

T13303 of 2008

30 OCT 2008



Tasmanian Industrial Commission Section 55 – Industrial Agreement

**TASMANIAN
STATE SERVICE UNION
AGREEMENT 2008**

between the

Minister administering the *State Service Act 2000*

and the

Association of Professional Engineers, Scientists and Managers, Australia;
Australian Education Union, Tasmanian Branch;
Australian Municipal, Administrative, Clerical and Services Union
Australian Workers Union;
Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union;
Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied
Services Union of Australia;
Community and Public Sector Union (State Public Services Federation Tasmania) Inc.; and
Health Services Union, Tasmania No.1 Branch.



1. TITLE

This Agreement is to be known as the **Tasmanian State Service Union Agreement 2008**.

2. ARRANGEMENTS

Clause No.	Subject Matter	Page No.
1.	TITLE	2
2.	ARRANGEMENTS	2
3.	PARTIES BOUND	2
4.	PERIOD OF OPERATION	2
5.	APPLICATION	3
6.	RELATIONSHIP TO AWARDS AND AGREEMENTS	3
7.	STATE SERVICE REFORM AGENDA	3
8.	EMAIL AND INTERNET ACCESS	5
9.	BREASTFEEDING FACILITIES	5
10.	TRAINING, DEVELOPMENT AND CAREER OPPORTUNITIES	5
11.	AWARD MODERNISATION	6
12.	THE TASMANIAN PUBLIC SECTOR ALLIED HEALTH PROFESSIONALS INDUSTRIAL AGREEMENT 2005 AND RADIATION THERAPISTS (PUBLIC SECTOR) WAGES AGREEMENT 2004.	6
13.	AWU (TASMANIAN STATE SECTOR) AWARD	6
14.	GRIEVANCE AND DISPUTE SETTLING PROCEDURES	6
15.	UNINTENDED CONSEQUENCES	7
16.	NO EXTRA CLAIMS	7
17.	LEAVE RESERVED MATTERS	7
	SIGNATORIES	8
	SCHEDULE I LIST OF AWARDS	10

3. PARTIES BOUND

This Agreement is between the Minister administering the *State Service Act 2000* and: the Association of Professional Engineers, Scientists and Managers, Australia; the Australian Education Union, Tasmanian Branch; the Australian Municipal, Administrative, Clerical and Services Union, Tasmanian Branch; the Australian Workers Union; Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union; the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia; the Community and Public Sector Union (State Public Services Federation Tasmania) Inc.; and the Health Services Union, Tasmania No.1 Branch.

4. PERIOD OF OPERATION

The Agreement will be for the period from the first full pay period to commence on or after 1 January 2008 until 8 March 2011.



5. APPLICATION

This Agreement is made in respect of employees covered by Awards listed in Schedule I. The parties have agreed to include salaries and conditions of employment that have been agreed through negotiations into the Tasmanian State Service Award and the Health and Human Services (Tasmanian State Service) Award. The new classification bands and descriptors represent the relative work value of each band to the other. The annual salary adjustments represent increases negotiated between the parties in settlement of a bargaining outcome.

6. RELATIONSHIP TO AWARDS AND AGREEMENTS

This Agreement is to be read in conjunction with the Tasmanian State Service Award or the Health and Human Services (Tasmanian State service) Award and where any inconsistency occurs between this agreement and those awards or the awards listed in Schedule I, or any registered Agreement with the Minister administering the *State Service Act 2000*, this Agreement is to prevail to the extent of the inconsistency.

7. STATE SERVICE REFORM AGENDA

(a) State Service Reform

- (i) There is acknowledgment by parties to this Agreement that structural change to enables reform of the State Service is required to meet challenges in modern business. These reforms are to be prioritised over the short, medium and long terms.
- (ii) Redefine the Terms of Reference of the Combined Public Sector Unions Consultative Council to initiate and/or monitor reforms (and associated projects) in the State Service including (but not limited to):
 - Demographic analysis (State Service and Agency Workforce Profiles) and impacts
 - Youth employment
 - Employment gender equity review and analysis
 - Employment diversity review and analysis
 - Health and Wellbeing Program
 - People Directions Framework, including:
 - Attracting and retaining the right people;
 - Shaping our workforce and performance;
 - Leading and managing for the future;
 - Developing and recognising our people capability;
 - Values and identity.
 - Facilitative (Workforce Flexibility)
 - Consultation and change (Change Register)
 - Ageing workforce strategies
 - State Service Act amendments
 - Flexible leave provisions
 - Redeployment processes and conditions



(b) Youth Employment

(i) Establishment of structures and salary progression (on completion of program and qualifications) for younger persons (but not exclusive):

- Graduate officers – Band 3 to Band 4;
- Cadets – Band 1 to Band 4;
- Traineeships including Administrative Trainees Certificate III – Band 1;
- Trades Apprenticeships and Technical Traineeships – including Band 1 to Band 3.

(ii) Translation arrangements for present employees to be identified.

(c) Employment Gender Equity Review and Analysis

Establishment of a joint working group to consider demographic analysis, recommend approaches and monitor implementation of actions in relation to gender equity.

(d) Employment Diversity Review and Analysis

Review systems and processes to maximise minority groups' employment opportunities and other programs in the State Service.

(e) Health and Wellbeing Program

Government's budget initiative in relation to State Service health and wellbeing.

(f) People Directions Framework

Projects undertaken under the themes developed within a people management framework for the State Service.

(g) Facilitative (Workforce Flexibility)

To review and monitor the implementation and application of the facilitative clause agreed as part of Tasmanian State Service Award and the Health and Human Services (Tasmanian State service) Award.

(h) Consultation and Change (Change Register)

To review the implementation and application of the consultation and change clause as agreed in the Tasmanian State Service Award and the Health and Human Services (Tasmanian State service) Award. Introduce a clause involving a change register to monitor processes for negotiation of macro change across the State Service. Public Sector Management Office is to oversight the review, but focus is at agency level change.



(i) Ageing Workforce

Projects and initiatives to be developed under an ageing workforce strategy. Monitor and review present arrangements, including the Phased-In Retirement Program.

(j) State Service Act

Proposed immediate amendments to the State Service Act with consultation through normal stages of legislative change.

(k) Flexible Leave Provisions

Review current arrangements and explore possibilities for flexible leave options as part of or separate to facilitative clause related to business needs, accommodating family needs and enhancing productivity.

(l) Demographic Analysis and Impacts

It is proposed to undertake demographic analysis to provide whole of State Service and agency level State Service Workforce Profiles to inform strategies in reforms indicated in this section.

(m) Redeployment Processes and Conditions

A review of redeployment processes and conditions will be undertaken.

8. EMAIL AND INTERNET ACCESS

- (a) Wherever practicable the employer is to provide all employees with an email account and access to the internet.
- (b) Employees are to comply with relevant policy on the use of both email and internet.

9. BREASTFEEDING FACILITIES

In order that employees can better combine the demands of work and motherhood, an area suitable for breastfeeding employees will be made available in the workplace wherever practicable.

10. TRAINING, DEVELOPMENT AND CAREER OPPORTUNITIES

All employees are to have the opportunities to discuss their career plans and training needs with their supervisor/manager as an integral component of a performance management scheme with the provision of equitable access to training and education opportunities and, wherever possible, the training is to be accredited training provided through a registered training organisation.



W.

11. AWARD MODERNISATION

- (a) The parties agree to continue the process of award modernisation through the application of consent variations to the Tasmanian Industrial Commission in accordance with section 23 of the *Industrial Relations Act 1984*.
- (b) The parties agree to examine existing occupational specific State Service Agreements to review their terms and conditions, and where appropriate consolidate matters into the Tasmanian State Service Award and/or the Health and the Human Services (Tasmanian State Service) Award.
- (c) The parties agree to examine the State Service Awards listed in Schedule 1 to review the terms and conditions, and where appropriate consolidate matters into the Tasmanian State Service Award and/or the Health and the Human Services (Tasmanian State Service) Award.
- (d) The parties agree to continue the process of standardising the terms and conditions of employment across the Tasmanian State Service, as appropriate.

12. THE TASMANIAN PUBLIC SECTOR ALLIED HEALTH PROFESSIONALS INDUSTRIAL AGREEMENT 2005 AND RADIATION THERAPISTS (PUBLIC SECTOR) WAGES AGREEMENT 2004.

Employees bound by the terms and conditions of the Tasmanian Public Sector Allied Health Professionals Industrial Agreement 2005 or the Radiation Therapists (Public Sector) Wages Agreement 2004 are to continue to have their conditions of employment determined by the Health and Human Services (Tasmanian State Service) Award or the Tasmanian State Service Award, except where as otherwise provided for by their respective Industrial Agreement.

13. AWU (TASMANIAN STATE SECTOR) AWARD

The AWU (Tasmanian State Sector) Award will be varied to reflect the salaries and classifications in Part II – Salaries and Related Matters and Part III – Classification and related Matters, of the Tasmanian State Service Award.

14. GRIEVANCE AND DISPUTE SETTLING PROCEDURES

Grievance and dispute settling procedures are to be dealt with in accordance with the Tasmanian State Service Award and the Health and Human Services (Tasmanian State service) Award.



15. UNINTENDED CONSEQUENCES

The parties recognise that, due to the complexity of this Agreement and changes to the Tasmanian State Service Award and the Health and Human Services (Tasmanian State service) Award may result in unintended consequences. The parties to this Agreement are committed to working cooperatively to resolve such differences, wherever they arise.

16. NO EXTRA CLAIMS

- (a) The parties agree that for the life of the Agreement no further claims will be made or pursued concerning salaries or any conditions matters contained in this Agreement or in the relevant Award, other than for such matters as are specifically provided for in clause 17.
- (b) The statement in the paragraph (a) is not intended to prevent the parties to this award from instigating proceedings before the Tasmanian Industrial Commission in respect of interpretation of a particular award clause or clauses, application or breach of a relevant award.
- (c) The parties to this Agreement agree that the process of award modernisation is to continue through consent variations filed with the Tasmanian Industrial Commission.
- (d) This "no extra claims" provision is not intended to prevent applications being filed with the Tasmanian Industrial Commission to give effect to National and/or State Test Case Decisions.

17. LEAVE RESERVED MATTERS

- (a) Leave is reserved for the parties to review the District/Location Allowances as an overall consideration of recruitment and retention of employees in remote localities, and if deemed appropriate, the parties may instigate proceedings before the Tasmanian Industrial Commission.
- (b) Leave is reserved for a joint review of shift work provisions in the Tasmanian State Service Award, and if deemed appropriate the parties may instigate proceedings before the Tasmanian Industrial Commission.




SIGNATORIES

This Agreement is made in Hobart on 3 November 2008

SIGNED FOR AND ON BEHALF OF
Minister administering the *State Service Act 2000*

.....  Director, PSMO.

SIGNED FOR AND ON BEHALF OF
Association of Professional Engineers, Scientists and Managers, Australia

.....  30/10/08.

SIGNED FOR AND ON BEHALF OF
Australian Education Union, Tasmanian Branch

.....  30/10/08

SIGNED FOR AND ON BEHALF OF
Australian Municipal, Administrative, Clerical and Services Union

.....  30/10/08

SIGNED FOR AND ON BEHALF OF
Australian Municipal, Administrative, Clerical and Services Union

.....

SIGNED FOR AND ON BEHALF OF
Australian Workers Union

..... 


SIGNED FOR AND ON BEHALF OF
Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union

 30/10/08

SIGNED FOR AND ON BEHALF OF
Community and Public Sector Union (State Public Services Federation Tasmania) Inc.

 General Secretary
30/10/08

SIGNED FOR AND ON BEHALF OF
Health Services Union of Australia, Tasmania No.1 Branch

 30/10/08



This Agreement is registered pursuant to Section 56(1) of the Industrial Relations Act 1984.

SCHEDULE I LIST OF AWARDS

This Agreement applies to the Awards listed below. Where an Award is rescinded and/or replaced, the replacement Award will apply to this Agreement.

Award Identifier	Description
S085	Tasmanian State Service Award
S095	Inland Fisheries Commission
S105	Fire Service
S110	Police Departmental Employees
S121	Sea Fisheries
S142	Tasmanian Museum and Art Gallery
S145	Tourism Tasmania
S146	Metal Trades (State Employees)
S150	Electrical/Electronic/Trades (Public Sector)
S177	Health and Human Services (Tasmanian State Service) Award
S195	AWU (Tasmanian State Service) Award

