

BARGAINING 2020: ANALYSIS OF ENTERPRISE AGREEMENT CLAUSES - 18 March 2020

The Staff Association has analysed the status of each of the current clauses of the CSIRO Enterprise Agreement (EA).

In Principle: the clause is agreed in principle, subject to direction from members.

Deliberation: the clause is under deliberation, subject to further negotiation.

Not agreed: the clause is not agreed between Staff Association representatives and CSIRO management.

Part A. Technical Matters

	Agreement clause	Status	Note	Description of status of clause, including proposed changes to current EA
1	TITLE	In principle		No change.
2	DATE OF OPERATION AND DURATION	In principle		Duration is three years from nominal expiry date of current EA (14 November 2020).
3	PARTIES COVERED	In principle		No change.
4	SCOPE OF THE AGREEMENT	In principle		No change.
5	DEFINITIONS	Deliberation		To be reviewed and updated after all other clauses have been finalised.
6	CONTEXT OF THIS AGREEMENT	In principle	Improved	Clause improved to recognise the importance of diversity to the work environment.
7	RENEWAL OF AGREEMENT	In principle		No change.
8	EXISTING CONDITIONS	In principle		No change.
9	ANTI-DISCRIMINATION	In principle		No change.

Part B. Appointment and Employment

10	TYPES OF EMPLOYMENT	In principle		No change.
11	MARKET RELATED EMPLOYMENT	Not agreed		Staff Association not agreed to CSIRO management position to extend individual contracts to CSOF Level 4 staff - currently only CSOF Level 5 and above staff can be offered an individual contract under Clause 11.
12	INDIVIDUAL FLEXIBILITY ARRANGEMENTS	In principle		No change.
13	WORK CLASSIFICATION STANDARDS	In principle		No change.
14	CASUAL EMPLOYMENT	Not agreed		CSIRO management not agreed to Staff Association position to ensure consultation occurs if a casual employment position exceeds 662 hours in any 12 month period.
15	TERMINATION OF EMPLOYMENT	In principle		No change.
16	ADVERTISEMENT OF VACANCIES	In principle		No change.
17	MEDICAL ASSESSMENTS	In principle	Improved	Clause improved to provide greater accountability on the use of medical assessments.

Part C. Remuneration and Allowances

18	RATES OF PAY	Not agreed		CSIRO management offering 2% per annum. Staff Association position at least 2.7% per annum - figure derived from member survey. The offer from management fails to address salary competitiveness.
19	RECOVERY OF OVERPAYMENTS	In principle		No change.
20	CSIRO TRAINEESHIPS	Deliberation		CSIRO management and Staff Association seeking increases to traineeship pay rates.
21	FLEXIBLE REMUNERATION PACKAGING	In principle		No change. Staff Association highlighted concerns on the need for greater options for salary sacrifice for staff. Further discussions to occur directly with CSIRO management and salary sacrifice providers.
22	SUPERANNUATION	Not agreed		CSIRO management not agreed to Staff Association position for at least 15.4% employer contribution for all staff, regardless of choice of fund - currently staff that choose a fund other than PSSap only receive 9.5% employer contribution.
23	OVERTIME	Not agreed		CSIRO management not agreed to Staff Association position to affirm that CSOF Level 5 and above staff - who are not entitled to overtime payments - can claim time off in lieu for extra hours worked.
24	ENHANCED RESPONSIBILITIES ALLOWANCE	In principle		No change.
25	FIRST AID CERTIFICATE ALLOWANCE	In principle		No change.
26	RESTRICTION DUTY	In principle		No change.
27	SHIFT DUTY	In principle		No change.
28	DIVING ALLOWANCE	In principle		No change.
29	FIELD WORK	In principle		No change.
30	REMOTE LOCALITIES CONDITIONS	In principle		No change.
31	AAHL SPECIFIC CONDITIONS	In principle	Improved	Clause improved so that casual staff - who are currently not eligible - will get paid site and secure area allowances for working at AAHL - like other staff.
32	TRAVEL	Deliberation		CSIRO management not agreed to Staff Association position to provide greater certainty in payment of the minor expense payment for domestic and international travel. Staff Association to consult with members.
33	EXCESS TRAVELLING TIME	In principle		No change.
34	SUPPORTED WAGE SYSTEM	In principle		No change.

Part D. Career Development, Performance and Rewards

35	PERFORMANCE CULTURE	In principle		No change.
36	ANNUAL PERFORMANCE AGREEMENT	In principle	Improved	Clause improved through a change to the completion date of Stage 1 (Objective Setting) of the APA from 30 September to 31 October; which will provide greater flexibility for staff, including in the context of September school holiday periods.
37	CAREER MANAGEMENT, LEARNING AND DEVELOPMENT	In principle		No change.

38	REWARD ASSESSMENT PROCEDURES	In principle	Improved	Clause improved by providing greater certainty and consistency for staff by ensuring that reward assessment cases are reviewed following the completion of Stage 3 (Review) of the APA.
39	MERIT PROMOTION	In principle		No change.
40	APPOINTMENT, MERIT PROMOTION AND ADVANCEMENT – CSOF LEVEL 7 AND ABOVE	In principle	Improved	CSIRO management agreed with Staff Association position to completely remove five yearly review processes for CSOF Level 7 and above staff - existing processes will be used instead.
41	CSOF LEVEL 3 ADVANCEMENT CRITERIA	In principle	Improved	CSIRO management agreed with Staff Association position to completely remove Level 3E barrier - which will provide greater opportunities for staff to progress through the CSOF 3 classification level.
42	SUPERIOR PERFORMANCE RATING	In principle		No change.
43	PERFORMANCE CASH REWARDS	In principle		No change.
44	NON-CASH RECOGNITION REWARDS	In principle	Improved	Clause improved to provide details on the types of non-cash recognition rewards.
45	ASSISTANCE WITH STUDIES	In principle		No change.
Part E. Staff Participation				
46	MANAGEMENT ACCOUNTABILITY	In principle	Improved	Clause improved to include reference to the importance of the quality of management decisions.
47	BUREAUCRACY	In principle		No change.
48	SUPPORTING INNOVATION AND CREATIVITY	In principle		No change.
49	SUSTAINABILITY	In principle		No change.
50	INDIGENOUS EMPLOYMENT STRATEGY	In principle		No change. Staff Association highlighted concerns on effectiveness of CSIRO's Indigenous Employment Strategy. Further discussion to occur at CSIRO Consultative Council.
51	COMMERCIALISATION	In principle		No change.
52	HEALTH AND SAFETY REPRESENTATIVES	In principle		No change.
53	EQUITY AND DIVERSITY OFFICERS	In principle		No change.
54	MORAL RIGHTS	In principle		No change.
55	STAFF PARTICIPATION AND CONSULTATION	Not agreed		CSIRO management not agreed to Staff Association position on the right to consultation on proposals that affect staff, not only after definite decisions are made.
56	FREEDOM OF ASSOCIATION	In principle		No change.
57	REPRESENTATIVES	Not agreed		CSIRO management not agreed to Staff Association position on rights to representation by workplace delegates.
58	COLLEAGUE OFFICER	In principle		No change.
Part F. Public Holidays and Leave				
59	PUBLIC HOLIDAYS	In principle		No change.
60	DEFENCE LEAVE	In principle		No change.
61	ANNUAL SHUT DOWN	Deliberation		CSIRO management considering changes to deem the leave of staff who fail to put in a leave application for the annual shut down period. Details of changes not yet provided.
62	MISCELLANEOUS LEAVE	Not agreed		CSIRO management not agreed to Staff Association position to list the examples of miscellaneous leave.
63	VOLUNTARY EMERGENCY MANAGEMENT ACTIVITIES	Not agreed		CSIRO management not agreed to Staff Association position to specify the amount of paid and unpaid leave entitlements available for voluntary emergency service and management activities.
64	COMPASSIONATE LEAVE	In principle		No change.
65	JURY LEAVE	In principle		No change.
66	MATERNITY LEAVE	Deliberation		
67	PARENTAL LEAVE (PAID)	Deliberation		Staff Association seeking updating and improvement of paid and unpaid parental leave entitlements, including equitable leave for birth mothers, adoption, fostering and surrogacy; increase to supporting partner leave from 4 to 6 weeks; superannuation to be paid throughout parental leave periods - both paid and unpaid; recognition of paid parental leave breaks for specified term staff; and updating of language and structure of the clauses.
68	PARENTAL LEAVE (UNPAID)	Deliberation		
69	UNPAID MATERNITY AND PARENTAL LEAVE – SUPERANNUATION	Deliberation		
70	LEAVE WITHOUT PAY	In principle		No change.
71	SICK AND CARER'S LEAVE	Deliberation		Staff Association seeking enhanced flexibility for staff to be able to access a greater portion of carer's and sick leave entitlements without the production of a medical certificate.
72	RECREATION LEAVE	In principle		No change.
Part G. Balancing Work and Personal Life				
73	PART-TIME/JOB SHARE ARRANGEMENTS	In principle		No change.
74	RETURN FROM LENGTHY ABSENCES	In principle		No change.
75	CHILDCARE	In principle		No change.
76	FACILITIES FOR NURSING MOTHERS	In principle		No change.
77	WORKING AWAY FROM BASE IN CSIRO	In principle		No change.
78	FLEXIBLE WORKING HOURS – FLEXTIME	In principle		No change.
79	AVERAGING PAY OVER A REDUCED WORKING YEAR	In principle		No change.
80	PHASED RETIREMENT OF MATURE AGED STAFF	In principle		No change.

Part H. Mobility of Staff

81	PERMANENT RELOCATION	Deliberation		CSIRO management proposing changes to inter-city relocation entitlements. Staff Association position is no loss of entitlements.
82	ACCOMMODATION CHANGES	In principle		No change.

Part I. Grievance and Dispute Procedures

83	REVIEW OF DECISIONS TO TERMINATE EMPLOYMENT	In principle		No change.
84	RESOLUTIONS OF DISPUTES	In principle		No change.
85	WORKPLACE ISSUES RESOLUTION PROCEDURE	Deliberation		Staff Association seeking Workplace Issues Resolution Procedure be included in the EA (not remain in CSIRO policy). CSIRO management proposing only limited reference to the procedure in the EA.

Part J. Schedules to Agreement

SCH1	MANAGEMENT OF UNDERPERFORMANCE	In principle		No change.
SCH2	SPECIFIED TERM EMPLOYMENT	Deliberation		CSIRO management seeking changes to postdoc entitlements to only allow second/consecutive postdocs in limited circumstances and postdocs not to be able to be appointed at CSOF Level 5. Staff Association seeking reinforcement of these existing entitlements. Staff Association seeking greater clarity on redeployment options for specified term staff.
SCH3	REDEPLOYMENT AND RETRENCHMENT	Deliberation		CSIRO management considering changes to voluntary redundancy substitution process. Details on changes not yet provided. Staff Association position is no loss of entitlements.
SCH4	GRIEVANCE PROCEDURES	Deliberation		Staff Association seeking Workplace Issues Resolution Procedure be included in the EA (as per Clause 85).
SCH5	DUTY AT SEA	In principle		No change.
SCH6	CLASSIFICATION LEVEL DESCRIPTORS	In principle		No change.
SCH7	CSIRO SALARY SCALES	Deliberation		To be updated after Rates Of Pay clause has been finalised.