

Delegates Rights

KNOW YOUR RIGHTS

The Know Your Rights series of fact sheets assist CSIRO union members better understand and enforce our rights at work. The source of these rights is contained throughout the CSIRO Enterprise Agreement 2017-2020 (EA).

During the last round of negotiations, CSIRO senior management attempted to remove many of the rights given to Staff Association delegates. The entitlements that remain have been included in the agreement due to sustained advocacy by Staff Association members.

1) Why are union workplace delegates' rights important?

For the Staff Association to be successful in organising and representing members effectively to improve life at work, we need trained workplace delegates in place to represent the union members in their workplace.

In order for our delegates to do their job properly it is important that their role is supported by members and respected and facilitated by CSIRO management.

2) What are the key rights and facilities for workplace delegates?

Clause 5 (Definitions) provides a definition of 'Representative', which includes both Staff Association delegates and organisers:

5. DEFINITIONS

'Representative' means a person nominated by staff to represent their views and interests to management including a union workplace delegate and, except where otherwise stated, includes officials of unions that are parties covered by this Agreement.

Clause 57 (Representatives) is the main clause that describes the role of a representative.

It contains rights which are significantly reduced relative to the 2011-2014 Enterprise Agreement, due to the Coalition Government's bargaining policy.

This clause only applies to Staff Association delegates, not organisers:

57. REPRESENTATIVES

Note: For the purposes of this clause, 'representative' means a CSIRO officer and excludes union officials.

57.1 An officer may have a representative, who may be a union delegate, to represent them in their industrial interests and ascertain their views on workplace issues. CSIRO and representatives will deal with each other in good faith.

57.2 The role of representatives, including union delegates and other non-union representatives, is to be respected and facilitated. At its discretion, CSIRO will determine the appropriate level of support for officers who perform these roles.

(Continues overleaf)

Important points

- Staff Association workplace delegates have rights and facilities at CSIRO to help represent colleagues in the workplace.
- CSIRO staff have rights to access workplace delegates to represent industrial interests and opinions on workplace issues.
- The role of staff representatives – including Staff Association workplace delegates – will be respected and facilitated by CSIRO in good faith.
- CSIRO will seek to facilitate official union communication with employees through the discretionary provision of resources such as access to email, noticeboards and induction materials.



CSIRO STAFF
ASSOCIATION

3) What other clauses contain key rights and facilities for workplace delegates?

Other clauses of the Agreement provide rights for Staff Association delegates and/or organisers, through the reference to 'representative' in particular subclauses. These are listed below.

- Clause 36 (Annual Performance Agreement, APA) is an important clause for delegates. Subclause 36.2 contains rights for representatives, excluding Staff Association organisers, to support staff in APA meetings. Subclause 36.6 contains rights for CSIRO officers that have a corporate citizenship role, which includes a Staff Association delegate (Note: corporate citizenship is now defined in CSIRO policy, not the Agreement, due to the Coalition Government's bargaining policy).
- Clause 55 is the main consultation clause of the Agreement. Rights have been significantly reduced relative to the 2011-2014 Enterprise Agreement, due to the Coalition Government's bargaining policy.
- Clause 23- Overtime
- Clause 51- Commercialisation
- Clause 78- Flexible Working Hours- FLEXTIME
- Clause 81- Permanent Relocation
- Clause 84- Resolution of disputes
- Clause 85- Workplace Issues Resolution Procedure
- Schedule 1- Management of Underperformance
- Schedule 3- Redeployment and Retrenchment
- Schedule 4- Grievance Procedures

4) What is Freedom of Association?

Clause 56 (Freedom of Association) is an important clause for both Staff Association delegates and members. CSIRO recognises that officers are free to choose to join or not join a union. Irrespective of that choice:

- Officers will not be discriminated against in respect of their employment under this Agreement.
- An individual officer's choice to be represented will be respected by all parties in the workplace.

Officers who choose to be members of a union have the right to seek advice and assistance from their union and have their interests represented by that union.

5) Does CSIRO facilitate official union communication with employees?

Yes. Although not specifically mentioned in the Enterprise Agreement, CSIRO seeks to facilitate official union communication with employees by means that include:

- The use of email as means of communicating with union members and employees who wish to opt-in to receive union communications, and other means of information sharing, including written materials, notice boards, electronic billboards and access to websites
- The provision of information about relevant unions for new employees within online induction materials
- Group or individual meetings between employees and workplace delegates

7) Where can delegates get further assistance?

Staff Association delegates can seek advice and assistance in asserting all Agreement rights through their Staff Association Councillor or organiser. Delegates can also contact the Staff Association office at csstaff@cpsu.org.au.

8) Want to become a leader in your workplace?

The delegate role is the most vital role within the CSIRO Staff Association. If you are interested in making a real difference to your workplace and beyond by becoming a delegate, speak to your local organiser, Councillor or email csstaff@cpsu.org.au.