

COMPLETE ANALYSIS OF CSIRO MANAGEMENT'S POSITIONS ON ENTERPRISE AGREEMENT CLAUSES

The Staff Association has analysed CSIRO management's positions against each of the current clauses in the CSIRO Enterprise Agreement. 'Retained' means the clause has been retained in entirety. 'Stripped' means at least some conditions and rights have been removed from the clause. 'Removed' means the clause has been removed in entirety. 'Updated' means the clause has been considered in negotiations following the rejection by staff of CSIRO management's first Enterprise Agreement proposal. 'Feedback' means the clause contains important conditions and rights that require more feedback from Staff Association members and negotiation with CSIRO management. Contact the Staff Association if you require further information.

	Agreement clause	Status	Note	Description of conditions and rights that would be unenforceable and could be removed or changed in CSIRO policy without the agreement of staff
1	TITLE	Retained		
2	DATE OF OPERATION AND DURATION	Retained	Updated	
3	NO EXTRA CLAIMS	Removed	Updated	Clause is agreed to be removed as IR legislation now prescribes these conditions and rights.
4	PARTIES COVERED	Retained	Updated	
5	SCOPE OF THE AGREEMENT	Retained	Updated	
6	DEFINITIONS	Stripped		Reference and definition of union is removed. Rights of workplace delegates and union officials removed. Some other definitions are moved here from current clause 80 (Flexitime).
7	CONTEXT OF THIS AGREEMENT	Retained	Updated	Added commitment to an inclusive work environment. Added commitment to the effective utilisation of staff capabilities: rights has been moved here from existing clause 85 (Internal Labour Market).
8	RENEWAL OF AGREEMENT	Retained	Updated	
9	EXISTING CONDITIONS	Retained	Updated	
10	ANTI-DISCRIMINATION	Retained	Updated	
11	MARKET RELATED EMPLOYMENT	Stripped		Removes right to dispute the application of an individual market related employment contract at the Fair Work Commission.
12	INDIVIDUAL FLEXIBILITY ARRANGEMENTS	Retained	Expanded (negatively)	Remuneration and leave can now be traded off as part of an individual arrangement. This could facilitate greater numbers of staff being employed outside recognised pay and conditions.
13	TYPES OF EMPLOYMENT	Stripped	Feedback	Right to indefinite employment as the standard form of employment is still removed. This could facilitate increases in term and casual employment and greater job insecurity. Is not agreed.
14	WORK CLASSIFICATION STANDARDS	Stripped	Updated	Removes right to have agreement with staff and unions to make changes to Work Classification Standards. Instead, only consultation will occur before changes are implemented. Is not agreed.
15	CASUAL EMPLOYMENT	Stripped	Feedback Updated	Removal of 662 maximum hours (per year) review mechanism could allow for greater use of casuals to perform ongoing work in place of indefinite or term employees. Is not agreed.
16	ADVERTISEMENT OF VACANCIES	Retained	Updated Changed (negatively)	Management have proposed a change to the current right to a competitive recruitment process for indefinite positions or specified terms that are over 13 months in duration (management is proposing it be 18 months, not 13).
17	MEDICAL ASSESSMENTS	Retained	Updated	
18	RESIGNATION	Retained	Expanded	Expanded to reference notice periods for termination of employment by CSIRO (an existing condition).
19	RATES OF PAY	Stripped	Feedback Updated Less than 1% per annum	Effective pay rises of no more than 1% per annum: 6% total over the next three years, with no backpay/recognition of 3 year bargaining delay. Staff Association negotiators have developed and formally lodged with all bargaining representatives, a proposal to address the attraction and retention of staff, through the adjustmost of all CSIRO classification points and salaries. The right to payment to dependents/partners in the event of death of staff is also removed from this clause.
20	RECOVERY OF OVERPAYMENTS	Retained		
21	CSIRO TRAINEESHIPS	Retained		Additional provision to enable trainees to be directly appointed to a CSIRO position provided they entered CSIRO through a competitive process.
22	FLEXIBLE REMUNERATION PACKAGING	Removed		Rights to salary sacrifice and packaging are removed from the agreement.
23	SUPERANNUATION	Stripped		Factors used to determine CSIRO's approved superannuation funds are removed. AustralianSuper replaces AGEST as the default fund.
24	OVERTIME	Stripped		Circumstances defining genuine overtime are removed. Requirement for reasonableness on management's request for staff to be required to work overtime are removed.
25	ENHANCED RESPONSIBILITIES ALLOWANCE	Stripped		Definition of management responsibilities is removed. Important conditions outlining how the allowance is paid to staff are removed.
26	FIRST AID CERTIFICATE ALLOWANCE	Retained		
27	RESTRICTION DUTY	Stripped		Right to subsequent approval of restriction duty is removed. Requirement for developing restriction duty rosters with staff having regard to family responsibilities and individual circumstances is removed.
28	SHIFT DUTY	Retained		
29	DIVING ALLOWANCE	Stripped		Requirement to consult staff and representatives when developing minimum standards is removed.
30	FIELD WORK	Stripped		Commitment to provide protective clothing, footwear, camping, first aid and communications equipment is removed. Reimbursement arrangements where field work does not involve an overnight stay are removed. Entitlement to minor expense payment of \$15 per day is removed.
31	REMOTE LOCALITIES CONDITIONS	Stripped		Remoteness index ARIA not updated/downgraded by CSIRO. Transitional payments axed for staff at Townsville and Darwin. Important detail about how dependants are defined is removed.
32	AAHL SPECIFIC CONDITIONS	Stripped		Explanation of the reasons for AAHL specific conditions is removed. Allowances are increased in line with pay offer.
33	TRAVEL	Retained	Feedback Updated	Clause retained. Motor vehicle allowance rates updated to current ATO rates. Minor expense payment retained, but increase from \$15 to \$20 is not agreed (Staff Association claim number 8).
34	EXCESS TRAVELLING TIME	Retained		
35	SUPPORTED WAGE SYSTEM	Retained		

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36	PERFORMANCE CULTURE	Removed		CSIRO will no longer have a performance culture.
37	ANNUAL PERFORMANCE AGREEMENT	Retained	Updated	
38	CAREER MANAGEMENT, LEARNING AND DEVELOPMENT	Stripped		Right to 5 days minimum (per year) learning and development is retained, but all other detail, including CSIRO's commitment to continuous learning to support staff is removed.
39	REWARD ASSESSMENT PROCEDURES	Removed		Capacity for accelerated advancement and all conditions associated with it are removed.
40	MERIT PROMOTION	Retained	Updated	
41	APPOINTMENT, MERIT PROMOTION AND ADVANCEMENT – CSOF LEVEL 7 AND ABOVE	Retained	Feedback Updated	Clause retained, but abolition of five yearly reviews is not agreed (Staff Association claim number 15).
42	CSOF LEVEL 3 ADVANCEMENT CRITERIA	Removed		Conditions on advancement beyond CSOF Level 3.5 are removed.
43	SUPERIOR PERFORMANCE RATING	Stripped		Most conditions and processes are removed.
44	PERFORMANCE CASH REWARDS	Stripped		Most conditions and processes are removed.
45	NON-CASH RECOGNITION REWARDS	Stripped		Most conditions and processes are removed.
46	ASSISTANCE WITH STUDIES	Stripped		Most conditions and processes are removed.
47	MANAGEMENT ACCOUNTABILITY	Retained	Updated	
48	BUREAUCRACY	Removed		Recognition of appropriate accountability processes and commitment to efficiently administer CSIRO's governance and operational arrangements are removed. Opportunities for bureaucracy reduction are removed.
49	SUPPORTING INNOVATION AND CREATIVITY	Retained	Updated	
50	SUSTAINABILITY	Removed		Commitment to improving environmental sustainability and providing opportunities for staff to contribute and obligation to report to CSIRO Consultative Council are removed.
51	INDIGENOUS EMPLOYMENT STRATEGY	Retained	Updated	
52	OUTSOURCING	Removed	Feedback Updated	Recognition that job security is of significant concern to many staff is removed. Condition that CSIRO-initiated decisions to outsource must be based on financial, efficiency and quality criteria; must include consideration of whether gains can be made through internal reorganisation; and must follow consultation with internal clients, staff and their representatives are all removed. Is not agreed.
53	COMMERCIALISATION	Removed		Commitment to allow staff who generate intellectual property to share in any benefits of commercialisation removed. Commitment to providing staff with timely information about their rights, entitlements and the conditions that apply in the event of commercialisation are removed. Specific consultation provisions are removed.
54	HEALTH AND SAFETY REPRESENTATIVES	Removed		Commitment to provide a safe work environment and provide a more safety conscious culture are removed. Recognition of the value and rights of Health and Safety representatives are removed.
55	EQUITY AND DIVERSITY OFFICERS	Removed		Recognition of the value and rights of Equity and Diversity officers are removed.
56	MORAL RIGHTS	Retained	Updated	
57	STAFF PARTICIPATION AND CONSULTATION	Stripped	Feedback Updated	Right to consultation on all initiatives or proposals is removed. However, right to consultation on matters that have implications for employment and affect the way work is to be performed are retained. Also retained is the right for staff to have the opportunity to influence a decision maker and to have input, feedback and seek rationale on decisions. The reference to Consultative Council is retained.
58	FREEDOM OF ASSOCIATION	Stripped	Feedback Updated	Statement that CSIRO recognises that staff are free to join or not join a union is retained, however the commitment that staff will not be discriminated against in employment is removed. With proposed removal of clause 59 and most of clause 60, union and delegate rights are substantially diminished.
59	PRINCIPLES AND FACILITIES FOR WORKPLACE DELEGATES	Removed	Updated	Commitment that the role of workplace delegates is to be respected and facilitated is removed. Commitment to dealing in good faith with workplace delegates is removed. Commitment to reasonable paid time to be a representative and that this be recorded in APAs is removed. Workplace delegate rights to communicate with staff are removed.
60	FACILITIES FOR REPRESENTATIVES	Stripped	Feedback Updated	Commitment to provide access to facilities to support representative activities is removed. Most other rights are also removed in this clause. The right to adequate time and resources to perform representative roles has been retained through the retention of existing clause 37 (APA).
61	COLLEAGUE OFFICER	Removed		Recognition of the right of staff to have a colleague officer present at meetings with a supervisor or manager is removed.
62	PUBLIC HOLIDAYS	Retained		
63	DEFENCE LEAVE	Retained		
64	ANNUAL SHUT DOWN	Stripped		Right that consultation will occur with staff prior to decisions being made on implementing the annual shut down is removed.
65	MISCELLANEOUS LEAVE	Stripped	Feedback Updated	The list of categories/examples of miscellaneous leave which are considered reasonable is removed. Consequently, greater potential for misapplication. However, enforceability of the clause is retained.
66	COMPASSIONATE LEAVE	Retained	Updated	New domestic violence leave provisions are proposed to be in CSIRO policy, not the Agreement.
67	JURY LEAVE	Retained		
68	MATERNITY LEAVE	Retained	Updated	New adoption and fostering leave provisions are proposed to be in CSIRO policy, not the Agreement.
69	PARENTAL LEAVE (PAID)	Retained		
70	PARENTAL LEAVE (UNPAID)	Retained		

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71	UNPAID MATERNITY AND PARENTAL LEAVE – SUPERANNUATION	Removed		Condition that entitles staff to be paid superannuation contributions by CSIRO while on a period of unpaid maternity and parental leave is removed.
72	LEAVE WITHOUT PAY	Retained		
73	SICK AND CARER'S LEAVE	Stripped		Proposed change by CSIRO to the progressive accrual (rather than upfront crediting) of sick and carer's leave is likely to disadvantage staff in some circumstances.
74	RECREATION LEAVE	Stripped		Commitments to the importance of recreation leave to health and wellbeing and the importance of regular breaks to be taken are removed. Senior staff leave bank provisions are removed.
75	PART-TIME/JOB SHARE ARRANGEMENTS	Retained	Updated	
76	RETURN FROM LENGTHY ABSENCES	Removed		Right to the joint development of an agreed return to work program for staff returning from a lengthy absence is removed.
77	CHILDCARE	Retained	Updated	
78	FACILITIES FOR NURSING MOTHERS	Removed		Commitment to facilities for nursing mothers is removed.
79	WORKING AWAY FROM BASE IN CSIRO	Retained	Updated	Clause has been rewritten but retains the key conditions and rights for staff of the existing clause.
80	FLEXIBLE WORKING HOURS – FLEXTIME	Stripped		Most conditions and rights are removed.
81	AVERAGING PAY OVER A REDUCED WORKING YEAR	Retained	Updated	
82	PHASED RETIREMENT OF MATURE AGED STAFF	Removed		Commitments to offering a range of flexible working arrangements to assist mature aged staff phasing to retirement are removed.
83	PERMANENT RELOCATION	Stripped	Feedback Updated	Rights to 12 months minimum formal notice of inter-city relocation and 3 months minimum formal notice of intra-city relocation are both removed and replaced with provision of 'a reasonable notice period' ensuring 'adequate time to assess the impact of a transfer... and to undertake measures to minimise the disruption (for staff)'. The right to developing relocation plans in consultation with staff is retained. The entitlements to reimbursement of costs and all applicable allowances are retained. The commitment to consultation with staff and their representatives is retained.
84	ACCOMMODATION CHANGES	Retained	Updated Updated	
85	INTERNAL LABOUR MARKET	Stripped	Parts moved to clause 7	Commitment to effective utilisation of skills is retained and moved to clause 7. Right to a central register for vacancies in CSIRO is removed.
86	REVIEW OF DECISIONS TO TERMINATE EMPLOYMENT	Removed		Removes information on a staff member's right to seek review and access unfair dismissal provisions.
87	DISPUTES CONCERNING MATTERS COVERED BY THIS AGREEMENT	Retained		
SCH1	MANAGEMENT OF UNDERPERFORMANCE	Retained	Updated	Clause has been rewritten but retains the key conditions and rights for staff of the existing clause.
SCH2	SPECIFIED TERM EMPLOYMENT	Stripped	Feedback	Right to indefinite employment as the standard form of employment is removed. Criteria for specified term employment is removed. Conditions governing the review of tenure including consideration of conversion to indefinite employment or subsequent specified term employment is removed. Purpose of post doctoral fellowships is removed. Specific requirements and obligations associated with post doctoral training and development plan is removed. Commitment to retain records of all term appointments and reappointments is removed. Commitment to the equitable treatment of staff is removed. Provision for negotiation of compensation in respect of service foregone in the event of early termination of a term contract by CSIRO is removed.
SCH3	REDEPLOYMENT AND RETRENCHMENT	Stripped	Feedback Updated	Most conditions and rights have been retained. The abolition of over-67yo exclusion to redundancy entitlements has been agreed to be removed (Staff Association claim number 17). A management proposal to permit the quick exit of staff who nominate, and are approved by CSIRO, for voluntary redundancy substitution, is currently under negotiation. In response, the Staff Association has proposed a minimum early retention period of at least 4 weeks, for staff in that particular circumstance, as they would forego the usual minimum redeployment/retention period of 2 months later on in the redundancy process (that will continue to apply to staff who have been identified as involuntarily redundant).
SCH4	GRIEVANCE PROCEDURES	Removed	Feedback	All grievance procedures and processes, including all conditions and rights of staff are removed. Becomes completely unenforceable.
SCH5	DUTY AT SEA	Stripped	Moved to clause 27	All principles and practices are removed.
SCH6	CLASSIFICATION LEVEL DESCRIPTORS	Retained		
SCH7	CSIRO SALARY SCALES	Retained		

42 RETAINED

34 STRIPPED

18 REMOVED (52 of 94 or 55% of clauses are stripped or removed)