

Senate Standing Committee on Environment and Communications

Answers to Senate Estimates Questions on Notice

Budget Estimates Hearings May 2015

Communications Portfolio

Australian Broadcasting Corporation

Question No: 138 (b)

Program No. Australian Broadcasting Corporation

Hansard Ref: Written, 17/6//2015

Topic: Departmental Dispute Resolution

Senator Ludwig, Joe asked:

1. How are disputes between departmental and/or agency staff mediated?
2. Are any outside firms contracted to assist with this process? If yes: please list them, please include:
 - a. The structure of payments made to each firm (e.g. retainers, fees for each consultation etc).
 - b. Amount paid to each firm since the last budget.
 - c. When the contract with the firm commenced.
 - d. When the contract with the firm will expire.
 - e. Why the firm was selected to provide the service.
 - f. Please provide a list of disputes referred to the firm, including a brief description of the dispute.
3. How are code of conduct violations by departmental and/or agency staff mediated?
4. Are any outside firms contracted to assist with this process? If yes: please list them, please include:
 - a. The structure of payments made to each firm (e.g. retainers, fees for each consultation etc).

Answer:

1. Disputes between the ABC and its staff are generally mediated and resolved internally using the expertise of staff within ABC People (HR) or Legal Services. Occasionally, an external mediator is engaged to assist with more complex mediations and sometimes matters which have an industrial aspect are referred to the Fair Work Commission.
2. Four outside firms have been engaged to assist with more complex mediations since the last budget.
 - Injury Treatment
 - Converge International
 - Linx Macpherson & Associates Pty Ltd
 - Access EAP
 - a. The structure of payments made to each firm are as follows:

| | |
|--------------------------------------|--------------------------------|
| Injury Treatment | Fee for each consultation |
| Converge International | Fee for each consultation |
| Linx Macpherson & Associates Pty Ltd | Fee for each consultation |
| Access EAP | Fee for service based on hours |

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b. Amount paid to each firm since the last budget:

| | |
|--------------------------------------|------------|
| Injury Treatment | \$2,203.87 |
| Converge International | \$2,741.20 |
| Linx Macpherson & Associates Pty Ltd | \$ 264.00 |
| Access EAP | \$3,171.50 |

c. When the contract with the firm commenced:

| | |
|--------------------------------------|---|
| Injury Treatment | No contract. Engagement is on a case by case basis. |
| Converge International | Converge is the ABC's EAP provider, however, mediation services are over and above the standing contract and are provided on a case by case basis |
| Linx Macpherson & Associates Pty Ltd | No contract. Engagement is on a case by case basis. |
| Access EAP | No contract. Engagement is on a case by case basis. |

d. When the contract with the firm will expire:

| | |
|--------------------------------------|---|
| Injury Treatment | No contract. Engagement is on a case by case basis. |
| Converge International | Converge is the ABC's EAP provider, however, mediation services are over and above the standing contract and are provided on a case by case basis |
| Linx Macpherson & Associates Pty Ltd | No contract. Engagement is on a case by case basis. |
| Access EAP | No contract. Engagement is on a case by case basis. |

e. Why the firm was selected to provide the service:

| | |
|--------------------------------------|---|
| Injury Treatment | Relationship developed through rehab support. Known performer |
| Converge International | Converge is the ABC's EAP provider. |
| Linx Macpherson & Associates Pty Ltd | It was more cost effective to engage a local mediator rather |

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| | |
|------------|---|
| | than fly an ABC People expert to this regional location. |
| Access EAP | Has prior experience with ABC matters and has provided successful mediation outcomes in the past. |

- f. List of disputes referred to the firm including brief description:

| | |
|--------------------------------------|--|
| Injury Treatment | Radio - breakdown in working relationship between two employees. |
| Converge International | Radio - breakdown in working relationship between two employees. |
| Linx Macpherson & Associates Pty Ltd | Radio & News - breakdown in working relationship between two employees. |
| Access EAP | Broadcast Operations - breakdown in working relationship between two employees. Technology - breakdown in working relationship between two employees. Radio - breakdown in working relationship between two employees. |

3. Code of conduct violations are generally mediated and resolved internally using the expertise of staff within ABC People (HR) or Legal Services. Occasionally, an external mediator is engaged to assist with more complex code of conduct violation and sometimes matters which have an industrial aspect are referred to the Fair Work Commission.
4. There have been no outside firms engaged to assist with code of conduct violations since the last budget.