

Senate Standing Committee on Education and Employment

QUESTIONS ON NOTICE Budget Estimates 2015 - 2016

Agency - Fair Work Ombudsman

Department of Employment Question No. EMSQ15-000157

Senator Cameron asked on 02 June 2015 on proof Hansard page 7

Question

FWO - bargaining information from the internet

Ms James: Sorry, I am reading between a couple of different documents. I am reading in part off of our most recent intranet article, which is what we put out to staff last Thursday or Friday after the most recent discussions that we had with the bargaining reps.

Senator CAMERON: Is that a publicly available document?

Ms James: It is not publicly available. The intranet is the tool we use to communicate with our own staff. Our 700 or so staff obviously have access to it. The contents are not secret or I would not be talking to you about it here today.

Senator CAMERON: Could you table that document that you are reading from?

Ms James: I will take that on notice, because what I have is not as it appears on our website, so to speak. It is the script that comms did on the way in. I can certainly take that on notice.

Answer

Please find attached at Appendix A, an intranet article of 28 May 2015 to Fair Work Ombudsman staff regarding enterprise bargaining negotiations.

Enterprise agreement negotiations continued today

Following on from the counter proposals we received from bargaining representatives and your feedback, we presented our next proposal to the bargaining representatives today.

The changes from our initial proposal are:

- Retention of the corporate citizen allowance
 - We have considered the feedback from staff and acknowledge this allowance is important and valued.
- Grandfathering remote localities assistance for Darwin staff
 - We have considered the feedback from staff and propose to preserve the entitlements for existing Darwin staff by grandfathering this clause.
- Inclusion of recognition of same sex partner in the definition of family
 - We support proposals that remove any real or perceived discrimination based on sexual orientation.
- A pay increase in year one of 1.25% and a 1% per annum in years two and three.

Our revised proposal retains the following items from the original offer:

- flexible working arrangements, working hours, parental leave, superannuation entitlements, personal/carer's leave entitlement
- A commitment to continued consultation with staff on workplace issues
- The 0.25% unscheduled absence bonus.

We are still seeking:

- A 3 year agreement
- Business process re-engineering to deliver productivity and cash savings
- Removal of remote localities assistance in Darwin for any new staff
- Removal of Restriction Allowance
- Additional pay points at EL1 and APS5
- Increase of eligibility period for salary advancement to 6 months (currently 3 months) and removal of access to salary advancement for non-ongoing employees
- Removal of some paid other leave

- Increase of evidentiary requirements for personal leave - capped at 5 days per annum without evidence
- Clear and concise agreement

The additional items we are seeking to provide the productivity needed for our increased offer are:

- Removal of flex time for APS 6 while acting EL1
 - At present, APS staff acting in EL positions continue to accrue flex time whilst in receipt of an EL salary. The EL salary reflects the extra expectations placed on EL1s, including the need to work reasonable additional hours.
- Removal of restrictive provisions
 - To enable us to meet personal and business needs during times of restructures we propose to remove clause 286, and change clause 302 to enable the agency to pay out the retention period where there is no available work or prospect of redeployment for an employee.
 - These clauses have not been accessed by employees in the life of this agency.

What else was discussed?

We spent time in the meeting discussing items of the proposal to ensure everyone completely understood what was being offered.

We discussed the removal of allowances and we confirmed that under the current offer the only allowances that we are proposing to remove are:

- restriction allowance; and
- remote localities assistance for new employees.

In addition, questions were asked about any intention to change the current study assistance arrangements, we confirmed there was not.

We spent time discussing our proposed changes to 'other leave'. There are only four categories of other leave that will change from paid to unpaid leave. We provided [a table](#) (that can be accessed on the [EA intranet page](#)) that outlines the [other leave categories and how they will be treated for pay purposes](#).

We received a counter proposal from one of the individual bargaining representatives. All other bargaining representatives requested some further time to consider our proposal before making a counter offer.

We will meet again as soon possible to continue negotiations.

More information

Your feedback and any further ideas are welcome at any time during bargaining. Please send your ideas, comments and questions to enterpriseagreement@fwo.gov.au.

To find out more about the bargaining process visit the [EA intranet page](#).