



Submission to the Senate Inquiry into the conditions of employment of state public sector employees and the adequacy of protection of their rights at work as compared with other employees.

Material provided by Together Queensland, Industrial Union of Employees Members

15 February 2013

Introduction

This submission is made by Together Industrial Union of Employees and is based on information provided for this purpose by 59 members/ former members whose roles have been, or are being, made redundant (questions responded to by members are provided in Attachment 1). This information is supported by a further 46 members who completed 'exit interviews' on the Together website when they were made redundant, and by 5 other members who provided detailed information about their experiences.

Overview

This overview provides a breakdown of responses from members. It is followed by extracts from their responses to highlight their experiences.

Failure to consult employees about changes that impact on their employment

95% of members report that they had no input into the decisions regarding the restructure of their work units, the services they provided, or their agency. Of the 3 members who did report that they were consulted, 1 reported that consultation was not genuine.

In general, restructuring decisions were announced in staff forums or by email as a fait accompli. However 25% of members stated that they were not informed about the restructure process at all.

Information provided by members, overwhelmingly indicates that they were not being consulted about possible impacts to their employment, rather they were being told they were redundant.

Failure to mitigate the impact of changes

73% of members stated that the restructure process in their agency was designed to get employees to leave the public sector. In this regard 66% said they were not encouraged to seek redeployment and of the 18% who said they were, a further 10% said that the encouragement was the official line but that they were not encouraged in practice.

64% of members reported that they did not feel they had any choice but to take a redundancy.

Some members reported that their attempts to find themselves alternate employment within the sector were obstructed.

Failure to provide adequate information and support to employees

Members were generally told that their position would be redundant in one-to-one meetings, although 15% were told this information in a group meeting.

50% of members who commented, said that they were not provided with sufficient information to make an informed decision about accepting a redundancy and of those who

felt they were, some indicated that the information was about their lack of alternatives: that there was no other realistic option.

Few members felt adequately supported by their agency with 35% saying there was no support and a further 42% indicating that the level of support was not sufficient. 17% of members experienced good support at a local management level; their responses indicating that support was otherwise lacking.

In their own words

The following quotes from members put flesh to the figures provided above. Quotes are identified by a number for each different member contributing, eg MC1, MC2 etc.

Failure to consult employees about changes that impact on their employment

Member contributions highlight that:

- *they were not consulted about changes: they were told, and sometimes insufficiently;*
- *there was no interest from management in considering alternative options to announced decisions;*
- *the decisions did not demonstrate proper planning and consideration of services or employment.*

...[we were] told on a Wednesday that we would be completely shut down by the following Monday, and that we would be redeployed on an interim basis while a more permanent solution was found. We were advised to pack up the entire office and personal stuff in the next two days. (MC8)

My team was initially told that senior management were in favour of retaining our role. However the next week we were told that our contracts would expire and not be renewed. (MC19)

There were many attempts made advocating for a restructure of what public health could look like to accommodate for reductions in staff, but all attempts were vetoed by upper level management. (MC32)

None whatsoever! The plan to close 3 X Active Recreation Centres (Magnetic Island, Yeppoon and Leslie Dam) was done in secret and only released on Budget Day 9/11. The Centres could have been made viable with input from the people on the ground actually running the Centres. (MC31)

.... none whatsoever. I tried making a case using the current legislation which mandates our function in the department and submitted this report to my Director. I doubt he even read it. (MC20)

I was not told anything about the restructure but the operations team were delivering boxes to people all around me and I was watching them pack up their desks as they left as soon as they were told they were being made redundant. I was called to HR on 17th August and told I was being made redundant. The HR Manager told me I could go home and not bother working out any notice. I was free to pack up my desk and leave. I was the 10th person he had told that morning and he was very apologetic and distressed about the process. (MC50)

We received no information. Despite repeated requests from our Executive Director, information was not forthcoming. We found out what was happening from Union releases and the media. No-one would talk to us about the restructure of our office. We were asked to move our office to another location. It was very clear that eventually our office would seek to exist. (MC14)

... the restructure happened, in toto from the first mention of it to workers to reaching a fait accompli, in less than one month. It was a crazy time and suddenly our team... we had just spent two years integrating our job descriptions... was not changed in structure, but completely GONE. (MC30)

My business group was told that we must "lose" four positions at the first and only meeting with agency senior management in which I was involved regarding redundancies. The decisions regarding redundancies were clearly all about achieving the requisite staff reduction numbers and not the logic of achieving cost savings. A decision to outsource my principal area of responsibility to another State agency was also presented as a "fait accompli" at that meeting. It is not clear whether that decision was made by the agency or imposed by the State Government. I was refused any details about how the outsourcing was going to be undertaken - I suspect the agency senior management had not figured it out themselves at that time. Given my responsibilities for that area however, it was clear to me that I was going to be "gone". This was subsequently confirmed. There was no "consultation" with any staff within our business group that I am aware of in relation to the outsourcing decision (except perhaps those considered to be agency senior management staff). Despite being the Manager responsible for the area, I was certainly NOT consulted in relation to that decision. If I had been consulted, I would have queried whether such outsourcing would result in any cost savings for the agency or the State. Whenever work within that area of responsibility was previously outsourced 2006 - 12 due to inadequate resources, there was an additional fee payable to the other agency to which it was outsourced of about 10% of the project value. The other State agency proposed to which that work was traditionally outsourced when additional resources were required also appears to have lost significant staff and apparently does not now have the capacity to undertake the function promptly anyway. If I had been consulted, I would also have also pointed to the involvement of my area in the development of capacity within the agency to achieve very significant actual savings against most independent pre-tender estimates. Hardly a dysfunctional or wasteful public service! If I had been consulted, I would also have pointed out that my area had developed a pool of niche contractors in regional areas who provided high quality work for specialised requirements. Given the size of the agency, future costs for such outsourced projects are likely to increase in future (not be reduced) if it is to be dependent on external arrangements. Further, there is no guarantee that any of the projects in regional areas will be undertaken by those experienced regional contractors. This may jeopardise those contractor's financial viability - very strange for an LNP Government that purports to promote regional development. I was told that decisions made in relation to redundancies in my area were to be made by senior management who (as it turned out) were also leaving the agency, clearly a form of obfuscation to avoid continuing senior management being held accountable

or exposed to any resultant opprobrium. I understand that, notwithstanding the redundancies and supposed outsourcing, the remaining staff in my previous area of responsibility are still undertaking the same work! (MC2)

Failure to mitigate the impact of changes

Member contributions highlight that:

- *redeployment was not presented as a viable option;*
- *redundancy was presented as the only realistic option; and*
- *redundancy was so firmly the agenda that it was pursued by management even where it obstructed specific service delivery commitments or employee attempts to secure their own deployment.*

The option [of redeployment] was not discussed with me. (MC 19)

I was informed that our chances of getting redeployed was unlikely, and that if I did not take the redundancy, then I would lose all redundancy payments except for long service leave payments. I was only given 2 weeks to make this decision, I asked for an extra week, and was informed that this was not possible (MC38)

No I had no choice. It was couched that I should take it now or wait a few more months and take it then for less money. At no time was redeployment or any other option offered. (MC39)

[I was, about being redundant, in a] 30 second meeting in manager's office. I was encouraged to leave early so that I could reapply for Qld Health jobs sooner. (MC63)

.... the redeployment option was painted very negatively.(MC40)

We were strongly advised to take the money and run as job options were unlikely. (MC 22)

Yes it was mentioned, although I certainly wouldn't say [I was] encouraged to seek it. If anything the downside of redeployment was mentioned over and over again (eg only on the list for six months and what they "find" for you may not even be a similar role). (MC30)

The Director General of Transport and Main Roads said to take the redundancy if we were offered it, as unless we had some sort of a specialised skill we would probably not have a job. (MC36)

During our regular meetings with the Executive Director, we were told that there would not be enough positions for people; that the environment would be unpleasant to work in; and that we should seriously consider 'putting our hand up' to go. (MC45)

It was made very clear (during the internal information sessions) that the Newman government wanted to achieve the numbers it had envisaged... and that, if logic was applied, there was little to no chance of employment (or redeployment) in other roles or departments. The mantra of "Rejuvenation" and the 'cleaning out' of higher level Administrative Officer positions also made it clear that aged workers were targeted. (MC61) [*Together notes: the concerns about having been targeted and future employment prospects due to their (older) age were raised by many members through the exit interviews. Together members who were pregnant or on maternity leave have also raised concerns that they had no option out to accept a redundancy.*]

We were told there were no jobs in the redeployment pool suitable for us. Positions in the pool were few (only Administrative Officer's & I am Professional Officer) so highly sought after – we were told it would be better to take the redundancy. (MC11)

The redeployment pool was mentioned. This was not an option for the many Operation Officer Level 2's (OO2s). There were so few positions within whole of government due to the cutbacks in all of government. Once again this was an issue for the lowest paid & most vulnerable of the staff, the OO2s. (MC42)

My contract started in April 2009 and was for 6 months, then it was extended to 1 year. In April 2010 it was extended for another year, in April 2011 it was extended for another year, then after the election, in April 2012 it was extended for 6 months which brought it up to the end of September 2012. By the end of March 2012 I was told by management of the possibility of my contract not renewing at the end of September, but they were not sure and that they would keep me informed. It wasn't until the 8th August that I was officially told that my contract would not be able to be renewed on 30th September. Management was very caring and supportive and we had regular meetings where we were told of the situation and that most contracts were not being renewed, so I do not in any way have an issue with management. What I do have an issue with is working full time hours in a job for 3.5 years and still not being made a Permanent. My team went from 5 members plus a Team Leader, down to 3 members and no Team Leader by September 2012. That was a 50% reduction which meant that the work previously done by 6 people, now had to be done by 3. This has meant a lot of added stress to the team. (MC3)

... multiple, similar and identical roles that were made redundant where advertised at the very same time as temp and contract positions. The risk for taking these positions was two-fold: 1.) it was understood that the incumbent could be terminated at any time (job security had gone) and 2.) the short-term nature of some of these positions meant less money in the bank than the redundancy payment. It was only known after staff, including myself, left that most of the people who applied for redeployment were successful. Had I known, I would have signed up for redeployment. (MC61)

The local management tried very hard with the Together Union Rep to find a viable position for me to be able to stay but their hands were very tied as to what they could do for me by the State Government redundancy/redeployment directive, so in the end reluctantly I made the only real choice I had which was to be pushed out of my employment of 32 loyal hardworking years. (MC56)

When I was asked to leave, staff from other districts informed the manager that they had the budgeted to take me on, and he informed them that he would not do this. (MC38)

I informed my Education Manager and my Faculty Manager that I was booked to deliver training in [location] and was meant to be driving there in 2 weeks. My Education Manager informed my Faculty Manager that I was the only staff member profiled to deliver the training and that it was the final workshops in the delivery. The Faculty Manager offered to fly me to [location] and pay me casual wages to complete the training as by then I would no longer be employed. (MC50)

I feel I was targeted for redundancy because of my length of service (age) and because I was not working in a customer service centre. My immediate Supervisor was also offered a package. He had only been with the department for three years so his package was substantially less and he told me that a staff co-ordinator was already looking for a position for him, even before the acceptance or rejection of the offer made to him. He later rejected

the offer and accepted a position in Brisbane. I asked the staff co-ordinator if there was a position for me and I was told that they would "look" into this if I rejected the redundancy. I read (personal opinion) this to mean 'NO' they would not find me a position as I knew he was already looking for a job for my supervisor, but would not start looking for one for me. I feel I had no other choice to accept the redundancy as I had no confidence if they would even to try and find me another position in a reasonable place. (MC7)

One of the principal reasons I elected to take a redundancy rather than a transfer was my experience in submitting an expression of interest and resume for a manager position in another agency in the days before my final decision was required. The new positions in that other agency were apparently exempted from the redundancy/transfer process. However, that other agency still sought expressions of interest from public servants in my agency who were deemed redundant. Just a couple of days prior to my decision being required (to take a redundancy or transfer), the Courier Mail published an article which indicated that the Public Service Commission had said that none of the public servants deemed redundant would be suitable for any of the roles in that other agency that I had expressed interest in! I made some enquiries and believe my experience would have been extremely relevant. However in the circumstances, I had no confidence in the role of the Public Service Commission redundancy/transfer process and therefore elected to take a redundancy. (MC2)

I was a Director and one of the "first cabs-off-the-rank" in the job cuts. Partly as a consequence of that, I think we suffered enormously from HR and the Public Service Commission not having a clue about how to run an across-government redundancy/redeployment process (we were the petri dish of experimentation). We were basically told that we needed to find a permanent position within 4 months (with the department having some discretion to extend that period by a further 3 months), otherwise we would be forcibly retrenched. While I had secured a 12 month temporary position I was told by HR that a temporary position delivering a Government election commitment would not be enough to stop me potentially getting the chop after four (or if I was lucky, seven) months. I felt in those circumstances that I had no choice but to accept the redundancy. **It was, to my mind, a case of constructive dismissal.** I was backed so far into a corner, and given so little information, that I felt I had no choice but to jump before I was pushed. (MC 52)

Failure to provide adequate information and support to employees

Member contributions highlight that:

- *information was not readily available or provided in a timely or supportive manner;*
- *while some local managers did their best by their staff (indicated by 17% of members), the pressure to meet the government agenda of redundancy led to poor management and inadequate employee support through a very traumatic period.*

...I was a regional manager expecting staff to be made redundant as I was asked to support them. Then I got a bulk email of staff names and I was in the list with no prior knowledge this was coming. (MC37)

...my colleagues were presented with the devastating news in a room with all other staff at the Forum. To show how they have no idea what it is we do they booked a room for about 40

people and 120 ++ staff turned up for the meeting. There were staff overflowing into the hallway. So insensitive to the news people were about to be given. (MC46)

I received a phone call on the day my contract was due to be renewed (after 8 years). I had 4 hours notice to leave. I was the only [name of role] in this particular service and was not informed of any discussion about this issue. (MC55)

They frightened us into believing that they had limited time to make an offer, only two would be made, if we said know then we would be terminated, and if they couldn't find us a suitable job we would be terminated, lose our incentive payment, no indications about how many people were on the list or how many jobs were available to share around, so you couldn't way up the odds or the risk. (MC16)

We were given an estimate of our redundancy package, but it was for a date three months before I was due to leave. When I asked whether I could have an updated one, they told me they were too busy. Apparently they were sacking too many people to keep up. Hilarious, if it wasn't so sad. (MC13)

A calculator was added to the computers to be used to give a final payout for the redundancy. It didn't work. This was an increased an extra problem for the OO2s who work in the field & don't have access to computers. Staff were kept in the dark until the last minute. Although staff were encouraged to call the Reform team with questions they were not replied to for ages or not replied to at all. (MC42)

There was very little, if any, information relating to timing of the final decision of whose positions would be made redundant (if and when) & value of redundancy payment. This made it more difficult to plan properly or make informed decisions. Further, we were told to use a web calculator to estimate (yes estimate!) our own redundancy payout, as they were too busy (with the volume of work relating to redundancies) to provide us with individual estimates of same. When I quizzed management about this at one of the group meetings, I was told Crown Law told them this was all they had to provide us with. (MC60)

... management couldn't answer questions because they didn't know either!!!... It was the most stressful and shameful way to treat people I have ever witnesses in 30 years of public service. (MC23)

We were not supported. For a long time we were "kept in the dark" as to how the "bare bones" of the agency was to be operated. Gradually the senior staff has been able to enlighten us to the way the agency would operate – as a brokerage service. There has been a great deal of angst for the office staff. Some are losing their jobs & some are staying, but there is no definite date - just that the change must occur by 30 June. The whole exercise has been very poorly handled. It would appear that the Board decided to close the agency but never had a clear plan or pathway. The time frame is very short & we are speaking about serious changes for some very vulnerable clients. The offers of assistance to staff are very much a token so the correct boxes can be ticked. The greatest impost for staff is that none of them can approach a private agency for employment (although these agencies will need to recruit to cope with the influx) because State Legislation – Transmission of Business means the staff cannot be employed for at least three months after their termination with our agency. (MC42). *[Together notes: this is a misunderstanding: private agencies can employ public sector workers immediately, although there are financial reasons why they may*

choose not to. However this highlights the lack of appropriate information being provided to employees.]

Employee Assistance Service assistance (and advice on same) was also not freely available to anyone who was already being counselled for stress or other problems (ie another issue, other than redundancy), where one had already attended some predetermined number of sessions the Department was prepared to pay for. This was the case for me and I ended up paying my own fees. (MC60)

We were offered "online counselling". We also had one visit from HR representatives to keep us informed. We organised our own CV writing workshop as a group. (MC 11)

We were kept in the dark as to what changes were to be made and who that would affect. The whispers and innuendo of Management made life extremely difficult. My immediate Manager went off on stress leave. Staff that were "favoured" were placed in to give them experience (just in case). People were juggled and moved to save them. It was excruciating to watch. (MC24)

[I got] No support apart from a brief conversation. My wife asked for help also, but when she said that she wasn't going to kill herself they wiped her. We asked to speak to someone, but we've had no response. It's been five months. (MC54)

We received no information. Despite repeated requests from our Executive Director, information was not forthcoming. We found out what was happening from Union releases and the media....In the end I made a decision based on my personal well-being. The stress was overwhelming and starting to impact on my health. I got to the point where I just wanted "out" as soon as possible and with the maximum financial benefit. It was too hard to get information; in the end most of us gave up. (MC14)

A climate of fear and distrust

This submission includes non-identifying information from members. The sad reality is that their experience in being made redundant has left members feeling no trust in their government. In fact members have expressed concerns that making a submission could jeopardise their future employment with the public service or the private sector.

To put this in the words of our members:

Given my qualifications and experience it is likely that I will be offered work within the private sector undertaking that same type of "outsourced" Government work. You will appreciate that I accepted the redundancy payment rather than seeking a transfer and am trying to move on with my life and career. Given the nature of the new LNP Government in Queensland, I am fearful that any publication of full details of "my story" may end up being prejudicial to my private sector employer when my details are provided to the State

Government (as proposed "key personnel") and therefore adversely affect my prospects of employment in that area in future.(MC2)

I am interested in making a submission but as I am still a government employee, I am bound by the Public Service Act which states that it is an offence to make public comment about

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the actions of the government of the day. If I make a submission could I be charged and be sacked without the redundancy package? (MC4)

I need my job, I will not be making a submission.(MC5)

You are welcome to share my story - false name ONLY (MC1)

Together Queensland Industrial Union of Employees

Questions

Responses total	59
Was there any opportunity to have input into restructuring or changes to your job? If there was, was it genuine?	Yes: 3 (1: it was not genuine) No: 56
How was information about the restructure conveyed to you?	Group meeting/ staff forum: 25 Poorly/ not kept informed: 15 Email: 13 Individual meeting: 5 Letter: 2 Media: 2
How was the decision to make you redundant conveyed to you?	Group meeting/ staff forum: 9 Not informed: 1 Email: 4 Individual meeting: 20 Letter: 4 Phone: 7 HR: 1
Was the process in your agency aimed at keeping people employed or at getting them to leave?	Keep: 3 Leave: 43 Depend on favouritism: 4
Were you encouraged to seek redeployment? If yes, in what way? If no, in what way?	Yes: 5 'officially': 6 No: 40
Did you feel you had a choice to not take a redundancy? Why/ why not?	Yes: 12 No: 38 Volunteered due to poor treatment: 3
Were you given enough information to help you make an informed decision? If no, what information were you not able to get?	Yes: 23 No: 22
In what way were you supported by your agency in going through the restructure?	Reference to EAS in communications: 11 Poorly: 6 Not supported: 21 Union: 4 Other: 4 Supported well by local management (but not agency): 10