

Fact sheet: Recruitment

Temporary or term employment up to 2 years for COVID-19-related roles and extensions of temporary or term employment

Government Sector Employment (General) Rules 2014 (GSE Rules) Amendment

Key points

- Changes have been made to the provisions in [Part 3](#) of the GSE Rules to give Public Service agencies the ability to quickly recruit to or retain people in roles designed to assist with the COVID-19 response or that are otherwise related to the COVID-19 pandemic ('COVID-19-related roles').
- The changes commenced on 30 March 2020.
- New [GSE rule 15 \(2\)](#) sets minimum standards for employing a person in temporary or term employment for up to 2 years for COVID-19-related roles, in line with the merit principles set out in [GSE rule 16](#).
- New [GSE rule 21 \(2B\) \(a\)](#) allows for a person's temporary employment to be extended for up to a further 2 years without requiring further assessment or advertising if the role is COVID-19-related.
- New [GSE rule 21 \(2B\) \(b\)](#) allows for a person's temporary or term employment to be extended for up to a further 12 months only without requiring further assessment or advertising if the role is not related to the COVID-19 pandemic.

Introduction

The Public Service Commission has made some urgent changes to the GSE Rules. The changes allow Public Service agencies to accelerate recruitment to COVID-19-related roles (under [GSE rule 15 \(2\)](#)) and to enable the extension of current temporary or term employment beyond 12 months (under [GSE rule 21](#)).

These changes, along with existing mobility provisions, will help our sector to quickly respond to the varying demands on our workforce resulting from the COVID-19 pandemic.

We have also developed a fact sheet on using the current [mobility arrangements](#) effectively.

What's changed?

Temporary or term employment up to 2 years for COVID-19-related roles

New [GSE rule 15 \(2\)](#) allows for a person to be employed in temporary or term employment for up to 2 years in a COVID-19-related role based on an assessment that demonstrates they are suitable for the role.

The assessment process requires an assessment of the prospective employee's capabilities, experience and knowledge, and the agency head must be satisfied that the person is suited to the role and the needs of the agency.

Agencies have the flexibility to decide the following:

- Whether external advertising is required
- Nature of the job application – resume only and/or some form of written application
- Number and types of assessments
- Whether individuals are compared against other applicants or against the role requirements
- Number of assessors
- Number of referee checks to be completed.

Agencies still need to verify that individuals meet any essential requirements for a role, such as holding a qualification, and ensure relevant employment screening checks are done.

Extension of temporary or term employment under GSE Rule 21

New [GSE rule 21 \(2B\)](#) gives flexibility for a person's temporary employment to be extended in 2 scenarios:

Scenario 1: Assignment to a COVID-19-related role

You can extend the employment of a person by up to 2 years if they were initially employed in temporary or term employment up to 12 months under [GSE Rule 21](#), without doing further assessment or advertising.

You need to ensure that the specified purpose or task aligns with the initial reason for employing the person in the temporary or term for employment as per the meaning of temporary or term employment in the *Government Sector Employment Act 2013* (GSE Act):

- **Term employment** is employment for a specified period or for the duration of a specified task ([GSE Act s.34 \(3\)](#)).
- **Temporary employment** is employment for a temporary purpose ([GSE Act s.43 \(3\)](#)).

For example, if a person is initially employed in temporary employment for 12 months to do a policy role in Early Childhood, their temporary employment could be extended for up to 2 years to do a different policy role in Education to assist with responding to the COVID-19 pandemic.

If the intention is for the person to perform a substantially different role (e.g. from policy to customer service), you can use the flexibility of new [GSE rule 15 \(2\)](#) to quickly employ the person in temporary employment for this purpose if the role is COVID-19-related.

Scenario 2: Continuation of temporary or term employment in a non-COVID-19-related role

You can extend the temporary or term employment of a person by up to 12 months if they were initially employed in temporary or term employment up to 12 months under [GSE Rule 21](#) without requiring further assessment or advertising. This is in circumstances where the role is not related to COVID-19 but the task or purpose of employment remains the same or similar. This exception will cease to apply 12 months after these amendments commence (i.e. by 29 March 2021).

Questions and answers

1. What kinds of roles would be considered COVID-19 related?

The exceptions outlined in this fact sheet will apply if the purpose of the temporary or term employment is to assist in the response, or is otherwise related, to the COVID-19 pandemic.

This may include a role that is specifically directed at assisting with the government response, such as a role in policy development in response to the pandemic.

It may also include a role that is not specifically directed at the response but has come about as a result of the pandemic. For example, there may be extra demand for roles providing information to the public on available government services, the need for which is enhanced as a result of isolation measures that have been adopted.

2. Do I need to advertise for temporary or term employment for COVID-19 related roles?

No. The purpose of [GSE rule 15 \(2\)](#) is to allow you to employ people quickly in temporary or term employment for COVID-19-related roles. While there is no advertising requirement, you may choose to advertise in order to source appropriate candidates for the role/s. Here are some tips to consider when sourcing candidates:

- If the roles need to be filled quickly, advertise for a short period of time e.g. 2-3 days
- Advertise on [I work for NSW](#) to attract candidates who are actively looking for work with the NSW Government
- Advertise on job boards relating to the profession or skill set you are recruiting for
- Advertise on job boards for specific diversity groups such as Aboriginal or Torres Strait Islanders or people with disability
- Approach people you have employed in the agency previously who may be looking for work and are likely to have the right skills for the job

Note: You will not be able to convert the person's temporary or term employment to ongoing employment under [GSE rule 12](#) later on if you do not use external advertising and a comparative assessment.

3. Do candidates need to submit a written application and/or resume?

It is recommended that you ask candidates to provide information on their capabilities, knowledge and experience and how they are suited to the role. This could be in the form of a written application and/or resume.

However, [GSE rule 15 \(2\)](#) gives you flexibility regarding how you might approach this. For example, you could design a tailored online form (where no attachments are needed) with fields for the candidate to fill out the key information you need to determine whether to short list them. This might include:

- Personal details (name, address, contact number etc.)
- Details of their last 3 jobs (title, brief overview of tasks, responsibilities etc. as they relate to your role)
- Details of education as it relates to the role (e.g. bachelor's degree (or higher) in economics)
- Brief overview of capabilities (skills and abilities), knowledge and experience
- Brief explanation about why they are interested in the role.

Disqualification questions

Use disqualification questions to identify people who do not meet an essential requirement, such as holding a particular qualification.

Pre-screening questions

You could ask candidates to respond briefly to a role-related pre-screening question instead of having to review a resume to determine their suitability. The most important thing is to design a question that will help you decide quickly if the person can likely perform in the role. For example:

- How are your skills, knowledge and abilities transferable to the role of Economics Advisor?
OR
- What skills, knowledge and abilities do you bring to the role of Economics Advisor?

Remember, your agency head needs to be satisfied the person meets the requirements of the role and the needs of the agency.

4. Are there any other options for employing people quickly?

Yes. You may be able to use existing talent pools, depending on the nature of your role.

Talent pools are another fast and effective way of recruiting to temporary, term or ongoing roles. The Public Service Commission currently has active talent pools for Grade 3/4 and Grade 5/6 for the following types of roles:

- Customer Service and Client Support
- Administrative, Reception and Executive Support
- Digital, Communication and Engagement

See: [Available Talent Pools on the PSC's website](#).

Also consider using existing inter-agency talent pools.

5. Are there a minimum number of assessments for employing people in temporary or term employment for COVID-19-related roles?

Yes. You need to do at least 1 capability-based assessment to employ a person in temporary or term employment for COVID-19-related roles. It is up to you to decide if you wish to do more than 1 assessment.

See **Question 7** for ideas about the types of assessments you could use.

6. Do I have to do an interview?

No. You can decide the best assessment(s) to use to determine a person's suitability to undertake temporary or term employment in a COVID-19-related role which may include an interview.

7. What are the best assessments for employing people in temporary or term employment for COVID-19-related roles?

As the employment decision in these circumstances can be based on 1 assessment, here are some things to think about when deciding the best assessment to use:

- Does the assessment effectively measure the person's capabilities, knowledge and experience?
- What are the key skills required for the role?
- What capabilities might be transferrable to the role? For example, someone who has customer service experience outside of government may easily transfer to the government-context
- What key attributes are most important for the role? Think about things like attitude, flexibility and adaptability to make sure people are suited to working in the current environment
- Can the assessment be done online?

Good options for online assessments include:

- Video interview using structured behavioural questions
- Psychometric tests, especially cognitive ability tests, skills-based tests and situational judgement questionnaires
- Work sample activities.

Providers on the [Talent Acquisition Scheme](#) can be engaged to design and deliver assessments, do talent searches for executive and non-executive roles, provide and administer approved psychometric assessments, and undertake video interviews, reference checking etc.

8. Do I have to do job matching?

Yes. If you intend to advertise the role. However, if you need to fill a COVID-19-related role quickly, an exemption can be sought from the Public Service Commission so that you can fast-track your process. The exemption request (an email is sufficient) should be emailed to: COVID19HRsupport@psc.nsw.gov.au.

9. Are there things I need to consider about candidate care?

It is more important than ever that we prioritise candidate care. At this time of uncertainty, it is critical that we communicate regularly and with empathy to those who want to work in our sector.

Here are some reminders about how you can make the candidate experience a positive one:

- If you intend to advertise, ensure your job ad:
 - Uses inclusive language and plain English
 - Encourages people from diversity groups to apply
 - Provides options for people with disability to request reasonable adjustments
 - Explains the types of flexible working options available
 - Is not overly restrictive so you can attract candidates with transferrable skills
 - Explains the assessments candidates will need to complete
 - Gives the contact person's email address and phone number. The person should be available and able to answer any questions about the job and working options
- Communicate with candidates at every step of the process
- Let candidates know as soon as they are unsuccessful in proceeding to a next step
- Give constructive feedback to as many candidates as you can.

10. Is there any flexibility in relation to the requirements for employing a person in ongoing employment for COVID-related roles?

No. The intention of the GSE rule changes is to help agencies quickly recruit for short-term needs. The requirements in [GSE rule 20](#) continue to apply for employing a person in ongoing employment.

11. What happened to merit?

Merit still applies to employment decisions relating to COVID-19-related roles. Agencies still need to make sure the person has the capabilities, knowledge and experience needed and that they are suited to the role and the needs of the agency.

12. Do I need to make a workplace adjustment to an assessment for a person with disability?

Yes, if an adjustment is required. A workplace adjustment gives a person with disability an equal opportunity to show that they can do the job. Making job seekers aware that adjustments are available in the job ad may encourage people with disability to apply. Talk to the person to find out about their needs.

Further information

[Fact sheet on using mobility](#) to fill roles and redeploy staff.

The PSC's [Recruitment and selection guide](#) has information on approaches to assessment and advertising that may be useful when considering filling a role.

If you have any queries regarding this fact sheet or the fact sheet on mobility email or call the Public Service Commission - COVID19HRsupport@psc.nsw.gov.au or 1800 277 247.