



CSIRO Staff Association Bargaining Claim (2023)

Introduction

The CSIRO Staff Association seeks good faith bargaining over all wages, conditions and employment matters that affect CSIRO employees.

The union reserves the right to raise additional claims during the course of bargaining.

CSIRO Staff Association members want an enterprise agreement with improved conditions and genuinely negotiated pay rises that keep up with cost of living increases.

CSIRO Staff Association members want this round of bargaining to provide:

- Real pay increases, after years of wage freezes and wage caps holding commonwealth wages back;
- Significant and innovative workplace conditions, to support the attraction and retention of staff; and
- The restoration of rights and conditions previously removed from enterprise agreements.

The CSIRO must address these pressing issues.

CSIRO Staff Association members want to see a CSIRO that delivers the best outcomes for its employees and Australia. An agency that conducts world class innovative research independently, ethically, and with integrity. A workplace that maintains the highest safety standards, supports, and encourages diversity and inclusivity, with gender equality, and with fair and equitable conditions and rights for all CSIRO employees. A workplace with career paths that attracts and retains the best people from Australia and around the world.

Principles

CSIRO Staff Association members seek an agreement based on the following principles:

Wages

- Wage increases must be genuinely negotiated with employees and their union.
- Wage outcomes must ensure employees can keep up with increases in the cost of living, and should address the significant decline in real wages of CSIRO employees in the last 10 years.
- Wage outcomes must ensure the CSIRO can once again attract and retain the skills it needs to deliver for the Australian community.
- A worker's take-home pay should never go backwards.

Conditions

- The agreement should contain modernised, new conditions, reflecting the CSIRO's role as leader and model employer in the public research sector. CSIRO should innovate on conditions, including flexible work, paid parental leave, and job security measures, so it is an attractive and supportive place to work, and the competitive advantage to attract and retain skilled employees based on a strong conditions package is reclaimed.
- There should be no reductions to terms and conditions of employment. Conditions that were cut due to restrictive approaches to bargaining should be restored.
- Cooperation between the workers and CSIRO during the COVID-19 pandemic led to new workplace arrangements, including widespread working from home arrangements and paid pandemic leave. The agreement should reflect these new arrangements.

Rights

- Genuine consultation and cooperation between the employer and workers improve decision making, productivity and workplace harmony. This should be recognised through strong consultation provisions in relation to all matters that affect employees, with opportunities for employees to contribute to decision-making before decisions are made.
- All workers have the right to be represented by their union, and CSIRO will respect and facilitate this right. Employees will have access to their union representatives during normal working hours, on paid time.
- Workplace representatives including delegates and HSRs will be provided with appropriate time and facilities to perform their role.
- Workplace diversity will be promoted, with opportunities for employees with lived experience to contribute to the efforts of the CSIRO to improve diversity in employment and leadership.

Genuine bargaining

- Workers have the right to access and be represented by their union in bargaining and beyond. All negotiations should be conducted in good faith, through the sharing of information and genuine consideration of the merits of any proposal by decision makers. There will be genuine bargaining on all pay and conditions matters.
- CSIRO Staff Association staff, officials and workplace representatives will be given access to the workers they represent, including on paid time. The role of union bargaining teams, workplace delegates, and other union representatives will be recognised and facilitated, and they will be given facilities to meet, consult with, and represent workers including, but not limited to:
 - The right to paid time during normal working hours to conduct their activities. For bargaining teams, it is acknowledged this will represent a substantial amount of time;
 - Paid time meetings to provide information to and seek feedback from employees;
 - The right to communicate with employees, including via all staff emails, noticeboards and other media; and
 - Reasonable access to facilities (such as telephone, internet, photocopying, meeting rooms etc.).

Agreement to be comprehensive

- The agreement should be comprehensive, with all rights, conditions, and procedures that impact employees included. Procedures previously removed from the agreement to policy are to be restored.
- Employees and the union are to be consulted before policies are made or changed. Policies cannot be changed to the detriment of employees during the life of the enterprise agreement.

Wages

Wage increase

Wage increases must be genuinely negotiated with employees and their union.

Many CSIRO employees are struggling with the cost of living, with some employees forced to make difficult choices to keep up. Very high inflation (7.8% in the December quarter 2022, which is expected to be the peak) reflects higher housing costs, petrol and electricity, childcare, food, clothing and other essentials.

CSIRO employees have been experiencing real wage decline since 2013, due to the previous government's concerted strategy to hold down wages in the Commonwealth sector. This is affecting CSIRO science delivery capability, with the organisation struggling to attract and retain employees in a tight labour market, high turnover in some areas, and critical roles left vacant. Wages need to increase, so that the capacity of the CSIRO to serve the Australian community is not further affected.

Wage outcomes need to address ten years of declining wages in the agency, and allow employees to keep up with current and future cost of living increases.

In the context of steep increases in the cost of living, the CSIRO Staff Association seeks front-loaded wage rises.

The CSIRO Staff Association's claim is consistent with the government's commitment to real wage increases underpinned by productivity growth and delivered through fair and genuine negotiations between employees, their representatives, and employers.

Employees will receive the following wage rises over the life of the enterprise agreement:

- 9% in year one
- 6% in year two
- 5% in year three

In addition, there will be a cost of living adjustment payment in any year of the agreement where CPI exceeds the wage increase payable for that year, so that wage outcomes are adjusted to the rate of CPI.

Pay outcomes should be achieved promptly, with employees receiving their pay rise no later than 12 months after their last pay increase. If necessary, backpay shall be provided to ensure no employee is disadvantaged.

Classification and work level standards

Employees will be classified and remunerated fairly and consistently, according to the work value of their duties.

Where employees and groups of employees believe their role or roles are under classified, a review may be undertaken in consultation with employees and their union, as a safeguard to ensure classification/work level standards are applied consistently and fairly. Any review of classification will ensure no disadvantage for any employees through a classification review process.

Superannuation

Employees will receive a guaranteed minimum employer superannuation contribution of 15.4%, regardless of choice of fund to maintain the CSIRO as a leader in superannuation in the public research sector. Contributions will be made during paid and unpaid parental leave and when salary packaging arrangements are in use. There should be no minimum salary level to qualify for employer contributions.

Allowances

All allowances will be increased in line with the general wages increase, or a greater amount if special circumstances apply.

Conditions of employment

Job security

Ongoing employment shall be the preferred basis of engagement. This commitment will be reflected in the agreement. CSIRO will work with the CSIRO Staff Association to demonstrably reduce insecure forms of employment in the agency. There will be transparency in the forms of employment used in the CSIRO, with quarterly reporting to the agency's consultative committee. The CSIRO should be funded in a manner that supports ongoing employment.

Contracting out and labour hire

Contracting out and use of labour hire should be extremely rare and temporary, and a proposal to outsource or renew outsourcing will be subject to consultation with employees and their representatives. As far as legally possible, the agreement will contain principles governing the appropriate and limited use of contracting and labour hire workers, and regulate the terms or conditions upon which they are engaged, in line with the "same job, same pay" principle.

Casual and non-ongoing employment

Casual and non-ongoing employment will only be available in agreed circumstances and will not be used as a substitute for permanent, ongoing jobs. Casual employees will receive a 25% loading in lieu of leave and other entitlements, consistent with the relevant Modern Award. CSIRO will work with the CSIRO Staff Association to establish clear pathways to permanency for casual and non-ongoing employees, so that as far as possible, casual and non-ongoing employees have an opportunity for more secure employment after 12 months service. When casual, non-ongoing employees, or labour hire employees are engaged on an ongoing basis, their starting salary will recognise prior service. Casual and non-ongoing employees will have access to incremental salary advancement.

Redeployment and redundancy

An employee declared excess who seeks redeployment will have the right to be redeployed to any relevant vacancy at level in the agency, and will be considered in isolation and ahead of external applicants. Redundancy entitlements will be maintained. Voluntary redundancy processes will be as broad as possible and facilitate job swaps. There will be no compulsory redundancies and no processes using a reverse order of merit. A national qualifications database to be initiated and maintained for the purposes of efficacy and continuity with mobility/job swaps and transfers during change management processes and where and if redundancy rounds occur to retain experienced CSIRO staff.

Reasonable workloads, KPIs and working hours

Workloads and KPIs

Employees have the right to reasonable, safe and achievable workloads. KPIs will be transparent and available to staff, and changes will only be made following consultation with employees and their union. Where an employee or group of employees have concerns about their workloads, workloads will be reviewed in consultation with employees and their union.

Working hours

There will be no increase in ordinary or standard hours, or to the span of hours or regular bandwidth. Employees, CSOF Level 1 to CSOF Level 4, will be able to accrue and take flex time, and other arrangements that will fairly recognise hours worked, including while travelling. Officers at levels above CSOF Level 4 may access informal flexible attendance arrangements and other arrangements that will fairly recognise hours worked, including while travelling, with their Line Manager. All employees will have access to reasonable breaks and not work more than 5 hours with a minimum break of 30 minutes. Regardless of their work environment, employees will have control over working hours to the maximum extent possible, including over rosters and scheduling.

Overtime and shift penalties

Unsociable and additional hours will be compensated through overtime, shift penalty provisions and on-call and related allowances. On-call allowances will be applied consistently.

Higher duties

Employees will be recognised and adequately compensated for work performed at a higher level. The qualifying period for the payment of higher duties allowance is one day. There shall also be appropriate backfilling of positions in higher duties situations. Positions filled on an acting basis would normally be advertised as an ongoing position after 12 months. Graduates are eligible for higher duties allowance.

Leave

There will be no reduction in existing leave entitlements. Employees will have the right to access leave as needed; leave applications will be processed in a timely manner; and evidence and notice requirements will be fair and not onerous on employees.

Parental leave

Employees will be entitled to paid parental leave, adoption leave and permanent caregiver leave of 26 weeks each, with a total of 52 weeks which can be taken flexibly over three years. Employees will be entitled to paid supporting partner leave of 8 weeks, taken concurrently with the other partner's period of paid parental leave, at any stage during the other partner's period of 26 weeks. Parents will be able to access unpaid parental leave of up to 5 years. These entitlements will be in addition to the statutory scheme. The Staff Association reserves the right to amend its claim following the outcomes of the Maternity Leave (Commonwealth Employees) Act Review.

Lactation breaks

Employees will be provided with paid lactation breaks for breastfeeding, travelling to breastfeed a child, expressing milk and other activities associated with breastfeeding or expressing milk. CSIRO will provide access to an appropriate, hygienic and private space for the purpose of breastfeeding or expressing milk. Other facilities such as refrigeration, sink and hand washing facilities will also be available.

Family, domestic, and sexual violence leave

There will be paid leave for employees affected by family, domestic violence or sexual violence of a minimum of 20 days per year, with the ability to access flexible work arrangements as needed and appropriate support networks.

Emergency Service and Pandemic Leave

The Agreement will contain adequate leave provisions to allow employees to do their part in response to emergencies, including natural disasters and the COVID-19 pandemic. Paid Pandemic Leave, a minimum of 20 days paid Emergency Service leave, and, subject to genuine operational requirements, further paid leave will be favourably considered. Employees, including shift workers and casuals, should not be financially disadvantaged when accessing emergency services leave.

The Agreement will also contain adequate leave provisions to support employees directly impacted by emergencies and natural disasters.

Gender affirmation leave

The Agreement will contain paid gender affirmation leave provisions to support employees.

Portability of leave

CSIRO will recognise the leave of Commonwealth, state and territory public sector employees who commence employment in the agency.

Flexible work and working from home

Flexible work (including working from home and hybrid work) has intrinsic benefits to employees and to agencies. CSIRO will work with the CSIRO Staff Association to innovate on options for flexible work, and include these provisions in the Agreement. If the CSIRO falls behind on flexible work, it will be unable to attract and retain the employees it needs to deliver for the Australian community.

Flexible work

CSIRO will actively support employees accessing flexible working options (including working from home and hybrid work), without undue restrictions, such as unnecessary caps on the number of days worked from home or overly restrictive approval processes. All employees will be able to make requests for flexible work, which may include changes in hours of work (including part time work), patterns of work, and the location of work.

Working from home

Working from home rights will be contained in the Agreement. There will be a presumption that working from home requests will be approved, unless granting the request would cause unjustifiable hardship to the employer. There will be no caps on the number of days an employee can work from home. Employees who choose to work from home will be fully supported in doing so, and it will not come at the expense of other entitlements. Any productivity gains from working from home arrangements will be shared with employees. Employees will not be forced to work from home where they do not wish to do so.

Location of work

To attract and retain the skills it needs, and to support regional employment, CSIRO must increasingly consider advertising roles as capable of being performed from a wider range of locations. CSIRO and the CSIRO Staff Association will establish a process to examine opportunities for a more flexible approach to the location of roles.

Employees with caring responsibilities

In addition to the right to flexible work that is available to all employees, employees returning from parental leave or with caring responsibilities for children under school age, dependents with a disability, or a family member experiencing family and domestic violence, will be guaranteed access to quality part-time work and other flexible working arrangements, where they wish to access it. Management will not unilaterally convert a full-time employee to part-time hours.

Remote localities

Employees working in remote localities will receive appropriate compensation, including additional leave, travel entitlements and allowances. Remote localities entitlements will fully support employees in these locations, including removal costs when relocating and right to return to non- remote locality.

Career

Professional development and recognition

Learning and development

All employees (including casual and non-ongoing employees) will be provided with learning and development opportunities on paid time in relation to their current job and to support their future careers. Additional learning and development opportunities will be provided where significant change occurs. Where a workplace change results in an employee or employees moving into a work area where qualifications are the norm, employees without those qualifications will be provided with support to obtain them. Employees will not be disadvantaged in their learning and development because of understaffing.

Study leave

Study leave is available to employees undertaking study programs. Leave will be provided on a paid basis for studies relevant to the employee's employment or potentially beneficial to the agency.

Professional qualifications

CSIRO shall cover the costs associated with professional development and maintaining professional qualifications and memberships. Employees shall be provided with work time to undertake professional development obligations.

Fair and effective performance management

There will be a fair and effective performance management system that operates transparently and consistently, supports employees, provides regular objective feedback, and focuses on learning and development opportunities. Performance measures must be realistic, measurable, and within the control of the employee. Performance development principles will be contained in the enterprise agreement.

Rights

Consultation

CSIRO will consult employees and their union on workplace matters prior to decisions being made, providing employees and the union with a genuine opportunity to influence decisions. Consultation will occur on all matters that affect employees, including but not limited to decisions regarding introducing or extending casual or non-ongoing employment, contracting, or labour hire arrangements.

Consultative committees

CSIRO will establish and maintain a union consultative committee, with the union determining its representatives, and an agreed structure and terms of reference. There will be regular reporting on a quarterly basis to the consultative committee on major change and all matters affecting the workplace, including but not limited to:

- the number, classification and location of all positions;
- the number, duration, classification and location of casual and non-ongoing employees, contractors and labour hire workers;
- use of individual flexibility arrangements, including a breakdown by gender;
- diversity in employment;
- access to and budgets for learning and development;
- change management processes;
- science integrity matters & principles; and
- consultation meetings should occur at a minimum of twice a year (but not limited to)

Science Integrity

CSIRO staff and researchers should not be restricted from providing evidence based findings to community or government bodies in the interest of promoting the best available science to inform quality decision-making and policy.

CSIRO staff should be able to report scientific research outcomes free from political interference or restrictive reporting practices.

The CSIRO Staff Association supports the application of the CSIRO science and delivery policy to develop a scientific integrity statement within this enterprise bargaining agreement in order to support the provision of independent expert advice to government and community free from political interference or prejudice.

Representation and delegates' rights

Employees will have the right to be represented by their union in all employment-related matters. CSIRO will recognise and support the role of delegates and other elected union representatives, deal with them in good faith, and provide appropriate paid time and facilities to enable them to perform their roles. Delegates will be supported to communicate with employees, including via email and other media.

Employees will have access to their union, including delegates and officials and employees of the union, during normal working hours, on paid time. Shift workers and casuals who are delegates will be provided with adequate time to perform their duties on paid time, and will be compensated when called on to undertake their delegate duties on rest or un-rostered time.

Dispute resolution

There will be a dispute resolution procedure that allows parties – including the union in its own right – to refer disputes about all matters (including work health and safety) to the Fair Work Commission for conciliation and arbitration. While a dispute is being resolved, work will continue in accordance with established custom and practice, and proposed changes that are the subject of the dispute will not be implemented.

Safe workplaces

Employees have the right to a safe workplace, including one that is free from physical and psychological harm, discrimination, harassment, and bullying. Allowances will be paid for first aid, fire wardens, health and safety representatives, and harassment contact officers.

Employees, HSRs and their representatives will be consulted on all matters affecting the health and safety of employees. Workers will have the right to be represented by their union on all WHS matters.

Training will be provided and allowances will be paid for first aid, fire wardens, health and safety representatives, and harassment contact officers.

Diversity

CSIRO will work with the CSIRO Staff Association to adopt measures to improve the diversity of the workplace, particularly Aboriginal and Torres Strait employees, employees with disability, employees from culturally or linguistically diverse backgrounds, women, members of the LGBTQIA community and mature age workers. This will include recruitment and retention strategies, employment targets, use of identified and affirmative measures positions, and cultural awareness training. CSIRO and the CSIRO Staff Association will provide opportunities for employees with lived experience to contribute to the efforts of the agency to improve diversity in employment and leadership.

The agreement will contain a broad definition of family that recognises kinship for all purposes. There will be guaranteed access to paid cultural leave, paid ceremonial leave, language allowances and other entitlements to support Aboriginal and Torres Strait Islander employees. NAIDOC leave will be available to all employees to attend NAIDOC events. CSIRO will provide cultural awareness training to employees, which will be conducted in-person.

The agreement will provide 10 days disability leave, which will allow employees to be absent from duty on paid leave for reasons related to the employee's disability.

No extra claims

Parties to the agreement will not make extra claims that affect employees' terms and conditions of employment over the life of agreements, except as permitted through variation of agreements in accordance with the *Fair Work Act 2009*.

Parties to the agreement

To facilitate tripartite cooperation, the parties to the agreement include employees covered by the agreement, the agency head and the unions that are entitled to represent employees covered by the agreement that indicate their intention to be covered.