

WORKLOAD MANAGEMENT

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Authority and Application

Clause 14 of the *Victorian Public Service Enterprise Agreement 2020* (the Agreement) applies to Victorian Public Service Departments and Agencies (Employers) and their Employees covered by the Agreement.

Overview

This policy has been developed to assist Employees work with their Manager to design work practices that promote wellbeing, work-life balance and prevent harm in environments where workload has been identified as a health and safety hazard.

As there is no 'one-size fits all' approach to managing workload issues, a locally tailored approach is required to identify and address issues of relevance to each workplace.

This policy is just one process that may be used to support business and operational planning activities. It does not define what is or is not a reasonable workload.

It is important to note that Employers have a responsibility under the *Occupational Health and Safety Act 2004 (OHS Act)* to provide and maintain a safe work environment, including providing a safe and healthy workload for Employees.

Employees who are experiencing workload issues are encouraged to speak to their Manager in the first instance. Most concerns about workloads will be able to be managed through day-to-day interaction between Employees and their Manager, with reference to this policy.

Clause 14 of the Agreement outlines the circumstances in which an Employee may request a review of their workload if they believe the workload is unreasonable.

Relevant provisions of the VPS Agreement

Clause 14. Workload

Supplementary Guidance Information

1. Effective Workload Management

Effective workload management requires an understanding and acknowledgement that:

- 1.1. the Employer is responsible for effective workload management to maintain a safe work environment
- 1.2. the Employer is responsible for providing the necessary resources to ensure a safe place of work
- 1.3. the Employee and Employer will work together to address concerns about the allocation of work in accordance with workplace health and safety legislation and policies and any relevant industrial agreement
- 1.4. workload management forms part of normal business and work is allocated and prioritised to support strategic priorities and links to business, operational and workforce planning processes
- 1.5. there are natural peaks and troughs in terms of workload associated with achieving service delivery requirements
- 1.6. changes occur in workplaces daily and Managers are responsible for managing workloads to ensure local and business area needs are met
- 1.7. workload allocation considers the training, skill, knowledge, classification and position description of individual Employees and the equitable distribution of workload across teams

- 1.8. decisions regarding workload allocation consider the work-life balance of Employees, including making suitable arrangements to cover planned leave to minimise workload impact on other staff
- 1.9. Employees will not be required to undertake work that significantly and regularly exceeds ordinary working hours
- 1.10. workload management is informed by effective identification and analysis of data/information and accurate and consistent performance reporting
- 1.11. issue escalation processes and dispute resolution mechanisms are in place and can be used where necessary.

2. Signs of a Possible Workload Management Issue

- 2.1. The most common issue relating to workload management is the concern that workloads are too high, but there could also be problems that arise from workloads being inconsistent, inequitably distributed or even too low.
- 2.2. Employees are entitled to raise their concerns directly with their Managers regarding workload management if they believe their issues are not being addressed as part of day-to-day business. They may seek the support of a Health and Safety Representative (HSR) or union delegate to raise their workload management concern with their Manager.
- 2.3. The need to examine workloads can be raised by an individual Employee, group of Employees or within a work unit, a line Manager, or in some circumstances by someone external to the local work unit, such as a senior management board or a client.
- 2.4. From time to time, circumstances will arise that will generally prompt a re-examination of how work is managed and allocated within the team. This might occur as part of the usual business or operational planning cycle, or in response to a specific event.
- 2.5. Circumstances within the workplace that indicate that workloads may need to be reviewed can include:
 - 2.5.1. workload management issue reported as a safety hazard or incident
 - 2.5.2. introduction of new programs or work
 - 2.5.3. major organisational change, including staffing changes
 - 2.5.4. new or revised business or strategic plans
 - 2.5.5. changes to, or reprioritisation of services
 - 2.5.6. changes in the external environment such as legislative changes, introduction of new professional or qualification standards
 - 2.5.7. budgetary/economic factors
 - 2.5.8. changes within the work unit's client base
 - 2.5.9. developments in community expectations
 - 2.5.10. failure to achieve work unit goals or targets
 - 2.5.11. increase in unplanned absences

- 2.5.12. high levels of recreation leave accruals
- 2.5.13. high rates of overtime
- 2.5.14. high levels of accrued time off in lieu (TOIL)
- 2.5.15. outcomes of People Matter Survey, staff opinion or health and wellbeing surveys
- 2.5.16. increased numbers of complaints (internal and/or external)
- 2.5.17. conflict around role clarity
- 2.5.18. above average staffing turnover.

3. Resolution of Workload Management Issues

Stage 1 – Process for Local Resolution

The process below outlines the five steps for managing a workload management issue identified by one or more Employees. The process can also be used proactively by Managers to engage with Employees to ensure a safe work environment.

If the workload issue presents a risk to Employee health and safety, the hazard and incident reporting process should also be followed.

Employees may seek support of an HSR or union delegate at any stage of the process. Where Employees are represented by an HSR, consultation must involve the HSR.

Both Employees and Managers may seek the assistance of Human Resources or the department's/entity's safety team at any stage of the process.

Five Step Process for Managing a Workload Management Issue Identified by one or more Employees

The five steps below have been identified to manage a workload management issue.

The Workload Management – a Guide for Managers provides guidance on what needs to be considered by Managers when dealing with workload issues, including worksheets to be used.

Step 1 - Hazard/incident identification

- Employee/s should discuss issues relating to workload informally with their Manager in the first instance and give them a reasonable opportunity to respond.
- The issue should also be reported in the hazard and incident management system.
- **Worksheet 1** contains examples of workload indicators and measures and can be used to collect data for issue identification.

Step 2 - Hazard analysis and risk assessment

- The Manager will undertake an analysis to understand the nature of the workload issue, including underlying causes or contributing factors.

- Managers must determine the level of risk associated with the identified workload hazard, the impact of such risk and the consequence of taking or not taking any action.
- Employee/s may be asked to be involved in this process, depending on their level of knowledge of the identified factors.
- Where Employees are represented by an HSR, consultation must involve the HSR.
- **Worksheet 2** contains a template to consider the range of factors involved, the associated risks and possible impacts on the work unit and Employees, including work unit outcomes and health and safety.
- **Worksheet 3** provides a risk evaluation framework for assessing and analysing the risks. There may also be alternative risk assessment tools already in use.

Step 3 - Develop options

- If the Manager determines that action is required, options or actions will be developed by the Manager and communicated to Employee/s and HSR/s where relevant to manage the associated risks.
- If the Manager determines that no action is required, the reasons why this view was formed will be communicated in writing to the Employee/s and HSR/s where relevant. The Manager will monitor the risk in regular business planning activities.
- Employee/s who remain dissatisfied may submit a Workload Review Request – refer to Stage 2 below – or seek resolution through the hazard and incident reporting process or OHS issue resolution procedure.
- Worksheet 4 provides a template to develop options and actions to best resolve the workload issues and to manage the associated risks. This should be completed in consultation with affected Employee/s and HSR/s where relevant.

Step 4 - Risk controls

- An action plan will be developed by the Manager, in consultation with Employee/s to implement risk controls using the hierarchy of controls, including allocating various tasks, roles and responsibilities while stipulating agreed outcomes and performance targets.
- Where Employees are represented by an HSR, consultation must involve the HSR.
- **Worksheet 5** provides a template to assist to incorporate factors that should be included.

Step 5 - Review and report

- After an action plan has been implemented, the Manager should undertake an assessment in consultation with Employee/s and HSR/s where relevant to determine how effective and successful the actions have been in addressing the workload management issues.
- **Worksheet 6** provides a template to assist in reviewing actions to ensure a safe and healthy work environment and continued achievement of desired business outcomes.
- **Worksheet 7** provides a template report form to track agreed actions.

Stage 2 – Formal Workload Review Request

If a workload management issue cannot be resolved informally using the five step process set out in Stage 1, or where an Employee or group of Employees remain dissatisfied, it may be formally escalated consistent with Clause 14 (Workload) of the VPS Agreement using the process set out below.

Any escalated workload management issue should also be dealt with in a timely and efficient manner. Throughout this process, Employee/s must be kept updated on developments and progress being made.

Consistent with Clause 14 (Workload) of the VPS Agreement, if a workload management issue is escalated by an individual or group of Employees, the following process is to be followed. If the workload issue presents a risk to Employee health and safety, the hazard and incident reporting process should also be followed.

Five Step Process for Lodging a Workload Review Request

Step 1 - Employee/s submit a Workload Review Request Form

- An Employee or group of Employees may request a review of their workload if they believe the workload is unreasonable. The request must be in writing using the Workload Review Request Form (**Attachment A**) and submitted to the relevant Manager. The request must set out details of the workload and the reasons why the workload is considered unreasonable and the risks to health and safety it presents.
- The Manager must report the request in the hazard and incident management system and refer the request to the relevant management for their action.

Step 2 - Management to respond to request in writing within 21 days

- Upon receipt of a request by an Employee or group of Employees, the Employer must provide a written response within 21 days, stating whether the request has been granted or refused.

Step 3(a) - Review request supported

- If the review request is supported, a review of the workload of the Employee or group of Employees will be conducted. Depending on the complexity of the issue, the review may be undertaken by the Manager using the steps outlined in the informal process outlined above or other more appropriate reviewer.

Step 3(b) - Review request not supported

- If the review request is not supported, the written response must include details of the reason for the refusal. Employee/s who remain dissatisfied may refer to the dispute resolution process (step 5).

Step 4 - Implementation of review outcomes

- Following completion of the review, the Employee or group of Employees and the Employer shall agree on any necessary adjustments that are required to be implemented to ensure the workload for the Employee or group of Employees is reasonable.

Step 5 - Dispute resolution

- Where an Employee or group of Employee remains dissatisfied, the Employee/s may refer the matter to the Resolution of Disputes process in accordance with clause 13 of the VPS Agreement and/or the OHS issue resolution process.

Making decisions under this policy

Under section 20(1) of the *Public Administration Act 2004*, the public service body head has all the rights, powers, authorities and duties of an Employer, which will usually be delegated to staff within their Department or Agency. Employers should ensure that any actions under this policy are only taken by an Employee with the delegation to do so. Each Department and Agency should give effect to this policy in accordance with its own delegations.

Dispute resolution

An Employee who is directly affected by a decision made or action taken pursuant to clause 14 may apply for a review of actions under the Employer's Review of Actions Policy or seek to resolve a dispute through the Resolution of Disputes procedure at clause 13 of the Agreement or the OHS issue resolution process.

Further Information

Employees should refer to their Department or Agency's intranet for information on procedural requirements, systems and approval delegations.

For further information and advice please contact your local Human Resources or People and Culture Unit (or equivalent).

Related policies or documents

VPS Enterprise Agreement Common Policies

- Review of Actions Policy

All policies in the VPS Enterprise Agreement common policies collection can be found at <https://www.vic.gov.au/common-policies-victorian-public-service-enterprise-agreement>

Occupational Health and Safety Act 2004 (Vic)

<https://content.legislation.vic.gov.au/sites/default/files/2021-09/04-107aa037%20authorised.pdf>

WorkSafe Preventing and managing work-related stress – a guidebook for managers

<https://www.worksafe.vic.gov.au/resources/preventing-and-managing-work-related-stress-guide-employers>

Workload Management – A Guide for Managers

Downloadable at <https://vpssc.vic.gov.au/resources/leading-the-way-ohs/>

Workload Review Request Form

See Attachment A to this Policy

Workload Procedure for all VPS staff

Downloadable at <https://vpsc.vic.gov.au/resources/leading-the-way-ohs/>

Leading the Way: Occupational Health and Safety – VPSC

<https://vpsc.vic.gov.au/resources/leading-the-way-ohs/>

Authorised by Industrial Relations Victoria:

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Version	Final as approved
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If you print and store this document, you may be looking at an obsolete version. Always check the latest version of this document on the intranet.

ATTACHMENT A – Workload Request Form

Workload Review Request Form

Please read the Workload Management Procedure before completing this form.

An employee, or a group of employees, who are experiencing workload issues, AND have not been able to resolve the issues at the local level, may submit a request for a formal Workload Review by completing this form and forwarding it to the contact listed below.

All workload review requests will be considered and feedback provided within 21 days of receipt of the request.

Name of employee requesting a workload review

Full name			
Work location			
Telephone number	(Landline)		(Mobile)
Job title			
Division			
Branch/Unit			

Names of other employees requesting a review

Name(s)	
Job title(s)	

Describe details of the workload and why it is considered unreasonable

Describe details and attach supporting data where relevant.

Describe the impact of the workload on you or your team (e.g. health and safety, increased personal leave, increased client complaints, not meeting deadlines etc)

Describe details and attach supporting data where relevant.

Indicate below what you understand to be the cause/s and contributing factors of the workload issue

Please tick all that apply.

- Positions not filled
- Capability of employees
- Increased volume of work
- Equipment not available
- Involved in training of new employees
- Change of duties, procedure or policy
- Correct procedures not followed
- Non-availability of casual employees
- Other (please specify):

What is the timeframe during which your workload has been an issue?

Have you raised this workload issue before with your line manager?

- Yes No

**If yes, what actions were previously taken by you and your manager to address the issue?
What was the outcome of these actions?**

Action taken	Outcome

Action taken	Outcome

Do you have any suggestions to resolve the workload issue?

Do you have a support person and/or representative?

You may have a support person and/or representative assist you at any time during the review. This may be a union representative, a HSR, a family member or another person.

If you have a support person and/or representative, please provide their details and indicate if you want to be contacted directly or through your support person and/or representative.

Name			
Organisation (if applicable)			
Telephone number	(Landline)		(Mobile)
Email address			
Do you want us to contact you, or your support person/ representative, in the first instance?	[Please identify who we should contact first]		

Please send your completed form to **[inset name / role]** by email **[inset email details]**.

The **[inset name / role]** will contact you to confirm receipt of this form and outline next steps.