

# Higher Duties Policy

**This policy is being updated to reflect the new Enterprise Agreement and may currently contain out of date information. If you have any questions, please lodge an Ask HR ticket.**

## Section 1 - Background and Purpose

- (1) The University is committed to supporting the development of Executive and Professional staff members. Support includes opportunities to act in a position of a higher responsibility or classification.
- (2) The benefit to staff is through valuable professional and personal development opportunities and also in benefiting the University by broadening the capability of the workforce.
- (3) The objective of a higher duties allowance is to recognise the extra responsibility taken on by a staff member who acts in a position that is classified at a level higher than their substantive position.

## Section 2 - Scope

- (4) All permanent full time and part time professional staff within levels HEO1 to HEO 10 and ESMC 1 to 4 are eligible for higher duties allowance.
- (5) The Vice-Chancellor and casuals are not eligible for higher duties.

## Section 3 - Policy Statement

- (6) The objective of a higher duties allowance is to recognise the extra responsibility taken on by a staff member who acts in a position that is classified at a level higher than their substantive position.
- (7) Higher duties arrangements are intended to be a temporary and of a short duration and should not be used in lieu of filling substantive positions.
- (8) The opportunity for a staff member to act in a higher duties position may be a result of:
  - a. a staff member being on leave or has been seconded to another position;
  - b. a staff member is on extended leave due to illness;
  - c. a delay in the commencement of a new staff member after the resignation of a staff member.

### Calculation of Allowance

- (9) Staff who are acting in a higher position (or higher classification) for:
  - a. thirty per cent or more of the responsibilities, and
  - b. for a continuous period of two weeks or more (including public holidays)shall receive a higher duties allowance for the period of the higher duties based on the difference between the base salary of the staff member and the base salary of the higher classification position.

(10) It is noted that staff members acting in higher duties positions typically fulfil a portion of the full duties of their substantive role. The higher duties allowance should reflect a fair assessment of the proportion of duties that are completed as determined by staff member's manager and paid in accordance with the [Enterprise Agreement](#).

## **Promotion**

(11) Where a staff member is in receipt of a higher duties allowance and is permanently promoted to the higher duties acting position, the staff member shall not suffer any reduction in remuneration and shall receive the same increments as if he/she had during the period of temporary service in the higher duties acting position been the permanent occupant of that position.

## **Higher Duties for Periods Greater than 12 Months**

(12) Where a staff member is approved to perform the duties of a higher position for periods that are not continuous but in aggregate total more than 12 months, he/she shall upon the completion of each period totalling 12 months be granted salary increments applicable to the higher acting position provided that for the first increment the total 12 month period of higher duties is completed within the immediately preceding period of 24 months.

## **Paid Leave Provision**

(13) Staff who were, at the time of proceeding on approved paid leave (other than Long Service Leave), in receipt of higher duties allowance shall continue to receive the allowance providing the allowance would have been paid but for the granting of the paid leave.

## **Other Pay Considerations**

(14) A higher duties allowance shall be regarded as salary for the purposes of calculating all other types of allowances including overtime.

(15) If the staff member who is appointed in the higher duties acting position is already on the same or a higher salary level than the higher duties acting position, then an additional allowance will not be paid.

(16) Staff members declining to act in higher duties will not incur any penalty.

## **Resignation**

(17) An employee who resigns whilst receiving the higher duties allowance will be paid out their entitlements at their substantive rate.

# **Section 4 - Procedures**

## **Part A - Process Overview**

### **Steps**

(18) The manager should assess the requirement for another staff member to act in the role. Where an acting opportunity is identified, the manager should take the following action.

#### **STEP 1**

(19) Consider options to either invite 'expressions of interest' or directly nominate a preferred staff member to fulfil the higher duties position. The manager's selection decision should give consideration to factors such as development

plans from the career success process, knowledge of the acting role, current level of performance, availability and succession plans.

## **STEP 2**

### **Direct Nomination**

(20) The manager should discuss the acting role with the staff member, the extent to which the staff member would be expected to perform the duties of the higher role and seek their agreement. A staff member can decline an offer of higher duties without prejudice to their right to future offers.

OR

### **Expressions of Interest Invitation**

(21) The manager may invite expressions of interest via an email and then review those expressions received with their next up manager.

## **STEP 3**

(22) Notify the relevant successful incumbent.

(23) Complete the 'Acting in Another Position' form and send to the relevant authority detailed on the form for approval.

## **STEP 4**

(24) Forward the approved form to HR Assist for processing.

## **Part B - Payment of Allowance**

(25) The higher duties allowance will be paid through the payroll system and will be subject to relevant taxation.

## **Section 5 - Definitions**

(26) For the purpose of this Policy and Procedure:

- a. Classification: is the level of responsibility of a position, generally shown relative to other positions and as defined in the [Enterprise Agreement](#) is the 'level which most accurately reflects the work to be performed, taking into account the duties and responsibilities of the position'.
- b. Approver: is the delegated person to approve as per Higher Duties form.
- c. Higher Duties: is when a staff member is acting in another position that is of a higher classification or responsibility
- d. Professional staff: are defined under the [La Trobe University Enterprise Agreement 2023](#), approved by the Fair Work Commission ('the Enterprise Agreement').
- e. Substantive position: is the position to which a staff member has been appointed (or would normally occupy) on a permanent basis.
- f. Related legislation: [Fair Work Act 2009](#)
- g. Related Policy and other documents: [Code of Conduct](#)
- h. [La Trobe University Enterprise Agreement 2023](#), approved by the Fair Work Commission ('the Collective Agreement')



## Status and Details

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<b>Responsible Manager - Policy</b>	Regan Sterry Chief People Officer, People & Culture
<b>Author</b>	Linda Robertson
<b>Enquiries Contact</b>	People & Culture +61 3 9479 1234