

Dear CPSU Members

Negotiations with the State Government for a new VPS Agreement have been underway since last year and some progress has been made but the impasse over wages and some key conditions has led to an independent facilitator being engaged to broker the discussions.

CPSU submitted a draft MOU to facilitate a possible settlement, as has the State of Victoria some weeks ago. The substance of these has not yet been discussed.

Our draft MOU includes; micro credentialing, mobility, the jobs and skills exchange, gender pay principles, and improved pay and conditions. The full package.

The State of Victoria (SoV) want to make widespread changes about how the public service operates but does not want to adequately compensate you for facilitating, co-operating with, and delivering that change, and the consequential productivity measures.

This information booklet explains the current state of play.

KAREN BATT

CPSU Victorian Branch Secretary/Federal Secretary

Proposed Improvements	Outstanding Matters
Parental leave A new parental leave clause is under consideration which will address gender equity, diversity, and provide greater flexibility. Government has offered to pay superannuation on paid and unpaid parental leave for the first 52 weeks. Additional entitlements for family and caring arrangements will be included in agreement including pre-adoption leave, guardianship and permanent care, foster and kinship care, and surrogacy leave Gender pay equity principles. Agreed principles will be included in the agreement to complement processes set out in the new Gender Equality Bill introduced into the Victorian Parliament this week Breaks between periods of work A 10-hour break will be introduced between periods of work including shift work Personal leave. Leave will expressly be available to attend medical appointments. The parties are still dealing with the implications a recent Federal Court decision about the definition of a “day” for personal leave Long service leave Clause has been redrafted to pick up superior entitlements from the Long Service Leave Act 2018 including recognition of service for unpaid parental leave Public holidays Two additional days - Easter Sunday and the AFL holiday - will be included in the agreement as provided in the Public Holidays Act. Voluntary community activities Leave currently available in hours for local Government councillors and officers of voluntary community organisations will be converted to a bank of days to provide more flexibility in its use Flexible work arrangements Existing flexible work arrangements in the agreement will be highlighted so that they are more obvious Progression within a value range Clause is being redrafted to more clearly set out the requirements for progression. Different eligibility criteria for parental leave, and higher duties will be harmonised	Overtime calculation cap CPSU wants overtime paid at its substantive rate. NOT AGREED Extra 1 week leave NOT AGREED Mobility Consultation, and compensation arrangements to apply when employees move workplaces is STILL UNDER DISCUSSION Extra superannuation NOT AGREED Higher night shift penalty rate NOT AGREED Secure employment Audit of casual and fixed term employment to continue. Conversion of fixed term employment NOT AGREED Misconduct/underperformance procedure CPSU wants to remove the bar on disputes about application of misconduct/underperformance NOT AGREED Substitute leave Employer wants to change the way substitute leave for shift workers is managed to remove excessive accrual of leave. NOT AGREED Probation Increase probation to 6 months for new starters in VPS. Currently probation is 3 months with option to extend by further 3 months. NOT AGREED



2% IS NOT ENOUGH!

The Governments pay offer remains at 2% p.a. but was adjusted recently when their representatives offered an additional \$500 cash payment for accepting their proposed changes and for us dropping all our outstanding claims.

The \$500 is a flat rate that does not increase annually, and it is the same amount regardless of pay grade. CPSU rejected this outright.

I have included a summary in this booklet detailing the claims the State submitted against us to highlight why CPSU made the decision to reject the cash payment.

The Police, in their recent settlement which includes capability and mobility allowance adjustments in addition to the 2%, and Nurses with their 3% p.a. extension agreement and reclassifications weren't insulted to this degree.

The Metropolitan fire brigade employees have rolled their agreement for twelve months and been given the 2.5% backdated to 1st January.

MP's received 3.5% with 2.92% in two rises last year, and shortly Executive Officers will see their pay bands adjusted and backdated to 20 September 2019.

Our bargaining though goes nowhere and has now been made more complex with the Treasurer recently indicating that he will extract \$4 billion in cuts over the forward estimates, up from the \$1.8 billion announced in the last budget.

WE NEED ACTIONS, NOT WORDS

The current Government is happy to make statements about best-practice employers, but they are hesitant to actually front up the money required to make those changes applicable to themselves.

They are also happy to virtue signal and make grand statements to you to attract your support politically but fail to properly represent your needs within their own Enterprise Agreement.

The examples below are key issues that highlight SoV's reluctance to put their money where their mouth is.

Wage Theft

The current Government are happy to piggyback off the union movement's hard work of exposing large scale wage theft across many industries and organisations. SoV have refused however to remove the overtime eligibility and wage cap despite this amounting to institutionalised wage theft across the VPS.

Secure Employment

The Government have played hard ball in the media about insecure employment practices in other industries, but they are averse to cleaning up their own backyard. They are only open to including a facilitative clause and not a conversion clause in the new Agreement.

On multiple occasions, CPSU has identified areas of the VPS that are rife with insecure employment (DET, Child Protection, Youth Justice, etc.), yet we have been told that converting these employees would be too expensive.

CPSU has also pointed out to the State that insecure employment contributes to the gender pay gap as majority of these employment practices are in highly-feminised workforces, and that this would help address the Government's aims of closing the Gender Pay Gap. The State is not budging, however.

The backing away from a proper conversion clause is just another delay tactic from SoV so that they don't have to bear any cost of converting contracts and protecting workers.

WE NEED ACTIONS, NOT WORDS

The Government is happy to make bold statements.

Superannuation

Tim Pallas announced on 12 February that the State is pushing the Commonwealth Government to legislate a 15% superannuation guarantee payment. Yet, SoV have outright rejected any increase to the Employer's superannuation contribution in the new VPS Agreement.

LGBTIQ+ Representation

SoV have rejected our claim for Gender Transition Leave.

Their rejection stands in stark contrast to the Government's stance on LGBTIQ+ rights, particularly following Daniel Andrews's comments after Midsumma Festival:

"In Victoria, we don't just march with the LGBTIQ community. We listen to them. We stand with them. We fight beside them. Every step of the way"

Gender Inequality

CPSU and the Government have made some good strides on tackling gender inequality in the Agreement. This includes reworking the Parental Leave clause, addressing inequalities in the progression clause, and operationalising the Gender Pay Principles.

However, the Government have failed to acknowledge that other CPSU claims aim to address gender inequality within the VPS.

Examples include having a conversion clause to ensure young women are not getting stuck in insecure employment, and equalising conditions between unsworn and sworn Victoria Police staff because unsworn staff are more likely to be female and more likely to be in undervalued jobs (e.g. highest proportion of Grade 2 roles in the VPS).

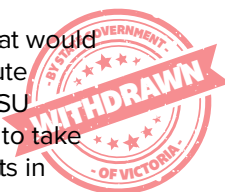
KEY ISSUES IN DISPUTE

The following issues are some of the claims still in dispute between CPSU and the State. These issues also impact many of members across multiple service areas of the VPS.

If you have any questions about how these issues impact you, make sure you attend our member meetings or give your CPSU Organiser a call.

Substitute Leave

SoV are proposing amendments to the Substitute Leave clause that would allow the Employer to force an Employee to cash out their substitute leave once they had accrued a certain amount. This is despite CPSU raising that the Employer makes it extremely difficult for members to take their substitute leave and rarely approve it, which in practice results in employees taking personal leave.



This issue is particularly felt in areas of Corrections and only adds to woes prison officers already have about lack of consultation and hours of work.

Personal Leave

SoV are refusing to address the problem where employees who work days or shifts longer than 8 hours, end up with less days of personal leave than employees who work less than 8-hour days. This is particularly an issue for Shift Workers who often work shifts longer than 8 hours.



SoV have advised us that this is not an equality issue, but rather an extra claim from us for leave, and therefore they have rejected our claim.

Night Shift allowance

SoV have rejected CPSU's proposed increase to the Night Shift rate. CPSU has argued that an increased Night Shift rate would make those roles easier to fill, recognise the impact Night Shift has on employee's wellbeing and personal lives, and it would bring the VPS in line with how other industries treat Night Shifts e.g. Nurses, sworn Victoria Police staff.

This issue has a particular impact on Corrections, Victoria Police, Child Protection, and Youth Justice employees who are working long and late shifts that don't fit into the traditional "Afternoon" and "Night" shift periods in the current Agreement.

KEY ISSUES IN DISPUTE

Averaging Hours increase

The Government are proposing to extend the averaging of ordinary hours from a fortnightly period to a monthly period. This claim has come from Corrections but SoV have struggled to explain to CPSU what the benefit would be. CPSU is concerned that this is DJCS's attempt at trying to reduce their overtime payments, and don't think they fully appreciate the wider impact this would have across Corrections and the VPS.



Classification Structures

SoV has claimed they want a capable workforce, but they have held career structures ransom in negotiations (e.g. EPA, Youth Justice).

In Youth Justice, DJCS have come to the table saying that they want to improve the structure and introduce recognition of a Certificate IV on the structure. However, they don't want to meet the minimum wage requirement for an Employee with a Certificate IV as that would require an uplift in the minimum wage on the current YJ structure. Since CPSU pointed this out, all meaningful negotiation has stopped because DJCS refuse to entertain a change that requires a cost.

In EPA, the organisation is holding EPO workers to ransom in order to force a mandatory system for emergency management. Members have made clear this change is not appropriate for the current environment at EPA, but instead of listening, EPA removed any chance of improvement to EPO's career structure within the Agreement. It's just another example of how members are trying but the Government wants it all their way and won't listen to our concerns and employees' expertise.

Removal of overtime caps

CPSU made a claim for the removal of the overtime caps in clauses 36.5(a), 36.5(b), and 36.6(b). These caps are a form of Wage Theft in our Agreement, and they need to be removed. Removal of these caps would also assist in Emergency Management scenarios where employees end up being paid various different pay rates despite performing the same work/overtime.

SoV have outright rejected any change to the overtime caps, even though the Government have stood against external incidents of wage theft.

ONE-WAY NEGOTIATIONS

The State of Victoria want to make widespread changes about how the public service operates but does not want to adequately compensate you for facilitating, co-operating with, and delivering that change, and the consequential productivity measures.

The changes proposed by SoV to allow mobility include:

- Change to traditional ideas about “usual place of work”
- Increasing eligibility requirements for progression

The changes proposed to ensure capability across the service include:

- Capability Framework
- Increasing Probation

The offer we have received in exchange for these changes is only the \$500 per annum cash allowance.

MOBILITY

CPSU has a view about how mobility should work following a successful agreement reached late last year with the Goulburn-Murray Rural Water Corporation specifically about the levels of protections needed to promote confidence in employees who may/may not want to take up other employment opportunities.

The Victorian Secretaries Board has signed off on the MOU and we wait for Government endorsement as it contains matters that are Government policy and other matters that can and should be dealt with in the VPS Agreement.

A specific info booklet about CPSU’s position is included.

ACCREDITED TRAINING PACKAGE FOR MEMBERS

CPSU has been working with the Victorian Skills Commission behind the scenes to establish an accredited training package for members to operationalise the jobs and skills exchange.

CPSU knows that the ability to improve capability and promote sensible job building mobility is training.

CPSU has just been advised that our proposal to create a public sector training package has been approved and accredited by VRQA.

The accreditation is for 7 short courses designed to provide a nationally recognised micro qualification taken from the Certificate in Government and the Certificate in Government Investigations.

They will be provided by a TAFE college and will be provided free (other than the student amenity fee) for members of CPSU.

The courses are designed to fill a gap for VPS and wider sector staff who want a career in the service but are often not able to undertake professional development.

The union intends to provide that training.

The skills will also assist in the operationalising of the mobility agreement (once reached) so people are able to be trained in order to meet the demands of new or different roles.

Our focus is to both provide much needed professional development for members but to also assist people keep a job.



EMERGENCY WORK

All summer VPS employees have been working tirelessly to protect the State from bushfires and other disasters.

Yet, SoV are still demanding that VPS employees demonstrate their productivity benefit to the State.

It is insulting to the service to have their work diminished in core negotiations, but then see the Premier accept the praise from media and the world for Victoria's efficient, calm and coordinated emergency response.

CPSU knows that emergency management responses aren't the result of just 4 months of hard work.

It is consistent development, projects, learning, and labour, across years to ensure that when the time comes, the service can respond and protect Victorians and our wildlife.

From policy officers to land and wildlife management to control centre work to on-the-ground responders, people from all across the VPS have played a part in responding to the horrors of this summer, and it's time the Government stepped up and compensated employees properly.

FORGOTTEN GOVERNMENT WORKFORCE

The current offer from SoV pales in comparison to what other government employees have been offered in their EBA negotiations.

One area where this is extremely evident is Victoria Police.

SoV is refusing to provide to VPS VicPol employees the same allowances and conditions they've agreed to for sworn Victoria Police employees; e.g. Unsociable and Intrusive allowance, Wellbeing allowance, Huge pay increases for senior staff, Higher Parental Leave quantum, and access to paid leave for staff transitioning gender.

Sworn VicPol employees have received increasing yearly allowances for "Capability" and "Leadership", plus a "Wellbeing" allowance.

The "Capability" and "Leadership" allowances increase the higher an employee's rank/pay grade is.

By the end of their Agreement, a Sworn VicPol employee earning \$70,000 would receive an allowance of almost \$3,200 for "Capability" and \$541 for "Wellbeing".

In comparison, CPSU have been offered \$500 for all employees regardless of pay grade.

This behaviour from SoV only strengthens the perception that sworn staff are more important or superior to non-sworn staff. This is wrong.

Once again, VPS employees are being over-looked and undervalued.

The entire public sector relies on the work that our members perform day-to-day. Victoria would grind to a halt if every VPS employee decided not to turn up to work.

The Government also seems to forget that the VPS Agreement covers a wide and diverse workforce, which includes many direct service deliverers such as Correction Officers, Child Protection, Fire and Emergency Management, Sheriffs, SSSOs, Fisheries Officers, Environment Protection Officers, and so many more.

All VPS employees are just as important as Victoria's teachers, police, firefighters, ambos, and nurses.

DJCS

EM

CPVV

EPA

DELWP

MTO

IBAC

CSV

DOT

VCGLR

OoG

MTIA

VFA

VicPol

SRO

DHHS

DET

GMA

DJPR

CenITex