VPS Enterprise Agreement Common Policies

MOVEMENT BETWEEN VALUE RANGES

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Authority and Application

Clause 23.4 of the *Victorian Public Service Enterprise Agreement 2016* (Agreement) applies to the Departments and Agencies and their Employees who are covered by the Agreement.

Schedule E of the Agreement details the VPS Non-Executive Classification Descriptors as well as those applying to VPS Aligned and Non-Aligned Adaptive Structures. These descriptors apply to all Employees and establish the type of work appropriate at each grade and value range.

Overview

This common policy relates to clause 23.4 of the Agreement, which deals with movement between value ranges, which can occur following a job resizing review. A review conducted in accordance with this clause may lead to the resizing of a job from one value range to another value range within the same VPS Grade (for example, movement from VPS 5.1 to VPS 5.2).

Schedule E of the Agreement establishes the type of work appropriate at each grade within the VPS Non-Executive Career Structure (including VPS Aligned and Non-Aligned Structure). Employers are expected to ensure work allocation is made in accordance with these descriptors. Where work is allocated in a manner inconsistent with these descriptors, the Employer should either:

* take steps to ensure work is properly allocated;
* ensure the position and the employee are properly classified; or
* in the case of temporary duties at the higher value range, pay an Employee a higher duties allowance in accordance with clause 31.3 of the Agreement.

Relevant provisions of the VPS Enterprise Agreement

Clause 23.4 – Movement Between Value Ranges

**23.4(a)**

Employees and/or positions can move between value ranges.

**23.4(b)**

Movement between the value ranges can occur following a job resizing review. The review process includes an assessment of the work the Employer requires to be undertaken and the performance of that work by the Employee. These are assessed against the benchmarks specified in the Classification and Value Range Standard Descriptors at Schedule E of this Agreement

Schedule E – Classification Descriptors

See - <https://www.fwc.gov.au/documents/documents/agreements/fwa/ae418873.pdf>

Supplementary guidance information

PART A – Job Resizing

1. Job Resizing Review
   1. Job resizing is the outcome of an assessment of the requirements of a position which results in the movement of a position from one value range to a higher value range within the same classification.
   2. A job resizing review involves an assessment of the actual work required by the Employer against the relevant classification value range descriptor outlined in the Agreement and the Employee’s performance of that work.
   3. A position can be resized only where:
      1. an assessment of the requirements of the position has been conducted against the relevant value range descriptors as detailed in Schedule E of the Agreement;
      2. there is an ongoing need for work (consistent with the grade and value range descriptors) to be performed at the next value range;
      3. the Employee is performing work at the higher value range.
   4. If a job resizing review is undertaken as part of a significant structural or functional change, the Employer must comply with its obligations about consultation on major change with significant effects under clause 10 of the Agreement.
   5. A job resizing review must be conducted in a manner that is fair, objective, transparent and timely.
2. Applying for a Job Resizing Review
   1. A job resizing review may be initiated either by an Employee or the Employer at any time. However, the most appropriate time to initiate discussion about a job resizing review proposal is during the Employee’s performance and development discussions with the Employer. It is not a requirement that an Employee be at the top of their current value range before seeking a job resizing review.
   2. Employee’s wishing to initiate a job resizing review should first discuss their request with the manager/supervisor before commencing the formal application process prescribed by their Employer.
   3. The person who initiates the job resizing request is responsible for preparing the proposal in consultation with the manager/supervisor or Employee (as relevant). At a minimum, it would be expected that a job resizing review proposal include:
      1. a description of the key elements of change in the duties and responsibilities of the position and why that change has occurred, including an assessment as to whether the duties attached to the position are more appropriately classified at the higher value range in the grade;
      2. an assessment by the Employee of the statements in the value range descriptors that they consider applicable to their position;
      3. an Employee self-assessment of their key roles and activities, including the provision of detailed examples of work that demonstrate they have been performing work at the higher value range; and
      4. an assessment by the manager/supervisor as to the veracity of claims put forward by the Employee, including assessing the ongoing requirements of the position against the value range descriptors and whether the Employee has been performing those requirements.
   4. The key elements of change referred to at section 2.3.1 are not required to be included in a job resize review proposal where the substance of the proposal is that the position should have always been classified at the higher value range.
3. Assessment of a Job Resizing Review request
   1. Assessment of a job resizing review proposal would usually be undertaken by the Employer’s Human Resources or People and Culture Unit (or equivalent), or an authorised delegate of the Employer, and conducted in a timely manner. In instances where the Employer’s Human Resources or People and Culture Unit (or equivalent) do not perform the assessment, another independent and suitably experienced person may conduct the assessment.
   2. Job resizing review assessments must be made on a ‘whole of position’ basis by comparing the position’s work requirements against the relevant classification and value range descriptors in Schedule E of the Agreement to assess whether, on balance, the position is appropriately classified. No single element of the descriptors of itself will determine whether a position is appropriately classified. It is not necessary to demonstrate that work is being performed for all, or a majority, of the work descriptors for the position to be appropriately classified at the higher value range.
   3. In making an assessment against the relevant value range descriptors, the Employer’s Human Resources or People and Culture Unit (or equivalent), or authorised delegate of the Employer, should also consider:
      1. the organisation’s ongoing need for work to be performed at the higher value range or where the need is not ongoing, whether temporary higher duties would be appropriate; and
      2. the Employee’s demonstrated performance of work at the higher value range.
4. Approving a Job Resizing Review proposal
   1. It is recommended that, if a job resizing request is approved and an Employee’s position is moved to a higher value range, their salary be set at the base of the new value range. The date of effect for the salary change will be the earlier of:
      1. the date of approval by the Employer; or
      2. the date the Employee was required to undertake the duties of the higher value range.

If the date under section 4.1.2 cannot be ascertained, the Employer and Employee may agree to another date that is before the date referred to in section 4.1.1.

* 1. Where an assessment of the requirements of the position supports a movement between value ranges, a merit selection process is not required.
  2. Where an Employee is moved between value ranges as a result of a job resizing review the Employee’s Performance Development Plan must also be revised to reflect the expectations of the role at the higher value range.

1. Not approving a Job Resizing Review proposal
   1. If the Employee has demonstrated that they are performing work at the higher value range, the Employer must take steps to reallocate the required duties so that the Employee is working within their value range.
   2. Disputes about the outcome of a job resizing review may be dealt with through the dispute resolution procedure at clause 12 of the Agreement.

Making decisions under this policy

Under section 20(1) of the Public Administration Act 2004, the public service body head has all the rights, powers, authorities and duties of an employer, which will usually be delegated to staff within their Department or Agency. Employers should ensure that any actions under this policy are only taken by an employee with the delegation to do so. Each Department and Agency should give effect to this policy in accordance with its own delegations.

Dispute resolution

An Employee who is directly affected by a decision made or action taken pursuant to clause 23.4 of the Agreement, or the appropriate classification of their role in accordance with the Agreement, may apply for a Review of Actions under the Employer’s Review of Actions policy or seek to resolve a dispute through the Resolution of Disputes procedure at clause 12 of the Agreement.

Further Information

Employees should refer to their Department or Agency’s intranet for information on procedural requirements, systems and approval delegations.

For further information and advice please contact your local Human Resources or People and Culture Unit (or equivalent).

Related policies or documents

**VPS Enterprise Agreement Common Policies**

* Redeployment
* Review of Actions

All policies in the VPS Enterprise Agreement Common Policies collection, can be found at <https://vpsc.vic.gov.au/vps-enterprise-agreement-common-policies/>