

# COMPARISON OF THE 2006 AND 2017 EMPLOYMENT STANDARDS

Standard	2006	2017
<p>General considerations for public sector employers applying the principles</p>	<p>(Previously included under fair and reasonable treatment)</p>	<p>Public sector employers must ensure:</p> <ul style="list-style-type: none"> <li>• They comply with the principles and standards.</li> <li>• Their employees are aware of the requirements of the principles and standards, how they apply to decisions and actions in which they are involved, and the manner in which those decisions and actions may be reviewed.</li> <li>• All managers are provided with adequate information, guidance, training and support in applying the principles and standards.</li> <li>• Relevant processes are regularly reviewed for effectiveness.</li> <li>• The quality of decision making is monitored against the requirements of these standards.</li> <li>• Workplaces are harassment-free.</li> <li>• No person is subject to threats or other detriment as a result of bringing a complaint regarding a possible breach of the values, code, principles or these standards.</li> </ul>
<p>Fair and Reasonable Treatment</p>	<p>The following standards apply:</p> <ul style="list-style-type: none"> <li>• Decision-making processes are to be fair, <u>accessible</u><sup>1</sup>, and applied consistently in comparable circumstances.</li> <li>• Decision-making criteria are to be relevant, objective and readily available to the people subject to the decision.</li> <li>• Decisions and actions are to be free of bias and unlawful discrimination.</li> <li>• Documentation is sufficiently clear and comprehensive to <u>render</u> decisions transparent and capable of</li> </ul>	<p>Employees are treated fairly and reasonably when:</p> <ul style="list-style-type: none"> <li>• Processes are fair, <u>clear</u>, and applied consistently in comparable circumstances.</li> <li>• Criteria are relevant, objective and readily available to the people subject to the decision.</li> <li>• Decisions and actions are free of bias and unlawful discrimination.</li> <li>• Documentation is sufficiently clear and comprehensive to <u>make</u> decisions transparent and capable of effective review.</li> </ul>

<sup>1</sup> Green underlined text indicates a change in wording

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	<p>effective review.</p> <ul style="list-style-type: none"> <li>• Public sector body heads are to ensure: <ul style="list-style-type: none"> <li>- Their employees are aware of the requirements of the public sector employment principles, how they apply to decisions and actions in which they are involved, and the manner in which those decisions and actions may be reviewed.</li> <li>- All managers are provided with adequate information, guidance, training and support in applying the public sector employment principles.</li> <li>- Relevant processes are regularly reviewed for effectiveness.</li> <li>- The quality of decision making is monitored against the requirements of these standards.</li> <li>- Workplaces are harassment-free.</li> <li>- No person will be subject to threats or other detriment as a result of bringing a complaint regarding a possible breach of the employment principles or these standards.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• There are no other grounds which contribute to unfair and unreasonable treatment</li> </ul>
Merit in Employment	<p>Standards prescribed in relation to the fair and reasonable treatment principle also apply in relation to the merit in employment principle. In addition, the following standards also apply:<sup>2</sup></p> <ul style="list-style-type: none"> <li>• Employment decisions are to be based on the proper assessment of individuals' work-related qualities, abilities and potential against the genuine requirements of the employment opportunity.</li> <li>• Decisions to appoint new employees or promote existing employees are to be based on <u>competitive selection</u>. Processes are to be <u>open</u> and designed to identify a suitable field of qualified candidates.</li> <li>• Decisions to appoint new employees or promote existing employees from a limited field of candidates are only to be made where candidates are identified based on objective criteria.</li> <li>• Decisions to assign duties or</li> </ul>	<p>Employment decisions are based on merit when:</p> <ul style="list-style-type: none"> <li>• Individuals' work-related qualities, abilities and potential are assessed against the genuine requirements of the employment opportunity.</li> <li>• Employees are appointed or promoted on the basis of <u>relative ability</u>.</li> <li>• Processes are <u>transparent</u> and designed to identify a suitable field of qualified candidates.</li> <li>• Employees are appointed or promoted from a limited field of candidates only where candidates are identified based on objective criteria.</li> <li>• Employees are assigned duties or transferred to roles at an equivalent level based on a proper assessment of the employee against the genuine requirements of the duties or role.</li> </ul>

<sup>2</sup> The 2017 standards have a new section showing how the principles are inter-related. This makes this statement redundant.

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	<p>transfer public sector employees (to roles at an equivalent level) are to be based on a proper assessment of the employee against the genuine requirements of the duties or role.</p>	
Equal Employment Opportunity	<p>Standards prescribed in relation to the fair and reasonable treatment principle also apply in relation to the equal employment opportunity principle. In addition, the following standards also apply:</p> <ul style="list-style-type: none"> <li>• An EEO policy statement is to be in place, widely accessible and reflected in all relevant processes.</li> <li>• All employment related policies and procedures are to comply with applicable equal opportunity laws and support diversity across the workforce.</li> <li>• The EEO principle and strategies are to be incorporated into workforce plans and promoted throughout the workplace.</li> <li>• Decisions and actions affecting employees are not to be influenced by irrelevant personal characteristics.</li> <li>• Public sector body heads are to be notified of any discrimination complaints against their organisation and the findings of associated investigations.</li> <li>• Data in relation to implementation of the EEO principle is to be monitored and evaluated on a regular basis.</li> </ul>	<p>Equal employment opportunity (EEO) is provided when:</p> <ul style="list-style-type: none"> <li>• An EEO policy statement is in place, available and reflected in all relevant processes.</li> <li>• Policies comply with applicable equal opportunity laws and support diversity across the workforce.</li> <li>• EEO strategies are incorporated into workforce plans and promoted throughout the workplace.</li> <li>• Decisions and actions affecting employees are not influenced by irrelevant personal characteristics.</li> <li>• Employers are notified of any discrimination <u>or sexual harassment</u> complaints in their organisation and the findings of associated investigations.</li> <li>• EEO data is monitored and evaluated on a regular basis.</li> </ul>
Human Rights	Not applicable	<p>Human rights as set out in the Victorian <i>Charter of Human Rights and Responsibilities</i> are upheld when:</p> <ul style="list-style-type: none"> <li>• Decisions give proper consideration to relevant human rights.</li> <li>• Decisions and actions are compatible with human rights.</li> <li>• Any limits put on a right are reasonable, necessary, justified and proportionate.</li> </ul>
Reasonable Avenue of Redress	<p>Standards prescribed in relation to the fair and reasonable treatment principle also apply in relation to the reasonable avenue of redress principle. In addition, the following standards also apply:</p> <ul style="list-style-type: none"> <li>• Employment related policies and procedures are to demonstrate a commitment to address employee</li> </ul>	<p>Employees have a reasonable avenue of redress against unfair or unreasonable treatment when:</p> <ul style="list-style-type: none"> <li>• Employee workplace issues are addressed in an effective and timely manner.</li> <li>• A written procedure, detailing the review process and the rights and</li> </ul>

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	<p>workplace issues in an effective and timely manner.</p> <ul style="list-style-type: none"> <li>• A written procedure, detailing the review process and the rights and responsibilities of participants, is to be available and communicated to all employees.</li> <li>• Procedures are to encourage parties to resolve workplace issues internally and informally, before applying more formal internal or external processes.</li> <li>• Review of a grievance is to be based on a consideration of all relevant facts and evidence.</li> <li>• Appropriate delegation and accountability is to be assigned to enable a workplace issue to be effectively considered.</li> <li>• The principles of natural justice and procedural fairness are to be applied throughout a review process</li> </ul>	<p>responsibilities of participants, is available and communicated to all employees.</p> <ul style="list-style-type: none"> <li>• Procedures encourage parties to resolve workplace issues locally and informally, before applying more formal local or external processes.</li> <li>• Reviews are based on a consideration of all relevant facts and evidence.</li> <li>• Appropriate delegation and accountability is assigned to enable a workplace issue to be effectively considered.</li> <li>• The principles of natural justice and procedural fairness are applied throughout a review process.</li> </ul>
Career Public Service	Not applicable	<p>In public service bodies, the development of a career public service is fostered when:</p> <ul style="list-style-type: none"> <li>• Career information is readily accessible in ways, in locations and at times that reflect the diverse needs of current and potential employees</li> <li>• Career information is relevant to people of all ages and at different points of their life but particularly during transitions such as entry to the workforce, return from parental leave or planning for retirement.</li> <li>• Performance management conversations are used to develop employees' career-management skills by encouraging them to reflect on their ambitions, interests, qualifications and abilities in relation to possible learning and work opportunities.</li> <li>• The focus is on life-long learning and sustained employability so that employees can more readily move across occupational boundaries or change careers.</li> </ul>