

Sunday, 21 March 2021



Huon Valley Council Enterprise Bargaining 2021

By your side

Status of ASU Claims

22 March 2021

ASU CLAIM	MANAGEMENT RESPONSE
1. No reduction of current conditions or entitlements	At this stage there have been no reductions
2. A 3 year agreement provided outcome of negotiations is satisfactory	Management still solid on 4 year agreement
3. Increase casual loading to 25% to match award	AGREED
4. Inclusion of Casual Conversion clause	AGREED
5. Review of penalty rates to TOIL clause to see staff appropriately remunerated for overtime and weekend penalty rates. Public Holidays should be paid at double time and a half	PARTIAL AGREEMENT Saturday and Sundays to remain at x 1.66, with public holidays to increase to x2.5
6. TOIL – any overtime should be credited at overtime rates, rather than 1 to 1 ratio	AGREED Wording added to clause to clarify that employee can choose to accrue TOIL at relevant penalty rate, rather than being paid for it
7. Review of Overtime clause to remove wording “directed in writing” in relation to overtime being paid	AGREED Wording changed to avoid the necessity of a direction given in writing
8. Annual Wage Increase: Members’ original claim <ul style="list-style-type: none">• 2.25% or CPI whichever is greater for 2020; and• 3.5% or CPI whichever is greater per annum thereafter and backpay if applicable then following offer by Council (and COVID) <ul style="list-style-type: none">• An extra 0.5% on Council’s offer over the 4 years.	Management proposed an annual increase, starting 1/7/2021 of 3.5%, 2.75%, 2.75% and 3% with no back pay.

<ul style="list-style-type: none"> Also requested the total wage increase cost be divided by the amount of employees and an equal dollar amount paid to each employee. 	Management did NOT AGREE to dividing increase and paying equal amount to each employee
9. Superannuation payments to be increased to 13.5% and then maintained at 4% above the Superannuation Guarantee Contribution (SGC) minimum with the currently legislated impending increases	AGREED to remain at 3% above SGC NOT AGREED to 4%
10. Higher Duties (for indoor employees) to be paid for more than 1 day of performing higher duties (rather than 3)	NOT AGREED Not feasible to act in higher duties for single day, full responsibility of the role would not be taken
11. Allowances to be adjusted annually by percentage of the pay increase	AGREED Vehicle allowance to be linked to ATO rate
12. Review of Objectionable Material allowance to see an increase to either an amount per occasion or a significant increase to daily rate. Additionally, a review of descriptors to include collection of dog excrement, cleaning dog pens etc, dealing with stormwater and cleaning public toilets when mess outside the bowl	FURTHER DISCUSSION Management feel descriptors are satisfactory, but happy to have another look.
13. First Aid allowance to be increased to \$15.89 in line with Modern Award	AGREED
14. Fire Warden allowance to be paid in line with First Aid Officer Allowance	NOT AGREED These positions are not mandated but volunteers. Based on large numbers of wardens across organisation, not viable
15. Introduction of a Tree Felling Allowance	FURTHER DISCUSSION Requires more research, potential higher duties allowance
16. Review of Sick Leave evidence to include "medical certificate" to be expanded to ensure that the certificate can come from a medical practitioner such as a physio, pharmacist or psychologist, not just a MD and that a statutory declaration is acceptable. Also applicable	AGREED

for carers leave.	
17. Personal Leave Payment on termination of employment of 25%	NOT AGREED Not financially viable. Employees who are genuinely ill and require their leave will miss out on bonus payment. May encourage staff to attend work while sick. Sick leave is not a bonus.
18. Introduction of No Debit/No Credit (unlimited) personal leave	NOT AGREED Not financially viable.
19. Inclusion of Pandemic Leave	NOT AGREED Action throughout pandemic has demonstrated a good framework and has been dealt with well.
20. Increase to Compassionate Leave – 5 days bereavement/compassionate leave per occasion or 10 days if death of a child, parent or attending funeral overseas or interstate	PARTIAL AGREEMENT Additional 2 days for immediate family only. NOT AGREED to 10 days increase.
21. Change name from paternity leave to Secondary Carer Leave – gender neutral terminology	AGREED
22. Increase in paid Secondary Carer leaver to 4 weeks	NOT AGREED Council would like to change when leave can be taken: within 12 months of birth/adoption
23. Parental Assistance – change of terminology to gender neutral terms – Primary Carer	AGREED
24. Remove repayment of maternity leave should staff member not return to Council or leave within 1-2 years of return from leave. Additionally, remove the 2 week's pay when returning from maternity leave and provide that 2 weeks at beginning of leave giving a total of 8 weeks paid maternity leave.	AGREED
25. Increase of paid maternity leave to 13 weeks	NOT AGREED
26. Payment of superannuation for the primary carer while on paid parental leave	Already in EA
27. Primary Carer leave to encompass paid leave for stillborn, miscarriage and foster	Research to be conducted into wording of proposed wording

care	
28. Increase Community Services Leave to unlimited leave	Increase to 80 hours. Change “Council’s discretion” to “GM’s discretion”
29. Update of Dispute Resolution Clause: (a) to ensure best practice by allowing the ability to raise a dispute in relation to “any workplace matter” rather than being limited to only matters arising under the EA or NES or a disciplinary outcome resulting in a formal warning (b) removal the requirement for the General Manager to provide signed written approval to the Employee to allow the Fair Work Commission to deal with a dispute	(a) NOT AGREED (b) Happy to look into removal of written approval
30. Review of Consultative Committee section to ensure best practice. Request for Council to commit to implementing and maintaining a Consultative Committee	NOT AGREED No, happy to keep current wording, committees can be formed as and when required.
31. Inclusion of employee benefits for Waste Management Centre Fees	NOT AGREED Goes against waste minimisation principles. If staff get cheaper rates, rate payers fees go up – cost needs to go somewhere.
32. Inclusion of a Job Security Clause	NOT AGREED
33. Inclusion of Working in Extreme Heat clause	Happy to develop in Policy but not in EA
34. Provision of water/refreshments for depot staff.	Will be covered in Heat Policy
35. Inclusion of Air Quality clause	Happy to include in Policy, not in EA
36. Removal of need for Long Service Leave request to go through GM	Covered already in EA. GM only needs to provide approval if taking less than 30 days
37. Update Consultation clause to include notifying the Union as a representative	AGREED
38. The definition of Immediate Family to include Aboriginal kinship relationships and the relevant customs and traditions of the employee’s cultural group and those to whom an employee can demonstrate a similar moral duty	AGREED