Industrial Relations Act 1984 s55 Industrial Agreement

The Department of State Growth Engineers Industrial Agreement 2020

Between the

Minister administering the State Service Act 2000

and

The Association of Professional Engineers, Scientists and Managers, Australia



1 TITLE

This Agreement shall be known as the Department of State Growth Engineers Industrial Agreement 2020.

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3 APPLICATION

This Agreement is made in respect of engineers covered by Schedule 2 of this Agreement.

4 DATE AND PERIOD OF OPERATION

- 4.1 This Agreement cancels and replaces:
 - (i) The Department of State Growth Engineers Industrial Agreement 2017 which was registered on 27 April 2017
 - (ii) The Department of State Growth Engineers Industrial Agreement 2019 which was registered on 19 August 2019.
- 4.2 This Agreement applies with effect from 20 September 2019 and will remain in force until 31 March 2023.
- 4.3 The parties agree to commence negotiations for a replacement agreement on or before 31 March 2022.

5 PARTIES BOUND

This Agreement is between the Minister administering the *State Service Act 2000* and The Association of Professional Engineers, Scientists and Managers, Australia.

6 RELATIONSHIP TO AWARDS AND AGREEMENTS

This Agreement prevails to the extent of any inconsistency that occurs between this Agreement and the Tasmanian State Service Award, or any registered Agreement with the Minister administering the *State Service Act 2000*.

7 DEFINITIONS

The words set out below shall mean the following for the purposes of this Agreement:

- (i) Department means the Department of State Growth.
- (ii) Engineer means a permanent or fixed-term engineer appointed in the Department under the provisions of the State Service Act 2000 to a classification contained in this Agreement.
- (iii) Salary means an engineer's normal salary exclusive of all allowances.



8 SALARY INCREASES

- 8.1 Salaries will increase as follows
 - (i) 2.3% per annum with effect from the first full pay period commencing on or after (ffppcooa) 31 March 2020
 - (ii) 2.3% per annum with effect from the ffppcooa 31 March 2021
 - (iii) 2.35% per annum with effect from the ffppcooa 31 March 2022.
- 8.2 Schedule 1 of this Agreement sets out the annual rates of pay effective ffppcooa 31 March 2020, ffppcooa 31 March 2021, and ffppcooa 31 March 2022 for engineers covered by this Agreement.

9 OVERTIME AND AVAILABILITY AND RECALL

9.1 Overtime

Engineers classified at Band A are eligible for payment of authorised overtime worked at the direction of their Manager. The payment of overtime is to be calculated by reference to the engineer's normal salary as detailed in this Agreement and the overtime rates as prescribed in the *Tasmanian State Service Award*.

Engineers classified Band A level 3 and above are not entitled to receive payment for overtime.

9.2 Availability & Recall

Engineers classified in Band A who are required by roster or direction, outside the normal spread of hours, to be available to resume duty are eligible for availability and recall as per the *Tasmanian State Service Award* and paid in accordance with recall provisions of that Award.

Engineers classified Band B and above are not entitled to receive payment for availability and recall.



10 ENTRY LEVEL QUALIFICATION AND PRE-REQUISTE EXPERIENCE, CLASSIFICATION STRUCTURE AND CLASSIFICATION STANDARDS

The entry qualifications require satisfactory completion of a relevant 4 year (minimum) university degree in engineering that is accredited by Engineers Australia; or satisfactory completion of academic qualifications in Engineering that are recognised by Engineers Australia as being an equivalent qualification.

The Classification Standards are set out in Schedule 2 of this Agreement.

Band A

Progression through levels 1 to 5 is contingent on satisfactory performance and demonstrated competency achievement.

Band B

Progression into Band B is by promotion based on merit selection. Progression through levels 1 to 3 is contingent on satisfactory performance and demonstrated competency attainment.

Progression to level 4 is by promotion based on merit selection and then progression from level 4 to 6 is contingent on satisfactory performance and demonstrated competency.

Band C

Progression into Band C is by promotion based on merit selection. Progression through levels 1 to 3 in Band C is contingent on satisfactory performance and demonstrated competency achievement.

Progression to level 4 is by promotion based on merit selection and then progression from level 4 to 6 is contingent on satisfactory performance and demonstrated competency.

Progression to level 7 is by promotion based on merit selection.

Progression to level 8 is by promotion based on merit selection.

11 PROFESSIONAL DEVELOPMENT

The parties recognise the need for the continuous development of skills, knowledge and professional development is critical in the successful delivery of capital road infrastructure to the Tasmanian community.

Subject to gaining approval from the employer a professional development allowance is available to State Growth engineers for the purpose of participating in professional development activities as part of each engineer's performance development program and work plan and in line with criteria contained within the Engineers Professional Development Guidelines.

Subject to approval from the employer up to 10 days professional development leave per annum is available to enable engineers to participate in those professional development activities.



The parties commit to work together and review the Guidelines to enable the facilitation of individual and targeted group professional development within six months of registration of this Agreement.

12 GRIEVANCES AND DISPUTE SETTLING PROCEDURE

- 12.1 The parties are committed to avoiding industrial disputation about the application of this Agreement.
- 12.2 If a grievance or dispute arise about the application of this Agreement:
 - (i) In the first instance, it is to be dealt with at the workplace by appropriate employer and engineer representatives;
 - (ii) In circumstances where discussions at that level fail to resolve the grievance or dispute, the issue will be referred to appropriate union and management representatives; and
 - (iii) If still unresolved, the matter will be referred to the Tasmanian Industrial Commission.
- 12.3 Where a grievance or dispute is being dealt with under this process, normal work will continue.
- 12.4 This grievance and dispute procedure does not take away an engineer's rights to seek redress of a grievance either under the *State Service Act 2000* or the *Industrial Relations Act 1984*, or any other relevant legislation.

13 NO EXTRA CLAIMS

The parties to this Agreement undertake that, for the life of this Agreement, they will not initiate any additional claims regarding salary or conditions of employment.



SIGNATORIES

SIGNED FOR AND ON BEHALF OF

The Minister administering the State Service Act 2000

Signed:

Name: Jane Hanna

Date: 12 June dode

SIGNED FOR AND ON BEHALF OF

The Association of Professional Engineers, Scientists and Managers, Australia

Signed: Live Cyf

Name: Luke Crowley

Date: 12 June 2020



SCHEDULE 1 – Classification Structure and Salaries

Old Level	New Level	March 2020 – 2.3%	March 2021- 2.3%	March 2022 - 2.35%
Band A - Level I	Band A – Level I	\$62,032	\$63,459	\$64,950
Band A – Level 2	Band A – Level 2	\$72,952	\$74,630	\$76,384
Band A - Level 3	Band A – Level 3	\$84,625	\$86,571	\$88,605
Band A – Level 4	Band A – Level 4	\$88,477	\$90,512	\$92,639
Band A – Level 5	Band A – Level 5	\$93,723	\$95,879	\$98,132
	PR	OMOTION		
Band B – Level 6	Band B — Level I	\$96,188	\$98,400	\$100,712
Band B – Level 7	Band B – Level 2	\$101,346	\$103,677	\$106,113
Band B – Level 8	Band B — Level 3	\$108,080	\$110,566	\$113,164
	PR	OMOTION		
	Band B – Level 4	\$114,164	\$116,790	\$119,535
Band B — Level 9	Band B – Level 5	\$115,902	\$118,568	\$121,354
	Band B – Level 6	\$117,640	\$120,346	\$123,174
	PR	ОМОПОМО		
	Band C – Level I	\$121,878	\$124,681	\$127,611
Band C - Level 10	Band C – Level 2	\$123,734	\$126,580	\$129,555
	Band C – Level 3	\$125,590	\$128,479	\$131,498
	PR	OMOTION		
	Band C – Level 4	\$132,157 (Navy level)	\$135,197	\$138,374
Band C – Level II	Band C – Level 5	(New level) \$134,170	\$137,256	\$140,482
	Band C – Level 6	\$136,182 (new level)	\$139,314	\$142,588
	PF	ROMOTION		
Level 12	Band C – Level 7	\$ 45,538 (new level)	\$148,885	\$152,384



Old Level	New Level	March 2020 – 2.3%	March 2021- 2.3%	March 2022 - 2.35%
	PP	NON		
Level 13	Band C Level 8	\$171,654 (new level)	\$175,602	\$179,729



SCHEDULE 2 – Classification Standards

Band A

Focus:

Band A is the foundation Band for roads and traffic engineers in the Department. This is the band where experience and expertise across the Department's engineering requirements is developed, where the skills required for relationships with stakeholders starts and grows, and where professional judgment, influencing and negotiation skills will be acquired and developed. Engineers positioned in this band will be supervised, directed and mentored by senior engineers and will work as increasingly effective members of teams.

Context:

At Levels 1-3, engineers work under **direct supervision**. At level 1, engineers undertake basic engineering tasks, requiring limited professional judgment and discretion and the application of standard practices within existing guidelines, legislation, systems and processes. By Level 3, application of professional judgment is required in the exercise of delegated activities, but work is still completed in accordance with established practice, methods and standards with derivations from agreed plans being discussed with supervisors.

At Level 4, work is undertaken under general supervision where work is completed in accordance with established practice, methods and standards, and guidance is provided by legislation, professional standards, departmental policy and supervisor direction. The exercise of limited discretion is required.

At Level 5 work is undertaken under general direction and engineers exercise discretion and a substantial degree of independence, applying professional judgment and legislative interpretation to resolve complex/novel engineering issues in consultation with relevant internal and external stakeholders.

Expertise:

Satisfactory completion of a relevant 4 year (minimum) university degree in engineering that is accredited by Engineers Australia; or satisfactory completion of academic qualifications in Engineering that are recognised by Engineers Australia as being an equivalent qualification. This is the entry level for Graduate engineers commencing employment with the Department and extends out to professional engineers.

The expertise required for satisfactory performance at each of the 5 Levels of Band A are set out in the Competency Framework which will be amended from time to time in line with the Department's business needs. Progression across the 5 Levels is based on satisfactory performance and demonstration of the relevant competencies.

Judgement:

Identifies and deals with risk, investigates and researches problems, identifies and evaluates feasible solutions and makes recommendations.



At Levels 1-3 emphasis is on identifying and assessing risk, and exercising problem solving skills within frameworks established by standard engineering approaches, legislation and direction from supervisors.

At Levels 4-5 increasing independence, discretion and professional judgement is applied to risk assessment and problem solving around more complex or novel issues, with stakeholder consultation providing input to decision making processes and reviewing the work of others. Reports on risk and implements mitigation strategies.

Interpersonal Skills:

Actively and with increasing influence, work with stakeholders, participate in team activities, accept constructive advice, support, guidance and direction, and demonstrate ethical professional behaviour that is consistent with the Department's Values.

Engineers at Levels 1-3 work effectively as a member of a team and gain exposure to working effectively with stakeholders to build relationships, and determine and report on stakeholder needs. Works with team members to present technical information in appropriate formats.

At Level 4 engineers work independently to build relationships, influence, negotiate, communicate and report back on the needs of internal and external stakeholders. At this level engineers deliver persuasive oral and written professional recommendations in a formal that suits the target audience.

At Level 5, engineers model professional behaviour in communication with internal and external stakeholders and successfully contribute to team problem solving processes. They work independently to build relationships, influence, negotiate and communicate effectively with stakeholders, and may lead communication processes. Deliver persuasive oral and written professional recommendations on general and specialist issues in a format that suits the target audience.

Engineers in this Band are team members and by Levels 4-5 may lead work groups and teams for specific purposes.

Responsibility & Accountability:

At Levels 1-2, engineers will work as members of project teams and assist senior engineers with contract management, procurement and budget management. Engineers are expected to manage their own time effectively, demonstrate initiative and flexibility and assist their team to identify WH&S risks, and achieve objectives as directed, with engineers at Level 2 expected to have a greater understanding of the wider work context.

At Level 3, engineers are competent and active members of project teams, able to manage limited budgets under supervision; work with senior engineers to identify risk (including WH&S risk); implement project plans and manage quality assurance systems; work with senior engineers to administer procurement processes and contracts. At this level engineers manage their own time effectively, complete tasks within agreed time frames and demonstrate initiative and flexibility, and successfully contribute to team problem solving processes.



At Level 4, engineers may manage small projects including professional services procurement and WH&S risk assessment; manage limited budgets; and administer small contracts. At this level engineers are expected to manage their own time effectively to establish and achieve time frames for achievement of business objectives, demonstrate initiative and flexibility and recognise and support other team members.

At Level 5 engineers manage medium sized projects within established procedures, including professional services procurement, WH&S risk assessment, reporting and monitoring, managing limited budgets and administering medium sized contracts. Engineers at this level exercise independence, initiative, flexibility and discretion to manage their own time to achieve business objectives, and recognise, support and collaboratively lead other team members.



Focus:

Band B is an experienced engineering level where experience and expertise across the Department's engineering requirements is applied in a technical specialist, project manager, contract or procurement manager and/or a supervisor/manager context. The skills required for effective relationships with stakeholders are routinely exercised, and professional judgmental and negotiation skills are used in a dayto day context.

Context:

Work is undertaken under broad direction where guidance is provided by legislation, professional standards and Departmental policies and direction. In this Band, specific instruction is only provided in relation to highly critical, complex, novel or unusual matters which require the application of a significant body of general or specialist knowledge.

Engineers will establish regulatory frameworks; manage compliance with regulatory frameworks and ensure activities meet regulatory controls. At Levels 1-3 the focus is on exercising professional judgment, autonomy and discretion to develop appropriate frameworks, policies processes and regulatory controls, and at Levels 4-6 there is an increase in the complexity, size of activities, and a greater requirement to exercise strategic judgement to define frameworks, policies and processes and develop compliance measures.

Expertise:

A pre-requisite for entry to Band B is the satisfactory completion of a relevant 4 year (minimum) university degree in engineering that is accredited by Engineers Australia; or satisfactory completion of academic qualifications in Engineering that are recognised by Engineers Australia as being an equivalent qualification.

The expertise, including the technical expertise, required for satisfactory performance at each of the levels of Band B are set out in the Competency Framework which will be amended from time to time in line with the Department's business needs. Progression across Levels 1-3 inclusive is based on satisfactory performance and demonstration of the relevant competencies. Progression to Level 4 is by promotion. Progression across level 4-6 inclusive is based on satisfactory performance and demonstration of the relevant competencies

Judgement:

Identifies and assesses risk via analysis of information from a variety of sources; develops, implements and monitors risk mitigation strategies and apprises senior management of risk status of activities. Application of professional judgment, discretion and autonomy increases from Levels 1-3 as does the size of activities for which engineers are accountable. At Levels 4-6 the exercise of strategic judgment in the management and mitigation of risk is required.



Engineers will use professional judgment to identify and assess team-generated solutions to problems and supervises and guides problem solving activities. At Levels 1–3 the focus is on exercising professional judgment in the supervision and guidance of less experienced staff, whereas at Levels 4-6 the focus is on applying a strategic approach to managing, developing and assisting staff to solve complex or critical problems in situations of uncertainty. At Levels 4-6 problem solving is of a nature that contributes significantly to the achievement of Departmental and Government outcomes.

Interpersonal Skills:

Engineers at this Band will model and communicate with integrity and ethical professionalism that is consistent with the Department's Values in interactions with stakeholders and staff.

Identify and build effective relationships and networks with key internal and external stakeholders, and negotiate with, influence and persuade stakeholders to achieve Departmental outcomes. At Levels 3-6, there is an increased focus on building relationships and applying wider strategic considerations to more complex negotiating processes. Negotiating agility is required.

Engineers at this Band will produce persuasive technical and general written documentation and verbal messages in a format that suits the target audience, and communicate complex and difficult messages to stakeholders with discretion and tact. At Levels 3-6 there is emphasis on exercising strategic professional judgment and drawing on relationships and networks to communicate verbally and in writing so as to Influence stakeholders in relation to strategic issues and the achievement of business outcomes.

Reporting outcomes to stakeholders and managers is required.

At Levels 1-3, engineers select, supervise and direct multi-skilled teams of staff and contractors, define and effectively communicate the purpose and objectives of activities, monitor and effectively manage team and individual performance and give feedback. At Levels 4-6 the emphasis is on managing and leading staff and contractors to define and effectively communicate Departmental priorities and objectives and manage staff performance. At Levels 4-6, engineers apply strategic judgement to define activity outcomes that align with Departmental and Government priorities.

Responsibility & Accountability:

Engineers at Levels 1-3 are responsible for managing, monitoring and reporting on budgets and contracts of increasing size, and at Levels 4-6 for exercising strategic judgement to define and manage the contracts and budgets for large sized and complex activities.

Engineers at this Band are responsible for projects and procurement processes of increasing size, complexity and significance. At Level 1 engineers may manage smaller projects; at Level 2 engineers manage medium to large sized projects and be assigned as Superintendent on smaller projects; and at Level 3 engineers manage large and complex projects, whilst still working as Superintendents on smaller projects. At Levels 4-6 Senior Project Managers are responsible for large, complex and significant projects and may be assigned the role of Superintendent.



As specialists, engineers in this Band exercise a high degree of autonomy in applying technical knowledge and judgement and work independently and with teams to provide technical analysis, deliver quality solutions to technical problems and provide policy recommendations. At Levels 1-3, engineers exercise discretion, autonomy and professional judgement and may supervise others in the performance of technical functions.

At Levels 4-6 engineers also exercise strategic judgement in the provision of technical analysis and policy recommendations and may manage others in the performance of technical functions.

At Level 1, engineers are required to apply professional judgement to WH&S assessment, monitoring and reporting; at Level 2, utilise discretion and independent professional judgement to undertake WH&S risk assessment, monitoring and reporting and develop intervention strategies where necessary; and at Levels 3-6 apply high level professional judgement to WH&S risk assessment, monitoring and reporting for large sized projects and contracts, and develop intervention strategies.



Band C

Focus:

Engineers at Band C level are required to demonstrate significant experience, expertise and professional judgment are progressively applied in shaping and managing Branch, Divisional and Departmental strategic direction; directing large-scale, complex and highly significant projects, contracts and programs; leading and managing policy and planning functions; and/or providing expert technical advice and recommendations on critical and complex technical issues. Engineers in this band will initiate, build and maintain effective relationships with key and influential stakeholders, and will provide leadership, direction and guidance to staff at all levels.

Context:

At Levels 1-6 *limited direction* is derived from legislation, professional standards and Departmental/Government strategic direction. Engineers at this level contribute to the development of Departmental and Government directions in roads and traffic and associated arenas, and develop and achieve objectives for functions under their control.

At these levels, engineers identify and develop opportunities for legislative and policy reform; deploy data to develop and present solutions to complex and critical problems; and represent the Division and the Department in national and international roads and traffic regulation fora.

At Levels 7-8 operate with *significant autonomy* and will be accountable for the achievement of specific Departmental and Government objectives. Strategic focus and tactical judgment is applied to lead the development of Departmental and Government policy and strategy in roads and traffic and related areas. At these levels engineers lead and create frameworks for legislative and policy reform in complex and critical areas, and represent the Government's position in national and international roads and traffic regulation and policy fora.

Expertise:

A pre-requisite for entry to Band C is the satisfactory completion of a relevant 4 year (minimum) university degree in engineering that is accredited by Engineers Australia; or satisfactory completion of academic qualifications in Engineering that are recognised by Engineers Australia as being an equivalent qualification.

The expertise, including the technical expertise, required for satisfactory performance at each of the levels of Band C are set out in the Competency Framework which will be amended from time to time in line with business needs. Progression across Levels 1-3 inclusive is based on satisfactory performance and demonstration of the relevant competencies. Progression to Level 4 will be by promotion. Progression across Levels 4-6 inclusive is based on satisfactory performance and demonstration of the relevant competencies. Progression to Level 7 will be by promotion and subsequently to Level 8 is by promotion.



Judgement:

Engineers at this Band are responsible for the application of appropriate risk management strategies and advising relevant internal and external stakeholders of risk status of activities.

At Levels 1-3, the emphasis is on managing risk, directing the establishment of risk management frameworks and reporting to senior managers. At Levels 4-6, there is a greater emphasis on defining as well as managing risk and reporting to a wider range of stakeholders. At Levels 7-8 engineers are responsible for risk management frameworks at Branch/Divisional and Government levels in relation to activities for which they are accountable.

Analytical and creative problem solving skills, systems thinking and judicial thinking are applied to significant decision-making and planning issues where precedent is not set. Benchmarks are developed to aid selection of optimal solutions. At Levels 1-6, the focus is on applying strategic judgement to contribute to oversee, assess and at Level 4-6 define and develop innovative, strategic, integrated solutions to complex, novel and critical problems.

At Levels 7-8, tactical judgement and political understanding are increasingly important factors in decision-making processes and in defining and overseeing the introduction of integrated systems that build Divisional capability. At these levels engineers authorise systems, oversee and direct the development of solution benchmarks. At Level 8 engineers facilitate the creation of synergies with the Department and ensure alignment between Departmental and government objectives.

Interpersonal Skills:

Engineers at this Band will model, communicate, build and develop processes to support integrity and ethical professionalism that is consistent with the department's values in interactions with stakeholders and staff.

At Levels 1–6, engineers build effective networks of key internal and external stakeholders, and develop and manage the implementation of negotiating strategies to achieve objectives that may have implications beyond the functional area. Levels 7-8 there is also a requirement to define and oversee the implementation of negotiating strategies to achieve objectives that may have implications across Government.

Engineers at this Band are required to exercise professional judgement to develop communication strategies and present highly sensitive and complex proposals and strategic advice to stakeholders including Ministers that impacts at Whole of Government and/or Whole of Community level, and persuasively represents the interests of the Department to diverse audiences. At levels 4-8, the emphasis is on applying strategic and tactical judgment to effectively persuade increasingly significant and influential audience.

Engineers will foster an environment where the value of two way communications is recognised, develops staff and fosters a collaborative and learning culture, communicates the wider purpose of activities, manages significant challenges and conflict in teams, oversees performance management systems and builds the capability of functional units.



At Level 1-6 the focus is on exercising professional strategic judgment to lead and develop multi-skilled teams of managers and specialist to ensure that activity outcomes align with business objectives, motivate and encourage teams through change and challenges, advise staff and contractors on optimal use of resources. Leads others in achieving difficult of conflicting objectives and/or implementing options that are outside established precedent.

At Level 7, the focus is on providing strategic vision and tactical judgement to lead and develop teams of managers and specialists, communicate how Departmental and government objectives drive Divisional priorities, and allocate resources. At Level 8 the focus is on identifying strategies to motivate and lead the Division through challenges to ensure that outcomes are achieved, setting and articulating a strategic vision and building a sustainable workforce to respond to current and future challenges.

Responsibility & Accountability:

At Levels 1-3 engineers are responsible for planning, monitoring and reporting to senior managers on relevant budgets, programs/functional areas, complex projects, and contract management procedures. Exercising strategic judgement to manage large, complex processes is a feature of work at this level, as is guiding and directing lower level managers. Strategic judgement is applied to the integrated management of WH&S compliance.

At Levels 4-6, there is a greater emphasis on developing budgets and defining contract outcomes, autonomously managing large and complex programs/functional areas and overseeing significant projects.

At Level 7, an increasingly strategic approach to financial planning and budgeting and contract management is required. Strategic focus and tactical judgement is applied translate Government priorities into projects and programs for the Department. Direction is provided to senior project, program and technical managers, and a leadership role in ensuring WH&S is required.

Level 8 is responsible for developing, planning and authorising the Divisional budget, authorising contract outcomes and defining and authorising Project parameters. Leadership of a proactive approach to WH&S is provided.

As specialists, engineers in Band C exercise a high degree of autonomy in applying technical knowledge and increasingly strategic judgement, and work independently and with teams to provide technical analysis, deliver quality solutions to technical problems and provide policy recommendations. At Levels 4-6, expertise is recognised at national level, whilst at Level 7 and 8 specialists are likely to be internationally recognised in their field.

