

REDUNDANCY, REDEPLOYMENT & RETRENCHMENT

In 2006 the Finance Sector Union (FSU) and the National Australia Bank (NAB) negotiated a 3 year Enterprise Agreement. If you work for NAB, this Agreement applies to you, and NAB must legally abide by the Agreement. Here's what your Agreement says about redundancy, redeployment and retrenchment.

Organisational Change Principles

When organisational change results in a change to roles or the number of roles, retention and redeployment of staff is the primary focus. FSU and affected employees are to be provided with a genuine opportunity to influence the outcome of a restructuring proposal.

In the event of organisational change, FSU and NAB are committed to:

- maximising redeployment opportunities for displaced employees
- minimising retrenchments (forced or otherwise)
- matching employee preferences as far as possible with business needs

In order to avoid retrenchment, NAB will wherever possible:

- use natural attrition
- curtail external recruitment
- seek expressions of interest in voluntary retrenchment from affected employees
- select for retrenchment amongst employees who have expressed an interest in voluntary retrenchment
- have the right to retain staff due to ongoing skill requirements
- consult with affected employees and FSU

NAB will provide FSU and affected employees with details of the business unit, positions affected, timelines of proposed restructure and selection processes for affected positions.

Redundancy

Employees who are made redundant will:

- be advised in writing
- be placed 'on redeployment', unless
 - the employee is immediately redeployed or
 - NAB and the employee agree that retrenchment will occur immediately.

Employees made redundant while on extended leave will be placed 'on redeployment' upon their return to work.

Redeployment

Whilst NAB and an employee may agree on a set period to be 'on redeployment' the Agreement does not specify a mandatory minimum redeployment period.

Duties undertaken whilst 'on redeployment' must be consistent with the employee's skills and experience, at a location that is within reasonable commuting distance.

A case management approach will be adopted to assist in redeployment, and NAB are obliged to ensure that:

- case management is effectively resourced
- access to training and development continues, where it would assist with redeployment to another NAB position
- employees have access to appropriate job search tools

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Employees may be redeployed to a Directly Comparable Position or, by agreement, to an Acceptable Position.

You will be given up to 2 weeks to consider an offer of redeployment.

If a restructure results in a reduction in your TRP or allowances, NAB will pay income adjustment for a period of up to 12 months, paying 100% of the difference for the first 4 months, 66% of the difference for the next 4 months, and 33% of the difference for the final 4 months.

Note: some people confuse the notice period with the redeployment period. There is no set period of redeployment, unless agreed.

Retrenchment

If your position is redundant you may be retrenched if:

- you express an interest in retrenchment and NAB agrees
- you and NAB agree there is no reasonable prospect of redeployment
- you are not on an agreed "on redeployment" period & NAB has exhausted attempts to redeploy you
- your agreed "on redeployment" period has expired
- you elect to be retrenched after being "on redeployment" for at least 26 weeks

NAB selects employees to be retrenched taking into account employee preference, ability to perform duties, the need to retain skills and any other factor NAB determines. NAB's decision is final and the Agreement does not provide for a right of appeal.

NAB must provide you with 6 weeks written notice of retrenchment, and within that written notice will advise if you are to work out the period or receive payment in lieu of part or all of the notice period.

Within that period you are entitled to one paid day off per week to attend job interviews.

Failure to work out your period of notice may result in an equivalent deduction from your termination pay.

Is your job redundant?

Are you being redeployed or retrenched?

You have rights. Exercise them.

Together with your union, you can hold NAB to the Agreement.

What can I do?

- Ask for all advice regarding redundancy, redeployment or retrenchment in writing and keep a record of any communication.
- Be aware of time frames, such as the period of notice of retrenchment.
- Insist on being supported while on redeployment.
- Obtain the position description of every position you consider while on redeployment, to compare to your existing position description.
- Check that the terms of your redeployment comply with the Agreement. You can do this by speaking to your FSU Rep, your FSU Organiser or the Member Rights Centre on **1300 366 378**.