

## Amendments to the *Government Sector Employment (General) Rules 2014* in response to the COVID-19 pandemic

The [Government Sector Employment \(General\) Rules \(Amendment No 11 – COVID-19\) 2020](#), which commenced on 30 March 2020, amends the *Government Sector Employment (General) Rules 2014* ("the *GSE Rules*") to enhance the flexibility of the NSW Public Service to assist with the response to COVID-19.

### KEY POINTS

Changes include:

- ▶ Streamlining the process of employing persons in temporary or term employment for a period of up to two years in the Public Service to provide assistance in response to the COVID-19 pandemic.
- ▶ Removing the requirement to conduct a comparative assessment when continuing a person's temporary or term employment beyond a 12 month period in certain circumstances.

### HIRING NEW EMPLOYEES

The new r. 15 removes the requirement to conduct a comparative or suitability assessment when employing persons in temporary or term employment for a period of up to two years provided that:

- the purpose of the employment is to provide assistance in response, or is otherwise related, to the COVID-19 pandemic; and
- on the basis of an assessment of the person's capabilities, experience and knowledge, the agency head is satisfied that the person is suitable for the role to which the person is to be assigned and for the needs of the Public Service agency.

### CONTINUATION OF EXISTING EMPLOYMENT FOR TEMPORARY OR TERM EMPLOYEES

The new r. 21(2B) provides that a person employed in temporary or term employment on the basis of a suitability assessment can continue in that employment

beyond a 12 month period without completing a comparative assessment, if:

1. the continuation of the person's employment is for a period of up to 2 years and is for the purposes of providing assistance in response, or is otherwise related, to the COVID-19 pandemic; or
2. the continuation of the person's employment commences within the 12 month period following the commencement of the amendments and is for a period of up to 12 months.

This new rule provides a further exception to the requirement for a comparative assessment to be conducted pursuant to r. 21(2) of the *GSE Rules*.

These amendments are designed to enable Public Service agencies to flexibly and efficiently assist with the response to the COVID-19 pandemic by employing (or continuing the employment of) persons without the need to comply with some of the procedural requirements in the *GSE Rules*. Importantly, these amendments only apply to employment of persons in the Public Service under the *Government Sector Employment Act 2013*.

### CONTACT



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