

PSA DRAFT ENTERPRISE AGREEMENT (SALARIED) - OVERVIEW

April 2017



Introduction

The PSA has developed a draft Enterprise Agreement based on the five key themes identified by members which are detailed in the PSA's 'What You Have Told Us' document.

This document is an overview of the PSA's draft Enterprise Agreement and is arranged under the five key themes identified in the 'What You Have Told Us' document. The five themes are:

1. Job Protection
2. Wages and Conditions
3. Workload
4. Classification
5. Standardisation

The PSA's proposal for a new Salaried Enterprise Agreement has been drafted to provide clear, equitable, fair, consistent and enforceable provisions in a single enterprise agreement.

It has been drafted with a view to eliminating ambiguity in the interpretation of clauses, and ensuring that all clauses dealing with conditions and protections for PSA members are clear and enforceable.

The terms of the proposed agreement have been drafted for consistency in their interpretation and application, irrespective of the Department or Agency in which an employee works.

Further refinement of the PSA's proposal will continue, including in relation to Agency specific matters.

Reserved position

The PSA reserves its position in relation to a wage outcome and duration of the agreement subject to negotiations with Government and the ongoing consultation with the PSA membership.

The PSA does not accept the limitation of 1.5% wage increase.

1. Job Protection

More than 70 sub clauses have been drafted or redrafted which relate predominantly to Job Protection. Highlights of these sub clauses include:

Commitment to Ongoing Employment

- Clauses confirming that ongoing employment is the primary form of Public Sector employment.
- Provides for ongoing employment for term employees when they have been employed through a merit based selection process and have undertaken duties at the same classification level for two years.

Redeployment, Retraining and Redundancy

- A comprehensive new clause replacing Appendix 1 and Clause 8 of the current agreement.
- Now a stand-alone comprehensive set of clauses in the Enterprise Agreement.
- Provides significant and detailed further protections for members.
- Details processes and operation for Redeployment, Retraining and Redundancy.
- Matches and exceeds existing requirements, including those provided for in other agreements.

Consultation

- Ensures that genuine consultation will occur on all proposed matters that may affect any employee's life at work
- Ensures the effect on employees is considered prior to making any changes

2. Wages and Conditions

More than 100 sub clauses have been drafted or redrafted which relate predominantly to Wages and Conditions. Highlights of these sub clauses include:

Wages

- The PSA does not accept the limitation of 1.5% wage increase
- The PSA reserves its position in relation to a wage outcome subject to negotiations and the ongoing consultation with the PSA membership

Conditions

The PSA reserves its position in relation to the duration of an agreement subject to negotiations and the ongoing consultation with the PSA membership.

Hours

- A new clause for clarity about hours arrangements and the basis from which all employees' hours of work and time-based entitlements are derived
- Clarification and protections about part-time arrangements

Flexitime

- Separate clause for flexitime which provides clarity around arrangements for accruing and taking flexitime. (Maintains current 'saved clauses')
- Provides protections against losing time accrued as approved flexitime

Overtime

- Separate clause for overtime which provides clarity about the entitlement.
- Ensures that all/any time worked in excess of an employee's ordinary hours will be paid at the appropriate overtime rate, including the first 30 minutes
- Time off in Lieu of payment for overtime - A separate clause which provides clarity around arrangements for accruing and taking time off in lieu of payment for overtime. Provides protections against losing time accrued as approved time off in lieu of payment for overtime. (Maintains current 'saved clauses')
- Rest period after overtime – Provides for a minimum 10 hour break after working overtime subject to conditions which may apply for particular groups of members.

Public Holidays

- Public Holidays (Employees working across seven days) – Provides clarity of the accrual of the additional annual leave entitlement for employees working across seven days a week.

Shift Work

- A new clause outlining principles for shift work

Domestic and Family Violence Leave

- This clause has been enhanced and improved to reflect the proper focus on this issue

Maternity and Adoption Leave and related matters

- Clarity and protections for members returning to work from maternity leave on a part-time basis.
- Clarity and protections for term employees applying for maternity leave (limited).
- Enhanced Paid Partner Leave entitlements.
- New entitlements for employees who are breastfeeding.

Grievance and Dispute Resolution

- Clearer definition of matters which can be subject to this clause, and of the status quo

Training and Professional Development

- Clauses which ensure clarity, consistency, fairness and protections for Professional Development
- Provision of up to \$2000 for reimbursement of costs for accessing professional development where such professional development is a compulsory requirement of a recognised professional registration or accreditation body.

3. Workload

More than 15 sub clauses have been drafted or redrafted which relate predominantly to Workload. Highlights of these sub clauses include:

- Clauses providing protections against unreasonable workloads and mechanisms for dealing with workload issues affecting members.
- Introduction of a consultation mechanism specifically for addressing workload issues.
- Includes workloads specific Grievance and Dispute mechanisms.

4. Classification

A number of sub clauses have been drafted or redrafted which relate predominantly to classification matters. Highlights of these sub clauses include:

- Recognition of the ASO1 level as a training grade, including progression to the ASO2 level
- Clauses ensuring proper recognition of members' level of responsibility for classification purposes
- Reclassification date clarified to ensure that members are paid at the appropriate rate for the duties that they undertake
- Clauses calling for the review of OPS, PO, classification structure of AYTC Secure Care, CFS, Legal Services Commission

5. Standardisation

More than 30 sub clauses have been drafted or redrafted which relate predominantly to standardisation and consistency matters. Highlights of these sub clauses include:

- Clauses which confirm the primacy of the Enterprise Agreement in remuneration and employment conditions matters.
- Establishment of a working party for the management of investigations to ensure members are treated justly, fairly and respectfully in a timely manner.

Leave

- Inclusion of parts B – G of the Commissioner's Determination 3.1 as an Appendix to the Agreement to provide protections for members' leave entitlements.

Worker's Compensation

- Clauses to protect work injured members based on the clauses incorporated into the Police and Nurses Enterprise Agreements

Mental Health First Aid Training

- A new clause which supports mental health wellbeing in the workplace

Performance Management and Development

- Clauses which ensure accountability in the implementation of the Premier's Direction about Performance Management and Development.
- Protections for members through the performance development process.

Rights to be Represented and Association Rights

- Clauses which confirm the rights of members to be represented and the rights of Worksite Representatives, Officers and Officials of the PSA

PSA Draft Enterprise Agreement

The PSA's Draft Salaried Enterprise Agreement is available in the Enterprise Bargaining section of the PSA website: www.cpsu.asn.au

More Information

Further information about the PSA proposals and the progress of negotiations will be distributed to members in the PSA's regular Information Updates. Members are encouraged to contact their PSA EB Ambassador, PSA Worksite Representative or email youragreement@cpsu.asn.au for information on how to be involved.

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