissioner of the number of agreements entered into with an APS employee or former APS employee that includes a non-confidentiality or non-disclosure provision and relates to the person's APS employment. | | APSCD | D21(2) | <input checked="" type="checkbox"/> | | | | | | | | | | | |

Table 2: Code of Conduct Delegation Matrix

| Item | Section | Subject | Description | Conditions/Limitations | Main Source | Section | DS | COO | ITG GM | ITG EL2 | ITG EL1 | INTEGRITY s.6 | Payroll | HOD | GM 5M | EL2 | EL1 | APS 4-6 |
|---------------------|-----------------|--|--|------------------------|-------------|----------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|---------------|---------|-------------------------------------|-------------------------------------|-----|-----|---------|
| 16. Code of Conduct | | | | | | | | | | | | | | | | | | |
| 16.1 | Code of Conduct | Breaches of the Code of Conduct | Impose sanctions for breaches of the Code of Conduct | | PS Act | s15(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 16.2 | Code of Conduct | Breaches of the Code of Conduct | Establish procedures for determining breaches of the Code of Conduct and ensure these are publicly available | | PS Act | s15(3) & (7) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 16.3 | Code of Conduct | Request inquiry | Request the Australian Public Service Commissioner inquire into and determine whether an employee or former employee has breached the Code of Conduct and request recommended sanctions. | | PS Act | s41B(1) & (9) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 16.4 | Code of Conduct | Request inquiry | Request Merit Protection Commissioner to inquire into and determine whether an APS employee or former APS employee has breached the Code of Conduct. | | PS Act | s50A(1) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 16.5 | Code of Conduct | Review of determination of a breach of the Code of Conduct | On receipt of written notice from Merit Protection Commissioner (MPC), provide, to the MPC, information and/or documents relevant to a review | | PS Regs | s79 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | |
| 16.6 | Code of Conduct | Suspension from duties | Suspend an employee from duty, with or without remuneration, review the suspension, end the suspension and have due regard to procedural fairness | | PS Regs | s14 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| 16.7 | Probation | Mandatory Integrity Training | Make arrangements for APS employees to undergo a program of training about integrity within specified timeframes from time of engagement | | APSCD | D19 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | | | | |
| 16.8 | Code of Conduct | Movement | Agree to the movement of an employee taking effect prior to a suspected breach of the Code of Conduct matter being resolved | | APSCD | D46(5) & (6) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 16.9 | Code of Conduct | Consult with the Australian Public Service Commissioner | Have regard to any relevant standards and guidance issued by the Commissioner if an APS employee has engaged in conduct that may breach the Code of Conduct and raises concerns relating to effective performance and the Agency Head is considering initiating an inquiry under procedures established under subsection 15(3) of the Act. | | APSCD | D52 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 16.10 | Code of Conduct | Consult with the Australian Public Service Commissioner | Comply with any requirement from the APS Commissioner to give the Commissioner particular information, or documents, about workplace relations relating to APS employees in the Agency | | APSCD | D55 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | |
| 16.11 | Code of Conduct | Consult with the Australian Public Service Commissioner | Ensure that there are measures in place to promptly give to the APS Commissioner accurate information that is collected under d54, or required under d55, and to give the information to the APS Commissioner in the form the Commissioner requires. | | APSCD | D56 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | |
| 16.12 | Code of Conduct | Person making determination to be independent and unbiased | Take reasonable steps to ensure that: (a) the person who determines whether an APS employee has breached the Code of Conduct is, and appears to be, independent and unbiased; and (b) the person who determines any sanction to be imposed is, and appears to be, independent and unbiased. | | APSCD | D61 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| 16.13 | Code of Conduct | Consult with the Australian Public Service Commissioner | If an SES employee is suspected of breaching the Code of Conduct: (a) consult with the Commissioner on the process for determining whether the employee has breached the Code of Conduct; and (b) if considering imposing a sanction—consult with the Commissioner before imposing the sanction. | | APSCD | D64(a) and (b) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | | |