

# We want to bargain

### We want to bargain at CSIRO

Staff Association members have been provided with two key updates on the Enterprise Bargaining 2020 campaign: what you [need to know](#) and [what to expect](#) in 2019. Recently, Staff Association representatives met with CSIRO Human Resources (HR) representatives and the picture in the wider public sector also became clearer.

### What was the meeting with CSIRO HR about?

On Thursday 5 September, CSIRO HR representatives called a meeting with the Staff Association to explain that the intent of the CSIRO Executive was 'to achieve a timely outcome and pay increase'. Both parties discussed timeframes and indicated that each would be ready to begin discussions by no later than November this year (12 months before the nominal expiry date of the current agreement).

However, CSIRO HR also raised the possibility of a 'rollover' without providing any specifics.

### What is a 'rollover'?

A 'rollover' normally refers to a new EA, which contains pay rises for future years and little or no change to working conditions. However, currently in the wider public sector, some Department and Agency Heads are using a specific mechanism called a determination to provide pay rises but completely avoiding enterprise bargaining.

### What is a 'determination'?

A determination is a specific provision of the Australian Public Service (APS) Act, which gives powers to a Department or Agency Head in the public service, to determine the pay and conditions of staff in that Department or Agency. It is a unilateral determination which can be revoked at any time. It is not enforceable in the same way as an EA e.g. pay rises may be withdrawn and enforceable working conditions only perpetuate if the existing EA is not terminated by the employer in the future.'

### Could a determination happen at CSIRO?

CSIRO is not part of the APS and is not subject to the APS Act, so a determination could not happen in the same way at CSIRO as it could happen in APS departments and agencies. A legal provision available to CSIRO is Section 32 of the Science and Industry Research (CSIRO) Act which states in part that 'the terms and conditions of service of officers appointed under this section are such as are determined by the Chief Executive.'

Notably, CSIRO Executive have repeatedly not used the powers of this section of the CSIRO Act to reject the application of the Federal Government's bargaining policy previously or to reject the application of the ASL cap policy.

### What are our choices if we want to bargain?

Under the Fair Work Act, enterprise bargaining is formally initiated by the employer, unless a majority support determination is sought by employees. A majority support determination is a process where a majority of employees indicate to the Fair Work Commission that they want to bargain. The Staff Association is intending to bargain and has advised CSIRO Executive and HR that we are ready to commence the process in November. If CSIRO Executive chooses not to bargain, Staff Association representatives will immediately consult with members, including on the option of achieving a majority support determination.

### Why is bargaining preferable to a determination mechanism?

Bargaining enables a new, fully enforceable agreement to be put in place. Negotiations occur on a range of matters and staff ultimately determine the outcome. Although a determination can appear to be initially tempting, the ability to revoke any or all of the pay rises; coupled with the possibility of loss of enforceable working conditions due to the existing EA expiring and being terminated; are both fundamental threats to future guaranteed pay and conditions.

### What can members do now?

Share this information with your colleagues. Have conversations at morning tea and lunch. The Staff Association will continue to produce more workplace materials and keep members informed. Stay tuned for our Enterprise Bargaining 2020 survey in coming weeks.

If your colleagues are not yet members, ask them to join to have a say in the survey and to build our strength to achieve the best outcome for staff. If you're not a member and want to support the achievement of better pay and employment conditions at CSIRO, join the Staff Association today.

Visit [www.cpsu-csiro.org.au](http://www.cpsu-csiro.org.au), email [csstaff@cpsu.org.au](mailto:csstaff@cpsu.org.au) or talk to your local workplace delegate or organiser.

This resource was produced by the CSIRO Staff Association and paid for by union members. Every member contributes to the resources, strength and capacity of the Staff Association to protect working conditions at CSIRO. Non-members are encouraged to support their colleagues by joining today.

For more information about membership talk to your local organiser, email [csstaff@cpsu.org.au](mailto:csstaff@cpsu.org.au) or visit [www.cpsu-csiro.org.au](http://www.cpsu-csiro.org.au)

## Important points

- Staff Association representatives and CSIRO Human Resources (HR) met recently to talk about timeframes for further discussions.
- CSIRO HR raised the possibility of a 'rollover' without specifics.
- Some Australian Public Service departments and agencies are using determination mechanisms.
- CSIRO is outside the APS and doesn't have access to the same determination mechanism, however a similar power might be available to the Chief Executive under the Science and Industry Research Act.
- The Staff Association wants a new, fully enforceable enterprise agreement at CSIRO.
- Non-members are encouraged to join the CSIRO Staff Association.



CSIRO STAFF  
ASSOCIATION



**APPLICATION FOR MEMBERSHIP**

I apply for membership of the CSIRO Staff Association (a section of the CPSU) and declare that the information provided is true and correct and agree that if admitted, I will abide by the Constitution and Rules of the Union.

**CSIRO IDENT:** \_\_\_\_\_ **SURNAME:** \_\_\_\_\_ **FIRST NAME:** \_\_\_\_\_

**DR/MR/MRS/MS/MISS** (Circle one) **D.O.B:** \_\_\_\_\_ **M / F** (Circle one) **ATSI ORIGIN YES / NO** (Circle one)

**BUSINESS UNIT:** \_\_\_\_\_ **LOCATION:** \_\_\_\_\_

**CSIRO LEVEL/ STEP:** \_\_\_\_\_ **FULL or PART TIME** (Circle one) **TENURE: INDEFINITE or SPECIFIED** (Circle one)

**HOME ADDRESS:** \_\_\_\_\_

**POSTAL ADDRESS:** \_\_\_\_\_

**WORK EMAIL:** \_\_\_\_\_

**HOME EMAIL:** \_\_\_\_\_

**PH (Mob):** \_\_\_\_\_ **(Work):** \_\_\_\_\_ **(Home):** \_\_\_\_\_

**SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

Please complete the bottom section of the form, then hand it to your delegate, email to [csstaff@cpsu.org.au](mailto:csstaff@cpsu.org.au) or post to: CSIRO Staff Association, Level 7, 350 Queen Street, Melbourne Vic 3000

**FOR YOUR INFORMATION**

To be financial, a member must have paid all subscriptions and all other amounts owed within 30 days of becoming due. In order to resign from the union, a member must give 2 weeks’ notice, in writing, to the union.

Privacy Statement: The CSIRO Staff Association (a section of the CPSU) collects members’ personal information for: campaigning and representation, provision of membership benefits and services and membership administration. Signing the membership form indicates your consent to the collection of information. Our full privacy policy, including details on use, disclosure, security, access and correction and complaints, is available on our website at [www.cpsu-csiro.org.au](http://www.cpsu-csiro.org.au) or by calling us on (03) 8620 6348.

**AUTHORISATION FOR PAYROLL DEDUCTION**

**TO: THE CSIRO PAY OFFICER**

Please credit 0.65% of my salary to Bank Australia from the first available pay period after receipt of this authority. This is in addition to previous authorities for deductions to Bank Australia and should remain in force until further notice.

The amount to be deducted and credited to Bank Australia may be varied from time to time and the amount of variation shall be as certified and advised to you by the CSIRO Staff Association office.

**CSIRO IDENT:** \_\_\_\_\_ **SURNAME:** \_\_\_\_\_ **FIRST NAME:** \_\_\_\_\_

**D.O.B:** \_\_\_\_\_ **WORK EMAIL:** \_\_\_\_\_

**CSOF LEVEL/STEP:** \_\_\_\_\_ **LOCATION:** \_\_\_\_\_

**SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_