# Agency Employee Rewards Policy Checklist

**About this checklist:**

This checklist is a guide to assist WA Government agencies developing policies and procedures for the reward of innovative employees who contribute to the creation of new IP assets.

## How will the rewards process be initiated?

The policy outlines:

[ ]  How the rewards process is initiated and by whom?

For example: recommendation of the head of the business unit to the CEO, nomination by the employee’s line manager to a senior officer.

[ ]  When an employee reward will be considered?

For example: during the development of the commercialisation proposal, once commercialisation has been completed and the agency has received revenue.

#### Who is eligible for reward consideration?

The policy set outs the circumstances where an employee may be eligible to receive a:

[ ]  Non-monetary reward.

[ ]  Monetary reward (see note below)

|  |
| --- |
| The agency’s policy for monetary rewards must be consistent with the eligibility requirements under the WA Government IP Policy which include: 1. The employee is engaged on a permanent or fixed-term basis;;
2. The employee has made a direct and significant contribution to the creation of original IP rights (and not simply modifications, adaptions and improvements of existing IP rights);
3. There has been outstanding and extraordinary achievement by the employee far exceeding that generally expected from a person with the same or similar duties;
4. The creation of significant, inventive (not simply innovative) and valuable State owned IP by the employee;
5. Extraordinary outcomes; and
6. The successful commercialisation of the State owned IP rights resulting in exceptional net revenue for the State.
 |

## What are the rewards available?

The policy sets out:

[ ]  Non-monetary reward options available for consideration.

[ ]  Monetary reward options available under [WA Government IP Policy](https://www.wa.gov.au/government/publications/western-australian-government-intellectual-property-policy-2023): Section 8.

## How is the reward package developed?

The policy:

[ ]  Identifies who is responsible for developing the rewards package.

For consideration: Will the agency include a rewards panel in the process?

[ ]  Includes guidance for the assessment of potential reward and development of the package.

For example: factors considered when determining appropriate type of reward, requirement to consult with the employee, options for seeking independent advice.

If the policy provides options for the establishment of a rewards panel, include guidance regarding:

[ ]  The role and membership of the panel.

[ ]  The circumstances where matters will be referred to the panel for consideration.

For example: to consider a particular type of reward or where a proposed package exceeds a specified value.

**Recommended inclusion:**

[ ]  The policy requires the employee to seek their own independent legal and financial advice.

## How is the proposed reward package approved?

The policy sets out the process for agency approval of the rewards package including:

[ ]  The nominated approver of the package.

For consideration: the agency may wish adopt a tiered approach where the approving officer may vary depending on the nature or value of the proposed rewards package.

[ ]  Any documents to be prepared.

For example: business case or report, contractual agreements or deeds.

|  |
| --- |
| The decision to provide a monetary reward to a WA public sector employee is discretionary and may only be made by the Treasurer or the relevant delegated Minister. Agencies should refer to *Treasurer’s Instruction 319 – Act of Grace payments* for information about the approval process. |

## Record keeping and reporting requirements

The policy:

[ ]  Provides for the establishment of a rewards register.

[ ]  Outlines the information to be included in the register.

|  |
| --- |
| At a minimum it is suggested that the register include the following information:* Details of the reward recipient including their name, position title, level and salary.
* A description of the relevant IP asset.
* Details of the reward package including the nature of reward (lump sum payment, share of revenue etc.) and the monetary value.
* Details of any terms and conditions for the payment reward, for example paid only while employed by the agency or public service, schedule for period payments.
 |

## How will disputes be managed?

It is recommended that the agency include a process for managing any grievances or disputes that may arise regarding:

* the decision to nominate or reward a particular employee or group of employees;
* the terms of any proposed rewards package;
* decisions not to reward employees nominated for consideration or to offer a non-monetary reward only.

Matters addressed in the policy may include:

[ ]  How a dispute resolution process will be initiated.

[ ]  Who is responsible for resolving disputes and any nominated decision makers.

[ ]  The matters that will and will not be considered.

[ ]  The procedure for dealing with any dispute.

For example: informal or formal meeting with parties, mediation with independent party.

[ ]  Any options to appeal a decision.

|  |
| --- |
| Remember to take into consideration the agency’s existing grievance and HR dispute resolution policies and procedures. Refer to Public Sector Commission Standards. |