

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
FAMILY COURT OF AUSTRALIA

Question No. 133

Senator Ludwig asked the following question at the hearing on 24 May 2007:

Collective agreement negotiations.

- a) Could you provide an update as to the status of the negotiations to establish a new collective agreement?
 - i. What is the current offer?
- b) I understand that – under the previous classifications – that the comparative pay for an APS level under the Family Court was lower than for other Commonwealth Courts and Tribunals, is that correct?
- c) Will the current offer income parity?
 - i. If not, why not?

The answer to the honourable senator's question is as follows:

- a) The Court has concluded negotiations with the CPSU and has an agreement in principle on the text of a new Collective Agreement.

The Court sought approval from the Commonwealth Attorney General to enter into the Agreement. Approval was granted on 16 July 2007. The Court subsequently commenced the required 8 day statutory consideration period after which an electronic ballot commenced. This process will be complete by COB 27 July 2007.

Subject to a favourable vote, the new Agreement will become affective as soon as it is lodged with the Office of the Employment Advocate.

- i. The current offer is 4.4% increase on the following dates:
 - 1.7.2007 or date of lodgement, whichever is later;
 - 1.7.2008; and
 - 1.7.2009.
 - The increase is subject to 85% of eligible employees participating in the Court's personal development scheme plan on 30 June.
- b) Under the previous classifications the comparative pay for an APS level under the Family Court was lower than for other Commonwealth Courts and Tribunals. This is highlighted in attachment 1.
- c) The current offer allows the Court's salary to be similar with the other Courts and SSAT. The offer is based on the Court's financial ability to fund any pay increase from within its current resources, noting that the Court made a small operating loss in 2005/06 and is likely to achieve a break even result in 2006/07.

Attachment 1 - Comparative Salary Scales

| | Family Court | | | FMC | | High Court | | Federal Court (non legal) | | SSAT | | AAT | |
|---------------------|---|--|---------|--|---------|----------------------------------|---------|---|---------|------------------------------------|---------|--------------------------|---------|
| | as at 1.7.2006 | as at 1.7.2007 | Average | as at 1.7.2007 | Average | as at 1.11.2007 | Average | as at 1.7.2007 | Average | as at 1.7.2007 | Average | as at 1.7.2007 | Average |
| APS 1 | 34397 35328 36781 | 35910 35882 38399 | 36730 | | 0 | 35537 36498 38911 | 36982 | 35412 36600 37592 39135 | 37185 | 35459 37268 39075 | 37267 | 35215 37068 38918 | 37067 |
| APS 2 | 37663 39716 41767 | 39320 41464 43605 | 41463 | | 0 | 39848 41417 44185 | 41817 | 40076 41180 42259 43358 44440 | 42263 | 40883 42691 44500 | 42691 | 39853 42343 44832 | 42342 |
| APS 3 | 44014 45131 46300 | 45951 47117 48337 | 47135 | 44223 45501 46779 48056 49334 | 46779 | 45472 46627 48983 | 47027 | 45647 46832 48025 49266 | 47443 | 47212 49052 50890 | 49051 | 47191 48992 | 48092 |
| APS 4 | 49333 50615 51912 | 51504 52842 54196 | 52847 | 51107 52176 53245 54314 55383 | 53245 | 50965 52291 54923 | 52726 | 50878 52493 53860 55240 | 53118 | 52728 54568 56407 | 54568 | 50590 52816 54929 | 52778 |
| APS 5 | 53329 55000 56549 | 56675 57420 59037 | 57377 | 56322 57391 58460 59529 60598 | 58460 | 56420 58186 59826 | 58144 | 56746 58522 60171 | 58480 | 58910 61431 | 60170 | 56425 58195 59834 | 58151 |
| APS 6 | 57599 61001 66163 | 60133 63685 69074 | 64297 | 61016 61800 63154 64223 65292 | 63097 | 61558 63243 67390 69999 | 65548 | 61288 62813 64533 67779 70403 | 65363 | 63697 65964 68229 70495 | 67096 | 60942 64171 70006 | 65040 |
| EL 1 | 73838 76785 79731 | 77087 80164 83239 | 80163 | 78016 79085 80155 81224 82293 | 80155 | 78125 84232 | 81179 | 78444 84718 | 81581 | 73896 79425 84954 | 79425 | 76094 82211 91126 | 83144 |
| EL 2 EL2A | 85162 89843 96552 98079 99779 102328 | 88909 93796 100800 102394 104169 106830 | 99483 | 89907 94079 100858 103779 104144 107268 | 100006 | 96643 105367 109240 | 103750 | 90433 95414 102549 105983 | 98595 | 91955 96803 102783 106313 | 99464 | 92704 99395 105392 | 99164 |
| EL 2 Registrars* | | 104442 106253 108967 | 106554 | | 0 | | 0 | 115418 119940 | 117679 | | | | |

Note: FMC has one off bonus for employees who have been on the top of a range of their classification for more than 12 months, subject to performance checks.

FMC rates are higher than the Family Court for APS3 to APS5 and EL2A only

* The Court's registrarssalary now includes the Judicial allowance