

2016 UPDATED ANALYSIS

NOTE: The Staff Association has analysed CSIRO Executive's proposed offer to staff 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 removed from the clause. 'Removed' means the clause has been removed in entirety. Contact the Staff Association if you require further information.

	Agreement clause	Category	Comment	Conditions and rights that would be unenforceable and could be removed or changed in CSIRO policy without the agreement of staff
1	TITLE	Retained		Simply the name of the Agreement
2	DATE OF OPERATION AND DURATION	Retained	Clause 5 added here	
3	NO EXTRA CLAIMS	Removed		Staff would need to read legislation to understand this issue as opposed to it being in the agreement.
4	PARTIES COVERED	Stripped		Reference to unions removed.
5	SCOPE OF THE AGREEMENT	Retained	Moved to clause 2	
6	DEFINITIONS	Stripped (in part)	Retained (in part)	Reference and definition of union removed, workplace delegate and union officials removed. Definition of partner slightly improved. Working hours definitions moved here (from current clause 80).
7	CONTEXT OF THIS AGREEMENT	Removed		Removes key management commitments to positive principles and goals of the agreement.
8	RENEWAL OF AGREEMENT	Removed		Removes important information on understanding what happens when agreement passes nominal expiry date.
9	EXISTING CONDITIONS	Stripped	Moved to clause 5	Removes any commitment to consultation with unions about any proposed change affecting the conditions of employment (specifically CSIRO T&C's and procedures). Removes commitment to stability and certainty regarding terms of employment of staff.
10	ANTI-DISCRIMINATION	Removed		Removes commitment to provide a positive working environment, eliminate workplace discrimination and bullying. Removes commitment that the agreement should be non discriminatory.
11	MARKET RELATED EMPLOYMENT	Stripped		Removes right to dispute the application of individual market related employment contracts at Fair Work Commission.
12	INDIVIDUAL FLEXIBILITY ARRANGEMENTS	Retained	Expanded (negatively)	Remuneration and leave can now be 'negotiated' as part of an individual arrangement. This could facilitate greater numbers of staff being employed outside normal pay and conditions.
13	TYPES OF EMPLOYMENT	Stripped		Right to indefinite employment as the standard form of employment removed. This could facilitate increases in term and casual employment and greater job insecurity.
14	WORK CLASSIFICATION STANDARDS	Stripped		No protection from classification standards changing at any time. Could be used as easier mechanism to 'declassify' positions particularly through restructures.
15	CASUAL EMPLOYMENT	Stripped		Removal of 662 maximum hours 'review' could allow for greater use of casuals to perform ongoing work in place of term/indefinite employees.
16	ADVERTISEMENT OF VACANCIES	Removed		Removal of right to competitive recruitment for indefinite positions or specified terms over 13 months in duration. Becomes unenforceable.
17	MEDICAL ASSESSMENTS	Retained		CSIRO may require officers to undergo medical assessments from time to time as appropriate.
18	RESIGNATION	Retained	Expanded	Fair Work Act termination provisions included.
19	RATES OF PAY	Stripped	Real pay cut	Pay 'rise' of no more than 2.75% p.a on commencement, 2% p.a after 12 months and 1.75% p.a after 24 months. No acknowledgement of bargaining delay or back pay. Commitment to advancement to CSOF Level 4.2 upon doctorate confirmation removed. Payment to dependents/partners in the event of death removed. Link of pay rises to achievement of CSIRO strategy and consultation removed.
20	RECOVERY OF OVERPAYMENTS	Retained		
21	CSIRO TRAINEESHIPS	Retained		Wording more succinct. Additional provision to enable trainees to be directly appointed provided they entered CSIRO through a competitive process.
22	FLEXIBLE REMUNERATION PACKAGING	Removed		Rights to salary sacrifice/packaging removed from agreement.
23	SUPERANNUATION	Stripped		Factors determining CSIRO's approved superannuation funds removed. Required employer superannuation amount for default fund removed. AustralianSuper replaces AGEST as default fund.
24	OVERTIME	Stripped		Circumstances defining genuine overtime removed. Requirement for reasonableness on management's request for staff to work overtime removed.
25	ENHANCED RESPONSIBILITIES ALLOWANCE	Stripped		Definition of management responsibilities removed. Conditions outlining the process to pay the allowance when on leave removed.
26	FIRST AID CERTIFICATE ALLOWANCE	Retained		
27	RESTRICTION DUTY	Stripped		Right to subsequent approval of restriction duty removed. Requirement for developing restriction duty rosters with staff having regard to family responsibilities and individual circumstances removed.
28	SHIFT DUTY	Retained		
29	DIVING ALLOWANCE	Stripped		Requirement to consult staff and representatives when developing minimum standards removed.
30	FIELD WORK	Stripped		Commitment to provide protective clothing, footwear, camping, first aid and communications equipment removed. Reimbursement arrangements where credit card facilities available where field work does not involve overnight stay removed. Entitlement to minor expense payment removed.
31	REMOTE LOCALITIES CONDITIONS	Stripped		Some localities 'declassified' in their remoteness status (contrary to Staff Association analysis of remoteness). Transitional payments axed for staff at Townsville and Darwin. Important detail about how dependants are defined removed.
32	AAHL SPECIFIC CONDITIONS	Stripped		Explanation of reasons for AAHL specific conditions removed. Allowances increased in line with paltry pay offer.
33	TRAVEL	Stripped	Changed to Motor Vehicle Allowance	Commitment to work travel time being time on duty removed. Minor expense payment for domestic and international travel removed. Reimbursement of clothing expenses removed. Detail of process when staff do not have a credit card removed.
34	EXCESS TRAVELLING TIME	Retained		
35	SUPPORTED WAGE SYSTEM	Removed		Conditions relating to the supported wage system for staff with disabilities removed.

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36	PERFORMANCE CULTURE	Removed		CSIRO will no longer have a performance culture!
37	ANNUAL PERFORMANCE AGREEMENT	Stripped		Performance and development step advancement removed. Appeals regarding denial of performance and development step advancement removed. Obligation to participate retained but commitment to discussion of work objectives with staff removed. Commitment to recognition of corporate citizenship roles removed. Escalation process for staff in disagreement removed.
38	CAREER MANAGEMENT, LEARNING AND DEVELOPMENT	Stripped		Right to 5 days minimum (per year) learning and development retained, but all other detail, including CSIRO's commitment to continuous learning removed.
39	REWARD ASSESSMENT PROCEDURES	Removed		Capacity for accelerated advancement and all conditions associated with it removed.
40	MERIT PROMOTION	Stripped		All reclassification appeal conditions and rights removed. Requirement to provide, in writing, reasons for denial of promotion removed.
41	APPOINTMENT, MERIT PROMOTION AND ADVANCEMENT – CSOF LEVEL 7 AND ABOVE	Stripped		Most conditions and rights in relation to merit promotion and advancement at CSOF Level 7 and above removed, including right to address the review panel and provide a more detailed submission to prevent reversion.
42	CSOF LEVEL 3 ADVANCEMENT CRITERIA	Removed		Conditions on advancement beyond CSOF Level 3.5 removed.
43	SUPERIOR PERFORMANCE RATING	Stripped		Most conditions and processes removed.
44	PERFORMANCE CASH REWARDS	Stripped		Most conditions and processes removed.
45	NON-CASH RECOGNITION REWARDS	Stripped		Most conditions and processes removed.
46	ASSISTANCE WITH STUDIES	Stripped		Most conditions and processes removed.
47	MANAGEMENT ACCOUNTABILITY	Removed		Commitment to innovation, valuing staff, and treating staff fairly and with respect removed. Commitment to openness, transparency, fairness and consistency removed.
48	BUREAUCRACY	Removed		Recognition of appropriate accountability processes and intent to efficiently administer the organisation's governance and operational arrangements removed. Opportunities for bureaucracy reduction removed.
49	SUPPORTING INNOVATION AND CREATIVITY	Removed		Recognition of the importance of innovation and creativity and obligation to report on progress and outcomes to CSIRO Consultative Council removed.
50	SUSTAINABILITY	Removed		CSIRO's commitment to improving its environmental sustainability and providing opportunities for staff to contribute and obligation to report to CSIRO Consultative Council removed.
51	INDIGENOUS EMPLOYMENT STRATEGY	Removed		Commitment to increasing employment of Indigenous Australians and developing strategic partnerships and implementing indigenous employment strategies removed.
52	OUTSOURCING	Removed		Recognition that job security is of significant concern to many staff 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 all removed.
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 removed. Specific consultation provisions removed.
54	HEALTH AND SAFETY REPRESENTATIVES	Removed		Commitment to provide a safe work environment and provide a more safety conscious culture removed. Recognition of the value of Health and Safety representatives removed.
55	EQUITY AND DIVERSITY OFFICERS	Removed		Recognition of the value of Equity and Diversity officers removed.
56	MORAL RIGHTS	Removed		Respect and the right to recognition of the moral rights of CSIRO staff removed. Conditions and processes to enable staff to give or alternatively refuse to waive their moral rights removed.
57	STAFF PARTICIPATION AND CONSULTATION	Stripped		All commitments to consultation prior to a decision being made removed. Consultation limited to occurring after a definite decision to introduce a major change. Requirement to annually provide demographic and employment data removed. Recognition that CSIRO Consultative Council and other consultative mechanisms exist to discuss issues that have organisation wide impact removed.
58	FREEDOM OF ASSOCIATION	Removed		Statement that CSIRO recognises that staff are free to join or not join a union removed. Commitment that staff will not be discriminated against in employment under the agreement removed. Commitment that an staff member's choice to be represented will be respected also removed.
59	PRINCIPLES AND FACILITIES FOR WORKPLACE DELEGATES	Removed		Commitment that the role of workplace delegates is to be respected and facilitated removed. Commitment to dealing in good faith with workplace delegates removed. Commitment to reasonable paid time to perform the role and that this be recorded in APAs removed. Workplace delegate rights to communicate with members and staff removed.
60	FACILITIES FOR REPRESENTATIVES	Removed		Commitment to reasonable time and facilities for representatives to undertake their role removed. Commitment to the participative role of representatives removed.
61	COLLEAGUE OFFICER	Removed		Recognition of the right of staff to have a colleague officer present at meetings with a supervisor or manager removed.
62	PUBLIC HOLIDAYS	Retained		
63	DEFENCE LEAVE	Retained	Expanded	Includes Defence Reserves Support Council provisions.
64	ANNUAL SHUT DOWN	Stripped		Right that decisions on implementing the shut down be subject to consultation removed.
65	MISCELLANEOUS LEAVE	Stripped		Commitment that supervisors should not unreasonably refuse a leave application removed. Also removes the list of categories/examples of miscellaneous leave which are considered reasonable. Consequently ability to take miscellaneous leave will be at the complete discretion of management.
66	COMPASSIONATE LEAVE	Retained	Expanded	Compassionate leave access for casual staff is restricted to 3 unpaid days, whilst all over officers receive 3 paid days.
67	JURY LEAVE	Retained		
68	MATERNITY LEAVE	Retained		

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69	PARENTAL LEAVE (PAID)	Retained		
70	PARENTAL LEAVE (UNPAID)	Retained		
71	UNPAID MATERNITY AND PARENTAL LEAVE – SUPERANNUATION	Removed		Condition of payment of superannuation contributions by CSIRO while staff are on unpaid maternity and parental leave removed.
72	LEAVE WITHOUT PAY	Retained		
73	SICK AND CARER'S LEAVE	Stripped		Proposed change to sick and carer's leave to progressive accrual is likely to disadvantage staff in some circumstances.
74	RECREATION LEAVE	Stripped		Commitment to importance of recreation leave to health and wellbeing and importance of regular breaks to be taken removed. Senior staff leave bank provisions removed.
75	PART-TIME/JOB SHARE ARRANGEMENTS	Stripped		Requirement for agreement in writing removed. Requirement that no pressure be exerted on staff to convert to part-time or to transfer to another position removed. Requirement that part time work can only be varied by agreement removed. Requirements for staff initiated part-time proposals to be considered and process to do so removed. Right of reversion for full-time staff having entered part-time work arrangements removed.
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 removed.
77	CHILDCARE	Removed		Commitment to conduct staff demographic analyses each time there are additions to current facilities, and for new building projects, at all CSIRO workplaces removed. Commitment to assess the feasibility of the provision of additional child care facilities at CSIRO removed.
78	FACILITIES FOR NURSING MOTHERS	Removed		Commitment to facilities for nursing mothers removed.
79	WORKING AWAY FROM BASE IN CSIRO	Removed		Right to allow staff to work away from base (including working from home) removed. Principles, approval processes and factors to be considered when approving work away from base removed.
80	FLEXIBLE WORKING HOURS – FLEXTIME	Stripped		All conditions and rights removed.
81	AVERAGING PAY OVER A REDUCED WORKING YEAR	Stripped		Most conditions and rights removed.
82	PHASED RETIREMENT OF MATURE AGED STAFF	Removed		Commitment to offering a range of flexible working arrangements to assist mature aged staff phasing to retirement removed.
83	PERMANENT RELOCATION	Stripped		Right to 12 months minimum formal written notice of inter-city relocation replaced with 'reasonable' formal written notice. Right to developing relocation plans removed. Entitlements to reimbursement of costs and all applicable allowances removed. Commitment to consultation with staff and their representatives removed.
84	ACCOMMODATION CHANGES	Removed		Commitment to providing staff with accommodation suitable for their work role and function removed. Commitment to consult where accommodation changes are proposed removed.
85	INTERNAL LABOUR MARKET	Removed		Commitment to redeployment and improving workforce planning removed. Commitment to a central register for vacancies removed.
86	REVIEW OF DECISIONS TO TERMINATE EMPLOYMENT	Removed		Information regarding a staff member's right to an unfair dismissal case removed.
87	DISPUTES CONCERNING MATTERS COVERED BY THIS AGREEMENT	Retained	Updated	Fair Work Commission replaces former Fair Work Australia
SCH1	MANAGEMENT OF UNDERPERFORMANCE	Stripped		All management of underperformance conditions, rights and processes removed. Where an identified underperformance issue exists a framework will be designed to improve performance, however the exact nature of this framework is undefined.
SCH2	SPECIFIED TERM EMPLOYMENT	Stripped		Right to indefinite employment as the standard form of employment removed. Criteria for specified term employment removed. Conditions governing the review of tenure including consideration of conversion to indefinite employment or subsequent specified term employment removed. Purpose of post doctoral fellowships removed. Specific requirements and obligations associated with post doctoral training and development plan removed. Commitment to retain records of all term appointments and reappointments removed. Commitment to the equitable treatment of staff removed. Provision for compensation in respect of service foregone in the event of early termination removed.
SCH3	REDEPLOYMENT AND RETRENCHMENT	Stripped		Reference to consultation with the union removed. Process to identify individual staff from an impacted group (the process preventing 'spill and fill' from occurring) removed. Requirement of management to provide advice and information to individual impacted officers removed (including the circumstances that gave rise to potential redundancy, why the position has been identified, potential redeployment options, options that may prevent the redundancy, a written estimate of final termination benefits and the right to have all this information provided to your union) Commitment to still be able to be redeployed during notice period of redundancy removed. Retention in employment condition removed. Right to independent review removed.
SCH4	GRIEVANCE PROCEDURES	Removed		All grievance procedures and processes including all the conditions and rights of staff removed.
SCH5	DUTY AT SEA	Stripped		All principles and practices removed.
SCH6	CLASSIFICATION LEVEL DESCRIPTORS	Retained		
SCH7	CSIRO SALARY SCALES	Retained		