

BARGAINING 2020: ANALYSIS OF CLAUSES OF ENTERPRISE AGREEMENT PROPOSAL - 7 May 2020

The Staff Association has analysed each of the clauses of the new CSIRO Enterprise Agreement (EA) proposal.

In Principle: the clause is agreed in principle, subject to direction from members.**Not agreed: the clause is not agreed between Staff Association representatives and CSIRO management.****Part A. Technical Matters**

	Agreement clause	Status	Note	Description of status of clause, including proposed changes to current EA
1	TITLE	In principle		No change.
2	DATE OF OPERATION AND DURATION	In principle		Duration is three years from nominal expiry date of current EA - 14 November 2020. New EA proposed to be in place from November 2020 to November 2023.
3	PARTIES COVERED	In principle		No change.
4	SCOPE OF THE AGREEMENT	In principle		No change.
5	DEFINITIONS	In principle		Clause includes definitions for attendance bandwidth and immediate family.
6	CONTEXT OF THIS AGREEMENT	In principle	Improved	Clause improved to recognise the importance of diversity to the work environment.
7	RENEWAL OF AGREEMENT	In principle		No change.
8	EXISTING CONDITIONS	In principle		No change.
9	ANTI-DISCRIMINATION	In principle		No change.

Part B. Appointment and Employment

10	TYPES OF EMPLOYMENT	In principle		No change.
11	MARKET RELATED EMPLOYMENT	Not agreed		Staff Association not agreed to CSIRO management position to extend individual contracts to CSOF Level 4 staff - currently only CSOF Level 5 and above staff can be offered an individual contract under Clause 11.
12	INDIVIDUAL FLEXIBILITY ARRANGEMENTS	In principle		No change.
13	WORK CLASSIFICATION STANDARDS	In principle		No change.
14	CASUAL EMPLOYMENT	Not agreed	No change	No change. CSIRO management not agreed to Staff Association position to ensure consultation occurs if a casual employment position exceeds 662 hours in any 12 month period.
15	TERMINATION OF EMPLOYMENT	In principle		No change.
16	ADVERTISEMENT OF VACANCIES	In principle		No change.
17	MEDICAL ASSESSMENTS	In principle	Improved	Clause improved to provide greater accountability on the use of medical assessments.

Part C. Remuneration and Allowances

18	RATES OF PAY	Not agreed		CSIRO management offering three pay rises - 2% in May 2021, 2% in November 2021 and 2% in November 2022. Staff Association position 2.7% per annum - figure derived from member survey.
19	RECOVERY OF OVERPAYMENTS	In principle		No change.
20	CSIRO TRAINEESHIPS	In principle		No change.
21	FLEXIBLE REMUNERATION PACKAGING	In principle		No change. Staff Association highlighted concerns on the need for greater options for salary sacrifice for staff. Further discussions to occur directly with CSIRO management and salary sacrifice providers.
22	SUPERANNUATION	Not agreed	No change	No change. CSIRO management not agreed to Staff Association position for at least 15.4% employer contribution for all staff, regardless of choice of fund - staff that choose a fund other than PSSap only receive 9.5% employer contribution.
23	OVERTIME	Not agreed	No change	No change. CSIRO management not agreed to Staff Association position to affirm that CSOF Level 5 and above staff - who are not entitled to overtime payments - can claim time off in lieu for extra hours worked.
24	ENHANCED RESPONSIBILITIES ALLOWANCE	In principle		No change.
25	FIRST AID ALLOWANCE	In principle		No change.
26	RESTRICTION DUTY	In principle		No change.
27	SHIFT DUTY	In principle		No change.
28	DIVING ALLOWANCE	In principle		No change.
29	FIELD WORK	In principle		No change.
30	REMOTE LOCALITIES CONDITIONS	In principle		No change.
31	AAHL SPECIFIC CONDITIONS	In principle	Improved	Clause improved so that casual staff - who are currently not eligible - will get paid site and secure area allowances for working at AAHL. Facility name change to Australian Centre for Disease Preparedness.
32	TRAVEL	In principle		No change. Staff Association to support staff to access minor expense payment through enforcement of the clause during the life of the new EA.
33	EXCESS TRAVELLING TIME	In principle		No change.
34	SUPPORTED WAGE SYSTEM	In principle		No change.

Part D. Career Development, Performance and Rewards

35	PERFORMANCE CULTURE	In principle		No change.
36	ANNUAL PERFORMANCE AGREEMENT	In principle	Improved	Clause improved through a change to the completion date of Stage 1 (Objective Setting) of the APA from 30 September to 31 October; which will provide greater flexibility for staff, including in the context of September school holiday periods.
37	CAREER MANAGEMENT, LEARNING AND DEVELOPMENT	In principle		No change.
38	REWARD ASSESSMENT PROCEDURES	In principle	Improved	Clause improved by providing greater certainty and consistency for staff by ensuring that reward assessment cases are reviewed following the completion of Stage 3 (Review) of the APA.

39	MERIT PROMOTION	In principle		No change.
40	APPOINTMENT, MERIT PROMOTION AND ADVANCEMENT – CSOF LEVEL 7 AND ABOVE	In principle	Improved	CSIRO management agreed with Staff Association position to completely remove five yearly review processes for CSOF Level 7 and above staff - existing processes will be used instead.
41	CSOF LEVEL 3 ADVANCEMENT CRITERIA	In principle	Improved	CSIRO management agreed with Staff Association position to completely remove Level 3E barrier - which will provide greater opportunities for staff to progress through the CSOF 3 classification level.
42	SUPERIOR PERFORMANCE RATING	In principle		No change.
43	PERFORMANCE CASH REWARDS	In principle		No change.
44	NON-CASH RECOGNITION REWARDS	In principle		No change.
45	ASSISTANCE WITH STUDIES	In principle		No change.
Part E. Staff Participation				
46	MANAGEMENT ACCOUNTABILITY	In principle		No change.
47	BUREAUCRACY	In principle		No change.
48	SUPPORTING INNOVATION AND CREATIVITY	In principle		No change.
49	SUSTAINABILITY	In principle		No change.
50	INDIGENOUS EMPLOYMENT STRATEGY	In principle		No change. Staff Association highlighted concerns on effectiveness of CSIRO's Indigenous Employment Strategy. Further discussions to occur at CSIRO Consultative Council.
51	COMMERCIALISATION	In principle		No change.
52	HEALTH AND SAFETY REPRESENTATIVES	In principle		No change.
53	EQUITY AND DIVERSITY OFFICERS	In principle		No change.
54	MORAL RIGHTS	In principle		No change.
55	STAFF PARTICIPATION AND CONSULTATION	Not agreed	No change	No change. CSIRO management not agreed to Staff Association position on the right to consultation on proposals that affect staff, not only after definite decisions are made.
56	FREEDOM OF ASSOCIATION	In principle		No change.
57	REPRESENTATIVES	Not agreed	No change	No change. CSIRO management not agreed to Staff Association position on rights to representation by workplace delegates.
58	COLLEAGUE OFFICER	In principle		No change.
Part F. Public Holidays and Leave				
59	PUBLIC HOLIDAYS	In principle		No change.
60	DEFENCE LEAVE	In principle		No change.
61	ANNUAL SHUT DOWN	In principle		Clause changed to enable the deeming of paid miscellaneous leave over the annual shut down period for staff who fail to put in a leave application.
62	MISCELLANEOUS LEAVE	Not agreed	No change	No change. CSIRO management not agreed to Staff Association position to list the examples of miscellaneous leave in the EA.
63	VOLUNTARY EMERGENCY MANAGEMENT ACTIVITIES	Not agreed	No change	No change. CSIRO management not agreed to Staff Association position to specify the amount of paid and unpaid leave entitlements available for voluntary emergency service and management activities.
64	COMPASSIONATE LEAVE	In principle		No change.
65	JURY LEAVE	In principle		No change.
66	MATERNITY LEAVE	In principle		Clause improved by updating paid and unpaid parental leave entitlements, including providing equitable leave for birth mothers, adoption, fostering and guardianship in EA; improving language and formatting of entitlements into one clause. Additional Staff Association claims to increase supporting partner leave from 4 to 6 weeks; and recognising paid parental leave breaks for specified term staff; not achieved.
67	PARENTAL LEAVE (PAID)	In principle		
68	PARENTAL LEAVE (UNPAID)	In principle		
69	UNPAID MATERNITY AND PARENTAL LEAVE – SUPERANNUATION	In principle	Improved	
70	LEAVE WITHOUT PAY	In principle		No change.
71	SICK AND CARER'S LEAVE	In principle	Improved	Clause improved to provide greater flexibility by enabling staff to access up to ten days per calendar year of sick and/or carer's leave without the production of medical evidence.
72	RECREATION LEAVE	In principle	Improved	Clause improved to ensure equitable provision of entitlement to staff who work shifts and on weekends.
	DOMESTIC FAMILY VIOLENCE AND ABUSE SUPPORT	In principle	Improved	New clause to provide reference to support options for staff - currently in CSIRO policy.
Part G. Balancing Work and Personal Life				
73	PART-TIME/JOB SHARE ARRANGEMENTS	In principle		No change.
74	RETURN FROM LENGTHY ABSENCES	In principle		No change.
75	CHILDCARE	In principle		No change.
76	FACILITIES FOR NURSING MOTHERS	In principle		No change.
77	WORKING AWAY FROM BASE IN CSIRO	In principle		No change.
78	FLEXIBLE WORKING HOURS – FLEXTIME	In principle		No change.
79	AVERAGING PAY OVER A REDUCED WORKING YEAR	In principle		No change.
80	PHASED RETIREMENT OF MATURE AGED STAFF	In principle		No change.

Part H. Mobility of Staff

81	PERMANENT RELOCATION	In principle		Clause changed to update the types of entitlements applicable to inter-city relocation.
82	ACCOMMODATION CHANGES	In principle		No change.
Part I. Grievance and Dispute Procedures				
83	REVIEW OF DECISIONS TO TERMINATE EMPLOYMENT	In principle		No change.
84	RESOLUTIONS OF DISPUTES	In principle		No change.
85	WORKPLACE ISSUES RESOLUTION PROCEDURE	In principle	Improved	Clause improved by outlining the steps of the procedure in the EA (currently listed in CSIRO policy).
Part J. Schedules to Agreement				
SCH1	MANAGEMENT OF UNDERPERFORMANCE	In principle		No change.
SCH2	SPECIFIED TERM EMPLOYMENT	Not agreed		CSIRO management changes to postdoc entitlements to only allow second/consecutive postdocs in limited circumstances - when the second postdoc is in a different discipline area - and postdocs not to be able to be appointed at CSOF Level 5; are not agreed by the Staff Association.
SCH3	REDEPLOYMENT AND RETRENCHMENT	In principle		No change.
SCH4	GRIEVANCE PROCEDURES	In principle		Grievances now part of Workplace Issues Resolution Procedure (refer to Clause 85).
SCH5	DUTY AT SEA	In principle		No change.
SCH6	CLASSIFICATION LEVEL DESCRIPTORS	In principle		No change.
SCH7	CSIRO SALARY SCALES	In principle		Clause to be updated to reflect Rates of Pay.