

OUTCOME STATEMENT ENTERPRISE AGREEMENT BARGAINING MEETING 29/5/2019

The City of Hobart and Bargaining representatives have submitted their draft logs of claims. All parties are still reviewing and refining them. The following tables summarise the claims. City of Hobart are considering the Union and Bargaining Representatives claims as a single list. Neil Noye spoke to each claim and advised they were all under consideration. Claims that have financial impacts are currently being costed.

CITY OF HOBART – BARGAINING CLAIMS FOR EA 2019

CLAUSE	ITEM	PROPOSAL
28	Wage Increase	Currently under consideration.
5	Agreement Term	4 Years
17.4	Increase casual loading	Under serious consideration but we need to do more work. Refer ASU claim.
NA	Review of EA	The EA is relatively lengthy and complex. CoH wants to undertake a 'plain English' re-write of the document to simplify it. The proposal is that CoH undertake a review in conjunction with the Consultative Committee. The objective is to complete the review with 'sign off' from all parties in the life of this Agreement. Refer ASU claim.
NA	Classification Review	The classifications in the EA are relatively complex, outdated and are not aligned with the modern award. CoH wants to adopt the modern award classifications for this EA and undertake to translate all employees as soon possible. CoH will commit to: <ol style="list-style-type: none"> 1. A review process if an employee disagrees with the classification that CoH has proposed 2. No disadvantage – an employee will not have any reduction in pay as a result of the translation and will receive all future benefits (e.g. wage increases). CoH acknowledges ASU concerns and undertake to do a review in conjunction with the Unions within the Term of the Agreement.

43.9 Check policy	Personal/carer's leave – limit use of statutory declarations	Proposal is to place the emphasis on medical certificates by amending clause 45.11 to read ' <i>...establish by production of a medical certificate or (if a medical certificate cannot reasonably be obtained) statutory declaration that...</i> '
27.3.2 (MO Clause 27.3.1)	ME Performance Reviews	To provide better opportunities for MEs to provide feedback to their Managers and better career development opportunities the EA would include performance reviews for MEs.
45.1.1 (d)	Sick leave – accruals	Currently employees are provided with an annual balance of sick leave up front when they commence work. CoH proposes the provision of 6.5 days up front instead of the full balance with sick leave to accrue normally after 6 months' service.
47.5 (b) 43.6.2	LSL - Cash Out Annual Leave – Cash Out	For WHS purposes and work-life balance, when cashing out leave employees must take an equal amount of leave taken. Eg if 2 weeks are cashed out, 2 weeks leave must also be taken. The employee would receive 4 weeks' pay and take 2 weeks off work.
20.4	Salamanca Market	Extend Market Foreman to include "and any other role whose ordinary hours include a Saturday. Add in : Municipal Officer Level 3 <ul style="list-style-type: none"> • Salamanca Market Stallholder Co-ordinator
37.1	Salamanca Market	Include another category : (c) Market crew employees who are not employed by Council in an alternative full-time role
20.5	Salamanca Market	First line – change to "employees in the Market crew who are employed by Council in an alternative full-time role shall be" Add another sentence at the end: Market crew employees who are not employed by Council in an alternative full-time role will be paid a loading of 50% for the hours worked on a Saturday

HouseKeeping

	References to State Service Award	References to be updated to the State Service Awards which have been amended.
41.3.6	Meal break	Reference the minimum 30 minute meal break
NA	Casual conversion	Put in Award clause that provides for conversion to full-time or part-time employment after 12 months as a 'regular and systematic' casual
8.4	Replace Human Resources with People and Capability	Replace Human Resources with People and Capability.
12.4	Meetings	Remove Group Manager Human Resources and replace with Manager People and Capability.
12.5 (i)	Structure and Representation	Remove Group Manager Human Resources and replace with Manager People and Capability
12.5 (c)	Structure and Representation	Remove Group Manager Human Resources and replace with Manager People and Capability.
17.5.3	More than one Part-Time Role	Replace Human Resources with People and Capability.
31.10	Meal Allowance	Refers to Clause 31.10.3
31.12 (d)	Parking Operations – Assistant Team Leader Allowance	Replace Manager Human Resource Operations with Manager People and Capability.
42.3.3	Hours of Duty & Rosters	Remove Group Manager Engineering Services and Manager of Civil Works and replace with Manager of Projects and Support Services.
42.3.3 (d)		Remove and the Group Manager Engineering Services.
44	Purchased Leave	Remove Group Manager and replace with MO Level 7.
33.3.11	Superannuation	Insert that any changes to salary sacrifice will be made at the start of the month.
34.3	Electronic Pay Advice	Insert Pay advice is available through Employee Self Service (ESS).
31.11.4	Listed Events	Pay codes need to be updated to meet current codes
31.10.1	Municipal Officers	(c) who must in consequence obtain a meal away from home; shall be paid a meal allowance as prescribed in sub-clause 30.10.3 - should be 31.10.3
	Allowances Not Subject to EBA Increases	Replace State Service – General Conditions Award – Clause 25 with State Service Part IV – Expense and Other Allowances, 2d. Meals. Replace State Service – General Conditions Award – Clause 32 with State Service Part IV – Expense and Other Allowances, 3d. Travel Allowance.

31.11.4	Updated Codes:		
	Event	Level	Pay Code
	Dead Animals – Small (irrespective of condition, age etc): <ul style="list-style-type: none"> Includes cats, dogs, wallabies, goats, sheep, wombats etc. 	1	400
	Garbage collection: <ul style="list-style-type: none"> Public areas – when cleaning dog dropping bins - if loose droppings present, not just bagged droppings. 	1	400
	Bushland Operations employees conducting significant controlled burns: <ul style="list-style-type: none"> Does not include spot burns, aborted burns or weed pile burns. 	2	401
	Dead Animals – Large (irrespective of condition, age etc): <ul style="list-style-type: none"> Includes cattle, horses, and any other animal of similar size. 	2	401
	Fitters working on trucks, plant or equipment: <ul style="list-style-type: none"> Paid where conditions agreed (i.e. approved) by the Supervisor as objectionable. Garbage trucks to be cleaned down by Environmental staff where possible. 	1 2 3	400 401 402
	Maintenance and/or construction of sewer manhole access chambers.	3	402
	Sewage Pumping Stations: <ul style="list-style-type: none"> Cleaning wet wells; Cleaning fat from sewage ball floats. 	3	402
	Use of suction truck or high pressure unit to assist Civil Works employees in cleaning raw sewer matter from confined spaces.	3	402
	Toilet - Composting Toilet Clean-outs: <ul style="list-style-type: none"> When working <u>in</u> the pit. 	3	402
Raw Sewer Matter: <ul style="list-style-type: none"> Working in a confined space in direct contact with raw sewer matter e.g. in sewage filled trenches or cleaning sewage pumps in situ. 	4	403	

Discussion was held around the use of the Joint Consultative Committee to undertake the review of the wording of the Agreement and ensure no entitlements are inadvertently altered and to oversee the classification review. The Unions noted that the review will not reduce anyone's entitlements.

SUMMARY OF BARGAINING REPRESENTATIVES CLAIMS (Being considered by Council)

BARGAINING REPRESENTATIVES CLAIMS			
	ASU CLAIM	AWU CLAIM	Peter Warmbrunn
Current conditions	No reduction of current conditions or entitlements	No reduction or negative change to the current conditions of employment.	
Term	A three year agreement with a nominal expiry date of 30 June 2022	Will consider a 3 year term dependent on other conditions	
Agreement wording	A review and updating of definitions to ensure best practice		
DKHAC	Amend scope of the CoH Agreement to incorporate Doone Kennedy Hobart Aquatic Centre employees		
Review of Consultative Committee Clause to ensure best practice	Commit to implementing and maintain a Joint Consultative Committee which acts as the principal group for continuing consultation between management and employee representatives. This is especially to deal with issues stemming from the Work Health and Safety Unit and its conduct towards employees, to review the classification structure and to review performance review processes	Commit to implementing and maintain a Joint Consultative Committee which acts as the principal group for continuing consultation between management and employee representatives. This is especially to deal with issues stemming from the Work Health and Safety Unit and its conduct towards employees, to review the classification structure and to review performance review processes	
Annual Wage Increase.	To be provided.	Wages and all allowances to increase by 5% a year for 3 years, from FFPP 1st July 2019, 1st July 2020 and 1st July 2021. That the Council commit that any pay increase agreed to be applied from July 1st (FFPP), and that in the event of a positive vote for a new agreement that the Council pass on that pay rise at the signing of the new agreement rather than awaiting the process of the Commission to be finalised.	We generally agree with the narrative of the AWU and ASU and we will provide a % increase figure at the next meeting.
Allowance Increases	Allowances to be adjusted annually by the percentage of the pay increase	5% per year increase	

Casual Conversion Clause.	The modern award was updated in October 2018 to include the right for a regularly and systematically employed casual employee to request to convert to permanent employment on a similar basis to their casual hours following the completion of twelve months of similar shifts.		
Classification review during life of Agreement. .	One of the main concerns for Members is the outdated classification structure, particularly the differences between MO, ME and MT classifications and the acknowledgements of trades. We are requesting that Council commits to reviewing and updating the Classification Structure as a Reserved Matter to be undertaken during the life of the Agreement and ensure best practice.		
Superannuation payments	The current Enterprise Agreement only provides for 1.5% above the SCG. This needs to be amended to reflect 3% above the SCG. The SGC rate is due to begin increasing for all employees in the country as of 1 July 2021, initially to 10% but eventually reaching 12% in 2025. Members are asking us to ensure that they don't go backwards when the government increases the minimum payment by forgoing increases above the minimum contribution amounts previously agreed to with their employer.	Superannuation - A clause reflecting & maintaining the "gap" between the Superannuation Guarantee & current COH Superannuation payments for the future.	The 3% margin employees currently get over and above the Statutory Superannuation Guarantee to be preserved.
Casual Loading	Increase to the Casual Loading to match the award which has stood at 25% for nine years.		
Increase in Objectionable Materials Allowance	In comparison to other Urban Medium Councils in Tasmania, Hobart City Council pays the lowest rate at just \$4.48 per day. Members would like to see an increase to either an amount per occasion or a significant increase to the daily rate.	(a) Toilet Cleaning Allowance lifted to \$20 a day. (b) Dead Animal Allowance to be paid "per dead animal" not just on a daily basis. (C) Handling Sewer matter is paid for at Double Time for all time working in this objectionable material, but no less than the current allowance would be paid for each occasion an employee has to work in, around or with this material.	

Incorporate a Minimum Engagement Period for Casual Employees	Casual employees should be entitled to a minimum shift length of at least two hours when requested to work.		
Review of Overtime Clause to ensure Best Practice and Equity	Overtime paid consistently across all employees		
Review of TOIL Clause to ensure Best Practice and Equity	Any overtime worked should be paid or credited as TOIL at overtime rates.		
Review of Higher Duties Clause to ensure Best Practice and Equity			
Review of Payroll Practice in debiting RDO's			
Compassionate Leave	All employees to be entitled to 5 day's bereavement/compassionate leave per occasion or 10 days if it is the death of a child, parent or the employee is responsible for making funeral arrangements or they are attending the funeral Overseas or interstate.	increase the scope to include, Aunty, Uncle, Niece, Nephew, Cousin, and in-laws.	
Family Violence	Increase Family Violence Leave to 20 days and provide emergency financial assistance.	increased to 10 Days per year instead of 5 Days per year.	Extension of the length of time from 5 days to 10 days for domestic violence leave to be in line with most other organisations/councils. The HCC can gain community acceptance out of this at no real cost.

Personal Leave	Removal of Single day absences sub-clause from Personal Leave clause – medical certificate only needs to be provided if absences are 2 days or more.		Ability for employees to donate their sick leave to others. It is conceded that the Fair Work Act precludes the direct donation of sick leave to others. There are some other organisations that have managed to create a system whereby an outcome equivalent to sick leave donations can occur.
Personal Leave Payment on Termination	Members would like the payment of personal leave on termination to be increased to 25%. Additionally, the clause needs to be updated to reflect the payment on not only retirement or resignation but also on redundancy.		
Best Practice Paid Parental Leave, increase for Secondary Carer	Increase to 13 weeks paid leave for Secondary Carer plus a review of payment of superannuation for the primary carer while in parental leave.		
Labour Hire and Contractors Clause		The Council should be providing secure & stable jobs, not casual labour-hire roles.	
Municipal Tradesperson:		(a) Inclusion of Land Conservation & Management and Civil Construction Certificate 3 and above into the tradesperson classification structure. (b) Increase of the rates of pay for tradespeople classifications by \$1000 a year on top of the general wage increases.	
Availability Allowance	Review of Availability Allowance to ensure Best Practice and Equity	increased to \$50 Mon to Thu and \$100 Fri to Sun and PH's. Xmas Day \$140.	
Reclassification of "Small Sweeper's" in the Cleansing area to Level ME 4 from ME 3.		Reclassification of "Small Sweeper's" in the Cleansing area to Level ME 4 from ME 3.	

Parking & Information officers		Re-Classification to have access to MO 2 levels.	
Public Holidays		(a) An extra annual leave accrual, provided on a pro rata basis, to those employees who have to work regular and routine Public holidays across the Calendar Year. EG: If an employee works 6 Public Holidays, they will receive 2 annual leave days on their leave balance. (This is essentially a 1 extra day for every 3 PH's worked accrual ratio.) (b) An increase to the Good Friday Public Holiday payment, to triple time for all hours worked all day.	
Recall to Work		That if an employee is asked to finish work, but then return to work within a short period, within 3 hours, that they be paid at double time not time and a half.	
Wardens, First Aid Officers, Emergency Management			Payment of a fortnightly allowance for Wardens, First Aid Officers, Emergency Management.
Salary Packaging			Salary Packaging (Card to purchase meals, goods etc). PW will do some research in this regard. This claim will only be pursued if it is cost neutral to HCC (ie that it does not create a Fringe Benefits Tax liability for Council).
Health and Wellbeing			<ul style="list-style-type: none"> As part of promoting health and wellbeing amongst staff, a reduced rate and membership at the DKHAC for staff and families.

- A requirement for Managers to introduce new employees to the Health and Wellness Coordinator at induction where they will be offered the opportunity to join the Wellness Centre and partake in councils
“uAndExercise” New Employees Work-time Program.
- The New Employees Wellness Program allows two 30 minute supervised exercise sessions per week in Councils time for the first month as long as the employee undertakes one 30 minute supervised session in their own time.
- Current employees can take advantage of the **“uAndExercise”** Current Employees Work-time Program.
- The “Current Employees Wellness” Program allow employees new to exercise one 30 minute supervised exercise session with the Health and Wellness Coordinator as long as they attend two 30 minute supervised exercise sessions in their own time. This program will be over a 2 month period.
- All Employees are also allowed to attend, in Council’s time, three uMake the Team Activities/Events.

			<ul style="list-style-type: none"> · The current EA agreement that allows employees who were members of the Wellness Centre prior to the last EA to use DKHAC on Weekends and Public Holidays be extended to RDO's and week days after 6pm (which is the closing time for the Wellness Centre). · That Wellness Centre members who joined after the current EA be allowed to use DKHAC on Weekends, Public Holidays, and RDO and week days after 6pm.
Advancement			Succession planning/"Not robbing Peter to pay Paul" providing employees with an opportunity to advance by taking up internally advertised positions, but for this advancement to be planned so that replacements for the role vacated by the employee can be in place at an early opportunity.
AEVR			Agreed Early Voluntary Retirement (AEVR). Some clarity and certainty is required around what is currently an arbitrary approval process.
Housekeeping			Make the Xmas RDO provision clearer. It is proposed to amend the clause by adding the words "For the avoidance of doubt, an employee who works his/her RDO on that date shall be entitled to accrue one full RDO".

			<p>If a request for a pay increment takes an unreasonable time to be processed through the relevant channels then it should then be backdated to the approved date and/or automatic progression to the next step in the pay group.</p>
			<p>Long Service Leave calculations: Clarity is sought from the HCC around this issue to ensure that an employee, after becoming entitled to Long Service Leave (LSL) after 7 years of service in fact accrues LSL on a fortnightly basis. Current pay slips appear to only add LSL accruals on a yearly basis.</p>