



**Australian Services Union
Taxation Officers Branch
116 Queensberry Street
Carlton South 3053**

Branch Secretary: Jeff Lavidos

Hon Dr John McVeigh MP
The Chair
Parliamentary Standing Committee on Public Works
Parliament of Australia
11 February 2019

Dear Dr McVeigh

The ASU thanks the Committee for the opportunity of making a supplementary submission in relation to the ATO's proposal to refurbish its Moonee Ponds office.

The ASU has set out our concerns in the attached supplementary submission along with several attachments. The supplementary submission and its attachments are not confidential.

The ASU requests the Committee makes a finding that the ATO's submission for approval of its proposed fit out of its Moonee Ponds premises has not adequately complied with point 5 of section 2.16 of the Parliamentary Standing Committee on Public Works Procedure Manual, Edition 9.2, June 2018. It states the content of a submission for approval of proposed capital works requires,

details of consultations with relevant stakeholders, key issues of concern raised and information on how these will be addressed.

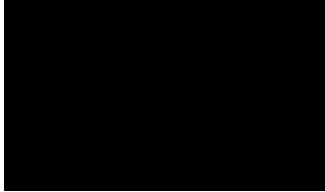
The ATO has not sought the concerns of its staff, and it has not addressed their concerns. Our supplementary submission identifies the concerns of the staff. None have been addressed by the Tax Office.

We also request that the Committee not approve the ATO's submission it be granted 'concurrent documentation'. We ask the Committee to find there are significant concerns in relation to the project, based on legitimate concerns that have been raised by the ASU and by staff at the Moonee Ponds office. We ask the Committee to also take into account an apparent error in the ATO's calculation of net lettable area, which we have calculated as 13,200 m², not 14,000 m².

We have also addressed Mr Wallace's question about the adequacy of the existing site, which we understood to address the value for the public in the proposed expenditure. The ASU believes the current building is adequate provided basic building services are fixed.

Please contact me if the ASU can assist the Committee further.

Yours sincerely



Jeff Lapidos



ASU supplementary submission on the ATO Proposed Fit-out of Leased Premises in Moonee Ponds, Victoria

A. Inadequate consultation has taken place

ATO consultation process has been inadequate

ATO Assistant Commissioner Andrew Closey told the Committee on 7 December 2018 that the ATO's consultation process for the Moonee Ponds refurbishment had followed the same process it had used for its submission to the Committee for fit outs for new buildings, such as at Dandenong, Box Hill, Gosford and 55 Elizabeth Street, Brisbane. That process is not suitable for the refurbishment of the Moonee Ponds office.

Mr Closey told the Committee that the ATO could not do a detailed design until it has approval from the Committee to do that (pp. 4 & 7, 'Proof Committee Hansard, 7 December 2018). Yet the ATO developed its concept plans with its design consultants and the heads of the business lines at Moonee Ponds (Ms Cheong, p10, 'Proof Committee Hansard, 7 December 2018).

The ASU is concerned that the ATO is seeking the Committee's approval of its concept designs, which have little if any support amongst Moonee Ponds staff, with the purpose of making the concept plans a *fait accompli*.

Senator Gallacher expressed a concern that he understood the ATO to say that it could not talk to its stakeholders until the Committee approved the ATO's plans. Mr Closey responded that was not quite what the ATO was saying. He said that the ATO could not get into detailed design until it obtained approval from the Committee. Mr Closey added that the ATO could not commit to what final things will be passed for consent. (p 8, 'Proof Committee Hansard, 7 December 2018).

The ASU instead wants to negotiate the detail of the ATO's accommodation proposal, in consultation with ATO staff at Moonee Ponds, and the CPSU, with the view to obtaining broad support for a final ATO proposal. We submit the ATO should follow such a process before seeking the approval of the Committee. It would enable the ATO to explain the concerns of its stakeholders and how it had addressed their concerns. Such a process would also enable a more accurate costing of any fit out proposal.

Moonee Ponds refurbishment differs from previous applications

The ATO's proposal for Moonee Ponds warrants a very different consultative process than the ATO used for previous applications to the Committee. The ATO's Moonee Ponds proposal is very different from previous refurbishment/fits out for its other buildings.

1. This proposal involves accommodating the same staff numbers in 66% of the space.
2. This proposal will impose an entirely different way of working on employees, without any consultation about what that would involve.
3. The hot desking proposal has either not been trialled for many of the work types at the Moonee Ponds office, or the trials were biased in a manner that achieved the results sought by the Office.

1.. The reduction in net lettable area is unprecedented

The reduction in office space at Moonee Ponds, with no reduction in staffing level, has no parallel in recent memory. We are concerned that the reduction in space will not permit staff to undertake their work adequately.

There was a significant reduction in net lettable area at the Penrith office in 2016, but in this case the number of desks was also reduced substantially. The ATO reduced the amount of space it let at the Penrith office to 10,000 m² by retaining only floors three through to eight and giving up floors ground through to two.

At March 2015, the Penrith office had 1201 work points of which 391 were vacant from the ground to the eighth floor (ATO National Consultative Forum paper 16 July 2015). At the end of September 2016, the Penrith site had 801 work points of which 51 were vacant (from the third to the eighth floor (ATO National Consultative Forum paper 5 October 2016).

The ASU is not aware of any significant concerns raised by staff with the reduction in net lettable area at Penrith.

2. Major change in accommodation will impact how work is undertaken at Moonee Ponds

The ATO intends making major changes to the nature of its fit out and this will affect how its staff would be expected to work. The ATO has not consulted with its staff at the Moonee Ponds site about these changes; has not sought out staff concerns about its proposal; nor considered how these concerns should be addressed. The ASU know this because of our own consultation with ATO employees at Moonee Ponds. We address this below. We submit the ATO should commence a real consultation process with its staff and their Unions, and develop a new proposal that address staff concerns and has broad support.

3. Results of hot desking at Gosford and Level 8 at Docklands are biased

The ATO's survey results at its Level 8 Docklands trial of hot desking were biased because of its method of choosing participants. The trial used volunteers, who could leave it at any time. This meant participants were largely supportive of the ATO's trial.

The ATO's experience of the Gosford site is biased for not dissimilar reasons. Some 80% of the employees at Gosford were new to the ATO. They were on probation for the first 6 months of their employment. Most commenced their ATO employment in early 2018. The remaining employees had transferred to Gosford from other ATO sites, principally at Parramatta, Goulburn Street, Sydney and at Newcastle. Employment at Gosford saved these employees considerable travel time, for many around 3 hours per day.

Gosford is not yet operating at capacity. At the end of September 2018, there were 545 desks at Gosford of which 112 or 20.55% were vacant. This low occupancy rate reduced the likelihood of complaints, particularly about noise levels.

Mr Closey referred to low levels of unplanned leave at Gosford in response to a question from Senator Gallacher (p. 14, of Proof Committee Hansard, 7 December 2018). The low level of unplanned leave is most likely to be due to staff having been on probation for much of 2018, because the long standing staff had saved considerable travel time working at Gosford and the high vacancy rate at that office.

ASU work demonstrates ATO has not properly consulted with Moonee Ponds staff

The ASU advised most staff at the Moonee Ponds of the general nature of the changes the ATO is considering. We did this by a series of 'all staff' emails on Thursday, 31 January and Monday, 4 February 2019. We estimate around 800 staff would have received them, if they were at work on these days. See *Attachments 1, 2 with 2a and 2b*.

The ASU also handed out approximately 500 leaflets as staff came to work on the morning of Monday, 4 February. This provided further background to the issue and invited them to a meeting during their unpaid meal break between 12.30 and 1.30 on that day. *Attachment 3*

Approximately 50 staff attended the meeting. The meeting was asked whether any of those present had been consulted by the ATO about its plans for the refurbishment of the building. Everyone said they had not.

The ASU conducted a snap poll of staff at Moonee Ponds on Wednesday, 6 February 2019. The email was issued at 8.29 am. We requested responses be returned by email to our Returning Officer by 5.00 pm on the same day. *A copy is at Attachment 4*.

We estimate some 800 employees would have received our emailed poll. The first question was,

Has an ATO representative asked you for your opinion on how the Moonee Ponds office should be refurbished? YES or NO

The ASU Returning Officer advised that:

- 148 responded: NO
- 5 responded: YES
- 22 did not respond YES or NO. But did provide an answer to the second question.

We also asked these employees to answer the following open question.

Please state in the space below any comments or concerns you may have about the ATO's concept plans for the Moonee Ponds office.

We received 67 written comments/concerns. *They are listed at Attachment 5.*

Moonee Ponds site committee has not involved genuine consultation

The ATO established a site consultative forum for the refurbishment of the Moonee Ponds office around the end of August 2018. It comprises a management representative from each business line, warden, one health and safety representative and one representative from each of the Unions, the ASU and the CPSU.

This has not been a genuine consultative forum. It has been used to brief the members of the Committee. The ATO provided committee members with draft concept plans on 18 September 2018 but refused to allow them to be taken from the briefing room.

The ASU provided our members at Moonee Ponds with a copy of the ATO submission to the Committee with its concept plans on 9 November and to staff generally on 12 November 2018. The ATO then provided its submission to its Moonee Ponds staff on 14 November 2018.

The Chair of the Moonee Ponds Committee is Robert Phillips. Robert emailed an ASU member on 19 November 2018 to advise that,

The submission issued to the Parliamentary Works Committee (PWC) included concept plans that provided an indication of how the space could be designed. This is a required part of the submission and it is an expectation that these plans will change as a result of consultation during a detailed design process before being signed off. Detailed design can only start following approval to proceed from the PWC. There is a hearing to obtain this approval on 7 December 2018.

See Attachment 6. The advice from Robert Phillips is in similar terms to the evidence of Andrew Closey to the Committee on 7 December.

Failure to consult with Health and Safety Representatives (HSRs)

The ATO has not consulted with HSRs at the Moonee Ponds office in the design of the concept plans that were provided to the Committee by the ATO.

The ATO arranged for one newly trained HSR to join the Moonee Ponds Committee. This HSR has an EL2 classification and is a team leader. This HSR cannot represent other HSRs. Consulting with one HSR does not abrogate the ATO's duty under section 70 (1) of the Work Health and Safety Act to consult with HSRs as far as this is reasonably practicable.

The ASU has repeatedly raised our concern with the ATO about its failure to consult with all HSRs. The ASU met with two Assistant Commissioners from ATO People on 6 February 2019. We told the Office that if it continued to refuse to consult with its HSRs on its proposed refurbishment of the building, that we would have to refer our concern to Comcare, as the Regulator. The ATO then advised the ASU that it would consult with all HSRs at Moonee Ponds about the refurbishment, but this would occur separately from the Moonee Ponds site consultative forum. We accepted this would address this concern.

ASU discussion with ATO CFO Frances Cawthra on 6 February 2019 goes nowhere

ASU representatives conferred with the ATO's Chief Finance Officer Frances Cawthra on Wednesday, 6 February 2019 about the proposed fit of the Moonee Ponds office.

Frances informed the ASU that the ATO had initiated discussions with the Department of Finance to clarify whether the ATO should have consulted with its staff at the Moonee Ponds office in developing its concept plans for the proposed refurbishment. Frances told us that the ATO would follow whatever procedure it is expected to follow.

We have not heard anything further from the ATO about its understanding of its obligation to consult with stake holders in relation to its submission to the Public Works Committee.

ASU has been consulting with the ATO in the preparation of this submission

The ASU referred the Public Works Committee Procedure Manual to Assistant Commissioner Lina Ranieri on Friday morning, 8 February 2019 and in particular the Committee's expectation, as stated at the top of page 22, that the Agency's submission to the Committee should address:

- details of consultations with relevant stakeholders, key issues of concern raised and information on how these will be addressed.

The purpose of this referral was to be as open with the ATO as practicable with the concerns and the issues we intended raising with the Committee.

The ATO has not consulted with the ASU about the fit out, but ASU is pressing the issue

The ATO has provided several briefing sessions to the ASU since announcing its decision to re-lease only part of the Moonee Ponds building. The ASU is concerned that the ATO may have contravened its obligation to consult with us in accordance with the ATO Enterprise Agreement 2017 as a result. The ASU issued a dispute notice on 23 January 2019 in accordance with its 'Dispute Settlement Procedures'. See Attachment 2a. The ATO issued an acknowledgement on 24 January that it had received this dispute notice. The ATO and the ASU are trying to arrange an agreed date and time to convene a dispute conference.

On 25 January 2019, the ASU issued an entry notice to investigate suspected contraventions of the ATO Enterprise Agreement 2017 in relation to our concerns about the ATO proposal for the refurbishment of the Moonee Ponds office. See Attachment 8. The ATO issued a request on 31 January that we specify the reasons for our suspicion the ATO may have contravened the ATO Enterprise Agreement 2017. See Attachment 8a.

The ASU responded on the same afternoon, with a detailed explanation of our reasons. See Attachment 2b. Brad Chapman, Deputy Commissioner of ATO People emailed the ASU on 1 February to confirm the ATO accepted the validity of the ASU's entry notice to investigate suspected breaches. See Attachment 9.

The ASU interviewed several ATO employees on 4 & 5 February 2019 pursuant to the entry notice to investigate suspected contraventions. We have not included the details of these

interviews because the *Fair Work Act 2009* limits how information gathered pursuant to such a notice may be used. However, the information we obtained was consistent with the comments/concerned raised by staff on 6 February. See *Attachment 5*.

The ASU issued a notice on 8 February pursuant to section 483 of the *Fair Work Act 2009* which required the ATO to produce documents to the ASU by 25 February that are relevant to the suspected contraventions of the ATO Enterprise Agreement 2017 in relation to the refurbishment of the Moonee Ponds building. See *Attachment 10*.

ATO appears to have commenced a belated consultation process

The ASU is aware that the Indirect Taxes business line made a submission on the refurbishment of the Moonee Ponds office today. See *Attachment 11*. The ASU's interpretation of the submission is that it is consistent with the views that ASU has been putting forward.

B. The ATO's concept plans are not fit for purpose

The ASU submits that a further reason the Committee should refuse to recommend approval of the ATO's proposal is that it would result in a fit out that is not fit for purpose.

The comments and concerns raised by Moonee Ponds staff in response to our snap poll on 6 February 2019 demonstrate a wide level of concern across the office that the concept plans are not fit for the work done at the Moonee Ponds office. See *Attachment 5*. This is particularly the case for the work of Public Groups and International, Private Groups & High Wealth Individuals, the Complex Assurance section of Indirect Taxes, the Law Design and Practice areas, Small Business and Individual Taxes.

Staff in the Service Delivery Group, who collect debt, secure lodgement of returns, answer queries and process applications have different issues. They are particular concerned at the likelihood of high noise levels, lack of personal storage space and how hot desking is inefficient and devalues their worth. These concerns are also raised by staff doing the most complex work, which is mentioned in the above paragraph.

C. The ATO's calculations of net lettable area appear to be incorrect

The ASU has been checking the ATO's assertion that there is net lettable area of 14,000 m². We are not satisfied this is correct. It appears the ATO's calculations have been based on a survey of the site as it is now, and not as it would be under its concept plans. The concept plans include a new wide stairwell between the Ground and Third floors, and more space allocated to bathrooms and kitchens on these floors. These should be excluded from the calculation of net lettable area. Our calculations suggest the actual net lettable area under the ATO's concept plans equals 13,200 m². The ASU is very concerned there is insufficient space for staff, even if the ATO's concept plans are accepted.

We do not see how there will be enough space if the ATO's proposed plans are adjusted for the needs of Complex Assurance in Indirect Taxes, the other areas of complex tax administration which is prevalent in the Moonee Ponds office and the needs of other staff undertaking less complex, but still vital work, which require high levels of concentration, hour after hour each day.

D. Is the current Moonee Ponds fit-out acceptable to ATO staff?

Mr Wallace asked the question at the Committee's public hearing on 7 December 2018, "Do the people who currently work for the ATO in Moonee Ponds think that fit-out is unacceptable?" (page 13, of Proof Committee Hansard, 7 December 2018)

The ASU's understanding from speaking with staff at the Moonee Ponds office in recent weeks, as well as in discussions over many years, is that the current fit out is acceptable, provided certain improvements are made to address basic problems with the building's services. This would require the bathrooms and the air conditioning to work properly. The current desks are well suited to the nature of employees work and so is the lay out.

\$9.5m fit out at Moonee Ponds in 2012 was meant to last 10 – 15 years

The ASU refers to evidence given to the Public Works Committee on 2 July 2012 by then ATO Assistant Commissioner Stewart Smillie and Mr Peter Dalton, also of the ATO. Mr Smillie then had the position now occupied by Mr Closey.

The substance of the evidence was that in 2012 the Moonee Ponds building was upgraded by the building owner, and the ATO spent about \$9.5m on fit out costs. AC Smillie estimated these expenditures would keep the ATO at Moonee Ponds for another 10 – 15 years. *See Attachment 6* for the relevant extract from the Hansard report.

The ATO's 2012 fit was meant to last until 2022 – 2027. The ASU believes the current fit out is viable until the end of the 2020s. The ATO proposal will trash this investment.

ASU position on maintaining the current fit out at Moonee Ponds

The ASU would support the ATO leasing the balance of the Moonee Ponds building and maintaining the current fit out, provided it arranged with the landlord to make improvements to basic building services, such as the bathrooms and air conditioning.

[REDACTED]
[REDACTED]
[REDACTED]:
Subject: We can change ATO accommodation proposal [SEC=UNCLASSIFIED]

Dear Colleague

This report from the Australian Services Union is for all staff at the Moonee Ponds office of the ATO. We hope you will read and act on it. If you do not wish to receive any more emails from the ASU, please reply to this email with a brief note to this effect.

We need to ensure the ATO's accommodation proposals are changed

There is a crisis brewing in the ATO that will have massive consequences for your ability to do your work with accommodation that meets your professional needs, unless we can help change the ATO's direction.

The problem is the ATO's current plans for the redeveloped Moonee Ponds office. If we are not able to persuade Commissioner Jordan of the folly of the current proposal, then it will be implemented at Moonee Ponds, then at the new Brisbane office and then at each site when its lease expires or when the Office decides to do a major refresh of a site.

We should be able to change the ATO's position

The ATO has repeatedly said it has not yet made a decision on how to refit the building. The ATO is not allowed to spend money on the refit of the building until it obtains permission from the Public Works Committee of the Parliament of Australia (PWC). The ASU made written and verbal submissions to the PWC in December 2018, opposing the ATO's proposal. We will make a further written submission next week. The PWC expressed concern at its public hearing about whether the ATO's consultation with its staff and their Unions was adequate. The ASU hopes the PWC will ask the ATO to undertake a proper consultation process and come back to the PWC before approval is given to proceed with the refit.

The ASU has also initiated a dispute over the consultation process used by the ATO in developing the concepts for the refit, and about the adequacy of the accommodation it is considering, given the nature of your work. We have set out below some of the concerns we have about the ATO's proposals.

What you can do to help protect your workplace

The ASU will arrange meetings of staff from time to time to bring you up to date with our work and to seek your views about what is happening.

We have arranged a meeting for all Moonee Ponds staff from 12.30 to 1.30 on Monday, 4 February 2019 at the Penny Lane A & B rooms on the ground floor.

Everyone is very welcome to attend.

We have arranged a separate meeting for ASU members on Tuesday, 5 February 2019, also from 12.30 to 1.30, at the Level 2 Meeting Room 709 to discuss how ASU members can work with our leadership team.

It will not be easy to change the ATO's position. It took three large NO votes before the ATO agreed to make the 2017 ATO Enterprise Agreement so we would not lose any of our workplace rights or conditions of employment and so we got the maximum pay increases available under the Government's Bargaining Policy. Unfortunately, the refit of the accommodation at the Moonee

Ponds office does not require the approval of a majority of the staff. However it is the ASU's experience that the ATO Executive is interested in the views of staff that are affected by its decisions. One of the things we need to make sure that the ATO Executive is aware of your concerns and the concerns of those around you.

The ATO intention is that the new accommodation it is planning will be in place for 10 – 15 years. It is a very long time working under noisy conditions, with a lack of privacy, no storage at your desk for your personal or business stuff, not even having your own desk. This will affect you for a very long time. Please support the ASU's efforts to ensure your working conditions are of the high standard you are entitled to expect and which you need to do your job properly.

The problems with the ATO's concept plans

- The ATO's surrender of floors 4, 5 & 6 means that the same number of staff, around 1200, will be packed into 14,000 m² compared with the current 21,000 m².
- The current concept plans show there is no business or personal storage at desks. There is provision for small lockers, like you had at secondary school, for personal and business storage, but these are located well away from your desk.
- There are larger 'team' lockers for working papers, but these too are located well away from desks.
- The proposal has small desks, located much closer together than is currently the case.
- The ASU has seen staff doing call centre type work at Gosford and Level 8 at Docklands, Melbourne, packed in together. The noise levels at the call centre at Level 8 were extraordinarily high.
- The concept plans, when considered with the office furniture that the Office looking at, shows the Office is planning on unusual collaborative work arrangements in open work areas. This will add to noise levels.
- The concept also relies on providing "high focus" work spaces. These are in place at Gosford and Level 8 at Docklands. The idea is that you use one of these 'desks' when you want to concentrate on your work for an hour or two. These special desks are specially designed to reduce distraction from the noisy environment nearby. The concept does not provide any arrangements for those who need to concentrate on their work all day.
- The current plan can only fit in current staff numbers by 'hot desking' everyone, except SES officers. This means you won't have a desk allocated to you and you will need to find a different desk every day and set it up after you arrive and then remove everything from your desk before you leave. Obviously those who arrive first will get first choice of desk.
- Hot desking does not mean it will be purely up to you to choose where to sit. There would be designated zones where you are allowed to sit. So it won't be easy to avoid sitting near that person you would prefer to avoid.

Please support the ASU's efforts

The ASU asks you to support our calls you to take actions, such as attending meetings, sending emails, expressing your concerns etc.

You can also support our efforts to protect and improve your working conditions by joining the ASU. We have attached an ASU membership application form for your consideration.

Yours sincerely

Jeff Lavidos

Australian Services Union

Taxation Officers' Branch Secretary

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www.asutax.asn.au

[REDACTED]
[REDACTED]
[REDACTED]
Subject: ATO tests ASU investigation of MPO redevelopment [SEC=UNCLASSIFIED]

Dear Colleague

This report is to update all staff at the Moonee Ponds office on the work of the Australian Services Union (ASU) to persuade Commissioner Jordan to change the ATO's approach to its proposal for a new fit out for the re-leased parts of the building. If you do not wish to receive any more reports from the ASU, just let us know by replying to this email.

The ASU notified Chief Finance Officer Frances Cawthra on 23 January that we believe the ATO has not complied with its obligations to consult with MPO staff and their Unions about its approach to the new fit out for the building. A copy of our letter is attached. We explained our concern that the proposal would not meet your professional needs or the nature of your work. The ATO Enterprise Agreement 2017 (Agreement) requires all new fit outs to achieve these standards. The ASU is concerned that the ATO took this approach to give you the impression that its proposal was a *fait accompli*, that you would feel that nothing could be done to change the ATO's approach. The ASU believes we can.

The ASU issued a notice under the Fair Work Act (FWA) on 25 January to investigate our concern that the ATO may have contravened the Agreement by failing to consult as required, and in producing plans that did not meet the standards set in the Agreement. We did this to give you the opportunity of providing evidence to us of what consultation the ATO has undertaken with you and whether its proposals meet your professional needs and the nature of your work. We would also gather documentary evidence from the ATO. We intend to then assess the evidence to decide whether it supports our concern about possible contraventions of the Agreement.

The ATO then advised the ASU by email yesterday afternoon, 31 January, that it wanted to assess whether we had reasonable grounds to issue the notice to investigate under the FWA. We were surprised to receive this because the ATO had our FWA notice for so long and we told them about it before it was even issued. We were even more gob smacked because our 'reasonable grounds' were spelt out in our notification to Frances Cawthra. You can see the email from AC Gyetvay below.

So the ASU wrote to Gyetvay's boss, Brad Chapman, the Deputy Commissioner of ATO People, explaining our grounds for suspecting the ATO may have contravened the Agreement. These had been raised in our notification to CFO Cawthra, but we took the opportunity to spell out our grounds, simply and clearly.

We have attached a copy of our letter to Brad.

You will be affected by whatever the ATO finally decides. The ASU believes we can change Commissioner Jordan's mind on all this so we get a good outcome for all. Your support for our efforts will help us achieve this.

You are invited to a lunchtime meeting on Monday, 4 February 2018 at the Penny Lane rooms on the Ground Floor to discuss these issues with the ASU.

Yours sincerely
Jeff Lavidos

Australian Services Union
Taxation Officers' Branch Secretary

[REDACTED]

[REDACTED]

[REDACTED]



**Australian Services Union
Taxation Officers Branch
116 Queensberry Street
Carlton South 3053**

Branch Secretary: Jeff Lapidos

[REDACTED]
[REDACTED]
[REDACTED]

Australian Taxation Office
23 January 2019

Dear [REDACTED]

Step 1 dispute - redevelopment of the Moonee Ponds office

The ASU represents our members at the Moonee Ponds office.

This is to advise you in accordance with clause 100.3 of the ATO Enterprise Agreement 2017 (Agreement) that we are in dispute with the Office in relation to its failure to adequately consult with us about its plans for the redevelopment of the Moonee Ponds office [cl 4.1 c), d), 87.3].

We are also concerned that the ATO's plans, to the extent they are known, will result in accommodation that will not meet the professional needs of employees or the nature of their work [cl. 87.1].

Ms Lillian Cheong, Associate Director of Cushman & Wakefield told the Australian Parliament's Public Works Committee that the concept designs for the redevelopment of the Moonee Ponds office went through an extensive workshop process and involved engagement with the heads of all the business lines at Moonee Ponds to gauge the impact of the change and to seek their advice about location, feasibility, look and feel. The ASU was not consulted or involved in any way with this process.

The concept plans and everything the ATO has said about its plans for the redevelopment of the Moonee Ponds office indicate the ATO intends accommodation that is like the Gosford office, which in turn was modelled on level 8 of the Docklands office.

We are concerned this means hot desking for everyone at Moonee Ponds, other than the SES officers. It appears everyone else will have to share desks that are too small for the work most have to do; there will be no storage for personal or work items at or adjacent to desks; collaborative work spaces will be in open plan areas; desks will be too close together,

which will make it difficult for staff to concentrate on their work due to high noise levels and it will be likely that the secrecy provisions of the Tax Administration Act could be at risk of being breached every day of the week.

The ATO is not consulting with the ASU as we would expect given the commitments made in the Agreement. The ATO has not been open with us about what has been behind its plans, it has been evasive about its true intentions and has not been prepared to speak seriously with us about how to develop accommodation that will meet its obligations under the Agreement.

Please contact me urgently to arrange the dispute conference.

Yours sincerely



Jeff Lavidos



**Australian Services Union
Taxation Officers Branch
116 Queensberry Street
Carlton South 3053**

Branch Secretary: Jeff Lapidos

[REDACTED]
[REDACTED]

Australian Taxation Office
31 January 2019

Dear [REDACTED]

Reasons for suspecting the ATO may have contravened the ATO Enterprise Agreement

I refer to the entry notice to investigate suspected contraventions of the ATO Enterprise Agreement 2017, which I issued to Lina Ranieri on Friday, 25 January at 1.26pm, while she was acting in your role, while you were on leave.

I also refer to an email I received from Assistant Commissioner Chris Gyetvay at 12.04pm this afternoon, Thursday, 31 January, a copy of which is set out below. Chris asked me to provide the ATO with further particulars as to the basis for the suspected contraventions.

I presumed the ATO would have been aware of the reasons for the ASU suspecting the ATO may have breached the ATO Enterprise Agreement from the dispute notice which the ASU issued to Chief Finance Officer Frances Cawthra on 23 January 2019.

The dispute notice stated in part,

Ms Lillian Cheong, Associate Director of Cushman & Wakefield told the Australian Parliament's Public Works Committee that the concept designs for the redevelopment of the Moonee Ponds office went through an extensive workshop process and involved engagement with the heads of all the business lines at Moonee Ponds to gauge the impact of the change and to seek their advice about location, feasibility, look and feel. The ASU was not consulted or involved in any way with this process.

Ms Cheong gave this evidence on Friday, 7 December 2018. The ASU had not been aware before Ms Cheong gave this evidence that the ATO had gone through an extensive consultation process to develop its designs for the redevelopment of the Moonee Ponds office.

Clause 87.3 of the ATO Enterprise Agreement 2017 states,

Where a decision has been made to have new accommodation or modify existing accommodation, affected employees and where they choose, their representatives will be consulted.

The ATO made it clear with its announcement it had re-leased part of the Moonee Ponds building that it had decided to modify the accommodation it provides employees at the Moonee Ponds office.

The ASU suspects that the ATO's exclusion of the ASU from the consultation process referred to by Ms Cheong in her evidence to the Public Works Committee may have breached clause 87.3 of the ATO Enterprise Agreement.

The ASU was also concerned that the consultation process referred to by Ms Cheong, may have excluded ASU members who work at the Moonee Ponds office, as well as the vast majority of ATO employees who work there.

The ASU was concerned that the consultation process referred to by Ms Cheong has resulted in plans for new accommodation which would not meet the standards set out in clause 87.1 of the ATO Enterprise Agreement, which states,

The ATO is committed to providing high quality office accommodation that meets the professional needs of employees and the nature of the employees' work.

Clause 4.1 c) and d) of the ATO Enterprise Agreement state,

This Agreement provides a principles-based decision-making framework. The following principles underpin all provisions in this Agreement:

- c) the ATO being as flexible as it can, taking into account the employee's preferences and personal circumstances;
- d) fostering strong cooperative relationships between the ATO and its employees;

The ASU is concerned that the need to foster strong cooperative relationships between the ATO and its employees, which underpins the consultation provision in clause 87.3, would be contravened if the ATO had undertaken a consultative process, as described by Ms Cheong, which excluded the vast majority of ATO employees at Moonee Ponds.

The ASU is concerned that the obligation on the ATO to be as flexible as it can, taking into account employees preferences and circumstances may have been contravened if the ATO developed plans for new accommodation which did not take this principle into account.

Our intention in issuing the entry notice to investigate suspected contraventions of the ATO Enterprise Agreement is to seek evidence that will assist establish whether such contraventions may have taken place.

I trust the ATO will advise me promptly whether it will make appropriate arrangements for me to investigate suspected contraventions of the ATO Enterprise Agreement on 4 and 5 February, as set out in the entry notice.

I note that I discussed the entry notice to investigate suspected contraventions with Acting Director of Employee Relations Caitlin Beesley on 25 January. I informed her that I intended issuing the notice shortly. I asked Caitlin to arrange discussions with me on Tuesday, 29 January about implementation of the entry notice, so my investigation could proceed smoothly. It is very disappointing that Assistant Commissioner Gyetvay has waited so long to request these particulars.

Yours sincerely



Jeff Lapidos



Subject: RE: ASU entry notice to investigate suspected contraventions of the ATO Enterprise Agreement 2017 [SEC=UNCLASSIFIED]

Dear 

The ATO acknowledges receipt of your entry notice under section 481 of the *Fair Work Act 2009* (Cth) (FWA), dated 25 January 2019.

Section 481 of the FWA states that a permit holder may enter premises for the purpose of investigating a suspected contravention, if the permit holder reasonably suspects that the contravention has occurred or is occurring. The onus of proving a suspicion is reasonable rests with the permit holder.

In light of the above we ask that you provide further particulars as to the basis for the suspected contraventions of the following clauses to which the entry notice relates:

- Clause 4.1(c) and (d)
- Clause 87.1 and 87.3

In light of your indication that you propose to enter the Moonee Ponds office commencing Monday, 4 February 2019, we request that the ASU provide the ATO with the above information by no later than 12:00pm, Friday 1 February 2019.

We wish to make clear that the ATO is not refusing entry of the ASU, but is not able to properly consider the entry notice until further supporting information has been provided. The ATO has, and will, continue to facilitate the lawful entry onto ATO premises by permit holders, pursuant to the requirements of section 481 of the FWA being met.

The ATO last met with you on 20 December 2018 to discuss the consultation approach for Moonee Ponds and this was followed by an email outlining our consultation plan and approach and inviting you to provide input and feedback. It is our understanding that this conversation was ongoing and that the ASU would be providing us with input into the proposed approach.

Thank you for continued interest in the Moonee Ponds refurbishment, we are committed to continuing to work with you to ensure that the future refurbishment of this office meets the professional needs of our employees.

Regards

A horizontal line representing a redacted signature, starting with a small blue segment on the left and a dark blue segment on the right.A black rectangular redaction box covering the name of the sender.A black rectangular redaction box covering the title of the sender.

Australian Taxation Office

A black rectangular redaction box covering contact information.



All Staff Meeting
12.30 – 1.30 today
Monday, 4 February 2019
Penny Lane Rooms, Ground Floor
All welcome

The ASU invites you to attend an ‘all staff’ meeting at lunchtime today to discuss how we can change the ATO’s proposal for the redevelopment of the Moonee Ponds office.

The ASU seeks your input into our supplementary submission to the Commonwealth Parliament’s Public Works Committee (PWC). The ATO cannot spend any money on the redevelopment of the Moonee Ponds office without the prior approval of the PWC. The ASU’s first submission to the PWC created concern amongst its members, both Coalition and Labor, about the adequacy of the ATO’s consultation process.

The longest serving member of the PWC, Senator Gallacher, did not agree with the ATO submission that it could not consult on the refit with its staff until it obtained approval from the PWC for its proposal. The ATO is seeking approval to spend almost \$40m on its proposed refit. The ATO wants to squeeze everyone into Floors Ground to Three. There would be no storage at or adjacent to desks. No one would have a desk allocated to them. Team meetings are planned to occur in open spaces instead of in rooms. The design provides only a few desks for ‘high focus’ work. The ATO is prepared to allow a very noisy workplace to save a few dollars. How will you be able to concentrate on producing quality work for the people of Australia?

The ASU will discuss our concern the ATO’s proposal does not meet the standards set for our accommodation in the ATO Enterprise Agreement 2017. The ATO has accepted the ASU’s right to interview you about whether and how you have been consulted up to now, and whether you are concerned about the ATO’s proposals for your workplace.

Please come along to the lunchtime meeting. You do not have to be a union member. There will be no pressure to join a union. All the ASU wants is for the ATO to provide you with a workplace that allows you to work well and meets your professional needs.

ASU supports our members in the ATO

Authorised by Jeff Lapidos, Australian Services Union Tax Branch Secretary

; www.asutax.asn.au

[REDACTED]
[REDACTED]
[REDACTED]:
Subject: ASU poll of MPO staff for submission to Public Works Committee [SEC=UNCLASSIFIED]

Dear Colleague

The ASU requests you answer two questions set out below for inclusion in our submission tomorrow to the Australian Parliament's Public Works Committee. The Committee is to decide soon whether to approve the ATO's request to refurbish the Moonee Ponds office based on its concept plans. We need you to respond to our snap poll by 5.00 pm today.

Your response will go direct to the ASU Tax returning officer, Patrick Conheady, at the Docklands office. Patrick has given an undertaking that he will not disclose the details of how anyone responds. Patrick's role is to compile the total votes, YES or NO, to the first question, and to extract any comments you provide so they can be presented to the Committee in anonymous form.

The ASU intends to ask the Committee to refuse the ATO's request to approve its plans until it has consulted with all its Moonee Ponds staff with the view to gaining broad support for a final proposal. The ASU will provide you with a copy of our submission as soon as practicable after the Committee authorises us to release it.

The ATO plans provide for all staff to occupy only levels Ground through to Three by use of 'hot desking'. Desks would not be allocated to any individual. Personal and business storage would be provided well away from desks. There would be special 'high focus' desks available for up to two hours at a time for anyone who needs to concentrate on their work. You can access the ATO's plans through this link:

<http://sharepoint/GASites/PSES/Lists/2020%20Sites%20News/DispForm.aspx?ID=7&Source=http%3A%2F%2Fsharepoint%2FGASites%2FPSES%2FProperty%2520Projects%2F2020%2520%2D%2520North%2DWest%2520Melbourne%2Easpx&ContentTypeId=0x0104004F32F981BC819D4F8A958F854A8740ED>

Question 1

Has an ATO representative asked you for your opinion on how the Moonee Ponds office should be refurbished?

Please answer by using the a voting button above to answer YES or NO.

Question 2

Please state in the space below any comments or concerns you may have about the ATO's concept plans for the Moonee Ponds office.

If you do not wish to receive any more emails from the ASU, please reply to this effect.

Yours sincerely

Jeff Lapidos

Australian Services Union

Taxation Officers' Branch Secretary

[REDACTED]
[REDACTED]
www.asutax.asn.au

Moonee Ponds Staff Snap Poll – Responses on 6 February 2019

Question 2

Please state in the space below any comments or concerns you may have about the ATO's concept plans for the Moonee Ponds office.

Comment #1

No, there has been no consultation, not implied nor by request. I have been informed by at least two BSL representatives that they have provided feedback to the effect that the concept plans provide both inadequate accommodation and storage.

My main concerns relate to reduced personal space, storage space, privacy, hot desking and impact on team collaboration as a result of a hot desking proposed site. Further detail is provided below.

Team Management/Collaboration

As a manager, the concept plans do not support team collaboration. It would also make day to day management difficult, hot desking does not work for many areas in CEG, we need to be collocated as many discussions are had and issues resolved within our "hub".

Workspace and Work Point selection

Of concern is the reduction of personal workspace and sub-standard storage. We need adequate work point space, privacy and storage that facilitates how we actually work. The smaller work points (e.g. linear) would not support our work and are also of particular concern with regard to privacy.

Our work by its nature is highly intensive and for this not only do we need work spaces that support privacy and noise reduction, we also need space to undertake analysis of complex documentation, (e.g. client submissions, contracts, reporting submissions, policy papers, etc).

We are an electronic workplace, and do try to minimise the use of hard copy, but the reality is that clients interact with us in various ways, and the length of complex documents precludes us from being 100% electronic. My staff (and myself included) will often print lengthy documents to read (as reading on screen for lengthy periods does impact our eyesight) this is similar for many other teams in CEG.

Privacy

The mere fact that we would be in such close proximity, with limited noise reduction, will impact the ability to have private conversations with taxpayers, stakeholders and team members. We engage in regular phone hook ups, screen sharing sessions, and video hook up's, again this has not been factored into the design, we would not from a practical perspective seek to move to other work points (e.g. the focus pods) to undertake these types of interactions, as this would result in a loss of productivity.

Comment #2

The accommodation plans exclude staff on maternity or other types of extended leave because accommodation requirements are being worked out using ATO directory information rather than pay report data (For example: Superannuation stands to lose 25 workstations because we have a number of staff on extended leave (And, by design of the system, these staff are not displayed in directory) even though these staff are expected to return to the office prior to or during the redevelopment of the site.)

The communication to staff has been contradictory – Emails and messages about the redevelopment indicate no decision has been made regarding the use of Activity Based Working (ABW), yet the ATO concept plans heavily emphasise ‘Activity Based’ or ‘Hot Desking’ type arrangements that the ATO has piloted under the Future Workspace Project, ABW has been rolled out at both Docklands and Gosford and, the ATO Technology End User Workspace Strategy clearly indicates future IT/telecommunications infrastructure must facilitate ABW

The ATO concept promotes a one size fits all fit out that ignores the different requirements that a compliance officer from small business has verses that of an application developer from EST verses a processing or contact centre officer in Service Delivery.

The MPO 2020 SharePoint page, which is promoted as a way for staff to stay informed, hasn’t been updated since July 2018 and consultation with staff was to occur after the PWC approved funding based the ATO concept plans; The communication regarding the proposed fit out seems to indicate that staff input is limited to ‘aesthetic’ factors rather than the significant impact that the fit out will have on the way staff work.

Comment #3

Most staff have voiced similar concerns and suggestions on the refurbishment. What seems to be the absolute minimum is:

no hot-desking for all

no rows of bench desks – snowflake desks and circular pods are ok

designated same floor locations for team accommodation

personally allocated, reasonably sized desks (sit/stand if needed) including own chair

personal locker.

This avoids arguments between staff over preferential desks/equipment, shortfalls and furniture hunting including time lost in set-up and put-away each day between floors.

Below is the extracted full feedback gathered by the ITX BSL and emailed around for all staff to comment on and provide suggestions. It is the best summary of what most staff are wanting:

ITX is to have a designated 'neighbourhood' and as per current arrangements each ITX branch will have a designated area within that 'neighbourhood'.

Each staff member is to continue to have their own work point within their designated branch area in the ITX 'neighbourhood'. NO hot desking!!!

Need to ensure that all staff OH&S considerations are taken into account. E.g, stand up desk work points, OH&S chairs / equipment, Ergotrons?

The preference is that each work point continues to have a set of drawers and adjacent filing / storage cabinets. It is noted that these drawers and adjacent filing / storage cabinets would need to be a lot smaller than the current work point set up and be similar to the work point set up in the Docklands/Box Hill and Dandenong sites.

Our preferred option is NOT to have 'lockers' that are located away from the work point.

If the decision is made that staff will have lockers' that are located away from the work point this would need to be a permanent locker. Not a hot desking locker!!

Need to ensure each ITX branch has their specific storage requirements factored into the refit. E.g. CAE needs storage for e-audit laptops, scanners & CD recording devices, BASE project team requires storage for project documentation, R&S may require storage for some documentation/records. The preference is that this additional storage be located close by to the ITX work points.

Each work point needs to have sufficient PowerPoints. Can the work points have permanent mobile phone charges?

Need to ensure that each work point has appropriate partitioning. Confirm the available options / height for this partitioning.

Need to confirm the size of the proposed new workpoints. Is there is a size difference for the proposed work point settings: linear workstations, pod workstations and snowflake workstations?

Comment #4

Concerns about the cleanliness of desks/work areas if we are required to locate a new working area each day.

Comment #5

I have WHS-issued equipment (as a result of multiple early intervention assessments, including seven (7) items:

- i. a sit-stand work-station
- ii. Chair

- iii. special keyboard,
- iv. special numeric keyboard,
- v. special mouse,
- vi. special mouse pad,
- vii. special foot-stool.

Concerns:

a) While I am (somewhat) confident that some arrangements will be made for people in my situation, I consider that the relatively inflexibility of me being tied to one work-point while my team are “floaters” will be somewhat isolating.

b) It will also result in me not having the flexibility of being able to have even the same degree of control over what might be seen as the touted “upsides” of the flexible work arrangement.

2. Noise. I am not in a call centre, but already have to resort to headphones to be productive.

Concern: I consider any increase in the noise and number of conversations around me to be disruptive. I can imagine the situation in terms of stress in the call centres would be worse.

3. Temperature. MPO’s aircon units have historically struggled, from a reliability and sufficiency point of view.

Concern: I can’t imagine upping the number of people on a floor is going to help, although I confess that expert advice might be needed to consider this, as there will conversely be floors where the need for aircon will (may?) be less. I really don’t know what the criteria are for temp where building refit contractors would be employed.

4. Hygiene of facilities (both kitchenettes and toilets) on G through 3

Concern: This may be degraded, unless a considerably increased frequency of cleaning occurs.

5. Contagion.

Concern: as a site we might take a hit on the unplanned leave front if we pack people into a smaller footprint.

6. Staff Welfare pool table on Level 5

Concern: We should not lose this recreational service. It should have a place in the post-refit plan.

Comment #6

The concerns I have with the proposed concept plan:

Noise will travel across the whole floor and between floors with the open stairs. Noise is an issue with the current floor plan and I believe it will be much worse with the proposed open plan, shorter partitioning, collaboration areas and semi-enclosed meeting spaces.

As noise is an issue there are insufficient high focus areas, which are only available for 2 hours at a time. I predict these will be taken by early starters and not given up after 2 hours. Although I notice the concept plans do not have computers shown in the high focus areas.

The dimensions of the proposed desks have not been shown. It would be handy to know exactly what size desks are being proposed. Then we can make an informed decision about how practical they are for our work. One of the proposed types of desk may be very suitable but we don't have enough information to make an informed decision.

The dimensions of corridors and walk ways would also be interesting. Can corridors and walk ways be narrower if there are shorter partitions and open spaces?

The work my team involves having 6 and sometimes more different computer applications open at the same time. Having 2 screens allows us to work efficiently and minimise mouse clicks. The proposed desks look very crowded with 2 screens and very crowded with adjacent desks. We need a little elbow room! There is also not much desk top left for the paperwork we occasionally need.

If we are to store ALL of our work and belongings in storage away from our desks we will need some desk top for these items. As a First Aid Officer I have a hard plastic first aid kit and a green hard hat which I currently have on top of my filing cabinet. These items will need to be stored on my desk each day and in a storage locker each night.

If individuals with corporate roles such as First Aid Officers, Floor Wardens, OH&S officers, etc. are "hot desking" every day then finding one of them will be a challenge each time. As there will be no permanent signs name plates or personal items on desks there will be no indication of where they are sitting on any given day.

The number of fridges shown in the breakout areas is nowhere near enough for the number of staff to be crammed onto each floor. We have 3 fridges in the large 4th floor tea room and they are all consistently full. Some people seem to bring in or buy the weeks ingredients for their lunches on a Monday and take up a whole shelf.

The number and size of meeting rooms for staff welfare/special interest groups such as the yoga classes, Toastmasters, massages, etc. is reducing under the proposed plan. I believe these groups will have difficulty booking rooms of the size they need. These groups are supported by the MPO site and add value and enjoyment to the staff in MPO.

I find it hard to believe that the savings from leasing a smaller number of floors is greater than the cost of refurbishing ground, 1, 2 and 3; a re-stack of the entire MPO office and the permanent change of losing 8 minutes morning and night per staff member for setting up and packing up their

desk. That is 266 hours of work time every day per 1,000 staff; and 1,219 workstations are proposed. And I believe 8 minutes is an optimistic time frame, especially for late starters who have to find the left over vacant desks and for people with special ergonomically adjusted chairs. There will be at least 2 trips back and forth for me from locker to desk with work reference materials, my coffee mug, coffee, water glass, lunch cutlery, tissues, phone headset, first aid kit, hard hat and split keyboard. I believe in the overall scheme it is a false economy for MPO.

The current furnishings at MPO are fine. They work well. They are already in place. The current phone system also works fine as far as I use it. I would much prefer the ATO upgrade the computer systems which are running slower and slower each time there is an update. Or upgrade the computer hardware to cope with the systems as they are. Or both.

It is very frustrating on a Monday having to wait for a computer system to move to the next screen when it did it instantly on the Friday, before the upgrade. It is also very frustrating having the amount of work I am able to do being restricted by slow computers and systems when the amount of work seems to be increasing and the number of staff staying the same or being reduced as they get reallocated to other work/teams.

If the ATO had bothered to ask the actual staff who will be working in this concept plan they would have received this feedback months ago. By only asking the upper management what they think of the concept design, it is obvious that the ATO is trying to by-pass any real consultation process. (and they wonder why staff never trust management!!) Upper management by definition have a very different work pattern and work types. Let them work in their concept design. Please leave me in my current work station and let me get on with my work.

Thank you for the opportunity for real feedback.

Comment #7

These comments are in regards to working in PGH. I believe the proposed fit out will not meet our professional needs and the nature of our work

1. Storage of case files and other paperwork will be difficult, as we will no longer have storage facilities near or at the desk we are using.
2. The layout will not provide the requisite privacy when talking to taxpayers and their representatives, or when we are discussing issues in the case with our team leader and team members.
3. The sensitive nature of our work will also be affected as potentially people without a 'need to know' will be able to view our case file, and computer screens while we are attending to our duties.
4. Ad hoc team discussions and brain storming are a major facet of the way we efficiently and effectively conduct our case work. The "first come first served" concept of hot desking will mean that we will probably not be seated around the other members of our team, making ad hoc discussions and brainstorming extremely difficult, if not impossible.

5. Hot desking will make it difficult for team leaders to monitor staff, especially problem staff.
6. The lack of partitions will make the work area very noisy, causing difficulties in concentrating on our work, or answering calls from our clients.
7. Lack of privacy.
8. Hygiene issues in sharing desks. Some people are fastidiously clean, while other may have a laissez faire attitude to keeping a clean desk. Will we need to wipe down and clean the desk we use in the morning and at the end of the day?
9. What will happen to the OH&S required equipment we have, such as ergonomic chairs, Ergotron stands, etc? If we don't have a dedicated desk and need to use a different desk each day, where will we store our OH&S equipment? And will we need to set up the desk we're going to be using on a daily basis? (More unproductive down time?). What if the person sitting next to you is shorter or taller than you and needs to raise or lower the desk in order to suit them ergonomically? Will every other person sitting around need to adjust their desks/seating?
10. Will the desks accommodate dual screens? If not, systems such as Siebel will be difficult to use, especially for people with vision issues.

Comment #8

Privacy in the new environment, storage space, hot desking, personal workspace and the proposed reduction in individual workspace foot print i.e. a reduction in current levels to much smaller allocation. Cramming, 1200 staff currently on six floors (ex ground floor) to 3 floors plus ground floor.

There has been a lack of corporate information available around the actual proposal itself. This in itself raises concerns if there is nothing to hide then why hide it?

Comment #9

Comments, which I have already passed on in other emails (but nothing has changed in the meanwhile)

We are hearing very little, and very biased (gilding the lily) updates from the leadership group, we are not being consulted, and we are not getting relevant nor timely updates

Staff have not been consulted. Never. (well not that I'm aware of...)

No updates since the last hearing.

We have not been told when the next PWC meeting is and what the ATO are submitting; or what changes if any to the document they originally submitted

SPR rep was told by Refit management to have SPR all staff meeting AFTER the PWC meeting - so they'd have more to talk about. But no chance to discuss or ask questions before the PWC hearing, as a group. (SPR = Superannuation Business Line)

Refit questions are answered one by one, as emailed by staff, but no emails to all staff to consolidate and advise these Q&As.

They rely on share point, and possibly yammer, to send on information - not everyone uses these platforms. Emails are guaranteed to at least be sent to everyone, but not used

We have been told refit group have seen furnishing samples etc, nothing shown to staff

We are being pushed the 'positives' of the new layout, but not hearing what MPO group have done to address the negatives and problems with similar layout in other sites. No assurance they are hearing and addressing negatives and problems with current experiences

Comment #10

NOT at all- No consultation with employees and no one asked for my opinion on how the Moonee Ponds Office should be refurbished?

Hot Desk Policy

Under the proposed concept plan for the Moonee Ponds Office, there is a possibility of "Hot Desk" policy. I am concerned and worried if I have no desk and every day I am more worried about my desk rather than work. It's like a music chair game. I would not be able to focus on work and concentrate on daily work routine.

Privacy & Confidentiality

Under the new concept plan, very congested, no meeting and quiet room for phone conversation and Compass discussions with Manager.

During family emergency unable to talk to Medical Practitioner and family members as other staff members can hear.

Occupational Health & Safety

Under the proposed plan, I will be provided less space and they will removed my sit and stand table. I am already suffering from back pain and new plan will add up more risk and occupational health safety issues for me.

Lack of Storage facility

Under the new proposed concept plan, I will lose my side drawer and half height cupboard. Due to less storage I may be unable to keep my medication, tea cup and taxpayer's information in security classified cupboards. Lockers may be too far from my desk and require long walk every day. I am

already facing storage problems as less storage to keep taxpayer's sensitive information. If storage facility is removed I am all the time worried about client's privacy and security of documents.

Building's Temperature- Cooling and heating

During extreme hot weather I always feel Air Con is not working and not enough cooling and in winter season, heating problem. More congested area will create more suffocation and cooling/heat problems. People having on-going health issues will more suffer.

I strongly believe majority of ATO's employees located at the Moonee Ponds site have the same concerns.

In view of the above, I would like to request ASU to raise my serious concerns with the ATO management and ask them to consult with employees prior to making any changes at the work place. Thanks indeed.

Comment #11

NO consultation. But, I may have missed emails sent about the refurbishment as CEGSAP restructure took effect on 1 December and I had to meet new deadlines in the new BSL.

Hot desking is not conducive for work that requires focus.

Comment #12

With this talk of the possibility of sub-leasing floors in MPO, who bears the cost if suitable tenants cannot be found?

Comment #13

1. A recent announcement stated – Business lines no longer have a footprint (not sure what that means exactly)
2. NO consultation with staff – we only receive the UPDATES so it seems like decisions are already made & staff feel they have no influence
3. Erin Holland advised us at the first meeting in July 2018 that the aim is not to have hot-desking overall but each business line would determine what their business/operational needs are – so most staff felt confident that where most of our work is desk-bound that we would be allocated a permanent desk
4. NO mention of how the floor design will cater for private spaces such as Massage and Yoga room, prayer room, parents room or other wellbeing activities

5. The proposal said that MPO was refurbished 15 years ago which is incorrect as it was done in 2012 at a cost of approx \$10m (which was to suit us for 10-15 years)
6. The concept of 'high-focus booths' and use for only 2 hours for concentrated work is not practicable as who will monitor the booking of these and for us in Super ALL our work is desk-bound and requires high-level concentration for most of the day – even under our current work-station arrangements in open areas, it is difficult to work when others around us are on the phone or have loud voices (often we have to wear head-sets to cancel out nearby noise)
7. \$36m is a lot of money – some staff have commented that we would get a brand-new building for that kind of money
8. The OHS rep on the Committee was simply appointed by Site Leadership without any consultation with all the other HSRs nor did they seek any expressions of interest from other HSRs (she had only recently completed OHS training, is an EL2-manager and had not undertaken any WP inspections)
9. Staff are disappointed (again) that the ATO does not consult the union PRIOR to decisions being made – they only tell them after the fact
10. We were told that samples and models were shown to the Group but nothing was communicated or shown to all the staff

Comment #14

There is no clear indication whether some type of stairwell is to be put in place between levels 1 and 2.

There will be stairwells from Gnd to 1 and 2 to 3. Why not between 1 and 2?

To my mind, there has been no direct ATO Rep consultation – merely email updates incorporating occasional links to prospective draft plans/photos.

If the site is to shrink (in order to save costs), why not offer redundancy packages (similar to those from 2014) in order to reduce capacity at the site?

The ATO has committed to another 10 years at MPO (at least) yet the nature of the work will inevitably change across the next 5 years away from processing.

With the likely automation of processing work, less staff would be needed on-site.

All the more reason to offer 'VR' packages now so that less staff will be impacted by any proposed building works across 2019/20.

Comment #15

Security – I am concerned about the security for staff. According to the presentation of the ATO to the PWC (page 7), the current races (barriers) are being removed. What is to stop an intruder coming into the building to “wreak havoc” and possibly injure staff (it is not unusual for staff to be threatened)? Docklands still has its barriers as a deterrent. In this day and age why should the safety of staff not be a concern? As a RACs officer (restricted access) I am concerned about people seeing what I am doing when I access staff accounts. In the concept designs the “focus desks” look more like ‘1970s throwbacks’ and claustrophobic for some staff.

Noise – the concept designs are very ‘open’ which will create a lot more noise. Some of the design (page 20 & 21) look more like a design for a café, not a work place. The basis for most work in the ATO is not the sort of work that the staff member can be constantly moving around to another space in. This is a work environment. The concept designs seem to have more of a social interaction feel than a practical workplace.

Why does the ATO want to spend \$40,000,000 on an unnecessary refit when the staff struggle with outdated systems. Since 2012 there has been a known problem of the ABR system not communicating with the other systems that ATO staff have to use. You have to search several systems to find updates because the data does not flow between systems. The ATO is still using Windows 7. Microsoft ended mainstream support for Windows 7 on January 13, 2015, but extended support won't end until January 14, 2020. Wouldn't it be more useful to staff to have up to date systems that communicate with each other? Updated systems would make staff enjoy work more than a café style area.

The overall concept designs do not seem to reflect the work that is done at the ATO in MPO. How much time would be wasted every day for staff to set themselves up and pack their things in lockers because there is no storage at desks. I suppose it would be fine as long as the ATO is aware of the loss of productivity and accept that staff would not be doing this on their own time but on the ATO's time.

Comment #16

The communication is currently very top down. More should be done (by way of information sessions by floors or business areas) rather than just issuing email updates via the MPO site committee and SharePoint.

The proposed layout does not address the type of work undertaken or the proposed mix of business areas, and it is unclear to what extent the work of functional areas has been considered. We have been presented with a proposed outcome, but have no insight into the decision making process behind the proposed outcome. Greater transparency about why certain concepts have been proposed would be beneficial.

We have not been told why we are not retaining the other floors, and what other tenancy is likely and/or how it will impact us.

It is unclear what staff can still influence in the plans, and what is already locked in.

WHS issues have not really been addressed, other than to say they will be.

We have not been told what the experience is likely to be for staff during the refit, and if temporary relocation might be required.

Comment #17

Hi

Increased security threat. The concept drawings have eliminated the security barriers on the ground floor.

Cramped work spaces would result in a disruptive work environment due to increase noise levels.

Lack of personal and work storage space.

Hot desking would lead to disengagement of staff from other team members and difficulty in consulting effectively across the team.

Comment #18

I've worked in a hot-desking environment in the ATO and found it to be a humiliating, degrading experience. Everyday I'd come in and dread the thought of knowing that I'd have to find a seat which would invariably be away from my team limiting case discussion and team interaction.

On some days you might grab a desk settle in and then a more senior officer would come in and say you're at my desk, get off – what do you do fight over it?

I felt devalued – the office didn't value me enough to give me a desk why should I kill myself for them.

Comment #19

I'm not sure if I have any concerns as I really don't know what they're planning. Discussions with my colleagues highlights they also don't know. One staff member thinks they mean the snow flake design from most of Docklands. I'm not sure he is right.

I have been to Gosford and found and as I was floorwalking and providing assistance to people calling clients, it was extremely open and noisy. And the hot desking was just for hot desking sake. The team I was working with rotated around the floor each day, but all still stayed together. It seemed ludicrous to me, as they had a roster for which part of the second floor they would sit at each day. All but two of the people were new to the ATO so didn't know about the accommodation in other sites to complain about their environment. And the two who were existing ATO staff were

keeping quiet as they were part of the lucky few who managed to secure a transfer to Gosford, and didn't want to jeopardise their chance to work close to home.

Comment #20

Not only has the ATO management not consulted with any staff about the proposed refurbishment of MPO, but the first bit of detail staff received about ATO's concept plan was via the ASU after the ATO had presented its concept plans to the PWC.

I would guess that most staff in MPO are completely unaware that ATO management is proposing to refit MPO under a hot desking arrangement. I regard it as completely unprofessional from ATO management in their attempt to get hot desking set-up within MPO without any prior consultation with staff.

Comment #21

Absolutely no consultation about the refurbishment – we were taken in a room and shown the plans and were told this is how it will look

I do not want to hot desk – we need our own desks and not a pigeon hole

I currently have an OH&S desk that I can raised as required – How will this work with hot desking?

Also required adequate storage at our desks and not away from our desks

Comment #22

A few issues/comments:

1. The company that invented hot desking originally stopped using it 10 years later because of the problems with isolation and less productive. If the ATO wants to use/pick up a useful trick then a nap during the day produced happier and more productive staff overall. Be innovative instead of reactive and be first to adopt a government untested activity.
2. Many areas are casework areas and allowing many staff to work from home would be better however from personal experience team leaders and directors make it difficult for staff to do so without a medical reason. Confusing messages there.
3. Perhaps if the ATO enforced the work stations on everyone regardless of levels then it would be more acceptable. With meeting rooms and conference video rooms there is no real reason that execs have their own private offices. Also rumour is that the commissioner has outfitted a whole floor for himself which shows he does not agree with his own agenda.

Comment #23

Major concern would be fitting a whole building of people into only 3 floors. Not only would it be a tight fit, but meeting/quiet rooms have been at a premium in this office for quite some time, so with the ATO's proposed refit, it's only going to be worse.

The meeting rooms here were created in the last upgrade a few years back, most fitted with telepresence technology to negate the need for travel. With the majority of these rooms likely to go, not only was it waste of money getting the Telepresence technology and fitting it, but it is increasing the ATO's reliance on travel

Comment #24

Hi

In answer to the second question, I work in a call centre team but do not take inbound calls due to a previous medical condition. I find it distracting being surrounded by people talking to clients while having to concentrate on my work.

That is now. I cannot see how having smaller desks/workspaces while help that situation.

I know there are a couple of people in my area in a similar situation in not taking calls. I cannot see why space could not be accommodated to allow us to work with minimal distraction.

Comment #25

Open plan offices are not the best environment for the work most of us do. Very little work we do is truly collaborative, and while we do interact with other staff (for example to ask questions etc.), most of the work effort is done by one person.

Comment #26

Apart from a sketch design of the layout of the office refit, we have been given no real information on how the site will look, if we will have sufficient space to perform our work etc. My role requires a desk and a low volume noise environment in order to operate effectively and efficiently. I have seen hot desking sites many times before including having managed the outsource call centre in Box Hill for several years. It is an uncomfortable environment to work in and does not support staff to operate at the highest level. It is simply not good enough to continue to reduce our working conditions in order to save a dollar. Very disappointed in the direction the ATO is taking with the change to the MPO site.

Comment #27

Comments or concerns:

No fixed allocated workstation for staff would have negative impact on PGI case teams' efficiency and productivity. Each audit/review case typically done by multiple team members for months on end. It is important that team members have a fixed desk sitting close together and work collaboratively on a daily basis. It is a waste of time to pack and unpack every day.

Overcrowding and the potential noise level is a concern

Insufficient storage for case files and referencing materials (we have heaps and cases run for months and years)

The creation of a "nomad" culture and losing our sense of belonging and loyalty to the organisation in a long run.

Comment #28

Access for 2 hours per day to 'high focus' desks for when people need to concentrate shows naivety and lack of understanding by the planning committee of the demands and complex nature of the work we do. A one size fits will not work due to the different areas within the office.

The cost of the refurbishment begs the question what are the real savings compared to 'the leave it as it case'. From a sustainability perspective it seems an awful waste of money as well as unnecessary landfill waste as a result of demolition and refurbishment.

Comment #29

My concerns:

How is staff OH&S equipment needs going to be accommodated? (Sit/stand desks, ergonomic keyboard & mouse, chairs, other ergonomic aids)

I believe recent surveys indicate that employees are more engaged at work having access to their own personal space/needs. The current accommodation proposal does not support personal space and storage at work.

Where can staff store food and other personal belongings? It appears most staff prepare their own food at work. Many staff exercise before or after work, where do they store other clothes & equipment?

Comment #30

Not myself nor any of my staff have been spoken to about the refurb. We are against hot desking when we are permanent staff and work in a team environment. The original information I have heard is that ALL areas would be consulted and given the option of whether they want a hot desk environment, and I did hear that some areas would opt for hot desk eg. Call centre casual environments. My area (and a lot of others) are definitely not happy working in a hot desk environment. We want our own desks to come into each day.

We have not been consulted by anyone about this proposal.

Comment #31

Lack of ability to maintain taxpayer privacy – due to lack of adequate desks and ability to hold a confidential conversation with a taxpayer or agent.

Lack of team cohesion as the team won't be seated together.

OH&S – inability to maintain your desk and chair at the height appropriate for yourself.

Comment #32

Desks appear too close together – we need some space while working on cases for notes, data analysis etc.

Desks will need some sort of divider – noise will become a problem (I worked on level 5 at Docklands where all the desks were next to each other). This layout does not work. As the desks are touching, any movement affects the neighbouring desks.

Teams need to sit together – especially in our area of audit. We need team leader presence

We need our own storage – at any given time, I have bank statements, financial documents, client documents, training manuals, equipment etc stored in my cabinet. A school locker will not suffice, and neither will a shared storage for our team.

In regard to hot desking. How can this ever be seen as something feasible in this office? The only line that I have ever seen hot desking be semi acceptable is in a call centre environment (I have previously hot desked in a call centre). In audit, where we have case files, paperwork etc, are we meant to come into work, go to where ever our locker is, get all our paperwork, equipment etc (and some people have ergo equipment as well), then lug it all to the next available desk (over 3 floors), set up and then start work? When does our day begin – when we get to our locker or when we start working (as in when do we record the time on TMS)? Depending on where we are, it could take upwards of 15 mins to unpack and then re-pack up at the end of the day. Is the ATO going to allow 30 mins of unproductive 'hot desking' time?

All the 'fluffy' areas with sofas and white boards that are in the open will only be used for coffee breaks. Meetings are just that – you go into one, say and do what you need, then leave. They are held in a closed room. The casual looking lounge areas will be a complete waste as they won't get used for what they are intending them to be used for.

Have they forgotten that we are dealing with clients' personal information? Sometimes high wealth sensitive information that really shouldn't be accessible on a desk where I could be sitting with staff from completely different areas.

If they need to squish us into 3 floors, my suggestion would be to move the existing desks closer, take the round end off the desks (they aren't really used anyway) and utilise the floor space they have better. On the concept pictures, the atrium is so open and wasted. Look at what we have now – it is hardly used. Why then replace it with a bigger space that still won't be used?

I believe that those concept plans/pictures have been put together and designed by people who are not the 'worker bees'. They clearly don't know what we do and need for our job. Maybe execs can work in an open plan design, or maybe facilities people can hot desk easily, however, when you are dealing with clients, have working papers and files, you need a home base.

Comment #33

Hygiene – some staff members are unable use toilets in an appropriate manner. If I am required to hot desk, I will feel the need to clean and sterilise any desk that I am expected to work at, before I commenced my work;

I believe the working area that is planned for each desk is quite small. I am required to collate and create worksheets of evidence, provided by Taxpayers, for my cases. On a regular basis my current desk can be covered in this paperwork. I cannot imagine being able to complete this work in a small area;

The lower levels of the MPO office are very dark because of the buildings being built up beside the ATO office. To be sitting in a dark and squished office is not appealing and conducive to a healthy work place.

Comment #34

My work at an EL1 level is 100% high focus, 100% of the time. I am sure that applies to most levels, and to suggest otherwise is ridiculous.

Going down the path of not having your own desk sitting amongst your own team on a daily basis is one sure way of significantly reducing productivity, quality of work and team morale.

Is it worth it to just save on accommodation costs? To me the organisation has its priorities the wrong way around on this issue and it has not consulted with us and it does NOT have its staff on board with this.

Comment #35

The concept plans of the proposed MPO fitout can be likened to the factory like conditions my mother worked in for many years making shoes.

It appears that there has been very little consideration to the work types we undertake in MPO, and the design of the work points as they are not visually pleasing nor do they create a sense of comfort, I would suggest a feeling of angst is what these concept plans appear to create.

Very little information from the el2 project officer has been provided. Nor has the el2 project officer created a sense of listening to the staff of MPO. Very little visibility by the project officer, in the past other project officers made themselves available to listen and chat about it, providing a sense that staff were being listened to but in this instance this has not occurred

The concept plans have pictures of staff in denim and in casual attire, this to me demonstrates that lack of understanding of what ATO MPO is all about. It is a community, a suburb a home to many staff who have contributed to the Australian Government for over 25 years in MPO. There is nothing in the concept plan that goes into detail about how those who created it and approved it are aware of how the MPO staff (all staff) actually operate, what their job entails etc. Possible lack of understanding and explanation could be the reason why there is so much objection to the concept plans as well as the Government of the Day not approving it but seeking answers to many questions.

You may wish to refer to this publicly available document as it relates to the previous refurbishment of Moonee Ponds. Do a word search using the word MOONEE PONDS and it will bring up reference to the Public Works Committee hearing on 2 July 2012 on the fit out of the Box Hill office. This may add weight to the argument, WHY does the ATO want to/Need to spend \$37 Million Dollars? What is the logic in the proposed spending if you are reducing leasing costs not building a brand new building but it will cost more than a brand new building such as Box Hill? My view, I would prefer tax payer dollars to go to public hospital and dental, so those in need can get better with their health, fix their dental medical issues and then gain employment.

I suggest you find out if possible what it cost for Box Hill – an entire Brand New Construct, I think it was approximately \$36 million.

Comment #36

I am fine with there being an element of flexible seating and hot desking but my concern is that the desks are way too close together and there is not enough storage that can be easily accessible throughout the day. It may sound silly but I have some kitchenware that is not allowed to be left in the kitchen. I also have a few basic items coffee, tea and such because it is not supplied by the office. My workplace is my home away and I need a few creature comforts to help me feel connected.

The desk configuration is odd to me. the desks seem very small, it is hard to tell with the plan drawings as there are no sizes however if I compare it to the drawing of the chair then the desk looks

like a high school sized one. And they are all bunched together. It's hard to tell without being in the environment but I suspect that it will be very loud. I wonder whether this will be an issue for our staff who have to interact with any sector in the community. Currently we have a good amount of space around our work points and noise can still be an issue, I'd think that being closer together would only be louder.

Thanks for the opportunity to provide feedback, there really hasn't been one.

Comment #37

The ATO did not ask for feedback before developing their concept drawings.

The concept drawings have a number of inherent decisions (inbuilt) made about the future refurbishment that do not appear to be up for discussion including:

Hot desking model

Inadequate desk space for business purposes (I work in Compliance)

Inadequate personal storage

Inadequate storage for business purposes

The ATO is only asking for feedback now (post December 2018 PWC hearing where they were hammered) in respect to the configuration of office furniture - This is a bit like re-arranging the decks on the Titanic.

Comment #38

The ATO appears to be pushing along with the idea of hot desking despite studies in recent times demystifying its effectiveness. I can't help feel that the ATO has shackled itself to this idea (trend) and it may be as much the desire for the organisation to be seen as a leader in the gig economy era.

A significant proportion of staff deal with case work requiring an environment that enables individuals to focus and concentrate on complex issues including legal and financial analysis.

While I regard myself as highly adaptable, there needs to be a recognition that different set-ups are needed to suit different types of work.

Comment #39

Personal work spaces with storage is required as we require ready access to documents should a client or fellow officer call us. Desk size / spacing should also be suitable to allow staff to concentrate on our work for a full day.

Comment #40

I work in a new policy area where the majority of my work is protected information. I do not like the idea of my work conversations around sensitive government proposals being listened into by just about anyone.

Comment #41

I was informed many months ago that the site would be sending out a survey to all staff to get their feedback/views etc on the proposal of the new fitout etc. This never occurred. There has been minimal communication to all staff about this work and NO consultation on our views/thoughts/suggestions etc.

The concept plans provide a very different fit out to what other sites have and it's not a 'one size fits all' approach given the breadth of work being done within the site and how many business lines are represented.

We have not been consulted as we have been advised that we would.

I fully support the ASU's position to refuse the ATO's request to approve its plans until it has consulted with all its Moonee Ponds staff with the view to gaining broad support for a final proposal.

Comment #42

I am worried that with the increase of staff on ATO floors there will not be enough space in breakout areas, toilets, meeting rooms etc. The proposed layout will mean staff who sit next to me will be a lot closer and noise levels will increase. This will impact me greatly and my ability to function.

Comment #43

In my opinion, ATO's proposed concept will not work especially for areas doing case work / reviews / audit. It will be difficult to concentrate in that set up.

There should also be an option to work from home if the proposed plan is implemented.

Comment #44

Staff are concerned that, without wide and proper consultation with its staff, the ATO has moved on this new concept plan which cannot be easily reversed.

Moving the same amount of staff – losing 3 floors – clearly there will be a huge impact on the ‘employee experience’.

Audit/RDR/Engagement areas will not only lose desk space/storage space but will be impacted by higher levels of noise and distraction in such a high density plan.

Comment #45

I have been provided some information and consultation along the process.

The idea of large rooms with openable walls is good. What is required are more meeting rooms both for internal use and for meeting with externals. More quiet rooms are required compared to the current situation.

The collaborative desk design eg, Gosford, is not suitable for a PGH environment. Taxpayer conversations are easily overheard with nearby workstations and their phones. Phone calls are often received so it is not practical or possible to go to a quiet room especially if one is required to access information on screen or paper file. The notion of current workspaces not being suitable to new work practices is ill founded. As much as we try to go electronic, we rely and use paper extensively, files, financials are easier to use in paper form. Physical files and storage of those for ongoing work and large cases is an issue.

Focus booth space is not necessary, project space is not necessary. Video conferencing rooms are helpful. More meeting rooms where computers are attached or attachable with large wall screens eg Smart Room for workshopping or presentations are required.

I do not see that a wholesale refit is required. This would save considerable amounts, give us more functional rooms and space albeit that less of the building is sub let.

Further I suggest we occupy the upper floors not lower, not requiring so much re fit, this provides greater security and any security issues with lifts can be addressed with building passes to activate the lifts. Ground services can be shared including Café, Accommodation Services, meeting rooms etc.

I am happy to discuss the issue further.

Comment #46

My main concern would be the additional staff within this site and the ATO squeezing the current numbers in 3 less floors

Comment #47

It is not helpful with the case work related to taxpayer compliances as there are documents needed to be printed and presented in workshops.

Also, hot desking is not ideal for everyday purposes in general as staff needed to be adjusted for the different working environment every day.

Comment #48

It's very important that full consultation occurs with site disability representatives to avoid overlooking challenges that may be created through the re-stack.

Thank you.

Comment #49

Our work requires us to use the Seibel case management system which ordinarily means having 2 monitors. Our work also requires reviewing large amounts of hardcopy information. Smaller desks (and any shift towards rotating desks and reducing storage) will impact on our work.

There are insufficient meeting rooms, telepresence rooms and quiet rooms currently. There would presumably be less on fewer floors.

Comment #50

Hot desking will lead to less productivity. The type of work we do – especially in Audit (Financial Crime) – will be made more difficult on many different levels if hot desking is implemented. Furthermore staff moral will potentially suffer.

Comment #51

My concerns are the HOT DESKING (first in best dressed it's basically what we have been told). Firstly, it's going to be an issue for all the employees. Also an issue for part timers who start later in the morning, I am part time, 5days a week and my starting time is 9.30am and finish at 4pm. I won't even get a desk I may have to sit on the balcony. Due to a pre-existing injury I sustained before I started with the ATO, (and I did advise the ATO of this injury right from commencement) I have an ergonomically set up desk and chair and a different key board. I will be required each day to first find a desk, disinfect it, find my chair, connect my keyboard, and pack away at the end of the day and repeat this every day in the 15 minutes they allocate plus read my emails in that first 15min. Even if they increase the admin time to longer than the .15min admin time, that won't fix the issue about hot desking and all the disadvantages with this, not appropriate for us workers, maybe ok for management.

Regarding the hygiene, it's not only sitting at a different desk each day and having to clean it before you use it, but also we have been advised that the desks will be in close proximity so again the

hygiene, people come to work sick and cough as it is now you tend to keep your distance, with the desks so close more chance of germs spreading. Toilets is another concern, we already have the problem where the toilets get blocked and we have to search for another toilet on another floor, Mind you we have to do that in the 5min recuperative break. Another concern is lunch rooms again overcrowded. They are squeezing all the people into the 4 floors like sardines. The lack of storage at our desk is another concern (well we won't have a desk).

Anytime time we have expressed any concern, about the hot desking or hygiene or whatever we think will be a problem with this refit, they brush it off and say we have to move with the times, and basically like it or lump it. Or they throw back at us "not coping with change". These comments were made by our EL1 Amanda Ferguson and same comments from our team leaders. I suppose the team leaders have to go with the flow and not be seen to side with us.

I'm in the complaints area of the ATO and we receive various complaints relating to different issues, which we as a complaints team assist each other to resolve the complaint, I feel by hot desking this is not going to be a good result for anyone.

Comment #52

Dedicated storage – I know we have a 'canteen' already but this is not high school so I'd prefer to keep our personal lockers/drawers. As much as I am an advocate for active movement to offset my/our sedentary job , I personally do not need to relive high school by carrying a mountain of folders and material back and forth to where ever my desk may be for the day.

Furthermore think about the officers that may have physical limitations/ailments and being "forced" to cover unknown distances because someone wishes they were in high school again.

Hot desking – I think it's great to make connections, however I think we are also here to do a job and probably not to make Facebook 'friends' with everyone we may see under this new arrangement. In my role we work as a team, the team is the people I work with, if I need my team they should be there (literally). Hot desking would be severely inefficient and reduce productivity because people may either be away from their direct resources or be unsupervised.

High focus – Quiet rooms are more than enough, seems like a waste of money to reinvent the wheel. I do wonder who is getting the promotion for this idea?

Can we just use the requested funding for promotions/higher duties/more FTE positions or even Christmas lunch.

Comment #53

I am concerned that the ATO's concept plans do not cater for my professional need. I need a permanent desk with drawers and storage area to do my audit work.

Comment #54

Hot desking will not work for teams like Professional Firms, who have high level discussions with leading law and accounting firms. How are the team to discuss issues bearing in mind the requirement for privacy and confidentiality. This applies to all taxpayers.

How are phone calls going to be discreet?

How is a team going to get together, considering every team will want to use the meeting rooms?

What about OHS issues with hauling documents/files around the place?

Comment #55

I have OH&S keyboard and mouse - hot desking will mean I have to set up my desk each day, with our old computers taking min 15 min to logon, plus looking for a desk and setting it up it is a lot of time wasted and increase my chances of causing further injury.

Our current set up has noise pollution which already makes it difficult to concentrate on my work, having smaller desks and more people around will increase noise making a very disruptive work environment.

Comment #56

OHS: carrying heavy files to and from my desk every day

Lost productivity: having to pack up all belongings every night, and setting up desk again every day

Lost productivity in trying to locate colleagues from different business areas: can't rely on a directory to tell you where they are sitting in a given day

Will not be able to concentrate on reading detailed submissions and legislation, with a cramped work space and increased noise levels, and reduced likelihood of being able to book a meeting room and quiet room. This will force me to try to work in a sub optimal area which doesn't require intense concentration on a daily basis. It may also force me to consider leaving the ATO, and looking for work outside, where the employer does provide facilities which better meet my work needs.

Comment #57

No comments other than the points the ASU have made in relation to the refurbishment.

Comment #58

The seating appears profoundly unfair. A few people will be allocated good desks (like at the end of a Y configuration). Some people will get average desks (in the square configuration). A lot of people will be seated at really, really bad desks (rectangular configuration). The current ATO setup might not be perfect, but everyone essentially has the same desks, and they're relatively acceptable in design.

If seating choice will be the same as it has been for the past X years, some people will be lucky and others will be disadvantaged. There will be plenty of jealousy and an increase in political weight-pulling to get good desks, where currently this only really happens to get window seats or to co-locate team seating (a reasonable concern).

Or are good seats going to be earned? Will effort be recorded to award competent employees with better seats? These are unlikely, and even if they are true, I can't see them being good.

Also, this work setup will be disgusting from a Client Service Representative (CSR) perspective. Customers already complain when they hear any background noise, and unless CSRs are given noise-cancelling stereo headsets, the work environment will be highly disruptive to both the employees and the customers. I know that some call centres use this tight setup, and I also know that it's a terrible setup. For instance, if anyone in a computer line gets sick, everyone does, due to forced proximity. We currently don't have that issue.

Comment #59

1. No individual desk is my main concern
2. Waste time to look for a spare desk every day, if I cannot find one and have to go back home, what is my start time for the day would it be time that I arrive here and having to go back be counted as working time
3. No personal items as no desk is dedicated to you
4. Lack of storage
5. Smaller workspace
6. Noise issue
7. Fact that this environment is not working elsewhere
8. Ergonomic related issues, as I have health issues
9. Lack of respect for staff working here to cram people in such restricted spaces under the pretence of modern infrastructure

Comment #60

In our team we work very collaboratively it is important that we sit together on a daily basis, I don't mind the concept of not having my personal belongings stored next to me but for the team it is vital to the way we work that we are all seated together.

Comment #61

It appears to be more about imposing ATO policy rather than a refurbishment, plus it appears they have a desire to make staff not have an allocated work point and become mobile and operate in a virtual work place. How people will be trained and pick up information from team members and gain experience one can only wonder.

Comment #62

For what it is worth:

I have not been consulted on the furniture refit for the MPO site.

I am of the impression my input would not be valued.

I have worked for the tax office for 30 years.

It is as if it is a matter of course that others who do not work here will determine what is suitable for the MPO site.

Management in my view have demonstrated very poor leadership on this issue but this is not unusual.

I believe the level of workplace disruption will be a major issue if works commence based on the floor plan alterations I have seen.

Comment #63

There will be no personal space we already have issues with a rostered environment as some people are processing and others are on phones. Hot desking and smaller desks will make this problem worse

Comment #64

I don't like sitting at the dining room table I can do that at home with preferred company.

I don't like the first in first served for the day to get a desk (this is time wasting setting up/down your desk each day twice a day this will allow productivity to drop)

I don't like that all my belongs are in a locker hope the size of the lockers are big enough to hold:

blanket for when it is cold in the office.

All my kitchen stuff, e.g. plates, water bottles, cups cutlery, teabags, etc. (supply coffee and tea and there is the problem is fixed)

My fan for when it's hot in the office

Stationery

Empty boxes to my IT equipment and headset,

Personal stuff e.g. shoes, tissues,

Hygiene issues

Privacy issues (need to know basis) when you are on the phone they would hear the person next to you talking.

Privacy issues with the Gents toilets on Level 1 & 2 if both doors are open at the same time this is what it looks like maybe different on the floors

I would prefer the snowflake concept for all the opposite reasons above.

Comment #65

The nature of my work means I most often have multiple sources, both paper documents and dual screens, that I refer to at any one time. Some of the material is sensitive. I need a sufficiently large and secure work area to access this information. I also need secure storage for the material that is ideally conveniently located. I can foresee a significant loss in productive time given:

It frequently takes 15 to 20 minutes to boot a computer – the time to load a user profile is significant these days. This would occur every day with each new hotdesk

Finding a desk to work from and then transporting work materials AND stationery to that location. Similarly, at the end of the day storing material at some distance from where I've been working.

I require a relatively quiet work space, free from distracting conversations and staff moving around and interacting throughout the day.

It may be suitable for some work types, but not mine.

Comment #66

No consultation in our area, we were just told this is how it's going to be and no feedback was taken.

Comment #67

The new layout to me is a first in best dress to desks especially if you need a specific type eg sit/stand. What happens with ergonomic chairs that have been assigned to you.

The main issue there will be no team bonding. People will be placed everywhere. Not as easy to collaborate with other team members or have adhoc meetings. As an individual I won't feel part of a team anymore and as you're not near managers you might as well work from home.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Subject: Consultation [SEC=UNCLASSIFIED]

Hi Xxxxxx,

Thank you for your enquiry.

The submission issued to the Parliamentary Works Committee (PWC) included concept plans that provided an indication of how the space could be designed. This is a required part of the submission and it is an expectation that these plans will change as a result of consultation during a detailed design process before being signed off. Detailed design can only start following approval to proceed from the PWC. There is a hearing to obtain this approval on 7 December 2018.

Consultation has already started through the Site Working Committee (SWC), which includes a representative from each business line. Various consultation activities will continue throughout the design phases of the project with both the SWC and directly with the broader site community. While a survey was looked at it was considered too early in the design process to be useful.

Once detailed design starts you will get further information about how you can provide input through your business line's SWC member, site communications and the Moonee Ponds 2020 SharePoint.

Regards

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

Australian Taxation Office

[REDACTED]

Hansard transcript of ATO evidence to Public Works Committee on 2 July 2012

Mr Smillie : He may do, Mr Forrest. The thing that I would like to impress on the committee, though, is—and it was in my opening remarks—Chermside and Moonee Ponds are good examples of exactly what you are talking about. We were approached by the Moonee Ponds owner. They came in and said, 'If you'll extend your lease for an additional two years over your option, we'll spend'—in fact, they spent something like \$20 million in that building to upgrade the lift carts, the motors, the building management system and the chillers. The building was sort of stripped back. They also did all of the public amenities—all of the toilets were stripped right back to base build and then rebuilt. There is an example of negotiation with a landlord who is willing to do what you have talked about. That cost us—Peter, how many millions of dollars?

Mr Dalton : We have spent about \$9.5 million in fit-out costs.

Mr Smillie : But that will keep us in Moonee Ponds for another 10 or 15 years. Where that option does present, that is the option the ATO takes. We would only come to you looking for \$36 million for the fit-out of the new Box Hill office because that is effectively the only option we have.

Form 2—Entry notice

(regulation 3.27)

Fair Work Regulations 2009, regulation 3.27

ENTRY NOTICE

I, Jeffrey Lavidos, of the Australian Municipal, Administrative, Clerical and Services Union Taxation Officers' Branch, and having been issued an entry permit under section 512 of the *Fair Work Act 2009*, give notice that I propose to enter the Gladstone Street, Moonee Ponds office of the Australian Taxation Office on Monday and Tuesday, 4 and 5 February 2019.

The suspected contravention, or contraventions, to which this notice relates are:

- failure to adequately consult with ATO employees at the Moonee Ponds office and the ASU about the ATO's plans for the redevelopment of the Moonee Ponds office in accordance with clauses 4.1 c) & d) and 87.3 of the Australian Taxation Office Enterprise Agreement 2017.
- that the ATO's plans, to the extent they are known, will result in accommodation that will not meet the professional needs of employees at the Moonee Ponds Tax Office or the nature of their work as required by clause 87.1 3 of the Australian Taxation Office Enterprise Agreement 2017.

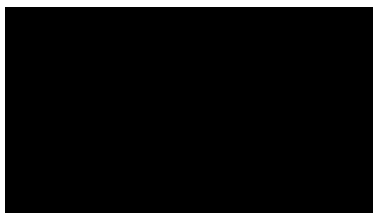
As the entry is authorised by section 481 of the *Fair Work Act 2009* (which deals with entry to investigate suspected contraventions), I declare that:

- the Australian Municipal, Administrative, Clerical and Services Union, under Rule 5 of its registered rules, is entitled to represent the industrial interests of a member who performs work at the premises mentioned above; and

the suspected contravention or contraventions relate to or affect that member.

Given at 2.30 pm

Dated: 25 January 2019



Signature of permit holder

[REDACTED]

Subject: RE: Reasons for suspecting the ATO may have contravened the ATO Enterprise Agreement 2017 [SEC=UNCLASSIFIED]

Dear [REDACTED]

Thank you for your response to my email yesterday. As per our discussion and your conversation with Caitlin earlier today I can confirm that you will have access to our Moonee Ponds office as requested to hold interviews with staff next week.

As you point out in your response you do have an active Step 1 dispute regarding these same matters at the moment. Unfortunately with the submission of this notice only a few days after the dispute notice I understand we have not been able to finalise the dispute prior to your planned entry date. My preference would have been for the ASU to provide sufficient opportunity for the dispute to be resolved prior to escalating matters further in this way.

As we agreed in our discussion I would like to think that we can work constructively to progress this consultation on the Moonee Ponds design and would therefore be appreciative of you providing some feedback or input to the draft consultation plan for this refurbishment that was provided in December at your request – I understand we haven't had a response as yet.

I also understand discussions between yourself and ATO representatives have sought to clarify that the diagrams included in the Public Works Committee (PWC) submission were conceptual designs only, and that proceeding to detailed design to support further informed consultation would follow PWC approval. I appreciate there are different views as to the requirements here, however we are committed to ensuring we comply with our understanding of government requirements in order to uphold our reputation. I am assured we have provided all relevant documentation to you at this point and that, even at the conceptual level, members of the site working committee had been engaged, including an ASU representative. Nonetheless, the next phase of design, and the consultation framework to be finalised following your feedback, will provide a stronger platform moving forward.

As I shared with you I am concerned that the current ASU communications distributed to Moonee Ponds staff may be causing our employees undue stress, particularly as the design will continue in consultation with our staff. Given we are committed to our people and to our obligations under the Enterprise Agreement I am keen to return to a point where we can engage with you productively and in good faith and receive the same in kind.

Thank you

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Australian Taxation Office

[REDACTED]



**Australian Services Union
Taxation Officers Branch
116 Queensberry Street
Carlton South 3053**

[REDACTED]
[REDACTED]

Branch Secretary: Jeff Lapidos

[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

Australian Taxation Office
8 February 2019

Dear [REDACTED]

Requirement to produce later access to documents – Moonee Ponds Hotdesking

I write in accordance with section 483 (1) and section 483 (3) (b) of the *Fair Work Act 2009*.

I was at the ATO Moonee Ponds office on Monday and Tuesday, 4 and 5 February 2019 in accordance with an entry notice to investigate suspected contraventions of the ATO Enterprise Agreement 2017, which I issued to Acting Deputy Commissioner of ATO People Lina Ranieri on 25 January 2019.

The suspected contravention, or contraventions, to which that notice related were:

- failure to adequately consult with ATO employees at the Moonee Ponds office and the ASU about the ATO's plans for the redevelopment of the Moonee Ponds office in accordance with clauses 4.1 c) & d) and 87.3 of the Australian Taxation Office Enterprise Agreement 2017.
- that the ATO's plans, to the extent they are known, will result in accommodation that will not meet the professional needs of employees at the Moonee Ponds Tax Office or the nature of their work as required by clause 87.1 of the Australian Taxation Office Enterprise Agreement 2017.

I require the ATO to produce to me the following records or documents which I consider are directly relevant to my investigation of these suspected contraventions.

- Any documents or records which were provided by the ATO to ATO employees at the Moonee Ponds office which show how the ATO consulted with them about the ATO's plans for the redevelopment of the Moonee Ponds office.

- Any documents or records that were created in the development of the concept designs for the redevelopment of the Moonee Ponds office.
- Any documents or records that were created as part of the extensive workshop process that involved engagement with the heads of all the business lines at Moonee Ponds.

I require the documents to be produced to me by Monday, 25 February 2019.

Please let me know if you have any queries or issues with this request.

Yours sincerely



Jeff Lavidos

[Redacted]

Subject: FW: Moonee Ponds Refurbishment Project/ ITX 'Preferred' Accommodation Requirements & Feedback [SEC=UNCLASSIFIED]

All

Please note feedback provided and advise if you would like further information or you would like to provide further feedback

Warm regards

[Redacted]

Australian Taxation Office |

[Redacted]

We acknowledge the traditional owners and custodians of country throughout Australia and their continuing connection to land, waters and community. We pay our respect to them and their cultures, and elders past and present.

[Redacted]

Subject: FW: Moonee Ponds Refurbishment Project/ ITX 'Preferred' Accommodation Requirements & Feedback [SEC=UNCLASSIFIED]

Hi all

Refer below to the ITX 'Preferred' Accommodation Requirements feedback submitted to the Moonee Ponds Site Working Committee. Please advise your staff that their feedback has been submitted.

Thanks.

Regards

[Redacted]
Australian Taxation Office
[Redacted]

[Redacted]

Subject: Moonee Ponds Refurbishment Project/ ITX 'Preferred' Accommodation Requirements & Feedback [SEC=UNCLASSIFIED]

Hi [Redacted],

Please find below an outline of ITXs 'preferred' accommodation requirements which is based on the 'Activity Based Work Hybrid' model and some further feedback/ comments. This has been compiled after consultation with the ITX Leadership group and staff. Note that the strongest message and feedback from staff is that they do not want hot desking.

ITX's 'Preferred' Accommodation Requirements:

- ITX is to have a designated 'neighbourhood' and as per current arrangements each ITX branch will have a designated area within that 'neighbourhood'.
- Each staff member is to continue to have their own workpoint within their designated branch area in the ITX 'neighbourhood'. **NO hot desking!!!**
- Need to ensure that all staff OH&S considerations are taken into account. E.g, stand up desk workpoints, OH&S chairs / equipment, Ergotrons?
- The workpoint preference is the snow flake design.
- The preference is that each workpoint continues to have a set of drawers and adjacent filing / storage cabinets. It is noted that these drawers and adjacent filing / storage cabinets would need to be a lot smaller than the current workpoint set up and be similar to the workpoint set up in the Docklands/Box Hill and Dandenong sites.
- Our preferred option is **NOT** to have 'lockers' that are located away from the workpoint.
- If the decision is made that staff will have lockers' that are located away from the workpoint this would need to be a permanent locker. Not a hot desking locker!!
- Need to ensure each ITX branch has their specific storage requirements factored into the refit. E.g. CAE needs storage for e-audit laptops, scanners & CD recording devices, BASE project team (Maria) requires storage for project documentation, R&S may require storage for some documentation/records. The preference is that this additional storage be located close by to the ITX workpoints.
- Each workpoint needs to have sufficient PowerPoints. Can the workpoints have permanent mobile phone charges?
- Need to ensure that each workpoint has appropriate partitioning. Confirm the available options / height for this partitioning.
- Need to confirm the size of the proposed new workpoints. Is there is a size difference for the proposed work point settings: linear workstations, pod workstations and snowflake workstations?
- Need to ensure that there are sufficient workpoints available in the ITX 'neighbourhood' for ITX staff from other offices that regularly visit the Moonee Ponds office.

Other Feedback From ITX Staff:

- More toilets are required to accommodate the extra staff on the floor.
- Bigger break out areas and extra sinks.

Happy to discuss further. Thanks.

Regards

[REDACTED]

[REDACTED]

Australian Taxation Office

[REDACTED]