

CSIRO Staff Association

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A section of the Community and Public Sector Union



Dr Larry Marshall
Chief Executive
CSIRO

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By email: larry.marshall@csiro.au;

Cc: judi.zielke@csiro.au; katherine.paroz@csiro.au; ricky.pena@csiro.au

Dear Dr Marshall and the CSIRO Board,
(please provide this correspondence to all Board members)

Staff urgently call on the CSIRO Executive and Board to stop the application of the Federal Government's Average Staffing Level (ASL) cap and cease the outsourcing of work.

The CSIRO Staff Association estimates that the application of the Federal Government's ASL cap at CSIRO will result in the loss of up to 170 ongoing jobs, \$15 million of external revenue and reduce Australia's GDP by \$180 million, in this financial year alone.

Our Association is vehemently opposed to the application of the ASL cap for a myriad of reasons, all of which we've advocated to the CSIRO Executive over several months. The Executive's application of the ASL cap is damaging:

- Job security and careers;
- Staff pay and conditions;
- Staff morale;
- Workloads and stress;
- Health and safety;
- External revenue;
- New contracts;
- Achievement of milestones;
- The quality of work;
- Relationships with clients and industry;
- Internal and external collaboration;
- Commercialisation and outreach;
- Achievement of CSIRO's strategy and mission;
- CSIRO's credibility and reputation; and
- CSIRO's future viability.

There are multiple options available to the CSIRO Executive and Board to not apply the ASL cap, including the enforcement of *Section 32 (Staff)* of the *Science and Industry Research (CSIRO) Act*, which states that the 'The Chief Executive may appoint such persons to be officers of the Organisation as the Chief Executive determines are necessary for the purposes of this Act.' and 'The terms and conditions of service of officers appointed under this section are such as are determined by the Chief Executive.'

The above two provisions give clear legal powers to the Chief Executive to appoint the staff needed to operate CSIRO appropriately and to determine the terms and conditions of staff that are appointed.

Another available option is to not apply the staffing cap to the non-Government revenue component of CSIRO's operation. It is completely indefensible that any Federal Government would set a staffing cap for work that is not done through Government funds; that grows innovation and the Australian economy; and delivers wide-ranging outcomes for the Australian community.

At the very least, the CSIRO Executive and Board should steadfastly refuse to apply the ASL cap to non-Government funded work, which currently comprises over a quarter of CSIRO's operation. In the Staff Association's view not doing so is also likely in breach of the obligations that all CSIRO Board and Executive members have to CSIRO's Act and mission.

Furthermore, the Staff Association submits that the Board and Executive's refusal to stop the application of the Federal Government's ASL cap and to outsource work is in breach of several provisions of the CSIRO Enterprise Agreement 2017-2020, namely:

Clause 10 (Types of Employment):

- Officers shall be appointed on the basis of one of the following types of employment: indefinite employment, specified term employment; or casual employment.
- Subject to Schedule 2 (specified term employment) to this Agreement, indefinite employment will be the standard form of employment in CSIRO.

Clause 8 (Existing Conditions):

- The operation of the Agreement is supported by policies, standards and procedures. These policies, standards and procedures do not form part of this Agreement. If there is inconsistency between the policies, standards and procedures and the terms of this Agreement, the express terms of this Agreement will apply. *The Staff Association submits that there is a gross inconsistency between current outsourcing practices and indefinite employment being the standard form of employment in CSIRO in the Agreement.*

Clause 6 (Context of this Agreement):

- Attracting, retaining, rewarding and motivating the right mix of highly skilled, outcome-focused and team-orientated people;
- Encouraging development, learning, growth and effective utilisation of staff capabilities;
- Providing competitive salaries that recognise officers' contributions and achievements; and
- Treating people equitably and with respect.

Thereby, this correspondence also serves as a formal notification of dispute under Clause 84 of the CSIRO Enterprise Agreement 2017-2020. In accordance with this clause, the Staff Association seeks a meeting with CSIRO before COB Thursday 3 October to seek to resolve the dispute, or this matter may be referred to the Fair Work Commission.

The Staff Association also seeks a written response to this correspondence by COB Thursday 3 October, including on whether the CSIRO Board and Executive will implement the options proposed by the Staff Association; and if not, why not? What other plans or initiatives do the Board and Executive have to stop the damage being caused by the application of the ASL cap and the outsourcing of work?

Yours sincerely



Sam Popovski
Secretary