

# Consultation

The Know Your Rights series of fact sheets assist CSIRO union members to better understand and enforce rights at work. Consultation is covered in a number of sections of the Enterprise Agreement, primarily Clause 55. Members are encouraged to read the entire clause for more detail.

## 1) Why is consultation important?

Consultation is important because it facilitates informed decision making. Whilst not specifically referenced in the EA, consultation is designed to provide officers and their representatives (for example union delegates) with the opportunity to influence the decision maker.

## 2) What forms may consultation take?

Whilst not specifically referenced in the EA, consultation may take many forms but regular meetings are encouraged to provide an avenue for sharing information, receiving feedback, generating ideas and resolving workplace issues in an environment of cooperation and trust. CSIRO should give prompt and genuine consideration to all matters raised by staff and must do so if the matters constitute a major change at work (clause 55.7).

## 3) When must consultation occur?

Under the current EA, consultation with staff and their representatives may occur about matters that have implications for their employment or affect the way their work is to be performed (clause 55.17).

Consultation must occur where CSIRO has made a definite decision to introduce a major change to production, program, organisation, structure or technology and the change is likely to have a significant effect on officers (clause 55.1a). Consultation must also occur where CSIRO proposes to introduce a change to ordinary hours of work or a regular roster (clause 55.1b). In these respective circumstances, consultation shall occur before the introduction of any major change (clause 55.17) and before any changes to ordinary hours of work or regular rosters are introduced.

## 4) What information must CSIRO provide during consultation?

As soon as practicable after making its decision, CSIRO must:

- (a) Discuss with the relevant officers:
  - I. the introduction of the change; and
  - II. the effect the change is likely to have on the officers; and
  - III. measures CSIRO is taking to avert or mitigate the adverse effect of the change on the officers; and
- (b) For the purposes of the discussion – provide, in writing, to the relevant officers:
  - I. all relevant information about the change including the nature of the change proposed; and
  - II. information about the expected effects of the change on the officers; and
  - III. any other matters likely to affect the officers (clause 55.5)..9.

## 5) Are there particular consultative forums specified in the EA?

Yes. Consultative Council is held twice a year and is a forum for representatives to meet with the CSIRO CEO and Executive to discuss issues that have organisational wide impact (clause 55.18).

## 6) What may happen if consultation does not occur in accordance with the EA?

Under the provisions of the resolution of dispute provisions of the agreement (clause 84), CSIRO and the Staff Association must first try and resolve the dispute at the workplace level. If this does not resolve the issue, the matter may be referred to the Fair Work Commission.

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. Non-members seeking advice and support at work need to join today.

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

# KNOW YOUR RIGHTS

## Important points

- Consultation is important because it facilitates informed decision making.
- Best-practice consultation should provide staff and union representatives the opportunity to influence the decision maker.
- Consultation must occur where CSIRO has made a definite decision to introduce a major change to production, program, organisation, structure and the change is likely to have a significant effect on employees.
- Consultation can take many forms but it should occur promptly, with information provided in writing where appropriate.
- Refer to EA Clause 55 for more information.

