



New South Wales

Government Sector Employment (General) Rules (Amendment No 10—Miscellaneous) 2019

under the

Government Sector Employment Act 2013

I, Emma Hogan, Public Service Commissioner, in pursuance of the *Government Sector Employment Act 2013*, make the following Rule.

EMMA HOGAN
Public Service Commissioner

Government Sector Employment (General) Rules (Amendment No 10—Miscellaneous) 2019

under the

Government Sector Employment Act 2013

1 Name of Rule

This Rule is the *Government Sector Employment (General) Rules (Amendment No 10—Miscellaneous) 2019*.

2 Commencement

This Rule commences on the day on which it is published on the NSW legislation website.

Schedule 1 Amendment of Government Sector Employment (General) Rules 2014

[1] Rule 3 Definitions

Insert in alphabetical order in rule 3(1)—

focus capabilities for a role means the capabilities, of those required for the role, decided by the employer as being the most important for the effective performance of the role.

[2] Rule 16 Merit principles to be applied in employment decisions

Omit rule 16(3)(b). Insert instead—

(b) pre-established standards for the capabilities required for a role are to be expressed as levels against each capability,

[3] Rule 16(3)(d)

Omit “or type of role”.

[4] Rule 17 Comparative assessment

Insert after rule 17(1)—

(1A) For the purposes of subrule (1)(a), the assessment of the individual’s claim against the pre-established standards for the capabilities required for the role must include, at a minimum, an assessment of the individual’s claim against the pre-established standards for the focus capabilities for the role.

[5] Rule 17(2)(d)

Omit “against the pre-established standards for the role”.

[6] Rule 18 Suitability assessment

Omit “individual” from rule 18(1). Insert instead “individual’s claim”.

[7] Rule 18(1A)

Insert after rule 18(1)—

(1A) For the purposes of subrule (1), the assessment of the individual’s claim against the pre-established standards for the capabilities required for the role must include, at a minimum, an assessment of the individual’s claim against the pre-established standards for the focus capabilities for the role.

[8] Rule 18(2)(d)

Omit “against the pre-established standards for the role”.

[9] Rule 19 Talent pools

Omit “or type of role” from rule 19(1).

[10] Rule 19(4)

Omit “12 months”. Insert instead “18 months”.

[11] Rule 19(5)–(7)

Insert after rule 19(4)—

- (5) For the purposes of this rule, the comparative assessment that entitles a person to be included in a talent pool for a role is not required to include referee checks.
- (6) Before a person included in a talent pool is offered employment, the referee checks exempted under subrule (5) must be carried out in relation to the person.
- (7) The maximum period for inclusion in a talent pool specified in subrule (4), as amended by the *Government Sector Employment (General) Rules (Amendment No 10—Miscellaneous) 2019*, extends to talent pools that existed immediately before that amendment was made.

[12] Rule 20 Ongoing employment

Omit rule 20(2)–(6).

[13] Rule 20A Employment at higher level following completion of graduate program

Omit “or the type of role” from rule 20A(2)(a)(i).

[14] Rule 22D Exemption from rules 21 and 22 for temporary employees who are subject to Commissioner’s determination

Omit the rule.