



26 November 2021

Professor Tony Walker  
Chief Executive Officer  
Ambulance Victoria  
375 Manningham Street  
Doncaster VIC 3108

**By Email:** [tony.walker@ambulance.vic.gov.au](mailto:tony.walker@ambulance.vic.gov.au)

Dear Tony

**Re: AMBULANCE VICTORIA RECRUITMENT REVIEW PROCESS**

We write to you in relation to an issue regarding a member of the Ambulance Employees Australia Victoria (**AEAV**) and a grievance process that is currently underway in respect of this member's application for a lateral transfer.

**1. RECRUITMENT REVIEW PROCESS**

The AEAU has significant concerns regarding the Recruitment processes used by Ambulance Victoria (**AV**) and in particular, the lack of an effective appeal or review mechanism.

In accordance with section 8 (Public sector employment principles) of the *Public Administration Act 2004 (Vic)* (**Act**) public sector body Heads must establish employment processes that will ensure that:

- (a) employment decisions are based on merit; and
- (b) public sector employees are treated fairly and reasonably; and
- (c) equal employment opportunity is provided; and
- (ca) human rights as set out in the Charter of Human Rights and Responsibilities are upheld; and
- (d) public sector employees have a reasonable avenue of redress against unfair or unreasonable treatment; and**
- (e) in the case of public service bodies, the development of a career public service is fostered.

Further, in accordance with section 62 of the Act the Victorian Public Sector Commission (**VPSC**) has issued standards in relation to the application of the public sector employment principles, including in relation to ensuring that employees have "a reasonable avenue of redress against unfair or unreasonable treatment".

To the best of our understanding, AV has no review process for recruitment decisions and in our view, this is in conflict with section 8(d) of the Act and the Standards.

## 2. GRIEVANCE PROCEDURE

The scope of the grievance procedure is as follows:

*Unless otherwise provided for in this Agreement, a dispute between the Employer and employees, or an individual grievance, about a matter arising under this Agreement or the NES must be dealt with in accordance with this clause. This includes a dispute about whether the Employer had reasonable business grounds to refuse a request for a flexible work arrangement under clause 23.4.*

In the view of the AEAU, recruitment decisions fall outside the scope of the Grievance clause. As such, AV is not in compliance with the Act.

Further, in the event AEAU is incorrect, if recruitment does fall within the scope of clause 11 the current clause is not fit for the purpose of addressing recruitment. It is inappropriate for an employee to go to their immediate manager in relation to a recruitment process as recruitment is completely unrelated to the employee's work.

## 3. NEXT STEPS

Currently, as set out earlier in this letter, employees wanting a review of a recruitment decision are forced to use the grievance procedure which at best is not fit for purpose and in our view, does not apply. Consequently, we ask that AV agree to implement a recruitment review process and that AEAU be consulted in respect of its form and implementation.

If AV does not comply with the above by **4.00pm on 10 December 2021**, the AEAU will submit a complaint to the VPSC in relation to AV's failure to comply with the public sector employment principles and the standards.

Kind regards



**Brett Adie**  
**Secretary**  
**Ambulance Employees Australia Victoria (AEAV)**

@aeavicunion