



**MINISTRY OF BUSINESS,  
INNOVATION & EMPLOYMENT**  
HĪKINA WHAKATUTUKI

# Employment Services –

**Re-alignment and Fair Pay Agreement**

**Funding Savings**

**Proposal for Change**

20 March 2024

## Introduction by our Chief Executive Carolyn Tremain

Kia ora koutou,

Since the formation of the Government, we have been focused on supporting our Ministers in respect of the 100-day plan, Mini-Budget, and Coalition agreements – which have resulted in some impacts to our work programmes and priorities.

Over the last few months, the Senior Leadership Team and I have been working on how best to position MBIE to support the Government's priorities, including how we operate in a tighter financial environment. This has included reviewing our programmes of work, our financial position, and the size and capability of our workforce.

As you know, we have been working towards a savings target of 7.5 percent across our departmental and non-departmental funding. We now need to shift our focus to identify opportunities to streamline, do things differently in some areas, and in some cases stop programmes of work. Offering a limited voluntary redundancy option to some people at MBIE was one example of a change which resulted in an opportunity to help us move towards meeting our fiscal target in a managed way.

Now that the Government has completed its first 100-day plan, there is a shift of focus to medium-term planning. While we can expect to move forward with more certainty as the Government's priorities become clearer, we also expect that there will be ongoing change for us at MBIE.

Positioning ourselves with flexibility to respond to future demands is something we have been working on as an organisation for some time, by bringing together like functions and teams; better utilising the skills, experience, and capabilities of our people; and automating processes to enable us to place greater focus on delivering for

the people we serve. We will continue this approach as we move forward in our support of the Government's fiscal sustainability objectives so that we can be prepared to deliver on their priorities.

The dynamic nature of MBIE and the work that we have supported over recent years means that we are no strangers to change. As I and our senior leadership team have been signalling in recent months, we will continue to adapt as needed.

I do not want to minimise the impact or challenges that change can present. I'm aware that change is being felt across New Zealand. I have seen our people respond and support each other through change on many occasions – with resilience, manaakitanga, and with a focus on Pae Kahurangi | building our future.

I ask that during this period you prioritise being kind to yourself, your hoamahi (colleagues), and seek support from the offerings available to you at MBIE – including regular check-ins with your people leader.

I am incredibly grateful for the work that has been done by many of our MBIE people to support the advice and options we have provided our Ministers ahead of the Budget 2024 process as well as those of you who have continued to provide and deliver services for New Zealanders every day.

Thank you for the work that you do.

Ngā mihi nui

**Carolyn Tremain**

Secretary for Business, Innovation and Employment, and Chief Executive  
Te Tumu Whakarae mō Hīkina Whakatutuki

# Introduction from GM Employment Services

Tēnā koutou,

Over the last few months, MBIE has been working to respond to the Government's decision to repeal the Fair Pay Agreement (FPA) system and to end the \$12.952m per year FPA funding provided in Budgets 21 and 22 by July 2024.

We need to return the funding for our dedicated FPA functions that have been repealed, and the funding provided to expand our general employment services to address expected Fair Pay-related demand for services. These savings are separate and additional to the fiscal savings required for the public sector.

I recognise there is high demand from the public across our general employment services. We have taken steps to minimise the impact of the return of FPA funding on our general employment services. We have also worked to minimise the impact on existing roles and individuals in Employment Services as much as possible.

For example, we are reducing discretionary expenditure, closing vacancies from resignation and retirement, and offered a voluntary redundancy scheme. We have prioritised our resources into our frontline services; and in our enabling functions, we are focusing on supporting our frontline to deliver more effectively and efficiently.

We are also well into the development of our new operating model for Dispute Resolution and the Labour Inspectorate. This work has already provided insight to how we can think and work differently to deliver our services more efficiently and effectively as a regulator and achieve our 2023-2027 Regulatory Strategy.

These steps mean I am not proposing further reductions to our frontline positions. We do, however, need to consider making changes in our enabling functions, including management, to return FPA funding. We also need to consider how best to re-align our structure to address an imbalance in team sizes and spans of leadership, and to enable us to operate increasingly effectively as a regulator in the years ahead.

In developing these change proposals, I have looked for opportunities to:

- Reduce our costs while ensuring reasonable spans of leadership and team size.
- Locally base teams to better support our people and people leaders.

- Strengthen the effective delivery of our regulatory services.
- Strengthen accountability and leadership of our services.
- Support practice leadership and capability of our core services.

While a great deal of thought has gone into the proposed changes outlined in this document, it is only a proposal. I genuinely want to hear your feedback and ideas. I am committed to making changes that are in the best interests of our people and the public we serve. I know your feedback will help us make the right changes in the right places to deliver savings, while also effectively delivering our regulatory services to employers and employees so we can support good, productive employment relationships and uphold minimum employment standards.

This proposal contains a lot of detail, such as organisational charts, to ensure you are fully informed about the proposed changes and the potential impacts, and how they would be implemented. I've worked to ensure, as far as possible, that this document is accurate. However, there is a possibility that something has been missed or is inaccurate. If there is an error, please let me know as soon as possible so it can be checked, and the correct information used for decision-making.

I acknowledge that this change proposal may not be the only change that you are experiencing within work or outside of it. Change can present us with difficulties and challenges that will be unique to each person, so please consider what support you may need during the consultation process and discuss this with your people leader. Remember to show kindness to your colleagues during this time and look at the range of support options available that are outlined later in this document.

Lastly, I want to thank you for your ongoing professionalism and dedication to doing a great job, which I see demonstrated every day. I look forward to your feedback.



Ngā mihi nui  
**Katherine MacNeill**  
General Manager, Employment Services

## What is in this Document?

This document outlines the proposed approach to implement the Government's decision to end FPA funding and the proposed re-alignment of positions and teams within Employment Services to ensure we are well positioned to deliver our services as an effective regulator and to achieve our 2023-2027 Regulatory Strategy.

### Scope of this change proposal

This proposal focuses on the reductions in expenditure required by the government following the repeal of the FPA system. All funding provided to MBIE to support Fair Pay Agreements will end by 1 July 2024, with \$12.952m per year being returned.

This consultation process is not about whether the funding will cease, but rather how we are proposing to implement the Government's decision by realigning the organisational structure and outlining the potential impacts to employees. We also need to propose changes to balance spans of leadership, better support our regulatory strategy and effectively and efficiently deliver our statutory core services.

I am keen to hear how you think we can strengthen or change these proposals to achieve the following key outcomes, while returning the funding required to the Crown by July 2024:

- Reduce our costs while ensuring reasonable spans of leadership and team size.
- Locally base teams to better support our people and people leaders.
- Strengthen the effective and efficient delivery of our regulatory services.
- Strengthen accountability and leadership of our services.
- Support practice leadership and capability of our core services.

It is important that I also signal this may not be the only change we are required to make. As Government priorities change, and in light of the fiscal and economic conditions, it is possible that further changes will be needed in the future. Once we know what these mean for MBIE we will talk to you about any potential impacts.

### Understanding the proposed change

You can review the proposed changes by reading through this document and reviewing both current and proposed future state organisational charts. Towards the end of the document there is more detail about proposed changes to individual positions.

In addition, all employees who may be affected by the proposed change are being communicated with separately, to confirm specific detail pertaining to their position and proposed change process.

### Proposed change process

Find out more about MBIE's proposed change process from page 43. This determines how we propose to classify the impact to our people, based on the proposed impacts to their positions.

As part of this consultation process, you are also invited to provide feedback on the proposed change process including the reassignment, redeployment and voluntary redundancy processes as well as having the opportunity to provide your feedback on what other support we could reasonably provide you at this time.

### Let us know

The information included in this document reflects the organisational structure as recorded in MBIE systems on 1 April 2024, so we can account for voluntary redundancies.

If you notice any inconsistencies in the organisational structure represented, please advise your people leader or me.

### Supporting our people through change

People will have a wide variety of feelings in relation to the proposed changes. Please remember to be respectful of each other's opinions and privacy. If you have further questions regarding this change proposal or your personal situation, have a conversation with your people leader.

Further information on the support available is available on page 42.

## Providing feedback and indicative timeframes

Your feedback is important to the success of any changes we make and will be carefully considered. You have a unique perspective about how we work and what opportunities exist to improve customer experiences and excel at our mahi.

Feedback can be provided individually or as a group and we welcome your input on this proposal for change, even if you may not be directly impacted by it. We encourage feedback on all aspects of the proposal, including the EOI process and position descriptions which include the selection criteria.

This proposal has been shared with the Public Service Association (PSA). You can contact the PSA during the consultation period for support and to discuss your feedback by contacting the following people:

Niki Williams - [niki.williams@mbie.govt.nz](mailto:niki.williams@mbie.govt.nz)

Rose Mareko – [rose.mareko@mbie.govt.nz](mailto:rose.mareko@mbie.govt.nz)

Richard Wilson – [Richard.wilson@mbie.govt.nz](mailto:Richard.wilson@mbie.govt.nz)

MBIE recognises that feedback can be provided in formats other than written, and as such will enable verbal submissions upon request. This also includes where the PSA wishes to speak to their collective submission orally.

Email feedback from individuals or groups – open for duration of consultation – should be sent to [ESConsultation@mbie.govt.nz](mailto:ESConsultation@mbie.govt.nz).

If you wish to provide your feedback verbally, please email [ESConsultation@mbie.govt.nz](mailto:ESConsultation@mbie.govt.nz) and we will arrange a suitable time.

## Indicative timeline

Activity	Indicative Timeframes
Consultation opens	Wednesday 20 March (2 weeks)
Consultation closes	Friday 5 April
Final Decisions considered	6 to 11 April
DCE to consider final decisions	12 to 15 April
Final Decisions announced	Tuesday 16 April
Expressions of Interest and contestable reconfirmation processes	April - May
Implementation of new structure	30 June or earlier

## Case for change

Following their decision to repeal the Fair Pay Agreement (FPA) system, the Government has decided all funding provided to support FPAs will end by 1 July 2024. MBIE currently receives \$12.952m funding each year from Budgets 21 and 22 to fund MBIE and the Employment Relations Authority (ERA)'s support for Fair Pay Agreements.

As you are aware, this funded our dedicated FPA functions, and it also provided for an expansion of MBIE's general employment services under the Employment Relations Act 2000 to meet expected increased demand on those services resulting from the FPA system. This additional capacity was spread across the Labour Inspectorate, Dispute Resolution (DR), and Regulatory and Advisory Services (RAS), including for our support services to the ERA, and Information and Education and the Service Centre.

Following the Government's decisions on FPAs, we have already consulted and taken decisions earlier this year on ending our dedicated Fair Pay functions. MBIE is now taking steps to reduce our expenditure by 1 July 2024 to return FPA funding for our general employment services.

### Steps we have already taken to reduce our expenditure

Before commencing this consultation, MBIE has already taken steps to meet this requirement to return funding, including:

- reducing expenditure on discretionary activities and sensitive expenditure (such as travel), through updated MBIE policies.
- consulting and implementing decisions in relation to ending the specific roles undertaking functions in the RAS and DR units that were dedicated to delivery of FPA work mandated or empowered by Cabinet decisions and FPA statute.
- closing vacancies in same or similar positions to those funded by Fair Pay in our general employment services across all units, where they have arisen from fixed term agreements ending, retirement or resignation.

- accepted all 23 eligible applications from our people to MBIE's voluntary redundancy scheme, which was open to all positions in our branch.
- working to deliver reductions to wider MBIE activities funded by employment relations services (such as corporate functions).
- reviewing our operational processes to identify efficiencies and trial alternative ways to support our people and deliver services in our future operating model.
- invested in rebuilding our Employment New Zealand website by June 2024 to reduce demand across our services, by supporting employers and employees to get employment law right and to self-resolve issues arising.
- investing in our case management systems of Resolve and TIKa to deliver technical changes you suggested would save you time and make operational processes easier to deliver for our people and improve the effectiveness and experience of our services for our customers.

### Steps we now need to take to return FPA funding by 1 July 2024

These steps mean that we have made the reductions needed from our frontline positions in RAS, DR and the Inspectorate to meet the equivalent of FPA funding for those services. This is once remaining vacancies are closed including those filled on a secondment or fixed term basis as temporary additional capacity, and after voluntary redundancy completes on 28 March. I am not proposing any further reductions to frontline positions in this document, although there are some changes to positions to reinforce our frontline.

The steps outlined above have also helped to partially meet the FPA savings required from our enabling functions and management support. However, more reductions are required to meet the full FPA savings by July 2024 from these functions.

Therefore, I am proposing changes to:

- reduce our enabling functions and management support, so that we can operate within our expected future funding limits for 24/25 after FPA funding is returned.

- re-align our current organisational structure, so that it better reflects our future size and shape as a branch and supports the effective and efficient delivery of our regulatory strategy and statutory functions and services.

### **Desired outcomes from the change proposals**

In developing these proposals, I have worked to ensure we keep as much resource in our frontline services as possible, and in line with Government requirements, and legislative requirements to deliver statutory services.

I recognise the importance of our enabling functions and management support to our people and to ensuring the successful delivery of our services. For example, we need data and insights, case management systems, quality assurance of processes and support to ensure our services run efficiently and effectively and our people have the capability to perform in their roles and opportunities for development. However, we need to reduce our costs.

Through all of our proposed changes, I am seeking opportunities to:

- Reduce our costs while ensuring reasonable spans of leadership and team size.
- Locally base teams to better support our people and people leaders.
- Strengthen the effective and efficient delivery of our regulatory services.
- Strengthen accountability and leadership of our services.
- Support practice leadership and capability of our core services.

I am keen to hear how you think we can strengthen these proposals to achieve these outcomes, while returning the FPA funding required by 1 July 2024.

### **Further changes may be required**

It is important to note that the changes proposed in this document are intended to meet the requirement to return FPA funding to the Crown by 1 July 2024, and to realign our structure accordingly to deliver our core services. For Employment Services, like other parts of the public sector where specific work has been stopped, these fiscal savings are separate and additional to FPA funding ending.

As Government priorities change, and in light of the fiscal and economic conditions, it is possible that further changes will be needed in the future. As budgets become clearer over the following months for example, there is a possibility we could be asked to make further savings. The changes proposed in this document set us up to be able to flexibly respond to future demands.

# Proposal 1 – Dispute Resolution

## Why change is proposed to Dispute Resolution (DR)

We received Fair Pay funding to support an expansion of our general employment dispute resolution services. In DR, this funding was provided across case management, mediation, and early resolution services. The Government has decided this funding will end.

We have taken steps already by reducing our discretionary spend (such as travel) and closing vacancies arising from resignation and voluntary redundancy. This means that we do not need to further reduce DR front-line positions as a result of FPA funding ending. This is once remaining vacancies are closed including those filled on a secondment or fixed term basis, and after voluntary redundancy completes on 28 March. However, to achieve the remaining savings needed to return FPA funding, we do need to find further savings from our enabling functions and support, including management.

I am proposing a reduction from five to four managers in DR, and to reorganise our DR services and people into four Area-based teams.

The following changes are proposed:

1A	Disestablish five DR team Managers
1B	Establish four DR Area Team Managers, bringing together all DR services and people in each area: Northern, South Auckland, Central, and Southern.
1C	No further proposed reductions in frontline or team member DR positions.
1D	Reporting line change for all team member positions to the new Area Team Managers, based on a team member's current office location.
1E	Re-assign three affected Bargaining Process Practitioners to permanent Mediator positions to reinforce our mediation service.

## Reorganisation of teams

We currently have five teams in DR: three regional teams for mediation (Northern, Central and Southern) and two national teams (Capability and Early Resolution and Case Management).

I am proposing to disestablish the current five team manager positions in DR and establish four new DR Area Manager positions. These positions would report directly to the Director Dispute Resolution.

Each Area Team would have a mix of mediation, early resolution, and case management. This proposal recognises that regardless of the type of dispute resolution service we provide, our aim is to provide fast, fair, and flexible resolution. All of our core dispute resolution services, whether it is Early Resolution, Mediation Service, or Certification of Records of Settlement, fall on the same continuum and under the DR provisions of the Employment Relations Act 2000.

Under this proposal, there would be a reporting line change only for our team members to the new Area teams. We are proposing this would be based on individuals' current office locations, as follows:

- Southern: Christchurch and Dunedin offices
- Central: Wellington and Palmerston North offices
- South Auckland: Hamilton, Tauranga and Manukau offices
- Northern: CBD Auckland office

I am also proposing to directly reassign the three affected FPA-funded Bargaining Process Practitioners, currently on secondment to mediator positions, to permanent mediator positions.



### **Reducing our costs while ensuring reasonable spans of leadership and team size**

As previously stated, we need to reduce our enabling functions and management support costs. However, I want to ensure we have reasonable team sizes. It is important that our people experience 1:1 support, pastoral care, and positive working relationships with their people leader.

We also need to ensure our people leaders have reasonable spans of leadership. While it depends on the functional area, this is expected by MBIE to be around 10 to 15 FTE for a frontline team. We can achieve this while reducing from five to four teams in DR. The reduction in our frontline positions which has already taken place through voluntary redundancy and the closure of vacancies means we will have a total establishment of 52 FTE team member positions from 1 April 2024. Although our current spread of people by location means Area Teams may have a different balance of positions to start, this can be realigned over time through recruitment of vacancies to meet service needs.

### **Locally base teams to better support our people and people leaders**

I want to strengthen locally based leadership for our people. With local leadership, there is greater opportunity and ease in providing immediate and in person support for wellbeing and collegiality. This also offers an opportunity to increase collaboration and connection between local teams and leaders across our functions. It will better balance the teams as they currently exist, more equitably spreading the leadership roles across people, size of teams and service responsibility.

You have told us how important it is for our team members to have the opportunity to regularly meet in person and to meet with your people leaders regularly in person. Area managers would be located in one of the offices in the area for which they are responsible and regularly travel to their other area offices to support local team members. The allocation of offices proposed to each Area team takes into account the numbers of positions and ease and cost of travel between the offices.

It is not efficient for our people leaders to travel around the country when we can have locally based people leaders to provide for strong in person connection and support with their teams. It will also enable us to prioritise the ongoing travel budget we do

have available to support the delivery of our services and training and professional development for our people.

### **Strengthening the effective and efficient delivery of our regulatory services**

This proposal would rearrange our DR teams to better achieve our one service, one team approach. Already, we manage demand for our DR services flexibly. We manage our caseloads and service delivery nationally. Multi-functional teams will develop knowledge of and responsibility for the DR service as a whole. These proposed changes aim to support greater flexibility in how we deliver our services and manage our workloads for both our people and improve the experience of our customers.

To be clear, the proposal keeps the professional disciplines in each service for our people (case management, mediation and early resolution). This proposal does not propose any changes to current position descriptions for our team members. However, the proposal strengthens the opportunity for our people to work across services and cross-train through shared skills. There are also advantages for strengthening local team building and communication and connection between our DR services, which your feedback has said to us is important to you. It is also important our structure supports our MBIE Value of mahi tahi, better together.

### **Strengthening accountability and leadership of our services**

Bringing our DR services together into Area teams will help to promote service-wide and shared responsibility in our leadership. The Director would remain accountable for all DR services, with the DR leadership team responsible for the oversight of performance across the DR services and our teams nationally. This proposal would help ensure collective responsibility across the whole service and would help delivery across the continuum of dispute resolution.

We also need to have clear leadership for each DR service across the country. While there is currently a single Manager responsible for Early Resolution and one for Case Management, there is not a single Manager responsible for Mediation or Operations. In the proposed future structure, in addition to their management of their local team, each Area Manager would take responsibility for overall performance and development of one of the DR services (ie, the Early Resolution Service, Mediation Service,

Operations and Case Management). This service leadership aspect would include taking a national view of the service development, performance, standards, and processes for that service.

### **Supporting practice leadership and capability of our core services**

With the closure of the Principal Mediator position through voluntary redundancy, we recognise the need for continued support for our DR practice standards and professional development.

As now, these activities would continue to be led from within the DR teams through the existing strong Senior practitioner networks. We will provide support to enable Seniors to develop their leadership of professional standards and dispute resolution industry knowledge, in line with the competencies in their position descriptions.

Managers will continue to be supported by Seniors in each DR service, with Seniors located in each Area. We will also need to support our Seniors to continue their role to maintain strong networks nationally within each DR service.

Our DR services will also continue to be supported by our RAS teams, for example, to book travel, provide service insights and analysis and data, and undertake quality assurance and process support. Proposals 3 and 4 set out how we propose to improve the RAS and ESGE teams' technical, practice and operational support across our core employment services including DR.

### **Implementation**

If the proposals were confirmed, then the four Area Manager positions would be filled through a contestable reconfirmation process. The positions would be open to the five affected Managers within DR in the first instance.

To reduce the impact to our people, DR team member positions would be allocated to each Area Team based on their current locations. This is a proposed change in reporting line only. For example, if you are currently located in our Dunedin and Christchurch offices, you would have a change in reporting line to the Area Manager Southern.

Where we have vacancies or fixed term agreements coming to an end in funded frontline positions shown in the proposed future structure, these positions would be advertised internally in the first instance. Over time, we expect to use vacancies to rebalance positions and locations to meet future demand for our services and geographical spread between office locations.

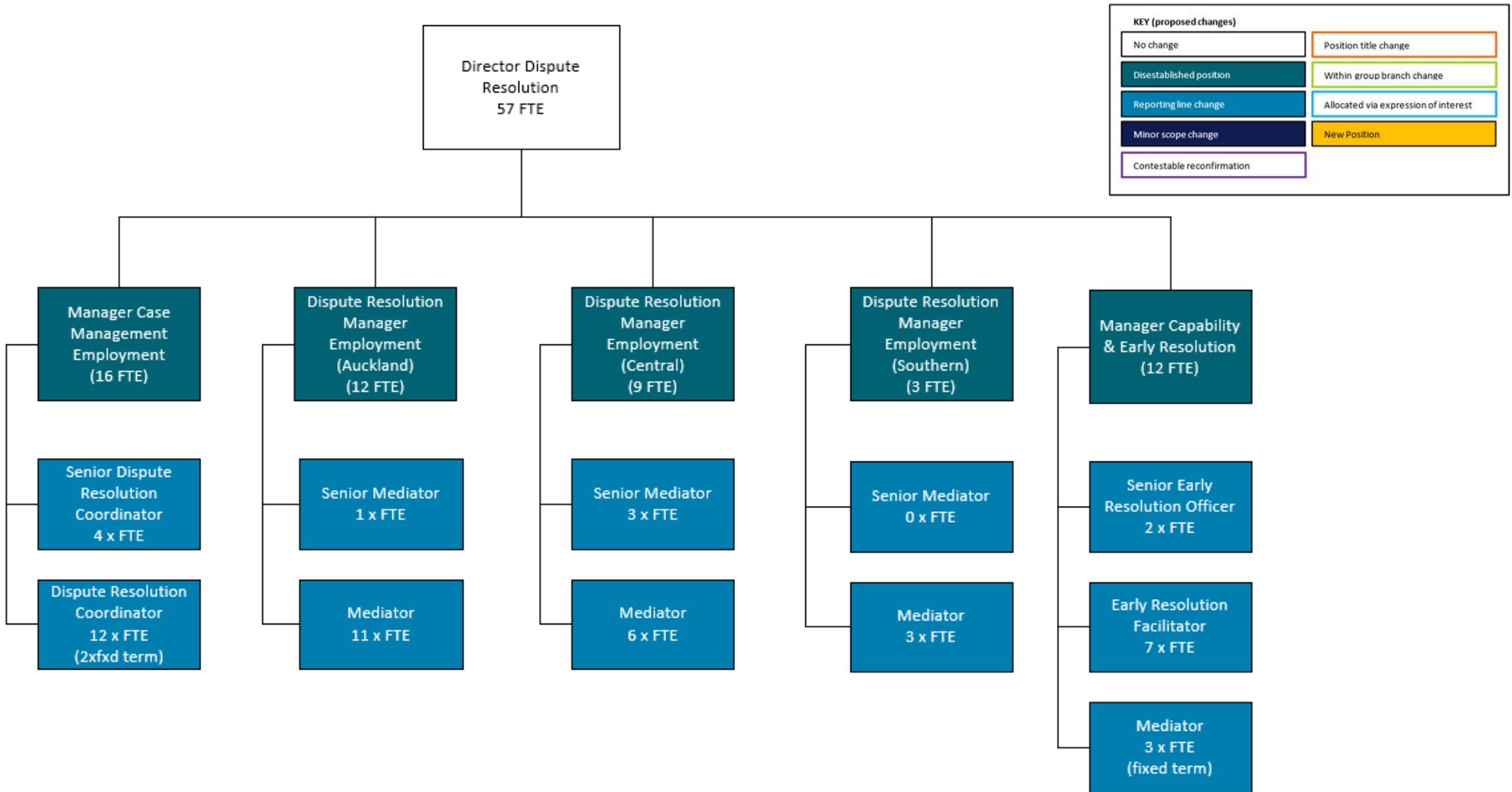
### **We ask you to consider whether the changes under Proposal 1 will achieve the desired outcomes:**

- Reducing our costs while ensuring reasonable spans of leadership and team size.
- Locally base teams to better support our people and people leaders.
- Strengthening the effective and efficient delivery of our regulatory services.
- Strengthening accountability and leadership of our service.
- Supporting practice leadership and capability of our core services.

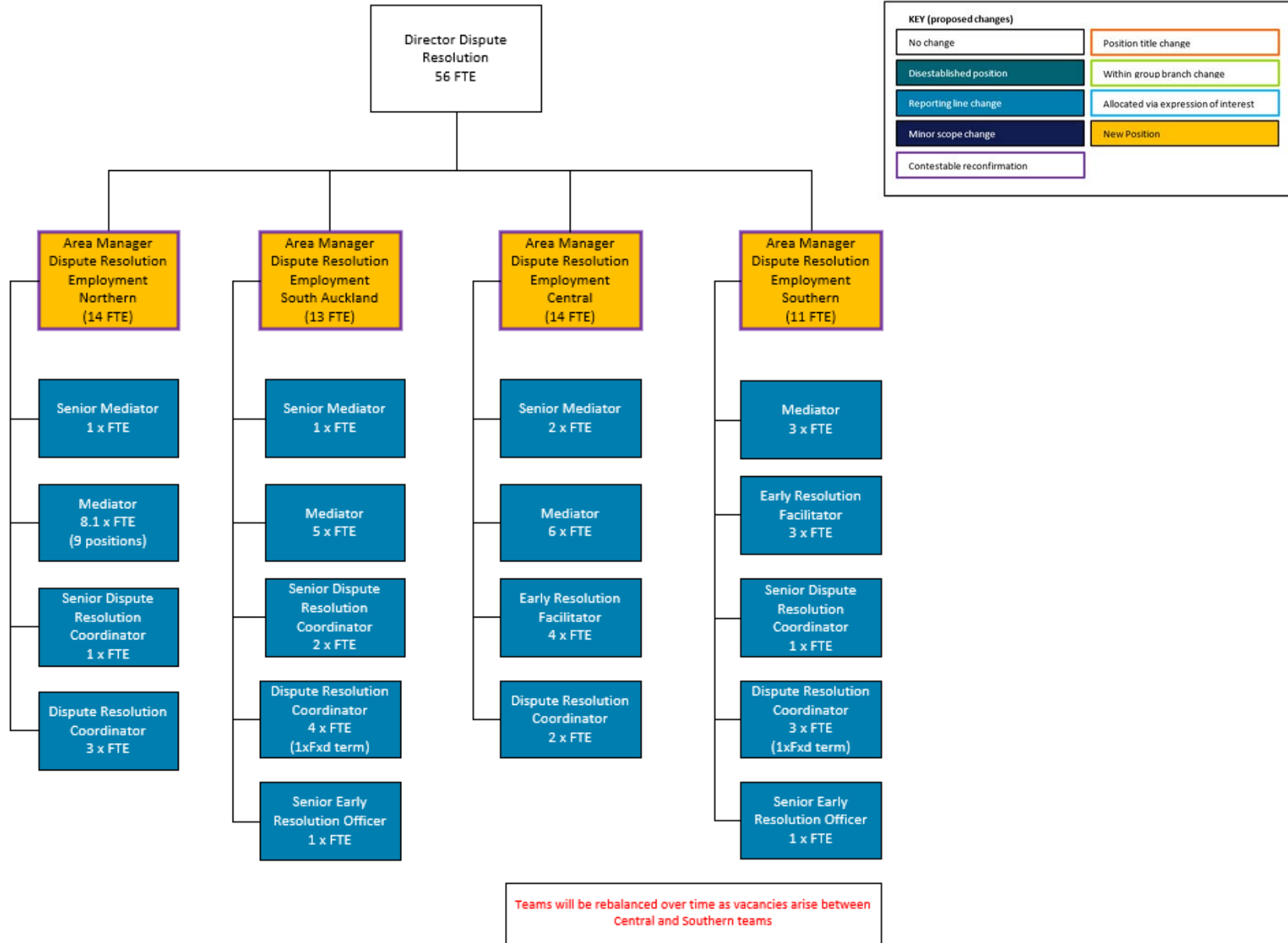
Organisational charts are provided on the following pages to demonstrate how proposed changes would impact current positions and reporting lines. More detail about the proposed changes to individual positions and proposed new positions is provided at the end of this document.

We welcome your thoughts on where Proposal 1 could be strengthened to better deliver on our change aspirations. If you believe there is an alternative to the changes proposed, please share your thoughts, and include how you see the alternative improving on desired outcomes.

**Proposal 1 – Dispute Resolution current organisational chart (as at 1 April 2024):**



## Proposal 1 – Dispute Resolution proposed organisation chart:



# Proposal 2 – Labour Inspectorate

## Why change is proposed to the Labour Inspectorate

We received Fair Pay funding to support an expansion of the Labour Inspectorate. This funding was provided across compliance and enforcement of minimum standards and determinations. The Government has decided this funding will end.

We have found FPA savings by reducing our discretionary spend (such as travel) and closing vacancies arising from resignation, retirement and voluntary redundancy. This means that we do not need to further reduce Inspectorate front-line positions to achieve FPA savings. This is once remaining vacancies are closed including those filled on a secondment or fixed term basis as temporary additional capacity, and after voluntary redundancy completes on 28 March. However, we do need to find savings from our enabling functions and support, including management to meet FPA savings.

### The following changes are proposed:

2A	Disestablish National Manager Compliance and Regulatory Practice
2B	Disestablish five Regional Manager positions
2C	Disestablish Manager, Determinations and Compliance
2D	No changes to the Migrant Exploitation Manager or team
2E	Change in position title and reporting line for Manager, Labour Standards to Compliance Manager, Standards. No changes for the team
2F	Establish five locally based Area Manager positions, two for Compliance and three for Investigations
2G	Establish a nationally based Manager, Specialist Inspection
2H	No further proposed reductions in frontline Inspector positions. Inspectors of all levels would have a reporting line change to the new Area Teams through an expressions of interest process
2I	Change in position title, minor scope change and reporting line change for the MEX Specialist Inspector to Specialist Engagement Lead, reporting to Manager, ESGE

2J	Disestablish two Practice Leader positions, with new positions established in RAS and ESGE teams (see proposals 3 and 4).
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## Reorganisation of teams

We currently have a National Manager and eight frontline team managers in the Inspectorate. There are five regional teams and three national teams (Labour Standards, Determinations and Compliance, and Migrant Exploitation). One of the Regional Manager positions is currently substantively vacant, filled on secondment.

I am proposing to reorganise the Inspectorate teams to better manage spans of leadership and team size, and to support the effective delivery of our regulatory strategy and statutory duties. I am proposing a reduction from nine to eight manager positions, which means:

- We would no longer have a National Manager position.
- All Inspectorate managers would report directly to the Head of Compliance and Enforcement.

We would retain eight frontline teams however they would be reorganised with an increasing focus on our core service areas of compliance, investigations, and specialist inspection, as follows:

- Three Area-based Investigations teams: Northern, Central and Southern
- Two Area-based Compliance teams: Northern and Central/Southern
- Three national teams focused on Standards Compliance, Migrant Exploitation and Specialist Inspection.

Each Area Team would have a mix of Labour Inspectors, Senior Labour Inspectors, and Principal Labour Inspectors. The Specialist Inspection team would have a mix of Principal Labour Inspectors and Labour Inspectors. There would be no change to the Inspector or Labour Standards Officer positions in the new Compliance Standards or existing Migrant Exploitation teams.

Due to the Wellington Regional Manager vacancy, there are enough positions in the new structure for all substantive managers. There are enough frontline positions for all substantive Inspectors.

The Manager and Inspector positions in the proposed reorganised teams would be allocated through an expressions of interest process, with a change in reporting line for impacted Inspectors to their new Manager.

I am also proposing to disestablish two Practice Leader positions and establish new positions in RAS and ESGE (see proposals 3 and 4), to better support our investment in employment guidance, technical and operational capability and practice across the branch and our employment regulatory activities.

I am also proposing to transfer the MEX Specialist Inspector to ESGE with a change in position title and minor scope change, to better support our investment in our employment system engagement and guidance function.

### **Reducing our costs while ensuring reasonable spans of leadership and team size**

While we need to reduce our enabling functions and management support costs, I want to ensure we have reasonable team sizes. It is important that our people experience 1:1 support and supervision, local pastoral care, and positive working relationships with their people leader.

We also need to ensure our people leaders have reasonable spans of leadership and for these roles. While it depends on the functional area, this is expected by MBIE to be around 10 to 15 FTE for a frontline Area team. We can achieve this by maintaining eight frontline teams in the Inspectorate and removing the National Manager position.

The reduction in our frontline positions which has already taken place through voluntary redundancy and the closure of vacancies means we will have a total establishment of 85 FTE Inspector positions from April 2024. Although initially our current spread of people by location means teams may have a different balance, this can be realigned over time through recruitment of vacancies.

### **Locally base teams can better support our people and people leaders**

I want to strengthen locally based leadership for our people. With local leadership, there is greater opportunity and ease in providing immediate and in person support for wellbeing and collegiality. This also offers an opportunity to increase collaboration and connection between local teams and leaders across our functions. It will also balance the teams as they currently exist, more equitably sharing the leadership role across people/teams and our functional responsibilities.

You have told us how important it is for our team members to have the opportunity to regularly meet in person and to meet with your people leaders regularly in person. Area managers would be located in one of the MBIE offices for which they are responsible and regularly travel to their other offices to support local team members.

It is not efficient for our people leaders to travel around the country when we can have locally based people leaders to provide for strong in person connection and support with their teams. It will also enable us to focus the ongoing travel spend we do have available to support delivery of our services and training and professional development for our people.

### **Strengthening the effective and efficient delivery of our regulatory services**

We have started putting our new regulatory strategy, published in July 2023, into practice through our 5 capability shifts and making full use of our graduated response model. This includes, over the past year, an increasing focus on sustained compliance and inspection, in addition to investigations by the regional teams and lower-level resolution completed by the Standards team.

#### Compliance and investigations teams

The operating model for LI is currently being updated to reflect the strategy and future operating environment. The LI graduated response model outlines how and when we intervene in employment standards breaches. Our LI working group has told us that while we have well-established practice in terms of voluntary responses and investigations, we could make better use of compliance checks, audits, and similar responses/enforcement actions. These would be quicker than investigations, and

therefore appropriate for lower-level breaches and where we can more quickly achieve remedies for the people involved and rapidly change employer behaviour to comply.

By introducing separate compliance and investigation teams, it enables us to be deliberate about where and how we apply our inspectorate resources in a responsive and proportionate way. It will provide the opportunity to be more proactive in targeting our suite of interventions to prevent harm caused by exploitation of workers by dedicated compliance inspectors across the motu. It will also ensure we are responding to the more serious and egregious cases we need to react to in the most timely and effective way. It is important to note that compliance and investigations teams have an equally important role to ensure accountability and compliance in the system.

We will be better able to accurately tell our story and demonstrate our impact.

#### Specialist inspections team

Being a responsive regulator and in line with our graduated response model, we are committed to the Inspectorate delivering an appropriate and proportionate mix of services to ensure we deliver high value and high impact interventions, in an efficient and effective way. We are well into the development of our new operating model, and this work has already provided insight to how we can think and work differently.

We know there is an increase in complicated cases and cases involving a multi-agency response, for example cases combatting transnational organised crime, so to support these cases and to ensure we play our broader regulatory role with minimal impact to our core service delivery we are proposing the establishment of a dedicated team of Inspectors that can be deployed to this specialist work and who can look at opportunities to disrupt complex trends of non-compliance.

This team will be national resource, instrumental in the development of targeted complex intervention approaches and equally a resource to support the inspectorate and Employment Services more broadly. This will include shaping up and developing what centralised file support and case management could look like for the Inspectorate, including what specialist support roles we need.

As our integrated approach to compliance and enforcement across TWSD is more fully shaped up the Inspectors in this Specialist Inspections team will be integral to embedding how we approach and implement this as a way of working across LI and with our regulatory partners.

#### **Supporting practice leadership and capability of our core services**

I am proposing to disestablish the two remaining Practice Leader positions in the Inspectorate. Following the voluntary redundancy process, we have reduced by two Practice positions across the branch in DR and the Inspectorate. We have three remaining positions, two in the Inspectorate and one in Triage and Allocation. This presents an opportunity to reconsider our approach to regulatory practice and supporting technical capability across all our employment services in the branch.

In proposals 3 and 4, I set out proposals for new positions in Regulatory and Advisory Services (see proposal 3) and in the Employment System Guidance and Engagement team (see proposal 4). These positions would be filled in the first instance through an expressions of interest process, open to impacted Practice Leaders.

Our teams will also continue to be supported by the RAS teams, for example, to book travel, provide service insights and analysis and data, and undertake quality assurance and process support.

#### **Strengthening accountability and leadership of our services**

I am also proposing a change in position title, minor change in scope and reporting line for the MEX Specialist Inspector to become the Specialist Engagement Lead, reporting to the Manager ESGE. This reflects the existing focus of the position on sector engagement to address exploitation and improve employer compliance and fair work practices. The role currently does not undertake compliance and enforcement casework or require a warrant to deliver their activities.

I consider it therefore this position would more appropriately sit in our guidance and engagement function (ESGE team), alongside other engagement and guidance positions and activity. The position title would change accordingly, along with a minor

change in scope to clarify the position is not an Inspector and engages to address migrant and other exploitation.

### **Implementation**

If confirmed, all six new manager roles would be filled in the first instance through an expressions of interest process, open to the impacted six Inspectorate managers.

Inspectors in the reorganised teams would have a reporting line change to the six new team Managers, through an expressions of interest process. There are enough frontline positions across the proposed teams for all impacted Inspectors. Reporting lines would be based on current office locations, position titles, and taking into account team preferences. There would be a change in reporting line accordingly to the new team manager.

The four new positions of Senior Advisor Practice and Capability and Technical Leads in RAS and ESGE would be filled on an expressions of interest basis, open to the three impacted Practice Leaders in the first instance.

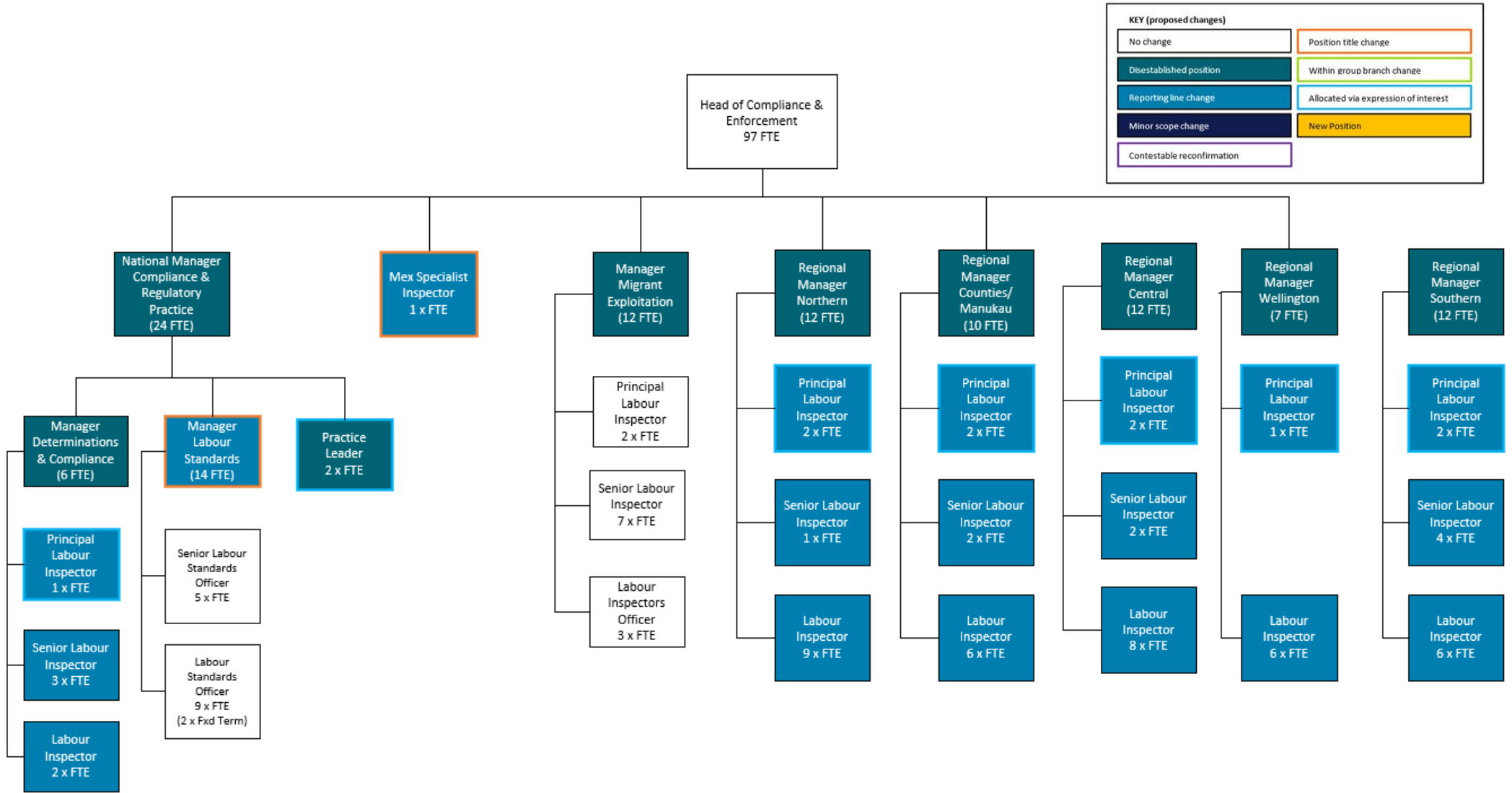
### **We ask you to consider whether the changes under Proposal 2 will achieve the desired outcomes:**

- Reduce our costs while ensuring reasonable spans of leadership and team size
- Locally base teams to better support our people and people leaders
- Strengthen the effective and efficient delivery of our regulatory services
- Strengthen accountability and leadership of our services
- Support practice leadership and capability of our core services.
- Organisational charts are provided on the following pages to demonstrate how proposed changes would impact current positions and reporting lines. More detail about the proposed changes to individual positions and proposed new positions is provided at the end of this document.

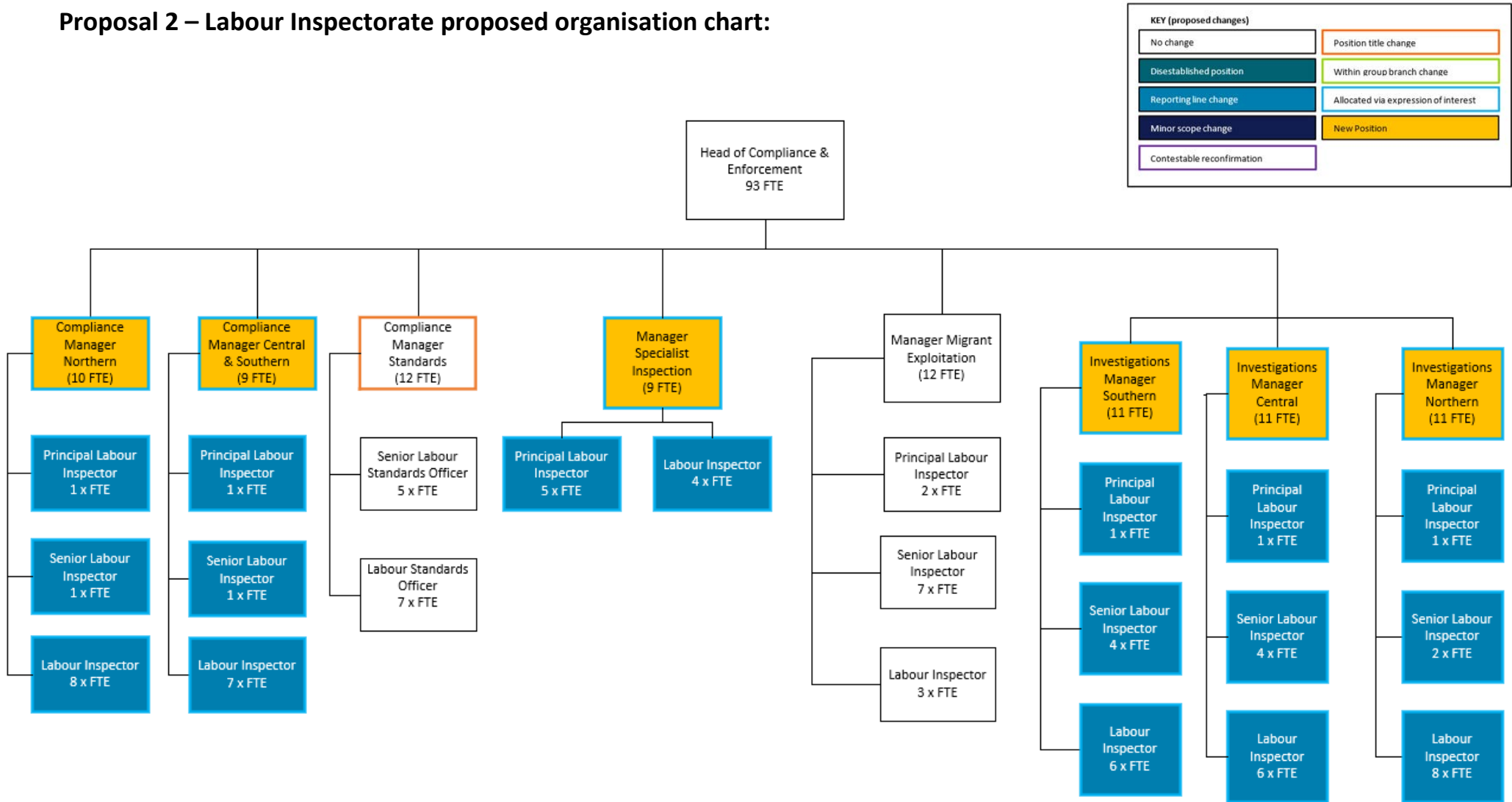
We welcome your thoughts on where Proposal 2 could be strengthened to better deliver on our change aspirations. If you believe there is an alternative to the changes proposed, please share your thoughts, and include how you see the alternative improving on desired outcomes.



## Proposal 2 – Labour Inspectorate current organisational chart (at 1 April 2024):



## Proposal 2 – Labour Inspectorate proposed organisation chart:



# Proposal 3 – Regulatory & Advisory Services

## Why change is proposed to Regulatory & Advisory Services

We received Fair Pay funding to support an expansion of our Regulatory and Advisory Services. This funding was provided across all teams. The Government has decided this funding will end from 1 July 2024.

We have found FPA savings by reducing our discretionary spend (such as travel) and closing vacancies arising from resignation and voluntary redundancy, and when secondments for temporary additional resourcing conclude. This means that we do not need to further reduce front-line positions in the Employment Relations Authority or Triage and Allocation team. This is once remaining vacancies are closed including those filled on a secondment or fixed term basis as temporary additional capacity, and after voluntary redundancy completes on 28 March.

However, we do need to find savings from our enabling and support functions, including management to meet FPA savings. We also need to realign our teams to ensure our spans of leadership are manageable for our people leaders and to provide the support our team members need. This is also an opportunity to better deliver our regulatory strategy and support to our frontline services.

### The following changes are proposed:

3A	No change to the Support Team.
3B	Disestablish three Team Leader ERA positions
3C	Establish two Team Leaders ERA (Northern and Southern)
3D	Reporting line change for Authority and Senior Authority Officers to Team Leaders
3E	Reporting line change for Administration Officers to ERA Business Support Manager
3F	Change in position title and minor change in scope for Manager, Service Advice and Analysis to Manager, Service Advice, Data and Information
3G	Establish Manager, Stewardship and Capability
3F	Disestablish three Business Support Analyst positions (FPA-funded)

3H	Disestablish two Legal Researcher positions (FPA-funded)
3I	Disestablish Senior Legal Researcher position (vacant)
3J	Reporting line change for existing positions from Manager RDI to Manager SDI
3K	Reporting line change for existing positions from Manager RDI to Manager S&C
3L	Position title change for Principal Advisors to new team (SDI or S&C)
3M	Change in position title for Principal Advisor Business Advisory Services to Principal Advisor Regulatory and Advisory Services
3N	Disestablish Practice Leader, Triage and Allocation
3O	Establish two Senior Advisor, Practice and Capability positions
3P	Disestablish Team Leader Liaison
3Q	Disestablish Team Leader Triage
3R	Disestablish Manager Triage and Allocation
3S	Establish Manager Triage
3T	Disestablish two Principal Liaison Advisor positions
3V	Establish two Triage Officer positions
3X	Repurpose a vacant Triage Officer position to a third Senior Triage Officer
3Y	Change in reporting line for all Triage Officers and Senior Triage Officers to new Manager Triage
3Z	Disestablish three FPA-funded Triage Officer substantively vacant positions, when secondments for temporary additional capacity end

## Reorganisation of teams

### Reducing our costs while ensuring reasonable spans of leadership and team size

#### ERA Support team

There has been a reduction in team member positions through the closure of vacancies and voluntary redundancy which has helped meet the required FPA

savings. This means we would have an establishment of 20 FTE team member positions in the ERA support team, located across three offices.

I am proposing to retain our Team Leader structure but reduce from three to two Team Leader positions with locally based teams: Northern and Southern. The third position is no longer required to manage spans of leadership due to the reduced number of frontline ERA support positions through the return of Fair Pay funding.

I would disestablish three Team Leader positions and establish two new positions: Team Leader ERA Northern and Team Leader ERA Southern. They would be filled through a contestable reconfirmation process, open only to the three impacted Team Leaders.

As a result, I am also proposing to change reporting lines for Authority and Senior Authority Officers based on their location to the new Team Leader positions. Teams would be rebalanced in numbers in each office over time as vacancies arise.

I am also proposing a change in reporting line for Administration Officers to the ERA Business Support Manager. This will better support the overall operational oversight and administration of the three ERA office locations and manage spans of leadership.

I also considered whether there was an option to return to the original structure in place prior to FPA funding for the ERA support team, with all team member positions reporting to the ERA Support Manager. However, I consider a span of leadership of 20 FTE would be too large for one people leader and would not provide the support required for our people or for the ERA Members and Chief. In addition, Budget 23 funding for the ERA means that we continue to have funding for a Team Leader structure. I therefore do not consider it appropriate that all team members report to the ERA Business Support Manager.

#### Reductions in Regulatory Data and Information team

FPA funding provided for a significant expansion of our RDI and SAA capacity and capabilities to support our Fair Pay functions. This funding will end. In addition to FPA-funded positions already closed in RDI and SAA that were vacant or will shortly

close as a result of voluntary redundancy, I am proposing to disestablish the following positions in RDI to meet our FPA savings requirements:

- Two Legal Researcher positions
- Three Business Support Analyst positions
- Senior Legal Researcher (vacant)

The Manager Regulatory Data and Information is leaving MBIE in May 2024 and the vacant position will then also be closed.

#### Combine Regulatory Data and Information and Service Advice and Analysis

With the combined reduction in enabling function positions across the SAA and RDI teams, including through voluntary redundancies, and the proposed transfer of some positions to other teams (see below), there would be 11 FTE remaining between the RDI and SAA teams. I am therefore proposing to combine the RDI and SAA teams into a single Service Advice, Data & Information team as a second manager would not be required to meet the resulting spans of leadership.

Therefore, I am proposing:

- a position title change and minor scope change for the Manager Service Advice and Analysis to Manager Service Advice Data and Information (SADI)
- change of reporting line for the remaining members of the RDI team to the Manager, SADI.

#### **Strengthening the effective and efficient delivery of our regulatory services**

##### Triage and Allocation

FPA funding provided for additional Triage Officers to deliver expected additional Fair Pay-related complaints. Three positions filled on secondment for temporary additional resourcing are proposed to be disestablished when those secondments conclude.

I recognise the currently high demands on this team from increased reports of Migrant Exploitation, with over 2,600 reports YTD 23/24 compared to 933 for the full year 22/23.

We will maintain the short-term secondment and fixed term support we have in place as temporary additional surge capacity to the Triage team. These FPA-funded positions are substantively vacant and would be disestablished once the temporary additional capacity requirement ends. We are also working with the immigration system to consider appropriate resourcing requirements if this demand level continues. We are also working to improve our triage operating model, including process efficiencies, to reduce the workloads in this team.

In addition to continued surge capacity in the short-term, I am proposing the following changes to help us focus our Triage and Allocation resource on effective frontline service delivery and reinforce the frontline triage service:

- disestablish the two remaining Principal Liaison Advisor positions and establish two additional Triage Officer positions. Combining the activities will create efficiencies and more flexibility to meet demand for the service
- repurpose one Triage Officer position (substantively vacant) to create a third Senior Triage Officer. This would reinforce our frontline by helping to address the high volume of complicated reports of migrant exploitation.

The two Triage Officer positions would be open to the two impacted Principal Liaison Advisors in the first instance through an expressions of interest process.

With the reduction in permanent team member positions, it is proposed that three manager positions are no longer required to manage spans of leadership. I am proposing to reduce from three to one people leader position as follows:

- disestablish the two Team Leader and Manager positions
- establish one Manager Triage position

The new Manager position would be filled through a contestable reconfirmation process, open to the three impacted Triage and Allocation people leaders. This would result in a proposed change in reporting lines for all Triage Officers and Senior Triage Officers to the new Manager Triage.

Together, I believe these changes support our focus on putting resources into frontline activities. However, I will continue to keep our resourcing in this team and the demand for their service under review.

### Supporting practice leadership and capability of our core services

I have outlined earlier in this document that I want to better support practice leadership and technical and operational capability across our employment services.

### Centralising our technical capability and leadership

As set out in earlier proposals, following the voluntary redundancy process, we have reduced by two Practice Leader positions across the branch in DR and the Inspectorate. We have three remaining Practice Leader positions (two in the Inspectorate and one in Triage and Allocation). This presents an opportunity to reconsider our approach to specialist employment law expertise, our practice and supporting practice and capability across all our employment services in the branch.

I am proposing to disestablish the Practice Leader position in Triage and Allocation. I am also (see proposals 2 and 4) proposing to disestablish the two Practice Leader positions in the Inspectorate, in addition to the two practice-related positions closing through voluntary redundancy.

I am proposing to establish three positions in their place:

- Two Senior Advisor Practice and Capability in RAS.
- Two Employment Technical Leads in the ESGE team (see proposal 4).

The Senior Advisor Practice and Capability position would be responsible for ensuring quality and consistency of operational practice, advice and alignment across the Employment Services teams and for developing strategic and tactical plans that align with Employment Service's and MBIE's strategic intent and goals, including regulatory strategies and action plans, compliance and enforcement strategies and workforce and capability roadmaps. This role is key in ensuring Employment Services delivers quality and consistency of advice and practice across all areas of expertise.

The new positions would be filled through an expressions of interest process, open to the three impacted Practice Leaders in the first instance. The impacted Practice Leader Triage and Allocation would also be eligible to express interest in the vacant Senior Triage Officer position.

#### Establishing a Stewardship and Capability team

I want to strengthen accountability and leadership of our enabling functions and make the most effective use of our practice, technical and operational capability resources to support all our frontline employment services.

I am therefore proposing to bring together into a single team the existing positions and activities in RAS that contribute to regulatory stewardship and technical and operational capability. This would better support the effective delivery of our functions across the employment system. I consider it would be more effective and efficient to deliver these centrally from RAS for all branch teams.

I propose to establish a new position of Manager, Stewardship and Capability (S&C). With the closure of multiple manager roles in RAS, there would be a net decrease in total management positions. The Manager would lead their team to ensure quality and consistency of operational practice, advice and alignment across Employment Services teams. They would provide expertise, contribute or lead initiatives that are designed to lift regulator performance and mature regulatory stewardship practices.

The activities of this new Stewardship and Capability team would include, for example, strategy and people plan implementation, regulator performance, implementation coordination of legislative changes into practice, regulatory procedure and processes, information sharing and case management systems, quality management systems, technical capability, learning and development across our frontline services.

To create this team, I propose a change in reporting line for the following four existing positions to the Manager S&C:

- Business Analyst
- Senior Advisor Service Design & Implementation

- Principal Advisor
- Learning Facilitator

The new Senior Advisor Practice & Capability positions would report to this Manager.

This proposal will assist in managing spans of leadership across RAS and group together positions that deliver regulatory stewardship and practice activities to support our whole branch. Some positions would have a minor position title change, to clarify the team they would join and the focus of their activities.

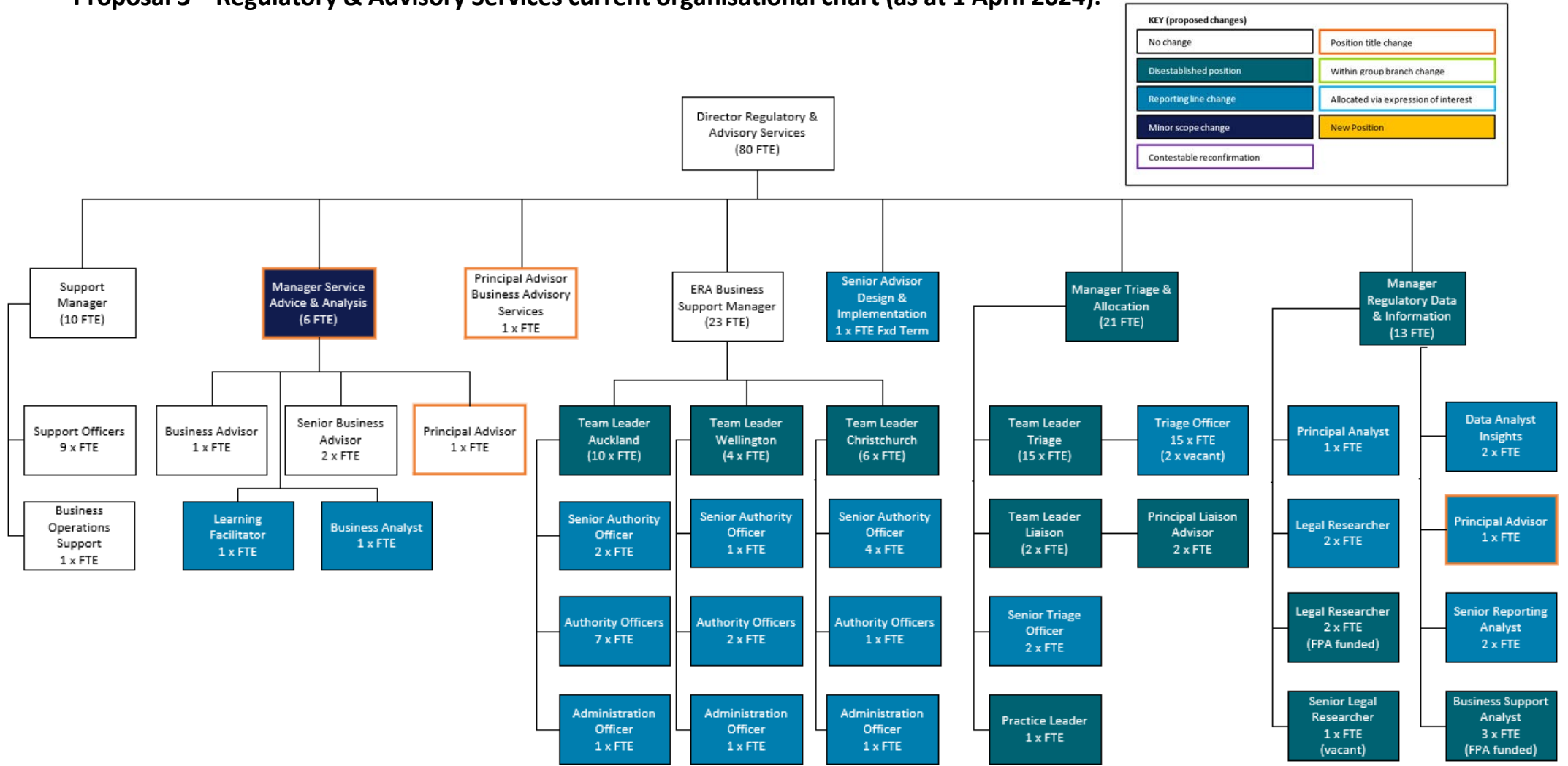
#### **We ask you to consider whether the changes under Proposal 3 will achieve the desired outcomes:**

- Reduce our costs while ensuring reasonable spans of leadership and team size.
- Locally base teams to better support our people and people leaders.
- Strengthen the effective and efficient delivery of our regulatory services.
- Strengthen accountability and leadership of our services.
- Support practice leadership and capability of our core services.

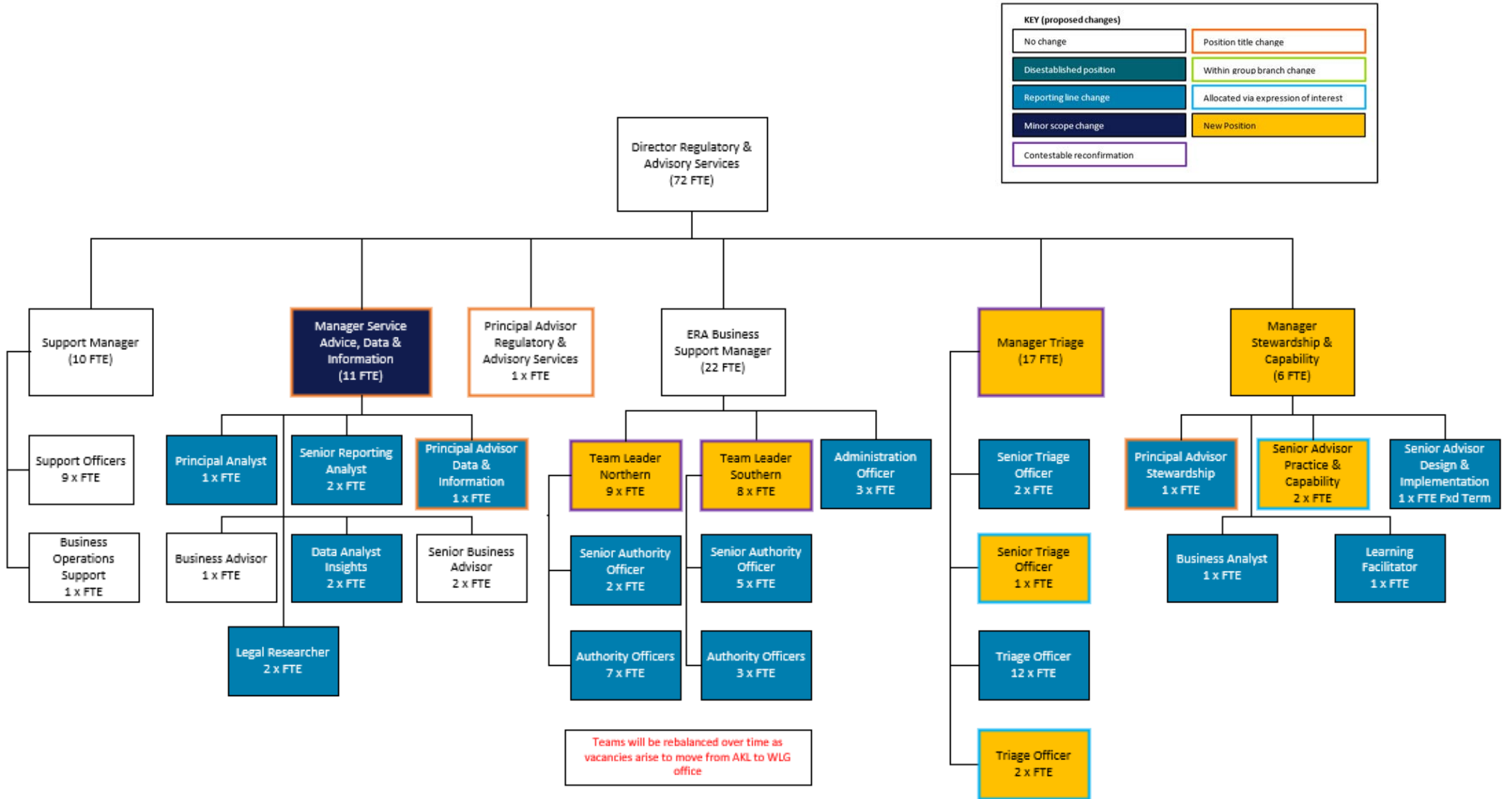
Organisational charts are provided on the following pages to demonstrate how proposed changes would impact current positions and reporting lines. More detail about the proposed changes to individual positions and proposed new positions is provided at the end of this document.

We welcome your thoughts on where Proposal 3 could be strengthened to better deliver on our change aspirations. If you believe there is an alternative to the changes proposed, please share your thoughts, and include how you see the alternative improving on desired outcomes.

# Proposal 3 – Regulatory & Advisory Services current organisational chart (as at 1 April 2024):



## Proposal 3 – Regulatory & Advisory Services proposed organisation chart:





# Proposal 4 – Employment Systems Guidance & Engagement

## Why change is proposed to Employment Systems Guidance & Engagement (ESGE)

No FPA funding was provided to the ESGE team. However, like all the branch, the ESGE team is reducing its discretionary expenditure, such as its travel and consultancy spend. No further savings are proposed from the ESGE team under this change proposal.

As explained earlier in this change document, there is an opportunity to reconsider how we provide support for practice leadership across the branch, to better support all our regulatory services. Earlier in this document, I have proposed to establish a team in RAS to bring together our existing regulatory stewardship and capability positions to support the whole branch. Under proposals 2 and 3, I would disestablish three Practice Leader positions.

Under Proposal 2, I have proposed to transfer the MEX Specialist Inspector to report to the Manager ESGE and change in position title and minor scope change to Specialist Engagement Lead.

### I propose the following changes:

4A	Establish two new positions of Technical Lead in the ESGE team
4B	Change in position title for two Principal Advisors, ESGE to System Guidance and Engagement Lead

### Supporting practice leadership and capability of our core services

As set out in proposals 1-3, I am proposing changes across the branch to strengthen accountability and leadership of our enabling functions and make the most effective use of our practice and capability resources to support our core services.

In ESGE, I am proposing to establish two new Technical Lead positions to provide specialist employment law knowledge and advice for our internal practice and external guidance. They would work alongside the new Stewardship and Capability team in RAS, our practitioners in frontline services (such as Labour Inspectors and Mediators), policy colleagues and our information and education colleagues in Engagement and Experience and Business and Consumer branches.

The Technical Leads would support the development, design and implementation of new or changes to existing employment legislation – for example, the Holidays Act reforms. In partnership, their legal and practical employment law knowledge and specialist expertise would contribute to, for example, external and internal guidance on employment law. With the complexity of current employment law and planned changes to our legislation ahead, these roles are important to ensure we have robust and consistent internal and external guidance and practice in how to apply employment law.

These are not new activities, they are currently undertaken across our practice positions and the ESGE team. I consider these activities would sit best within the ESGE team, in two positions working across all employment law, whether relationships or standards. This would strengthen our ability to provide core functions of the ESGE team, to provide clear and accessible guidance, products and tools, and to undertake targeted capability building, to complement the services we already offer through wider ES teams.

### Strengthening our employment system engagement function

As set out in proposal 2, I am proposing a change in reporting line for the MEX Specialist Inspector to this team and a position title change and minor scope change to Specialist Engagement Lead to better align our branch activities with the ESGE lead for the system engagement function (see proposal 2).

For consistency in position titles, I am also therefore proposing the Principal Advisors, ESGE have a minor change in position title to System Guidance and Engagement Lead. There would be no change to their position description.

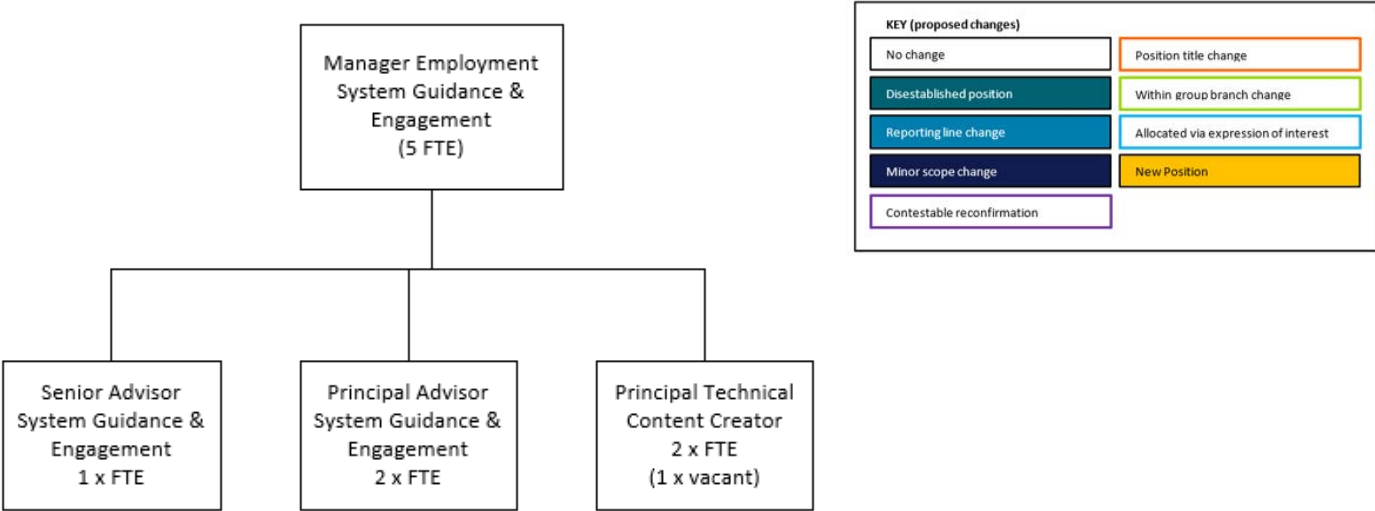
**We ask you to consider whether the changes under Proposal 4 will achieve the desired outcome of:**

- Support practice leadership and capability of our core services.

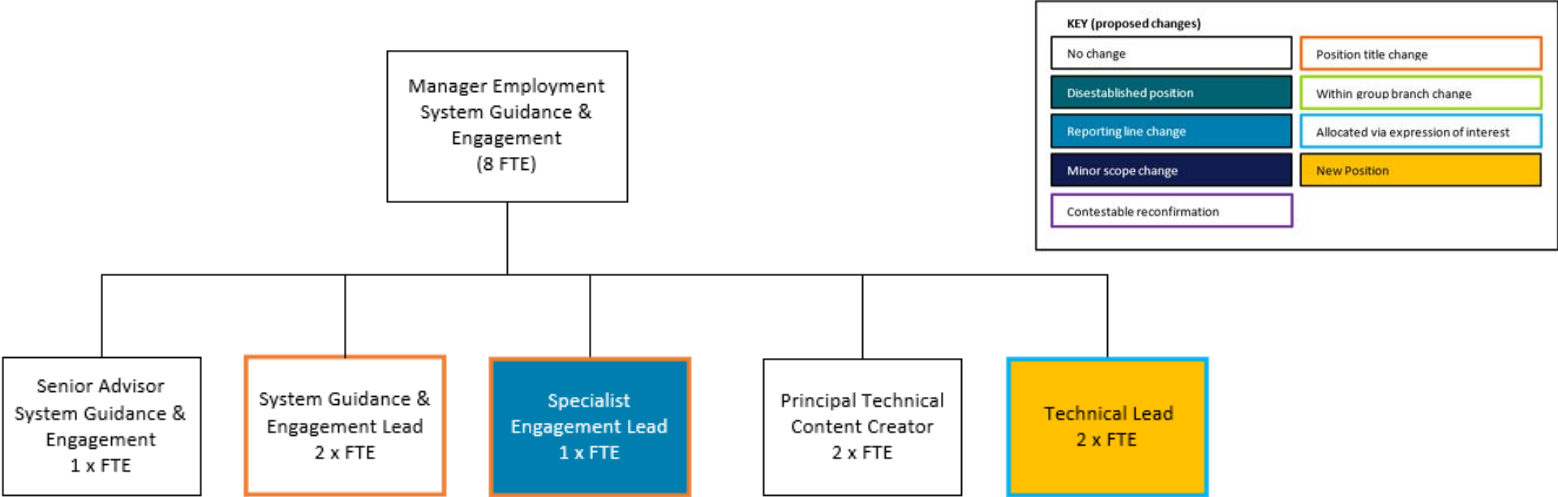
Organisational charts are provided on the following pages to demonstrate how proposed changes would impact current positions and reporting lines. More detail about the proposed changes to individual positions and proposed new positions is provided at the end of this document.

We welcome your thoughts on where Proposal 4 could be strengthened to better deliver on our change aspirations. If you believe there is an alternative to the changes proposed, please share your thoughts, and include how you see the alternative improving on desired outcomes.

**Proposal 4 – Employment Systems Guidance & Engagement current organisational chart (as at 1 April 2024):**



**Proposal 4 – Employment Systems Guidance & Engagement proposed organisation chart:**



# Proposal 5 – Employment Services Leadership Team

## Why change is proposed to the Employment Services Leadership Team

No FPA funding was provided to the Employment Services branch leadership team.

However, like all of ES branch, the ESLT is reducing its discretionary expenditure, such as travel. One ESLT position (Director Strategic Initiatives) has already been closed through voluntary redundancy.

### **Strengthen the effective and efficient delivery of our regulatory services and the accountability and leadership of our services**

As set out earlier in the consultation document, I want to strengthen the effective delivery of our regulatory services and the accountability and leadership of our services. Part of this is ensuring that we bring together similar activities to make the most efficient and effect interventions we can, to achieve our regulatory outcomes.

I am therefore proposing a change in reporting line for our Principal Advisor Māori to the recently established Community Partnership team in the Engagement and Experience branch. This recognises that engagement and partnership with communities is a critical part of any regulator. For us it is essential to raise awareness of employment rights and obligations and peoples’ ability to understand and act on these. Better reach and lifting employment outcomes for Māori, Pacific peoples, temporary migrant workers, and youth are four of our five Regulatory Priorities. In our Regulatory Strategy, we also said that being a good Treaty partner was a key capability shift we needed to make as a regulator – across all of our functions, including information and education.

In proposing this change, I want to see Employment Services and the Engagement and Experience branches work even closer together on information, education and engagement, and building the reach and capability of our services to connect with and deliver for these communicates, as one of our core functions as a regulator. This

is one of the earliest, lowest cost and most effective interventions we can make to prevent harm from arising and supporting those who do experience it, to seek help from our services or others as early as possible. By working closer with the Community Partnership team, we can engage and work in better partnership with those communities identified in our Regulatory Priorities, and with community organisations, to achieve this goal and lift employment outcomes together.

### **I am proposing the following change:**

5A	Change in reporting line for Principal Advisor Māori to the Manager Community Partnership, Engagement and Experience branch and minor change in position scope
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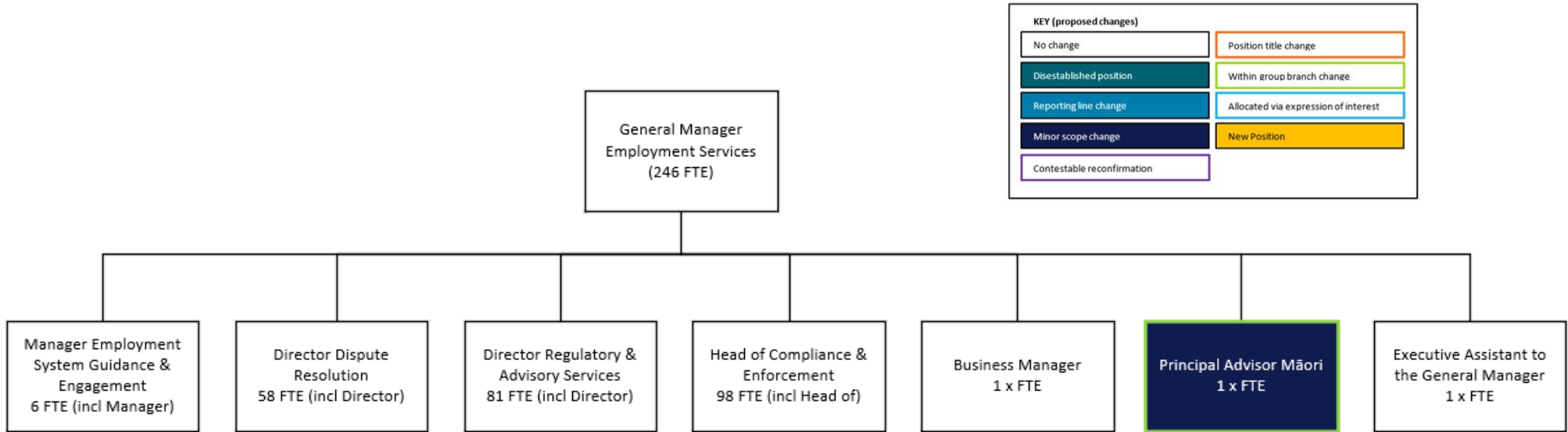
### **We ask you to consider whether the changes under Proposal 5 will achieve the desired outcome of:**

- Strengthen the effective and efficient delivery of our regulatory services.
- Strengthen the accountability and leadership of our services.

Organisational charts are provided on the following pages to demonstrate how proposed changes would impact current positions and reporting lines. More detail about the proposed changes to individual positions and proposed new positions is provided at the end of this document.

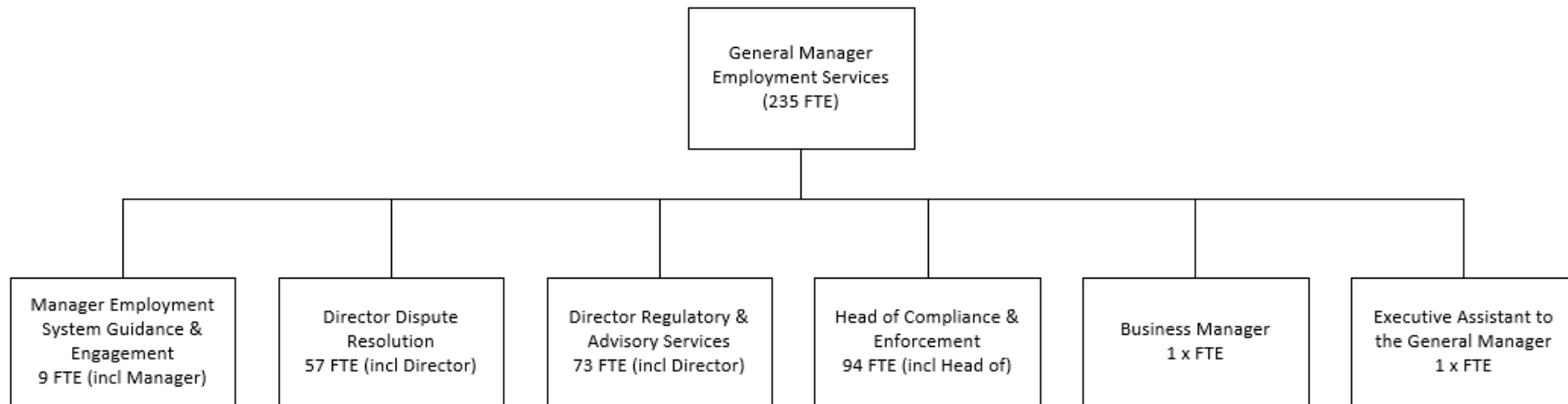
We welcome your thoughts on where Proposal 5 could be strengthened to better deliver on our change aspirations. If you believe there is an alternative to the changes proposed, please share your thoughts, and include how you see the alternative improving on desired outcomes.

## Proposal 5 – Employment Services Leadership Team current organisational chart (as at 1 April 2024)



## Proposal 5 – Employment Services Leadership Team proposed organisational chart:

KEY (proposed changes)	
No change	Position title change
Disestablished position	Within group branch change
Reporting line change	Allocated via expression of interest
Minor scope change	New Position
Contestable reconfirmation	



## Summary of proposed changes to (group, branch)

### Proposed new positions:

Proposal	Position title	Reporting line	Unit	Indicative band
1.B	Area Manager Dispute Resolution Employment (Northern)	Director Dispute Resolution	Dispute Resolution	V/X
1.B	Area Manager Dispute Resolution Employment (South Auckland)	Director Dispute Resolution	Dispute Resolution	V/X
1.B	Area Manager Dispute Resolution Employment (Central)	Director Dispute Resolution	Dispute Resolution	V/X
1.B	Area Manager Dispute Resolution Employment (Southern)	Director Dispute Resolution	Dispute Resolution	V/X
2.F	Compliance Manager Northern	Head of Compliance & Enforcement	Compliance & Enforcement	V/X
2.F	Compliance Manager Central/Southern	Head of Compliance & Enforcement	Compliance & Enforcement	V/X
2.F	Investigations Manager Northern	Head of Compliance & Enforcement	Compliance & Enforcement	V/X
2.F	Investigations Manager Central	Head of Compliance & Enforcement	Compliance & Enforcement	V/X
2.F	Investigations Manager Southern	Head of Compliance & Enforcement	Compliance & Enforcement	V/X
2.F	Manager Specialist Inspection	Head of Compliance & Enforcement	Compliance & Enforcement	V/X
3.C	Team Leader ERA (Northern)	ERA Business Support Manager	Regulatory & Advisory Services	N
3.C	Team Leader ERA (Southern)	ERA Business Support Manager	Regulatory & Advisory Services	N
3.S	Manager Triage	Director Regulatory & Advisory Services	Regulatory & Advisory Services	V
3.X	Senior Triage Officer	Manager Triage	Regulatory & Advisory Services	N
3.V	Triage Officer	Manager Triage	Regulatory & Advisory Services	G
3.V	Triage Officer	Manager Triage	Regulatory & Advisory Services	G



Proposal	Position title	Reporting line	Unit	Indicative band
3.G	Manager Stewardship and Capability	Director Regulatory & Advisory Services	Regulatory & Advisory Services	X
3.O	Senior Advisor Practice & Capability	Manager Stewardship and Capability	Regulatory & Advisory Services	N
3.O	Senior Advisor Practice & Capability	Manager Stewardship and Capability	Regulatory & Advisory Services	N
4.A	Technical Lead	Manager Employment System Guidance & Engagement	Employment System Guidance & Engagement	U/V
4.A	Technical Lead	Manager Employment System Guidance & Engagement	Employment System Guidance & Engagement	U/V

## Proposed disestablished positions:

Proposal	Position title	Unit
1.A	Manager Case Management Employment Position (pos#10089690)	Dispute Resolution
1.A	Manager Capability & Early Resolution Position (pos#16205506)	Dispute Resolution
1.A	Dispute Resolution Manager Employment Position (pos#10089720)	Dispute Resolution
1.A	Dispute Resolution Manager Employment Position (pos#10089700)	Dispute Resolution
1.A	Dispute Resolution Manager Employment Position (pos#10089710)	Dispute Resolution
2.B	Regional Manager Counties Manukau Position (pos#10073840)	Compliance & Enforcement
2.B	Regional Manager Central Position (pos#16210107)	Compliance & Enforcement
2.B	Regional Manager Northern Position (pos#16210108)	Compliance & Enforcement
2.B	Regional Manager Southern Position (pos#16210109)	Compliance & Enforcement
2.B	Regional Manager Wellington Position (pos#16210111) – secondment	Compliance & Enforcement
2.A	National Manager Compliance & Regulatory Practice Position (pos#16210101)	Compliance & Enforcement
2.C	Disestablish Manager Determinations & Compliance Position (pos#16210112)	Compliance & Enforcement
2.J	Disestablish Practice Leader Position (pos#16204999)	Compliance & Enforcement
2.J	Disestablish Practice Leader Position (pos#16208763)	Compliance & Enforcement
3.F	Disestablish Business Support Analyst Position (pos#16205455)	Regulatory & Advisory Services
3.F	Disestablish Business Support Analyst Position (pos#16208827)	Regulatory & Advisory Services
3.F	Disestablish Business Support Analyst Position (pos#16205454)	Regulatory & Advisory Services
3.I	Disestablish Senior Legal Researcher Position (pos#16212183) – vacant position	Regulatory & Advisory Services
3.H	Disestablish Legal Researcher position (pos#16207311) – fixed term	Regulatory & Advisory Services
3.H	Disestablish Legal Researcher Position (pos#16207312)	Regulatory & Advisory Services
3.B	Disestablish Team Leader ERA Position (pos#16205793)	Regulatory & Advisory Services

Proposal	Position title	Unit
3.B	Disestablish Team Leader ERA Position (pos#16208552)	Regulatory & Advisory Services
3.B	Disestablish Team Leader ERA Position (pos#16212187)	Regulatory & Advisory Services
3.P	Disestablish Team Leader Liaison Position (pos#16206593)	Regulatory & Advisory Services
3.Q	Disestablish Team Leader Triage Position (pos#16206592)	Regulatory & Advisory Services
3.R	Disestablish Manager Triage & Allocation Position (pos#16203670)	Regulatory & Advisory Services
3.N	Disestablish Practice Leader Triage & Allocation Position (pos#16212190)	Regulatory & Advisory Services
3.Z	Disestablish Triage Officer Position (pos#16203617) – secondment	Regulatory & Advisory Services
3.Z	Disestablish Triage Officer Position (pos#16217170) – secondment	Regulatory & Advisory Services
3.Z	Disestablish Triage Officer Position (pos#16203618) – secondment	Regulatory & Advisory Services
3.T	Disestablish Principal Liaison Advisor Position (pos#16204035)	Regulatory & Advisory Services
3.T	Disestablish Principal Liaison Advisor Position (pos#16205911)	Regulatory & Advisory Services

## Positions with proposed minor change:

Proposal	Unit	Position title	Description of change
1.E & D	Dispute Resolution	Mediator Position (pos# 16218321)	Reassigned to permanent position Change in reporting line to Area Manager Dispute Resolution Employment Central
1.E & d	Dispute Resolution	Mediator Position (pos# 16218322)	Reassigned to permanent position Change in reporting line to Area Manager Dispute Resolution Employment Central
1.E & D	Dispute Resolution	Mediator Position (pos# 16218323)	Reassigned to permanent position Change in reporting line to Area Manager Dispute Resolution Employment Central
1.D	Dispute Resolution	Mediator Position (pos#10149730)	Change in reporting line to Area Manager Dispute Resolution Employment Central
1.D	Dispute Resolution	Mediator Position (pos#10005770)	Change in reporting line to Area Manager Dispute Resolution Employment Central
1.D	Dispute Resolution	Mediator Position (pos#10025040)	Change in reporting line to Area Manager Dispute Resolution Employment Central
1.D	Dispute Resolution	Senior Mediator Position (pos#16211740)	Change in reporting line to Area Manager Dispute Resolution Employment Central
1.D	Dispute Resolution	Senior Mediator Position (pos#10180510)	Change in reporting line to Area Manager Dispute Resolution Employment Central
1.D	Dispute Resolution	Early Resolution Facilitator Position (pos#16205508)	Change in reporting line to Area Manager Dispute Resolution Employment Central
1.D	Dispute Resolution	Early Resolution Facilitator Position (pos#16205509)	Change in reporting line to Area Manager Dispute Resolution Employment Central
1.D	Dispute Resolution	Early Resolution Facilitator Position (pos#16205511)	Change in reporting line to Area Manager Dispute Resolution Employment Central
1.D	Dispute Resolution	Early Resolution Facilitator Position (pos#16207542)	Change in reporting line to Area Manager Dispute Resolution Employment Central
1.D	Dispute Resolution	Dispute Resolution Coordinator Position (pos#16212209)	Change in reporting to Area Manager Dispute Resolution Employment Central
1.D	Dispute Resolution	Dispute Resolution Coordinator Position (pos#10005890)	Change in reporting line to Area Manager Dispute Resolution Employment Central
1.D	Dispute Resolution	Mediator Position (pos#10005680)	Change in reporting line to Area Manager Dispute Resolution Employment Northern
1.D	Dispute Resolution	Mediator Position (pos#10005460)	Change in reporting line to Area Manager Dispute Resolution Employment Northern
1.D	Dispute Resolution	Mediator Position (pos#16205000)	Change in reporting line to Area Manager Dispute Resolution Employment Northern
1.D	Dispute Resolution	Mediator Position (pos#16211704)	Change in reporting line to Area Manager Dispute Resolution Employment Northern

Proposal	Unit	Position title	Description of change
1.D	Dispute Resolution	Mediator Position (pos#16204994)	Change in reporting line to Area Manager Dispute Resolution Employment Northern
1.D	Dispute Resolution	Mediator Position (pos#10005440)	Change in reporting line to Area Manager Dispute Resolution Employment Northern
1.D	Dispute Resolution	Mediator Position (pos#16216877)	Change in reporting line to Area Manager Dispute Resolution Employment Northern
1.D	Dispute Resolution	Mediator Position (pos#10005750)	Change in reporting line to Area Manager Dispute Resolution Employment Northern
1.D	Dispute Resolution	Mediator Position (pos#10005420)	Change in reporting line to Area Manager Dispute Resolution Employment Northern
1.D	Dispute Resolution	Senior Mediator Position (pos#10156240)	Change in reporting line to Area Manager Dispute Resolution Employment Northern
1.D	Dispute Resolution	Senior Dispute Resolution Coordinator Position (pos#16218174)	Change in reporting line to Area Manager Dispute Resolution Employment Northern
1.D	Dispute Resolution	Dispute Resolution Coordinator Position (pos#10089880)	Change in reporting line to Area Manager Dispute Resolution Employment Northern
1.D	Dispute Resolution	Dispute Resolution Coordinator Position (pos#16205219)	Change in reporting to Area Manager Dispute Resolution Employment Northern
1.D	Dispute Resolution	Dispute Resolution Coordinator Position (pos#16209686)	Change in reporting line to Area Manager Dispute Resolution Employment Northern
1.D	Dispute Resolution	Senior Mediator Position (pos#10180600)	Change in reporting to Area Manager Dispute Resolution Employment South Auckland
1.D	Dispute Resolution	Mediator Position (pos#10005450)	Change in reporting line to Area Manager Dispute Resolution Employment South Auckland
1.D	Dispute Resolution	Mediator Position (pos#10005780)	Change in reporting line to Area Manager Dispute Resolution Employment South Auckland
1.D	Dispute Resolution	Mediator Position (pos#1005630)	Change in reporting line to Area Manager Dispute Resolution Employment South Auckland
1.D	Dispute Resolution	Mediator Position (pos#16217224 extended leave/10142690 substantive)	Change in reporting line to Area Manager Dispute Resolution Employment South Auckland
1.D	Dispute Resolution	Mediator Position (pos#10005410)	Change in reporting line to Area Manager Dispute Resolution Employment South Auckland
1.D	Dispute Resolution	Senior Early Resolution Officer Position (pos#16205507)	Change in reporting line to Area Manager Dispute Resolution Employment South Auckland

Proposal	Unit	Position title	Description of change
1.D	Dispute Resolution	Senior Dispute Resolution Coordinator Position (pos#16218174)	Change in reporting line to Area Manager Dispute Resolution Employment South Auckland
1.D	Dispute Resolution	Senior Dispute Resolution Coordinator Position (pos#16204675)	Change in reporting line to Area Manager Dispute Resolution Employment South Auckland
1.D	Dispute Resolution	Dispute Resolution Coordinator Position (pos#10089880)	Change in reporting line to Area Manager Dispute Resolution Employment South Auckland
1.D	Dispute Resolution	Dispute Resolution Coordinator Position (pos#10005540) – fixed term	Change in reporting line to Area Manager Dispute Resolution Employment South Auckland
1.D	Dispute Resolution	Dispute Resolution Coordinator Position (pos#10005560)	Change in reporting line for Dispute Resolution Coordinator Position (pos#10005560) to Area Manager Dispute Resolution Employment South Auckland
1.D	Dispute Resolution	Dispute Resolution Coordinator Position (pos#10005710)	Change in reporting line to Area Manager Dispute Resolution Employment South Auckland
1.D	Dispute Resolution	Mediator Position (pos#10142700)	Change in reporting line to Area Manager Dispute Resolution Employment Southern
1.D	Dispute Resolution	Mediator Position (pos#10005790)	Change in reporting line to Area Manager Dispute Resolution Employment Southern
1.D	Dispute Resolution	Mediator Position (pos#16217120)	Change in reporting line to Area Manager Dispute Resolution Employment Southern
1.D	Dispute Resolution	Senior Dispute Resolution Coordinator Position (pos#16209784)	Change in reporting line to Area Manager Dispute Resolution Employment Southern
1.D	Dispute Resolution	Dispute Resolution Coordinator Position (pos#16212447)	Change in reporting line to Area Manager Dispute Resolution Employment Southern
1.D	Dispute Resolution	Dispute Resolution Coordinator Position (pos#10005330)	Change in reporting line to Area Manager Dispute Resolution Employment Southern
1.D	Dispute Resolution	Dispute Resolution Coordinator Position (pos#10005900) – fixed term	Change in reporting line to Area Manager Dispute Resolution Employment Southern
1.D	Dispute Resolution	Senior Early Resolution Officer Position (pos#16205912)	Change in reporting line to Area Manager Dispute Resolution Employment Southern
1.D	Dispute Resolution	Early Resolution Facilitator Position (pos#16205510)	Change in reporting line to Area Manager Dispute Resolution Employment Southern
1.D	Dispute Resolution	Early Resolution Facilitator Position (pos#16208542)	Change in reporting line to Area Manager Dispute Resolution Employment Southern
1.D	Dispute Resolution	Early Resolution Facilitator Position (pos#16207543)	Change in reporting line to Area Manager Dispute Resolution Employment Southern

Proposal	Unit	Position title	Description of change
2.E	Compliance & Enforcement	Manager Labour Standards Position (pos#10177350)	Change in reporting line to Head of Compliance & Enforcement Change in Position title to Compliance Manager Standards
2.I	Compliance & Enforcement	MEx Specialist Inspector Position (16203674)	Change of Position title to Specialist Engagement Lead Change of Reporting line to Manager Employment System Guidance & Engagement Minor change in scope
2.H	Compliance & Enforcement	5 x Principal Labour Inspectors positions (pos#s TBC)	Change in reporting line to Manger Specialist Inspection
2.H	Compliance & Enforcement	4 x Labour Inspectors positions (pos#s TBC)	Change in reporting line to Manger Specialist Inspection
2.H	Compliance & Enforcement	8 x Labour Inspector positions (pos#s TBC)	Change in reporting line to Investigations Manager Northern
2.H	Compliance & Enforcement	2 x Senior Labour Inspector positions (pos#s TBC)	Change in reporting line to Investigations Manager Northern
2.H	Compliance & Enforcement	7 x Labour Inspector positions (pos#s TBC)	Change in reporting line to Investigations Manager Central
2.H	Compliance & Enforcement	3 x Senior Labour Inspector positions (pos#s TBC)	Change in reporting line to Investigations Manager Central
2.H	Compliance & Enforcement	6 x Labour Inspector positions (pos#s TBC)	Change in reporting line to Investigations Manager Southern
2.H	Compliance & Enforcement	4 x Labour Inspector positions (pos#s TBC)	Change in reporting line to Investigations Manager Southern
2.H	Compliance & Enforcement	7 x Labour Inspector positions (pos#s TBC)	Change in reporting line to Compliance Manager Central/Southern
2.H	Compliance & Enforcement	1 x Senior Labour Inspector position (pos# TBC)	Change in reporting line to Compliance Manager Central/Southern
2.H	Compliance & Enforcement	8 x Labour Inspector positions (pos#s TBC)	Change in reporting line to Compliance Manager Northern
2.H	Compliance & Enforcement	1 x Senior Labour Inspector position (pos# TBC)	Change in reporting line to Compliance Manager Northern
3.F	Regulatory & Advisory Services	Manager Service Advice & Analysis (pos#16206591)	Change of position title for Manager Service Advice & Analysis (pos#16206591) to Manager Service, Data & Information Minor change in scope
3.J	Regulatory & Advisory Services	Principal Analyst (pos#16208774)	Change in reporting line to Manager Service, Data & Information
3.J	Regulatory & Advisory Services	Senior Reporting Analyst (pos#10136460)	Change in reporting line to Manager Service, Data & Information
3.J	Regulatory & Advisory Services	Senior Reporting Analyst (pos#16203611)	Change in reporting line to Manager Service, Data & Information

Proposal	Unit	Position title	Description of change
3.J	Regulatory & Advisory Services	Data Analyst Insights (pos#16211559)	Change in reporting line to Manager Service, Data & Information
3.J	Regulatory & Advisory Services	Data Analyst Insights (pos#16210645)	Change in reporting line to Manager Service, Data & Information
3.J & L	Regulatory & Advisory Services	Principal Advisor position (pos#16208535)	Change in position title for Principal Advisor position (pos#16208535) to Principal Advisor Data & Information Change of reporting line to Manager Service, Data & Information
3.J	Regulatory & Advisory Services	Legal Researcher Position (pos#10023720)	Change of reporting line to Manager Service, Data & Information
3.J	Regulatory & Advisory Services	Legal Researcher Position (pos#10023730)	Change of reporting line to Manager Service, Data & Information
3.M & L	Regulatory & Advisory Services	Principal Advisor Business Advisory Services (pos#16207973)	Change of position title to Principal Advisor Regulatory & Advisory Services
3.K & L	Regulatory & Advisory Services	Principal Advisor (pos#10136450)	Change of position title to Principal Advisor Stewardship (pos#10136450) Change in reporting line to Manager Stewardship and Capability
3.K	Regulatory & Advisory Services	Senior Advisor Design & Implementation (pos#16210759)	Change in reporting line to Manager Stewardship & Capability
3.K	Regulatory & Advisory Services	Learning Facilitator position (pos#16207974)	Change in reporting line to Manager Stewardship & Capability
3.K	Regulatory & Advisory Services	Business Analyst position (pos#10062020)	Change in reporting line to Manager Stewardship & Capability
3.E	Regulatory & Advisory Services	ERA Administration Officer Position (pos#10006680)	Change of reporting line to ERA Business Support Manager
3.E	Regulatory & Advisory Services	ERA Administration Officer Position (pos#16212188)	Change of reporting line to ERA Business Support Manager
3.E	Regulatory & Advisory Services	ERA Administration Officer Position (pos#16212189)	Change of reporting line to ERA Business Support Manager
3.D	Regulatory & Advisory Services	ERA Senior Authority Officer Position (pos#10006730)	Change of reporting line to Team Leader ERA Southern
3.D	Regulatory & Advisory Services	ERA Authority Officer Position (pos#16211564)	Change of reporting line to Team Leader ERA Southern
3.D	Regulatory & Advisory Services	ERA Senior Authority Officer Position (pos#16218183)	Change of reporting line to Team Leader ERA Southern
3.D	Regulatory & Advisory Services	ERA Senior Authority Officer Position (pos#16218184)	Change of reporting line to Team Leader ERA Southern
3.D	Regulatory & Advisory Services	ERA Senior Authority Officer Position (pos#16218186)	Change of reporting line to Team Leader ERA Southern
3.D	Regulatory & Advisory Services	ERA Senior Authority Officer Position (pos#10006690)	Change of reporting line to Team Leader ERA Southern
3.D	Regulatory & Advisory Services	ERA Authority Officer Position (pos#10006710)	Change of reporting line to Team Leader ERA Southern



Proposal	Unit	Position title	Description of change
3.D	Regulatory & Advisory Services	ERA Authority Officer Position (pos#16208824)	Change of reporting line to Team Leader ERA Southern
3.Y	Regulatory & Advisory Services	Triage Officer (pos#16208941)	Change in reporting line to Manager Triage
3.Y	Regulatory & Advisory Services	Triage Officer (pos#16205020)	Change in reporting line to Manager Triage
3.Y	Regulatory & Advisory Services	Triage Officer (pos#16203616)	Change in reporting line to Manager Triage
3.Y	Regulatory & Advisory Services	Triage Officer (pos#16203842)	Change in reporting line to Manager Triage
3.Y	Regulatory & Advisory Services	Triage Officer (pos#16207547)	Change in reporting line to Manager Triage
3.Y	Regulatory & Advisory Services	Triage Officer (pos#16203841)	Change in reporting line to Manager Triage
3.Y	Regulatory & Advisory Services	Triage Officer (pos#16203843)	Change in reporting line to Manager Triage
3.Y	Regulatory & Advisory Services	Triage Officer (pos#16205019)	Change in reporting line to Manager Triage
3.Y	Regulatory & Advisory Services	Triage Officer (pos#16205910)	Change in reporting line to Manager Triage
3.Y	Regulatory & Advisory Services	Triage Officer (pos#16207548)	Change in reporting line to Manager Triage
3.Y	Regulatory & Advisory Services	Triage Officer (pos#16208543)	Change in reporting line to Manager Triage
3.Y	Regulatory & Advisory Services	Senior Triage Officer (pos#16203671)	Change in reporting line to Manager Triage
3.Y	Regulatory & Advisory Services	Senior Triage Officer (pos#16205021)	Change in reporting line to Manager Triage
4.B	Employment System Guidance & Engagement	Principal Advisor System Guidance & Engagement (pos# 16210274)	Change in position title to System Guidance & Engagement Lead
4.B	Employment System Guidance & Engagement	Principal Advisor System Guidance & Engagement (pos# 16210106)	Change in position title to System Guidance & Engagement Lead
5.A	Employment Services Leadership Team	Principal Advisor Māori Position (pos#16208974)	Change in reporting line to Manager Community Partnerships Information & Education, Engagement & Experience Branch

# Support through change

Work is a big part of your life. During organisational change, it's normal to have feelings of uncertainty, shock, anger, frustration, confusion, scepticism, and impatience. Please ask for support when you need it and remember to be understanding towards your colleagues who may be feeling anxious or distracted. You can talk to your People Leader, colleagues and/or union representative or the People and Culture team.

## Wellbeing support options

We recognise that that change may be difficult and encourage you to reach out to your support network as well as taking advantage of the resources available to you, including:

- Your People Leader
- Your union delegate or representative ([PSA](#)) / ([NUPE](#))
- The [Wellbeing, Health and Safety Team](#)
- Our [Employee Assistance Programme](#) (EAP) which provides support for both work and personal life
- Call or text [1737](#) to access free counselling services from the national telehealth service
- Access your [Te Puna Ora](#) dashboard both at work and remotely using your MBIE login details

## Learning support options

Focusing on your personal growth and development is a helpful way to direct your attention during times of change and uncertainty – to reinforce your skills and explore career interests.

There are plenty of resources and directories to explore within MBIE, including:

- [Learn@MBIE](#) which is our central learning platform and holds many free e-learning courses – including a series of e-learning modules focused on [change](#), suitable for all staff.
- [Percipio](#) which is the world's largest online learning library. To access Percipio, select 'team/enterprise subscription' and then enter 'MBIE' in the site name field.
- Explore [MBIE's library](#) which has a large catalogue of books and scholarly works focused on subject expertise as well as broader skillsets like leadership capability.

You can also reach out to MBIE's Leadership, Talent and Growth team to discuss your development interests.

## Career development support

MBIE's ([Career Services | EAP Services Limited](#)) can assist with general career advice and is available for self-referral. This also includes budgeting and financial advice, personal development and coaching and personal legal advice.

# Proposed Change Process

Consistent with MBIE's employment agreements and recruitment policy, the following information summarises the proposed standard change processes which would apply to any changes confirmed as a result of the consultation process.

This includes reconfirmation, reassignment, selection, and redeployment.

## Reconfirmation

As part of the consultation process your substantive position may be proposed to be "reconfirmed". In these circumstances your substantive position in the proposed new structure is substantially the same as your current substantive position and you are the only person able to be reconfirmed to the role. Examples include - change in reporting line, title, a minor change in work content.

For reconfirmation to apply:

- The position description you are being reconfirmed into is the same (or substantially the same) as what you currently do, and
- Salary and other terms and conditions for the position are no less favourable, and
- Location of the position is in the same local area (note: this need not necessarily mean the same building and/or the same street).

If your substantive position is reconfirmed as part of the final structure, you will not need to take any action as you will automatically be reconfirmed into the position.

Where there are more affected employees who could be considered for reconfirmation than the number of positions available in the new structure (i.e., where we are reducing the number of existing positions), then you may be proposed to be subject to "**contestable reconfirmation**" via an Expression of Interest (EOI) process. In this situation we will use a contestable selection process to determine who is the best fit for the role. This process would be based on selection criteria from within the position description for the role.

## Reassignment

As part of the consultation process you may be proposed to be "directly reassigned". In these circumstances we are proposing to directly reassign you into a different but substantially similar role.

For direct reassignment to apply:

- The new or revised position description has been assessed as comparable to your current position and any change of duties are not so significant as to be unreasonable taking account of your skills, abilities and potential to be retrained; and
- You have the required skills, knowledge, experience, and abilities to undertake the position, as well as the potential for retraining on any new or unfamiliar aspects of the position; and
- The salary and other terms and conditions for the position are no less favourable; and
- Location of the position is in the same local area (note: this need not necessarily mean the same building and/or the same street).

If you are confirmed to be directly reassigned as part of the final structure you will not need to take any action as you will automatically be directly offered reassignment into the position.

Where there are more affected employees who are a direct match or currently perform a comparable role than the number of positions available in the new structure (i.e., where we are reducing the number of existing positions), then you may be proposed to be subject to "**contestable reassignment**" via an Expression of Interest (EOI) process. In this situation we will use a contestable selection process to determine who is the best fit for the role. This process would be based on selection criteria from within the position description for the role.

## **New positions**

All new positions that are not filled via reconfirmation or direct reassignment, will be advertised internally first to employees affected by the change via an EOI process.

Where the specialised nature of a role requires it to be advertised externally in parallel, this will be specified as part of the proposal and decision pack along with the supporting rationale. First consideration will always be given to affected employees over other applicants subject to them meeting the suitability requirements of the position.

## **Selection and Expression of Interest (EOI) process**

If, following the consultation process, you are confirmed as being significantly affected by any of the confirmed changes you would have the following available options:

- Express an interest in available positions within the confirmed structure that you are suitably qualified for by submitting an EOI form, and/or
- Apply for any other existing MBIE vacancies that you are suitably qualified/experienced for. This can be done via the MBIE website.
- Express an interest in voluntarily ending your employment without actively seeking redeployment opportunities within MBIE. MBIE may decline any expression of interest on the grounds that you have skills and experience that need to be retained and a reassignment option is available.

You will be considered an affected employee if you are permanently employed in a position that is:

- To be disestablished;
- To be changed to the extent that it cannot reasonably be considered to be the same position or a substantially similar position; or
- Subject to a significant location change outside of the current local area.

Please note that you will not be considered an affected employee if your substantive position is confirmed as having a change in business group, reporting line, job title or work location (where work location is within the “same local area” or region).

To participate in an EOI process you would need to submit an EOI form which would allow you to express interest in up to X available position/s for which you are suitably qualified. Using the EOI form you would provide information such as your capabilities, experience and examples, for the relevant selection criteria for the roles you are expressing an interest in. The selection criteria is in the draft position descriptions and will be outlined as part of the decision document along with final position descriptions. For people leader roles selection criteria may also include the Leadership Success Profile. A CV would not be required as part of any EOI submission, however if you wish to provide one this is optional. You may also provide additional supporting information as part of your EOI, whether this be a covering letter, or other additional information such as location preference. However, please note that this would not be mandatory.

Once the EOI and/or advertisement period closes, all submissions would be shortlisted against the position criteria (such as the knowledge, skills, experience, and behavioural competencies required).

Where applicable, a panel interview would be used as a contributing selection tool to assess the demonstrated skills, experience and qualifications against the selection criteria as outlined in the position description. Action would be taken to minimise the number of interviews that any affected employee would be asked to attend, i.e. combining panels where appropriate for employees who have an EOI for multiple vacant roles. There may also be instances where an assessment and decision can be made based on the information provided in an applicant’s EOI submission and no additional information or interview would be required.

For some positions, additional selection tools may be appropriate, including:

- Demonstrated skill and experience level against the key accountabilities and deliverables as outlined in the position description.
- Consideration of skills, experience and qualifications against the person specifications as outlined in the position description.
- Consideration of skills and experience against the Leadership Success Profile.
- Presentation and/ or role specific testing.

All applicants will be advised if additional selection tools are required.

### **Selection and Recruitment Timeline**

Where possible timeframes will be designed to enable recruiting People Leaders (existing and new where applicable) to lead the shortlisting and selection processes for their teams.

Timelines for each phase of recruitment will be set out in advance and recruiting People Leaders will be expected to treat this as a priority. The purpose of this is to ensure that processes are coordinated where they need to be and completed in a timely way.

### **Redeployment**

If you wish to apply for any other existing MBIE vacancies (i.e. vacancies that are being advertised separately to the change processes), this can be done via the MBIE careers site at any stage of the process.

If you are considered an affected employee, this will need to be indicated as part of your application as first consideration will always be given to affected employees over other applicants subject to them meeting the suitability requirements of the position. Where applicable, a panel interview will be used as a contributing selection tool to assess the demonstrated skills, experience and qualifications against the key accountabilities and person specifications as outlined in the position description. In situations where there is more than one affected employee who meets the suitability requirements of the position an assessment will be made of the employee who is best for the role.

### **Review process**

If you disagree with the application of this process, including for example your reconfirmation or direct reassignment into a position as part of the final structure, you have the right of review. This process is set out in your employment agreement. You are encouraged to raise any concerns with your People Leader at the earliest opportunity so these can be worked through with you on a case-by-case basis.

### **Secondments and acting arrangements**

If you are currently on secondment or acting in a different position, there may be decisions confirmed for that position as well as your permanent substantive position. However, you will only be considered an affected employee if your permanent substantive position is significantly impacted.

People will continue in their temporary position until the end of the term currently in place unless otherwise advised.

### **Process for casual and fixed term employees**

Casual and fixed term employees, by the nature of their employment agreements, will not have access to the change processes set out above.

Upon completion of the change management process for affected permanent employees, any remaining vacant positions in the new structure would be openly advertised through standard recruitment and selection processes and any casual or fixed term employees would then be able to apply.