

# Attraction and Retention Incentives

## Commissioner's Instruction 35

---

### Statement of intent

To allow public sector bodies facing skills shortages in critical roles to offer monetary incentives in exceptional circumstances to attract and retain skilled employees.

### Scope and application

This Instruction applies to departments, Senior Executive Service (SES) and non-SES organisations as defined in section 3 of the *Public Sector Management Act 1994* (PSM Act).

It relates to the function of employers to determine remuneration. It does not apply to:

- CEOs, chief employees and positions included in the Special Division of the Public Service whose remuneration is determined through other mechanisms
- ministerial officers
- entities listed in Schedule 1 of the PSM Act.

### Further information

The [Guidelines for Attraction and Retention Incentives](#) provide details to assist in the application of this Instruction.

### Instruction

1. An employer seeking to offer an attraction and retention incentive to an officer or position in the Senior Executive Service (SES) must:
  - a. consult with the Public Sector Commission before making a submission
  - b. make a submission to the Public Sector Commissioner
  - c. receive approval from the Public Sector Commissioner before offering an incentive.
2. An employer seeking to offer an attraction and retention incentive to a non-SES employee or position must:
  - a. consult with the Executive Director Government Sector Labour Relations at the Department of Mines, Industry Regulation and Safety before making a submission



- b. make a submission to the Executive Director Government Sector Labour Relations
  - c. receive approval from the Executive Director Government Sector Labour Relations before offering an incentive.
3. An incentive provided under this Instruction:
  - a. must be for a predetermined and finite period
  - b. does not constitute an ongoing entitlement.
4. An employer must make a new submission for any change to or continuation of an approved incentive.
5. An employer must review and withdraw or reduce an incentive where the demonstrable need is no longer present.
6. Filling a position under this Instruction remains subject to relevant [public sector standards in human resource management](#).
7. This Instruction does not remove any obligations that may apply under [Commissioner's Instruction 2: Filling a Public Sector Vacancy](#).