



WHAT'S DIFFERENT ABOUT THE ACT PUBLIC SERVICE TERRITORY AND MUNICIPAL SERVICES DIRECTORATE ENTERPRISE AGREEMENT 2011 - 2013

This document will help staff understand the key changes between the current Department of Territory and Municipal Services Enterprise Agreement 2010 - 2011 and the proposed ACT Public Service Territory and Municipal Services Directorate Enterprise Agreement 2011 – 2013.

GENERAL

- The majority of changes to the proposed enterprise agreement have sought to clarify minor technical and operational requirements relating to existing entitlements and processes. These clarifying amendments follow on from the numerous significant changes that were incorporated in the current 2010-11 Agreement, especially relating to various leave arrangements, which were necessary following the commencement of the *Fair Work Act 2009* and the requirement to align many of our entitlements with the National Employment Standards.

REMUNERATION

- In line with the Government's pay offer announced in August 2011 all employees of the Territory and Municipal Services Directorate to whom the proposed Agreement applies will receive a 3.5% pay increase backdated to 18 August 2011 and a further 3.5% pay increase from 1 July 2012 once the Agreement has been voted up by a majority of employees and has been approved by Fair Work Australia (C2/Annex A).
- Increases in allowance rates (Annex C) will continue to be aligned with annual pay increases.

ENTITLEMENTS

- The Personal Leave clause (F4) has been amended to provide for transitional arrangements to a daily accrual system for this form of leave similar to Annual Leave. These transitional arrangements will be the subject of future consultation with ACTPS staff.
- Clarification has been added that paid maternity leave is in addition to entitlements under the Federal paid parental leave scheme (clause F14.8).

TECHNICAL MATTERS

- The title of the Agreement has changed following the adoption of the 'One Service' structure and the move to a directorate (not department) model.
- The nominal expiry date for the Agreement is 30 June 2013 (A4.2).
- The authority of the Head of Service has been noted at clause A7 and references throughout the Agreement to Chief Executives have been replaced with Head of Service as a result of the 'One Service' structure.

OTHER MATTERS

- Information relating to Rostered Day Off have been incorporated into the clauses which relate to Accrued Day Off.
- The Government has agreed to continue a feasibility study during the life of the proposed Agreement relating to childcare facilities for ACTPS staff and their families (E15).
- The Government has agreed to continue a major review of the classification structure in the ACTPS (D7).
- Amendments have been made to the Mature Age Payment (clause C19) to better reflect current arrangements and to provide for changed circumstances in future.
- New definitions for shift workers (B5.1), Accrued Days Off (B8) and Rostered Days Off (dictionary) have been incorporated to better reflect arrangements across all directorates.
- Amendments have been made to the terminology used to describe restricted duty and overtime payments to better reflect arrangements across all directorates (C9, C11, C13, C14, C15 and C16).
- Changes have been made to Annex B – The Agreed Framework for Special Employment Arrangements (SEAs) to clarify the deeming provisions that apply between the previous and new Agreements.
- A new transitional clause has been developed (H1.7) to clarify that any action relating to misconduct and discipline, underperformance, internal review or appeal processes that have not been completed at the date of commencement of this Agreement will continue under the terms of the previous Agreement. Any right of appeal arising from that process will also be conducted under the terms of the previous Agreement.
- Processes relating to suspension following investigations of misconduct have been extended to cases involving the employee being reassigned (H6).
- A new provision has been provided (H7.2) to clarify and simplify arrangements when an employee fully admits to an allegation of misconduct and agrees that there is no need for an investigation.
- Internal review provisions have been extended to provide for a review of the process leading to the promotion of an officer after acting for 12 months or more above ASO 6 or equivalent classification (clause I2.2).

SCHEDULE MATTERS

- Salary Rates for Broadbanded positions are shown in Annex A.
- Inclusion of rates for payment of Isolated Establishment Allowance into Section M, these were removed from Annex C Expense, Disability and Skill Related Allowances.
- Prescription for calculation of payments in relation to Isolated Establishment Allowance.
- Expansion of single salary spine for Capital Linen.
- Inclusion of clauses relating to ACT Property Group.

STATEMENT OF OBJECTIVES

- The proposed changes noted above have been negotiated between the ACT Government and ACTPS staff representatives. It is believed these changes will maximise the human resource potential of the ACTPS and allow us all to better achieve our primary business goal of delivering the best possible service to the ACT Community.

INQUIRIES

If you have any queries relating to this document please do not hesitate to contact Human Resources on 6207 6737.