

## Commission Chief Executive Directive: Voluntary Medical Retirement (VMR Scheme)

### 1. Purpose:

To establish the conditions and entitlements of permanent public service employees under a voluntary medical retirement scheme.

### 2. Effective date:

16 September 2016

### 3. Legislative provisions:

Sections 53(baa), 53(c) and 136 of the *Public Service Act 2008* (PSA).

### 4. Application:

This directive only applies to persons employed in the agencies listed on the Directives website as *participating agencies*. The VMR Scheme only applies to permanent public service employees.

Where a permanent public service employee of a participating agency holds more than one public service role, the application of the directive is extended to their employing agency (including a non-participating agency) but only in respect of that employee.

### 5. Previous references:

Directive 5/13; 9/14 and 16/14

### 6. Related information:

While this directive sets out the voluntary medical retirement process, the Commission Chief Executive Guideline on Mental or Physical Incapacity provides guidance on the implementation of the involuntary ill-health retirement provisions in Chapter 5, Part 7 of the PSA.

### **DIRECTIVE:**

### 7. Obligations of participating agencies

- 7.1 Participating agencies are to communicate the VMR Scheme to their employees and publish procedures to guide managers and employees about the process.

### 8. Managing illness or injury impacting upon the performance of duties

- 8.1 The Queensland Government is committed to supporting public service employees who experience illness or injury to maintain their employment, including, where appropriate, through the application of reasonable adjustment.
- 8.2 The directive provides a scheme for managing situations where reasonable adjustment measures have been considered and the employee cannot continue to perform the duties of their substantive role or other roles for which they are reasonably qualified due to injury or ill-health.



- 8.3 The processes under this directive should be implemented with appropriate sensitivity and respect in accordance with the management and employment principles of the PSA.
- 8.4 Voluntary medical retirement is not an alternative to performance or conduct management obligations under section 26 of the PSA.
- 8.5 An employee subject to a current disciplinary process cannot apply for or be offered a VMR package.

#### **9. Relationship with PSA - mental or physical incapacity**

- 9.1 Voluntary medical retirement is a distinct and separate process from an independent medical assessment and subsequent decision under Chapter 5, Part 7 of the PSA.
- 9.2 The PSA allows a chief executive to effectively and appropriately manage employees where their attendance and/or performance may be affected by mental or physical illness. This includes a direction to attend an independent medical assessment.
- 9.3 An employee cannot apply for a voluntary retirement package after the employee has been directed in writing to attend an independent medical assessment, unless invited to do so by the chief executive or the chief executive has made a decision under section 178 of the PSA to continue an employee's employment with or without reasonable adjustment.
- 9.4 Where a chief executive makes a decision not to offer a voluntary medical retirement package or an employee declines an offer under clause 11.3, the chief executive should consider what action, if any, should be taken under Chapter 5, Part 7 of the PSA.

#### **10. VMR application**

- 10.1 A public service employee may initiate an application for a voluntary medical package where they have medical evidence that they have an injury or illness that prevents (or is reasonably likely to prevent) them from continuing in or returning to their substantive role or other roles for which they are reasonably qualified.
- 10.2 An agency representative may suggest to an employee that they consider seeking medical advice to determine whether they should apply to retire under this directive.
- 10.3 The medical evidence must address:
  - (a) the employee's illness or injury including the short-term and long-term prospects for rehabilitation or reasonable adjustment; and
  - (b) the impact on the employee's ability to safely and effectively perform their current or other roles for which they are reasonably qualified.
- 10.4 The employee must provide medical evidence which the chief executive considers sufficient to decide the employee's VMR application and is to include one specialist medical opinion.
- 10.5 The employee is responsible for meeting the costs associated with obtaining the medical evidence and any additional information requested by the chief executive.
- 10.6 The chief executive may request the provision of independent medical advice and the department will be responsible for the associated cost.
- 10.7 An application under clause 10.1 must also state whether the employee holds more than one public service role. If so, the application must state the role titles, enclose a copy of the role description for all roles and must address the impact of the injury or illness on all roles. Where multiple roles exist, clause 12 applies.

#### **11. VMR application – factors to consider and process**

- 11.1 In considering an application under clause 10.1, the chief executive must have regard to:
  - (a) the medical evidence, including the likely prospects of rehabilitation;
  - (b) the ability to implement reasonable adjustment to support the continued employment of the employee; and

- (c) the availability of other roles within the agency to which the employee may be transferred or redeployed.
- 11.2 Following a consideration of the factors set out in clause 11.1, a VMR application must be approved where the chief executive considers that the medical evidence sufficiently supports the application.
- 11.3 Where the chief executive supports an application under clause 10.1, a letter of offer outlining the voluntary medical retirement package must be sent to the employee. The letter of offer must:
- (a) provide the employee with two weeks to advise of their decision. Where no decision is advised within two weeks, the employee is deemed to have declined the offer, unless an extension is agreed to by the chief executive. Any extension under this clause must be reasonable and take into account the interests of the employer and employee in achieving an early resolution;
  - (b) nominate a proposed separation date, however this date can be amended by mutual agreement. A nominated separation date should reflect that the agency has medical evidence that the employee cannot continue in their role and that achieving an early resolution is in the interests of the employer and the employee; and
  - (c) attach a copy of this directive.
- 11.4 Where the chief executive does not support an application under clause 10.1, the employee must be provided with reasons in writing.
- 11.5 Where a current public service employee is dissatisfied with the decision not to approve a VMR application, the employee may have a right of appeal under the PSA, provided the employee has reasonably used the department's complaints process prior to lodging the appeal.

## **12. Employees with multiple roles**

- 12.1 Where an employee holds multiple roles that are:
- (a) substantially the same, and/or
  - (b) the nature of the illness or injury is such that it impacts on the employee's ability to continue in more than one / all of the roles,
- an application under clause 10.1 must be made simultaneously in relation to all relevant permanent roles.
- 12.2 Where an employee holds multiple roles within an agency the chief executive must consider the factors in clause 11.1 in relation to each role.
- 12.3 Where an employee holds a role in more than one participating agency the chief executives of the employee's agencies must:
- (a) consult with each other about any offer, including any transfer opportunities to maintain employment
  - (b) consider the application to retire in respect of the roles in their agency.
- 12.4 Where an employee holds multiple roles including a role in a non-participating agency:
- (a) the chief executive of the participating agency must consult with the chief executive(s) of the other agency(ies) about any offer, including any transfer opportunities to maintain employment
  - (b) the chief executive(s) is/are responsible for determining whether any offer of a voluntary medical retirement package is contingent upon the employee separating from all public service roles.
- 12.5 Where an employee who holds multiple roles, and as a result of clauses 12.3 or 12.4, is transferred such that their full-time equivalency equals or exceeds that of their combined roles, a voluntary medical retirement package may not be offered.

12.6 Where an employee who holds multiple roles, and as a result of clauses 12.3 or 12.4, is offered an increase to their full-time equivalency in one role, such that it equals or exceeds that of the combined roles, a voluntary medical retirement package may not be offered.

### **13. Voluntary medical retirement package**

13.1 A voluntary medical retirement package comprises the following:

- (a) accrued recreation leave;
- (b) accrued long service leave for employees who have worked for at least five (5) years, on the basis of 1.3 weeks for each year of continuous service and a proportionate amount for an incomplete year of service;
- (c) a severance payment of two weeks full-time pay per full-time equivalent year of service and a proportionate amount for an incomplete year of service paid at the employee's substantive appointed level. The minimum payment is four weeks pay, and the maximum is 52 weeks.

13.2 A voluntary medical retirement package for employees working on a part-time basis (as at the date of proposed separation) is to be calculated on a pro-rata basis.

### **14. Taxation and disability payments**

14.1 Employees are responsible for seeking their own advice in relation to financial and taxation issues and superannuation entitlements associated with accepting a voluntary medical retirement package, including the type and number of medical reports necessary to meet Australian Tax Office requirements for employment termination payments.

14.2 An employee receiving a VMR package may not necessarily be eligible for a disability payment under a superannuation scheme or a disability pension as different requirements must be met (for example, a Total and Permanent Disability Payment under the Queensland Government Superannuation Fund).

### **15. Re-engagement**

15.1 A person who accepts a voluntary medical retirement package under this directive may be re-engaged as a consultant, contractor, or employee in a Queensland Government entity provided that:

- (a) the person provides medical evidence that clearly and unambiguously states that the person's current condition would not affect their ability to safely and effectively perform the proposed role and re-engagement would not pose a risk of worsening or aggravating an existing injury or illness, including the injury or illness for which the person accepted a voluntary medical retirement package;
- (b) the employing agency has completed a risk assessment that supports re-engagement;
- (c) the person repays the severance payment, where they are liable for repayment, as if it were a severance payment under the directive relating to early retirement, retrenchment and redundancy; and
- (d) any other matters the chief executive considers relevant are satisfied.

15.2 The employee must provide medical evidence which the chief executive considers sufficient to decide the application for re-engagement and is to include at least one specialist medical opinion.

15.3 The employee is responsible for meeting the costs associated with obtaining the medical evidence and any additional information requested by the chief executive.

15.4 The chief executive may request the provision of independent medical advice and the department will be responsible for the associated cost.

15.5 Where a chief executive has made a decision under clause 10 that an employee with multiple part-time roles is not required to separate from all roles to receive a voluntary medical retirement

package, the employee may continue in their existing role (or substantially similar role) but may not otherwise be engaged as a consultant, contractor, or employee in a Queensland Government entity, unless the requirements of re-engagement as set out in clause 15 are met.

- 15.6 A chief executive is responsible for determining if a role is substantially similar, having regard to whether the role uses the same skill sets as the existing role and whether it is or is not impacted on by the injury or illness which led to the voluntary medical retirement under clause 10.

## 16. Reporting

- 16.1 A chief executive must provide information about the implementation of this directive as requested by the Commission Chief Executive of the Public Service Commission.

## 17. Transitional arrangements

- 17.1 A person who retired under superseded directive 03/15 may be re-engaged as a consultant, contractor, or employee in a Queensland Government entity on the conditions set out in this directive.
- 17.2 An application lodged by an employee under the superseded directive must still be decided under that directive.
- 17.3 Where an employee has made an application to a participating agency, and the participating agency withdraws from the scheme, the application must be decided under this directive.

## 18. Definitions

**Multiple roles** means multiple part-time roles or a combination of part-time and casual roles, provided that at least one role is a permanent role.

**Service**, for the purposes of determining the separation payment, means any period of service that has been recognised for the purposes of calculating long service leave. This includes the current period of employment and any previous periods of service recognised in accordance with the directive relating to recognition of previous service and employment. Where an employee has previously received a severance payment<sup>1</sup>, any recognised service to that date will not count towards service when determining a separation payment under this directive.

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<sup>1</sup> Including, but not limited to severance payments received for redundancy, retrenchment or voluntary separation program.





## VOLUNTARY MEDICAL RETIREMENT – APPLICATION FORM

EMPLOYEE DETAILS			
Name			
Substantive classification	Contact numbers		
Substantive position		Business Unit	
Work area		Location	
Email address			
Home address			
<b>CHECKLIST</b>			
<b>In order to meet the requirements of Directive 22/16 and be eligible to apply for a voluntary medical retirement package, the following checklist must be completed.</b>			
1. Permanent employee of the Department of Justice & Attorney-General	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
2. Two medical reports attached (one is from a medical specialist)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
3. Hold more than one public service role (If yes, please attach a copy of the role profile and Manager's contact details)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
4. Cover letter attached (brief summary of your case and reasons for applying)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
<b>EMPLOYEE DECLARATION</b>			
I hereby declare that the information set out above is true and correct, and if my circumstances change at any time I will notify the department immediately.			
I have read and understood the conditions set out in Directive 22/16 -Voluntary Medical Retirement (VMR Scheme).			
I understand that I am responsible for seeking advice in relation to financial and taxation issues and superannuation options or entitlements associated with accepting a voluntary medical retirement package.			
Signature:			Date:

MANAGER		
To the best of my knowledge the above information is true and correct. I confirm that there are no performance or conduct issues that would impact on this application (s.8.4 VMR Directive 22/16). I also confirm that Reasonable Adjustment has been applied and is not a viable option (s11.1(b) VMR Directive 22/16).		
Name:		
Signature:		Date:

For Endorsement		
<input type="checkbox"/> Endorse the application	<input type="checkbox"/> Do not endorse the application	
Comments:		
Name:		
Signature:		Date:

DELEGATE DECISION		
<input type="checkbox"/> Approve the application	<input type="checkbox"/> Do not approve the application	
Name:		
Signature:		Date:

**Questions for medical specialist or practitioner to answer**

For the purpose of supporting the employee’s application for a Voluntary Medical Retirement from their employment in the Department of Justice and Attorney-General.

Employee’s full name: .....

Date of Birth: .....

Doctor’s name and address, contact information: .....  
.....

1. In your opinion does this person have a mental or physical illness or disability that may adversely affect their ability to perform work or attend the workplace?
2. If you consider that they do have a mental or physical illness or disability that may adversely affect attendance or work –
  - (a) What is the mental or physical illness or disability?
  - (b) What is the cause of the illness or disability?
  - (c) What is the likely direct or indirect effect of the illness or disability on attendance and/or performance?
  - (d) Provide an estimate of how long the illness or disability or its effects are likely to last.
  - (e) Are there any other issues that may adversely affect attendance and/or work performance?
3. What are the objective signs and subjective symptoms of the condition/s? (If applicable, please include results of any tests, together with the date performed).

**Treatment**

4. What treatment has been provided?
5. Has the person been compliant with the recommended treatment and how successful has this treatment been?
6. What is the ongoing recommended treatment regime and what is the projected duration of this treatment?

**Risk of Further Injury**

7. Does this medical history and condition place this person at moderately or markedly increased risk of aggravation of the condition/s or sustaining further injury, if they were to return to his substantive position? If so, is this risk

significant enough that you would recommend against a return to the substantive position?

8. If you recommend against the return to the substantive role due to the risk of further injury or exacerbation of his condition, in your opinion should this person be permanently restricted from returning to this role?

**If the illness or disability is temporary, please respond to question 9.**

**If the illness or disability is likely to last for the foreseeable future, please respond to questions 10 to 13.**

### **Rehabilitation**

9. In your opinion would a workplace rehabilitation program allow this person to return to performing the full duties of the substantive position? If so, please provide advice in relation to the requirements of such a program including anticipated duration, and adjustments and/or supports to assist the return to work. Please provide advice in relation to developing a graduated return to work program:

- (a) How many hours and days per week will this person initially be able to work and when should their workload or duties be increased or reviewed?
- (b) What medical restrictions need to be taken into consideration when identifying appropriate suitable duties for this person?
- (c) When do you anticipate these restrictions will resolve to enable this person to increase their duties?
- (d) How long do you anticipate it will take before this person will be able to resume their full hours and full duties?

### **Long term outlook**

10. Do they have a permanent disability as a result of the medical condition/s?
11. Based on your clinical findings, are they likely to ever be able to return to the role as an employee of the Department of Justice and Attorney-General in the foreseeable future?  
If so, please provide your reasons.  
If no: What are the specific medical barriers that prevent them from returning to work?
12. Would they be medically capable of working in any other role in the future?  
If so, given their education, training or experience what other employment could this person undertake in the future?
13. What medical restrictions, adjustments and supports need to be considered when identifying appropriate alternative work?

Thank you for answering these questions.



**DIRECTIVE 22/16**  
Supersedes 03/15**Commission Chief Executive Directive: Voluntary Medical Retirement (VMR Scheme)****1. Purpose:**

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## 18. Definitions

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**Service**, for the purposes of determining the separation payment, means any period of service that has been recognised for the purposes of calculating long service leave. This includes the current period of employment and any previous periods of service recognised in accordance with the directive relating to recognition of previous service and employment. Where an employee has previously received a severance payment<sup>1</sup>, any recognised service to that date will not count towards service when determining a separation payment under this directive.

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<sup>1</sup> Including, but not limited to severance payments received for redundancy, retrenchment or voluntary separation program.



## Role Description for Custodial Correctional Officer

Centre		Division	Queensland Corrective Services		
Location		Closing date		Job Ad Ref	
Classification	CO1	Salary per fortnight	\$0,000 - \$0,000	Salary per annum	\$00,000.00 - \$00,000.00
Type of vacancy	Permanent / Temporary for ___ months Hours as per centre roster (Refer to <i>Applicant Information Package*</i> see note in <i>Additional Information section</i> ).				
Contact Name		Title		Telephone	

### The Department of Justice and Attorney-General

The department contributes to a fair and just society and safe, healthy, productive workplaces and community.

The department values cultural capability and supports the engagement, participation and advancement of Aboriginal people and Torres Strait Islander people across all occupational streams.

### About the Business Unit

Correctional centres are responsible for the delivery of custodial services across Queensland. People in custody are supervised in either high or low security correctional centres. High security centres provide for the management of adult prisoners held in secure custody correctional centres across Queensland

### About the Role

Supervise and provide services to prisoners on a daily basis and actively participate in their rehabilitation through work and program activities, and monitor and maintain the security of the correctional centre or facility (including courts, hospitals or external escorts).

### Key Responsibilities

#### Prisoner Supervision

- Supervise the behaviour and activities of prisoners on a daily basis in accordance with the centre/facility's routine
- Develop productive relationships with staff, management, professionals, police and other agencies
- Assist in the rehabilitation of prisoners by participating in or overseeing their work or activities and contributing to case management functions within the centre
- Identify prisoners who may be at risk and advise relevant staff in a timely manner
- Interact with prisoners and respond to their needs through the provision of services in an appropriate manner within relevant guidelines and rules
- Encourage prisoners to participate in programs to maximise their opportunities for rehabilitation
- Report details or incidents and behaviour of prisoners for the purpose of the sentence management process
- Participate in the reception, induction and discharge of prisoners in accordance with procedures
- Assess prisoner needs prior to action and take into account traditional cultural values
- Prepare reports on relevant activities and maintain appropriate records
- Perform other administrative duties as required





### Correctional Centre Security

- Monitor and maintain the dynamic and static security requirements of the correctional centre or facility, reporting any unusual behaviours or occurrences which could result in a breach of security
- Undertake searches and perform escort duties of prisoners both within the centre and externally when required
- Ensure you respond to emergency or security breaches in accordance with prescribed procedures and processes
- Prepare and submit accurate incident reports/ statements/ records concerning notifiable incidents
- Identify and respond appropriately to potential security risks and illegal activity
- Provide reports concerning equipment damage, defects or loss and maintain accurate administration records
- Restrain and control non-compliant prisoners in accordance with policies and guidelines and ensure participate in annual training in control and restraint to maintain competence

### CCO Responsibilities and Training

- Participate in all training as directed by the Agency including the ongoing maintenance and current competence of all qualifications including, but not limited to Certificate III in Correctional Practice (Custodial) and other annual training requirements
- Maintain a professional level of appearance at all times by wearing the QCS issued uniform in accordance with Agency uniform standards
- Comply with all QCS policy, procedures and legislation including the applicable Code of Conduct

### How you will be assessed

To determine your suitability for the role, you will be assessed on the following attributes, experience, knowledge and skills that link to the "Key Responsibilities" above:

We are looking for someone who:

- *Acts proactively, works flexibly without supervision and effectively manages new and unexpected events using judgement about when to escalate issues*
- *Focuses on performance, seeks clarity of tasks, asks questions, and knows what is expected of them. Demonstrates flexibility and copes effectively with day-to-day work changes and shifting priorities*
- *Models professional and ethical behaviour. Able to navigate the policy and procedural frameworks in order to apply to day to day offender management practices.*

\* These attributes are based on the Queensland Public Service ([QPS Workforce Capability Success Profile Framework](#)) and have been tailored for this Agency.

### Knowledge, Skills and Experience required for the role

- **Decision making and reasoning** involving gathering information, evaluating a variety of solutions, and selecting the best option, working ethically, working under pressure and demonstrating resilience
- **Self-management or self control** with the ability to manage your personal feelings and reactions to challenges on the job
- **Teamwork** skills with the ability to work effectively with people of different ages, gender and cultural backgrounds. In addition, demonstrated ability to collaborate and contribute to team results
- **Information technology** skills at a basic level with the willingness to learn new IT skills and use internal offender management databases as well as Microsoft Office software
- **Planning and organising** abilities to ensure tasks are completed within the required deadlines and in accordance with all relevant policies and procedures within the correctional environment
- **Problem solving** skills with the ability to apply a range of problem solving strategies and show initiative in identifying and solving problems both independently and as a team member
- **Communication** skills as demonstrated through the ability to listen, understand and speak clearly to a wide range of audiences. Written skills with the ability to summarise information and data

## Mandatory Qualifications, Conditions and Requirements

It is a mandatory requirement that applicants have:

Drivers license, the minimum C class Australian licence

Certificate in Apply First Aid (previously known as Senior First Aid certificate). Applicants who do not have this qualification must provide evidence that they have commenced the process of obtaining this qualification prior to the interview.

To be eligible to apply for this role you must hold suitable working rights for Australia – you must be either an Australian Citizen, Permanent Resident or New Zealand Citizen.

### Conditions of Employment

It is condition of employment that, prior to commencing work in the role of Custodial Correctional Officer, you will be required to successfully complete the paid compulsory ten (10) week Custodial Officer Entry Program (COEP) at the Queensland Corrective Services Academy at Wacol. Refer to Additional Information for details of the (COEP).

It is a condition of employment that all applicants offered a position must successfully complete a Certificate III in Correctional Practice (Custodial) offered by QCS during their first year of employment.

A Custodial Correctional Officer will be required to work a pattern of work in accordance with a roster established by Queensland Corrective Services. As an example, high and low security centres have a 24 /7 operating environment and the patterns of work cover Monday – Sunday, night/day shifts, whilst work performed for Escort and Security Branch in the Courts Complex would be day shifts only from Monday to Friday.

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### Interested in applying?

Refer to the Manpower website [Manpower.com.au/qcs](http://Manpower.com.au/qcs) for details on the application and selection process.

People from diverse backgrounds including non-English speaking backgrounds, people with a disability, women, Aboriginal people and Torres Strait Islander people are encouraged to apply.

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### How to submit an application

Applications can be lodged on the Manpower recruitment website - [Manpower.com.au/qcs](http://Manpower.com.au/qcs)

Contact Details if you have queries:

Email: [qcs@au.manpowergroup.com](mailto:qcs@au.manpowergroup.com)

Phone: 1300 725 937

A resume should also be included and should include details about your responsibilities and achievements of current and previous roles, and include two recent referees who have a thorough knowledge of your work performance and conduct. Please ensure that one of the referees is your current or immediate past supervisor.

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### Additional Information

Applications to remain current for 12 months

The incumbent may be required to work hours outside the normal work hours.

This position reports to the relevant supervisor or manager within the centre and may also be instructed to undertake actions by a proper authority. There are no direct reports to the position, although there will be direct contact with prisoners.

This role description provides the minimum requirements for the role. The incumbent may be required to undertake other duties as required

For details regarding salary information, leave entitlements, flexible working arrangements and other benefits for this position please refer to the Applicant Information Package\*.

(\*Note: Not all conditions and information in the Applicant Information Package)

A minimum probation period of 3 months may apply.

All newly appointed public service employees who have been employed as a lobbyist in the previous 2 years are required to provide a disclosure to the Director-General within 1 month of commencement in accordance with *Disclosure of Previous Employment as a Lobbyist Policy*.

Any applicant recommended for appointment who is a current or previous public sector employee is required to disclose previous serious disciplinary action taken against them. If recommended for appointment the Panel Chair will contact the applicant further to discuss this requirement.

A non-smoking policy is effective in Queensland Government buildings, offices and motor vehicle.

Where a subsequent or recurring vacancy arises, either from the same centre/location or different centre/location from the advertised position, the vacancy may be filled from the order of merit used to fill the original position. Applications will remain current for up to 12 months after the closing date.

Information on Award conditions including salary rates can be accessed via:

[http://www.correctiveservices.qld.gov.au/Publications/Corporate\\_Publications/Employment\\_documents/DCS Correctional Employees Award State 2012.pdf](http://www.correctiveservices.qld.gov.au/Publications/Corporate_Publications/Employment_documents/DCS_Correctional_Employees_Award_State_2012.pdf)

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### **Criminal History Checks**

Criminal history checks will be undertaken by Queensland Corrective Services on preferred applicant(s). Applicants seeking appointment in QCS are required to disclose any criminal histories and/or charges (including convictions which are not recorded), usually at time of interview, as per the provisions of the Criminal Law (Rehabilitation of Offenders) Act 1986, section 9A(1). A criminal conviction or charge will not automatically exclude an applicant from consideration for appointment with QCS. QCS will obtain information from the Queensland Police Service on whether an applicant is under investigation for a serious offence and, if necessary, information can be obtained concerning the person.

Applicants who have lived or worked overseas may be required to provide a current police clearance from that country.

### **Pre-employment Checks**

Pre-employment checking will be conducted on preferred applicants before placement. They are used to verify that the information provided by the applicant in the selection processes is true and accurate. Pre-employment checking includes checking of criminal history, identity, performance or previous discipline history.

### **Pre-employment Physical Assessment**

Applicants who progress from the assessment centre will be required to complete the five minute Responding to Medical Emergency (RTME) assessment. A video of what is required during this assessment is available for viewing on the Manpower website.

### **Pre-employment Medical Checks**

Applicants who progress from assessment centre will be required to undertake a pre-employment medical assessment with a medical practitioner that is registered as an approved provider by the Department. Details of the registered medical practitioners will be provided during the recruitment process.

### **Smoke Free Prisons**

Queensland Corrective Services facilities are tobacco and smoke free. Cigarettes, tobacco and smoking related items, such as matches and lighters, are prohibited inside a corrective services facility. Smoking is not permitted anywhere on the grounds of a corrective services facility (including car parks, walkways, visits processing etc.).

### **Custodial Officer Entry Program (COEP)**

Successful applicants before being offered a position will be required to successfully complete the paid compulsory ten (10) week COEP at the relevant training facility. This will be the first component of the Certificate III in Correctional Practice (Custodial) which is mandatory qualification for Custodial Correctional Officers.

Accommodation for courses at the Queensland Corrective Services Academy only, during the relevant training periods may be arranged, upon application and approval, for officers who meet residential criteria as determined by the Department.

***The Custodial Officer Entry Program (COEP) includes:***

**Physical Control & Restraint Technique Training**

This component involves a degree of physical exertion and strong physical contact, e.g. barging, tackling, restraining. Techniques include punching, kicking, baton use, applying physical restraint devices, joint locks, unbalancing, leverage, pressure point control and applying pain as a stimulus to enforce compliance.

**Chemical Agents**

Direct exposure to chemical agents while wearing a mask and then exposure to the agent with the mask removed.

**Firearms**

Participants will be expected to demonstrate competence in the use and routine maintenance of a Glock pistol.

Following this program, applicants will undergo competency based training and assessment in a prison to complete Certificate III Correctional Practices (Custodial) during the first year of employment.

**Physical Assessment**

**Responding to Emergencies**

This component requires participants to successfully complete an operational circuit within 5 minutes. The circuit consists of:

1. Jog/run approximately 500 metres – including repetitive stair (10 x 20cm steps) ascents
2. 10 arm and leg thrusts
3. 10 prone/push and stand drill exercises
4. 20 metre 70kg mannequin drag, and then
5. Communicate effectively using a radio

**Want to know more? Visit the following website:**

[www.correctiveservices.qld.gov.au/employment](http://www.correctiveservices.qld.gov.au/employment)

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**Employee Union Information**

The Queensland Government recognises your entitlement to join a registered union. While you are not obliged to join a union, the Government encourages its employees to do so. Membership application forms can be obtained from the relevant union. Supervisors will be able to tell you the name of the union that represents your role.

You should also know that your name, the name of your workplace and your workplace location may be provided to a relevant union for the purpose of providing the union with the opportunity to discuss with you the benefits of union membership.

Refer to the Applicant Information Package for further information about which union covers the Department of Justice and Attorney-General.

**DIRECTIVE 22/16**  
Supersedes 03/15

## Commission Chief Executive Directive: Voluntary Medical Retirement (VMR Scheme)

### 1. Purpose:

To establish the conditions and entitlements of permanent public service employees under a voluntary medical retirement scheme.

### 2. Effective date:

16 September 2016

### 3. Legislative provisions:

Sections 53(baa), 53(c) and 136 of the *Public Service Act 2008* (PSA).

### 4. Application:

This directive only applies to persons employed in the agencies listed on the Directives website as *participating agencies*. The VMR Scheme only applies to permanent public service employees.

Where a permanent public service employee of a participating agency holds more than one public service role, the application of the directive is extended to their employing agency (including a non-participating agency) but only in respect of that employee.

### 5. Previous references:

Directive 5/13; 9/14 and 16/14

### 6. Related information:

While this directive sets out the voluntary medical retirement process, the Commission Chief Executive Guideline on Mental or Physical Incapacity provides guidance on the implementation of the involuntary ill-health retirement provisions in Chapter 5, Part 7 of the PSA.

### **DIRECTIVE:**

### 7. Obligations of participating agencies

7.1 Participating agencies are to communicate the VMR Scheme to their employees and publish procedures to guide managers and employees about the process.

### 8. Managing illness or injury impacting upon the performance of duties

8.1 The Queensland Government is committed to supporting public service employees who experience illness or injury to maintain their employment, including, where appropriate, through the application of reasonable adjustment.

8.2 The directive provides a scheme for managing situations where reasonable adjustment measures have been considered and the employee cannot continue to perform the duties of their substantive role or other roles for which they are reasonably qualified due to injury or ill-health.



- 8.3 The processes under this directive should be implemented with appropriate sensitivity and respect in accordance with the management and employment principles of the PSA.
- 8.4 Voluntary medical retirement is not an alternative to performance or conduct management obligations under section 26 of the PSA.
- 8.5 An employee subject to a current disciplinary process cannot apply for or be offered a VMR package.

## **9. Relationship with PSA - mental or physical incapacity**

- 9.1 Voluntary medical retirement is a distinct and separate process from an independent medical assessment and subsequent decision under Chapter 5, Part 7 of the PSA.
- 9.2 The PSA allows a chief executive to effectively and appropriately manage employees where their attendance and/or performance may be affected by mental or physical illness. This includes a direction to attend an independent medical assessment.
- 9.3 An employee cannot apply for a voluntary retirement package after the employee has been directed in writing to attend an independent medical assessment, unless invited to do so by the chief executive or the chief executive has made a decision under section 178 of the PSA to continue an employee's employment with or without reasonable adjustment.
- 9.4 Where a chief executive makes a decision not to offer a voluntary medical retirement package or an employee declines an offer under clause 11.3, the chief executive should consider what action, if any, should be taken under Chapter 5, Part 7 of the PSA.

## **10. VMR application**

- 10.1 A public service employee may initiate an application for a voluntary medical package where they have medical evidence that they have an injury or illness that prevents (or is reasonably likely to prevent) them from continuing in or returning to their substantive role or other roles for which they are reasonably qualified.
- 10.2 An agency representative may suggest to an employee that they consider seeking medical advice to determine whether they should apply to retire under this directive.
- 10.3 The medical evidence must address:
  - (a) the employee's illness or injury including the short-term and long-term prospects for rehabilitation or reasonable adjustment; and
  - (b) the impact on the employee's ability to safely and effectively perform their current or other roles for which they are reasonably qualified.
- 10.4 The employee must provide medical evidence which the chief executive considers sufficient to decide the employee's VMR application and is to include one specialist medical opinion.
- 10.5 The employee is responsible for meeting the costs associated with obtaining the medical evidence and any additional information requested by the chief executive.
- 10.6 The chief executive may request the provision of independent medical advice and the department will be responsible for the associated cost.
- 10.7 An application under clause 10.1 must also state whether the employee holds more than one public service role. If so, the application must state the role titles, enclose a copy of the role description for all roles and must address the impact of the injury or illness on all roles. Where multiple roles exist, clause 12 applies.

## **11. VMR application – factors to consider and process**

- 11.1 In considering an application under clause 10.1, the chief executive must have regard to:
  - (a) the medical evidence, including the likely prospects of rehabilitation;
  - (b) the ability to implement reasonable adjustment to support the continued employment of the employee; and



- (c) the availability of other roles within the agency to which the employee may be transferred or redeployed.
- 11.2 Following a consideration of the factors set out in clause 11.1, a VMR application must be approved where the chief executive considers that the medical evidence sufficiently supports the application.
- 11.3 Where the chief executive supports an application under clause 10.1, a letter of offer outlining the voluntary medical retirement package must be sent to the employee. The letter of offer must:
- (a) provide the employee with two weeks to advise of their decision. Where no decision is advised within two weeks, the employee is deemed to have declined the offer, unless an extension is agreed to by the chief executive. Any extension under this clause must be reasonable and take into account the interests of the employer and employee in achieving an early resolution;
  - (b) nominate a proposed separation date, however this date can be amended by mutual agreement. A nominated separation date should reflect that the agency has medical evidence that the employee cannot continue in their role and that achieving an early resolution is in the interests of the employer and the employee; and
  - (c) attach a copy of this directive.
- 11.4 Where the chief executive does not support an application under clause 10.1, the employee must be provided with reasons in writing.
- 11.5 Where a current public service employee is dissatisfied with the decision not to approve a VMR application, the employee may have a right of appeal under the PSA, provided the employee has reasonably used the department's complaints process prior to lodging the appeal.

## **12. Employees with multiple roles**

- 12.1 Where an employee holds multiple roles that are:
- (a) substantially the same, and/or
  - (b) the nature of the illness or injury is such that it impacts on the employee's ability to continue in more than one / all of the roles,
- an application under clause 10.1 must be made simultaneously in relation to all relevant permanent roles.
- 12.2 Where an employee holds multiple roles within an agency the chief executive must consider the factors in clause 11.1 in relation to each role.
- 12.3 Where an employee holds a role in more than one participating agency the chief executives of the employee's agencies must:
- (a) consult with each other about any offer, including any transfer opportunities to maintain employment
  - (b) consider the application to retire in respect of the roles in their agency.
- 12.4 Where an employee holds multiple roles including a role in a non-participating agency:
- (a) the chief executive of the participating agency must consult with the chief executive(s) of the other agency(ies) about any offer, including any transfer opportunities to maintain employment
  - (b) the chief executive(s) is/are responsible for determining whether any offer of a voluntary medical retirement package is contingent upon the employee separating from all public service roles.
- 12.5 Where an employee who holds multiple roles, and as a result of clauses 12.3 or 12.4, is transferred such that their full-time equivalency equals or exceeds that of their combined roles, a voluntary medical retirement package may not be offered.

12.6 Where an employee who holds multiple roles, and as a result of clauses 12.3 or 12.4, is offered an increase to their full-time equivalency in one role, such that it equals or exceeds that of the combined roles, a voluntary medical retirement package may not be offered.

### **13. Voluntary medical retirement package**

13.1 A voluntary medical retirement package comprises the following:

- (a) accrued recreation leave;
- (b) accrued long service leave for employees who have worked for at least five (5) years, on the basis of 1.3 weeks for each year of continuous service and a proportionate amount for an incomplete year of service;
- (c) a severance payment of two weeks full-time pay per full-time equivalent year of service and a proportionate amount for an incomplete year of service paid at the employee's substantive appointed level. The minimum payment is four weeks pay, and the maximum is 52 weeks.

13.2 A voluntary medical retirement package for employees working on a part-time basis (as at the date of proposed separation) is to be calculated on a pro-rata basis.

### **14. Taxation and disability payments**

14.1 Employees are responsible for seeking their own advice in relation to financial and taxation issues and superannuation entitlements associated with accepting a voluntary medical retirement package, including the type and number of medical reports necessary to meet Australian Tax Office requirements for employment termination payments.

14.2 An employee receiving a VMR package may not necessarily be eligible for a disability payment under a superannuation scheme or a disability pension as different requirements must be met (for example, a Total and Permanent Disability Payment under the Queensland Government Superannuation Fund).

### **15. Re-engagement**

15.1 A person who accepts a voluntary medical retirement package under this directive may be re-engaged as a consultant, contractor, or employee in a Queensland Government entity provided that:

- (a) the person provides medical evidence that clearly and unambiguously states that the person's current condition would not affect their ability to safely and effectively perform the proposed role and re-engagement would not pose a risk of worsening or aggravating an existing injury or illness, including the injury or illness for which the person accepted a voluntary medical retirement package;
- (b) the employing agency has completed a risk assessment that supports re-engagement;
- (c) the person repays the severance payment, where they are liable for repayment, as if it were a severance payment under the directive relating to early retirement, retrenchment and redundancy; and
- (d) any other matters the chief executive considers relevant are satisfied.

15.2 The employee must provide medical evidence which the chief executive considers sufficient to decide the application for re-engagement and is to include at least one specialist medical opinion.

15.3 The employee is responsible for meeting the costs associated with obtaining the medical evidence and any additional information requested by the chief executive.

15.4 The chief executive may request the provision of independent medical advice and the department will be responsible for the associated cost.

15.5 Where a chief executive has made a decision under clause 10 that an employee with multiple part-time roles is not required to separate from all roles to receive a voluntary medical retirement

package, the employee may continue in their existing role (or substantially similar role) but may not otherwise be engaged as a consultant, contractor, or employee in a Queensland Government entity, unless the requirements of re-engagement as set out in clause 15 are met.

- 15.6 A chief executive is responsible for determining if a role is substantially similar, having regard to whether the role uses the same skill sets as the existing role and whether it is or is not impacted on by the injury or illness which led to the voluntary medical retirement under clause 10.

## 16. Reporting

- 16.1 A chief executive must provide information about the implementation of this directive as requested by the Commission Chief Executive of the Public Service Commission.

## 17. Transitional arrangements

- 17.1 A person who retired under superseded directive 03/15 may be re-engaged as a consultant, contractor, or employee in a Queensland Government entity on the conditions set out in this directive.
- 17.2 An application lodged by an employee under the superseded directive must still be decided under that directive.
- 17.3 Where an employee has made an application to a participating agency, and the participating agency withdraws from the scheme, the application must be decided under this directive.

## 18. Definitions

**Multiple roles** means multiple part-time roles or a combination of part-time and casual roles, provided that at least one role is a permanent role.

**Service**, for the purposes of determining the separation payment, means any period of service that has been recognised for the purposes of calculating long service leave. This includes the current period of employment and any previous periods of service recognised in accordance with the directive relating to recognition of previous service and employment. Where an employee has previously received a severance payment<sup>1</sup>, any recognised service to that date will not count towards service when determining a separation payment under this directive.

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<sup>1</sup> Including, but not limited to severance payments received for redundancy, retrenchment or voluntary separation program.