

Background

In February 2013, the NSW Government introduced a new senior executive classification which transfers senior officers from the award based system to ongoing contracts.

The GSE Act came into force on 24 February 2014 and since then the finer details and full impact of the senior executive reforms are being revealed. From the date of commencement:

- 3 years to transition Senior officers 'in scope' to new senior executive structure;
- 6 months for Clusters to provide implementation plan to the Public Service Commission (PSC) for approval.

Relevant resources

- [Government Sector Employment Regulation 2014](#) contains key elements of the proposed transitional arrangements for the establishment of the new senior executive classification.
- [Senior Executives Bands Determination 2014](#) which sets the upper and lower limits for senior executives' salaries.

Transitional arrangements improved thanks to members' feedback

The transitional provisions contain some important wins achieved through the advocacy of PSA members.

This includes the initial recruitment action for senior executives being restricted to those former senior executives and senior officers from within the agency. (*GSE Act, Schedule 4, clause 8(5)*).

Further, once transitioned and to avoid any financial disadvantage, senior officers may be paid an allowance to bridge the difference between the previous senior officer's salary and the new senior executive band. (*GSE Act, Schedule 4, clause 8B(4)*) This was not possible prior to PSA intervention. If this has not translated into practice please contact the PSA.

Senior Executives Band Determination

More recently the PSC provided PSA with formal confirmation of which senior officer equivalent classifications will be in scope for the senior

executive reforms. This detail is included in the PSC's Determination made on 25 March 2014.

PSA has written to the PSC to raise a number of concerns with the Determination, specifically the extension of the senior executive service to classifications below the Senior Officer Grade 1, Year 1 salary.

This is contrary to the indications that have been provided to the PSA and public sector staff as to the intent of the reforms.

The bottom line

The model contract of employment for senior executives may now commence at salaries as low as \$128,024. (*GSE Act, Schedule 4, clause 8(1)(b)*)

PSA will be meeting with the PSC to discuss this issue.

The PSA will seek to establish ongoing consultation arrangements with PSC to enable broad consultation throughout the three year transitional period.

PSA will continue to have a central role in determining conditions of employment for senior officers who transfer to the new executive structure.

Senior Executive conditions

The model contract of employment (*GSE Rules, Schedule 1*) provides a direct link to the leave provisions that apply to non-executive employees. This provides an opportunity for senior executives, through the union, to negotiate changes to conditions on a collective basis.

Agencies are required to develop a transition plan and submit it for approval to PSC by August 2014.

Where members become aware of the transition plan for their agency, they are encouraged to advise PSA. Please email research@psa.asn.au.

PSA will separately seek direct consultation with the Public Service Commission on individual agency transition plans.

Note: Current versions of the [Government Sector Employment Act 2013 No 40](#), the [Government Sector Employment Regulation 2014](#) and the [Government Sector Employment Rules 2014](#) are available from www.legislation.nsw.gov.au

More important than ever to join the PSA

It is more important than ever to be supported by your Association.

We urge members to contact the PSA if they are concerned about the senior executive changes and issues arising from the implementation of their contract.

We are exploring ways to negotiate improvements to the model contract of employment for senior executives.

PSA has been a leading voice in identifying the corruption risks of these model contracts, in particular the lack of appeal rights.

We will continue to advocate strongly on behalf of our senior executive service members.

Don't forget all PSA members are covered on their travels to and from work with [PSA journey insurance](#).

