



PUBLIC PERSPECTIVE

A Publication of the Community & Public Sector Union / Victorian Branch www.cpsuvic.org

We're all frontline

Victoria's public servants carry out diverse and vital roles for our community and Public Perspective talks to eight members about the intriguing and complex nature of their jobs.

When Victoria's chief fire officer, Ewan Waller, agreed to a short phone interview he probably wasn't expecting to have the conversation hijacked by our writer's two toddlers ramping it up in the background. Yet, while our scribe got flustered, Ewan remained good natured and unflappable. After all, this is the man who has managed our response to some of the worst bushfire crises in the state's history, including Black Saturday.

Ewan took on the Department of Sustainability and Environment's most senior fire management role six years ago, arriving midway through the drought period, and just weeks before the 2006 Grampians fires, which burned around 50 per cent of the Grampians National Park. The Great Dividing Range fires, which raged for 69 days, followed the next year, prompting him to dryly describe his introduction to the role as a 'baptism of fire'. Then there was Black Saturday – a disaster in its own category and which Victorians will never forget. It was a day on which all the ingredients for a truly catastrophic event came together and erupted, resulting in the tragic loss of 173 lives and thousands of homes. Factors at play included searing temperatures, furious wind speeds, and an environment suffering the effects of years of drought – dried out fuels and parched creeks.

It's for this reason, Ewan nominates getting Victoria's controlled burning program operating again as his most significant achievement. "The Victorian bush needs to have a proper fire regime. For most of Victoria that means periodic burning. A lot of country needs burning quite regularly," he explains. "Firstly, it's great for the ecology, and the second part is you're managing fuel loads, so these very damaging fires like the Alpine Fire, Great Divide Fire, Black Saturday, you really are influencing how severe and how much damage they do, how far they run and move on any bad day."

Forestry policy virtually abandoned controlled burning for more than a decade from the late 1980s when it reduced its focus on fire management. However, in response to the Alpine fires of 2003 and continued pressure from rural communities, it has been reintroduced with the burning increasing more each year.

Now, Ewan's role consists of two crucial phases. There's preparing for summer, including carrying out the burning program,



Ewan Waller, Department of Sustainability

track clearing, slashing, training young fire fighters, checking equipment and arranging aircrafts. Then there's summer when he has people poised to respond with management teams and fire crews in the event of a fire breaking out.

It's a hectic job which carries enormous responsibility, yet Ewan brings a calm and measured approach to protecting the state from fire. With the drought broken and the fire threat for this season looking 'average', Ewan says the risk will come mostly from grassland. Still, he has arranged two Elvis-style aircraft to be at the ready, and has interstate back-up at his fingertips if need be.



Cathy Buchanan, Ministerial Transport

Cathy Buchanan can often spend more time with government ministers than their staff ever will. As a Driver, Cathy's job is to pick up her minister at the start of the day and take them wherever they need to go throughout the day.

Her day can involve an assortment of tasks, which can sometimes change at the last minute, and the days can be long. But Cathy enjoys the variety and spontaneity of her job.

"You can never be sure what time your day will end or where it will take you," she says. "I recently had a day where I drove over 700kms around regional Victoria, starting at 7.30am and finishing at midnight. Other days you hardly get off the tram tracks."

Cathy says the unpredictable nature of her job makes having a social life and family a bit tricky, but achieving a work and life balance is



important to her, so using her well-honed juggling skills, she makes it work.

She likes her job and takes it seriously, but believes she deserves better recognition through a pay rise that keeps up with inflation and doesn't send her wages backwards.

Perry Libeau, Disability Services



When Perry Libeau started his career in disability he was driven by a commitment to social justice and a recognition that people with disabilities are often treated unfairly.

His job as a case manager in the Child and Family Unit of Disability Client Services involves assessing a child's needs and identifying and coordinating resources and supports to assist the child and their family.

While Perry loves caring for people with disabilities, he is frustrated by the lack of government support directed towards disability services.

"Many people with disabilities and their families have to endure hardships and stresses that most people in the community would consider unreasonable," he explains. "As a case manager I identify areas where disabled children and their families need assistance. The hard bit is putting the necessary supports in place."

"Meaningful funding is generally not available until families reach the point where they feel they can no longer continue to care for their disabled child. Respite and Individual Support Packages are incredibly hard to get because of funding shortfalls. Timely access to specialist services such as behaviour support is also difficult."

The government's failure to value disability services has also taken its toll among the workplace. "Staffing has been significantly reduced in many areas and specialists are often placed on fixed term contracts. Managers have to make month by month decisions about staffing because of budgetary concerns," he says. "This uncertainty inevitably affects morale and results in good staff leaving the department. It's really hard to plan for a career or take on a mortgage when you don't know whether your contract will be renewed."

Perry accepts he didn't expect his career choice to make him a millionaire, yet he is disappointed by the government's paltry wage offer.

"Staff who work in the disability field are already underpaid. Trying to reduce our pay further is an insult to the skills and commitment of the staff," he says.

"I chose to work in this field because I'm committed to social justice, but I still have bills to pay."

David McLaren, Primary Industries



David McLaren's a valiant defender and combatant of Victorian (and indeed Australian) industry against foreign weed invasion of our lands. David's job title is 'principal research scientist' on weed sciences which doesn't really do justice to his role. The weed problem is serious and extremely costly to the Australian economy.

"Weeds in general cost Australia around four billion dollars per year," explains David. "Those estimates take into account the cost of control and the cost of lost production that weeds cause. Certainly it has a huge impact on Victoria and our capacity to produce food, so identifying new tools to manage these things are critical to our economy."

David is currently working on the biological control of threatening weeds including Chilean needle grass, serrated tussock and Mexican feather grass—all of which poses significant threats to Australian industry.

"Chilean needle grass is probably the worst grass environmental weed to Australia," he says. "It dominates native grasslands, out-competing our indigenous species."

"For agriculture it's a really serious weed because once it goes to flower the plant is indigestible and it's very difficult to identify. Really the only time you can identify it is when it's in flower. As a consequence you get large areas of unproductive land."

"Animals don't want to eat it. They avoid it, and eat everything else, so it gradually takes over the pasture because the other species are being preferentially grazed out. Chilean needle grass also has pointed, nasty seeds and for sheep it penetrates their pelts and into their skin. It blinds lambs, and in some areas it's been reported abattoirs won't take sheep from badly infested properties because the workers are cutting their hands on the seeds that have gone into the flesh of the animals."

The good news is David and his team believe they are close to releasing a new pathogen that may be able to combat Chilean needle grass. He's also been getting positive results developing essential oils for use in controlling weed seed banks.

"I'm working on integrated weed management, basically. We develop new tools for farmers and land managers to try and manage these serious weed threats to Australia," he explains.

His work is paying off. Through biological suppression of key weeds, David estimates his group has saved in the order of \$990 million dollars to Australia over the last 10 years.



DECEMBER '10

The use of pool tables in **prisons** came under review following several assaults on Officers by inmates using pool cues and balls at our maximum and medium security prisons. CPSU met with the **corrections** to consider OH&S risk assessments and action plans to reduce the risk of violent incidents.

State Trustees back flipped on a promise that any employee who was displaced or couldn't be found a job arising out of the relocation from Exhibition St to Footscray would receive a redundancy package. While **STL** insisted they did not anticipate any redundancies, CPSU is determined to continue to work for a fair relocation package for employees.

AMES rejected CPSU's new workplace agreement claims, responding to most requests with silence, and in some instances proposing to wind back existing conditions. Our claims included a modest five (5) per cent wage increase, a review of classifications and workload, 15 per cent superannuation, two weeks' notice if your work location is to be moved with alternative proposal considerations, and acknowledgement of employee rights and representatives in the workplace. **AMES'** offer fell well short in all of these areas and they then engaged in obstinate tactics in the negotiations.

The newly elected Coalition government made clear their intentions to replace **OPI** with another anti-corruption body while CPSU maintained our resolve to keep a keen eye on the new body, it's structure and processes, and its implications for staff.

CPSU was eventually able to increase **Serco's** wage offer for mobile traffic camera operators of 10 per cent over three years to 10.5 per cent, although this was short of original claims.

CPSU was successful in forcing **Parks Victoria** management to reverse their decision to close the Parks office at **Werrimull**. PV had planned to move staff to cramped and inadequate accommodation in Mildura; however union members based at Werrimull provided extensive feedback about the importance of **Werrimull**



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YEAR IN REVIEW



for the work performed in the Murray Sunset National Park, and the false economy of the proposed move. On the basis of this feedback, management reversed their decision, and the office is to remain open and fully functional.

CPSU met with **DHS** to review the **youth justice** classification system and the union proposed a number of improvements, including decreasing the number of increments for YJW Grade 1 from 15 to 8; introducing a minimum salary point for employees who hold a certificate IV qualification; ensuring that the increments are even for YJW Grade 2. While **DHS** agreed there was merit in the proposal, the Department said there is no funding available despite commitments that classification issues were part of the last Agreement settlement.

CPSU was advised of an OH&S incident within **justice** where a staff member was required to perform constant observation alone for 11.5 hours. CPSU wrote to CEO James McCann stating that this current practice does not meet the centre's obligations under the Occupational Health and Safety Act and sought a policy that requires an additional staff member on a unit when constant observations are required.

Notification from **DPI** of the proposed closure of a number of sites as part of the 'Modernising Farm Services and Assets program' was received by CPSU just hours before scheduled staff briefings on the issue. CPSU expressed our disappointment about the inadequate notice and encouraged affected members to engage in consultation over the changes.



CPSU reported a significant increase with **2840** new members recruited—well up from 1358 in 2009. There was also a net growth of **6153** members (representing a 77.7 per cent increase) since 1 January 2000. Further, total member funds of **\$1,327,241** at 30 June with an operating surplus of \$24,572 was reported for 09/10 financial year, with **21** Agreements negotiated.

JANUARY '11

DHS advised CPSU of a proposal to provide youth justice staff with lockers to store prohibited items in non-secure areas, as well as further advice about search protocols. The larger lockers will replace existing lockers in control, remand airlock, and Parkville airlock. The department also provided advice regarding their capacity to search bags, lockers and property within the secure areas with members to be consulted on proposals to introduce new search procedures.

Following a very long haul, CPSU's negotiating team reached an in principal agreement with **Royal Botanic Garden** over a new proposed Agreement. Largely thanks to our members' strength and patience, the union successfully negotiated many improvements for all employees including annual wage increases of 3.25 per cent for all staff, as well as improvements affecting casual staff, sick leave, nursing mothers, public holidays, union delegates and OH&S, and compassionate and personal leave.

The Attorney-General, Robert Clark, announced an inquiry into the recent media reports surrounding the operation of the **OPP** and **DPP** and appointed former Justice Frank Vincent to head the inquiry.

Traffic Camera Service company **Serco** left their workforce divided after rushing through the proposed EBA ignored the union's request to delay the agreement vote until the end of January to give employees the opportunity to discuss the merits of the offer. The company's haste led to resentment between the divided workforce and a staggeringly high staff turnover led the union to seek advice about whether the result of the vote can enable a separate **MSCO** agreement to be achieved.

CPSU met with **AMES** management following a series of workplace meetings with staff where it was agreed unanimously by members that **AMES's** offer for conditions were inferior to our claims and unacceptable. AMES pay offer of 2.5 per cent per annum over three years was voted unacceptable, while attempts to erode the ability for staff to lodge disputes pertaining to flexible working arrangements and parental leave was in striking contrast to the national employment standards. CPSU resolved to write to **VEOHRC** as well as board members to inform them of this and the rising number of working mothers who are struggling to access flexible working arrangements.

CPSU gained written conformation from **DPI** that

SDU lunchtime training sessions should be considered work as these training sessions were being promoted by some managers as 'compulsory' or 'expected' attendance. A response from the DPI read "participation at one of these sessions is optional but staff should consider the time to be work time if they do — i.e. still have lunch and consider the BBL to be work."

CPSU flatly denied claims by **State Intelligence Police** Management to their staff that the union had agreed to changes proposed by the Force. CPSU rejected any suggestion that the union had either been properly consulted or provided with the particulars of the proposed changes. Further, the union responded to rumors of a spill and fill of positions saying it would vigorously oppose such a proposition.

The campaign to increase numbers of **fisheries field staff** paid off after CPSU and the Fisheries Officer Association, backed by several community, industry and research groups, successfully campaigned for additional positions and the backfilling of vacancies across the state. With new positions in Mornington, Metro (Altona), Geelong, Cowes and Apollo Bay, it was expected there would be a total of 69 Fisheries Officers and four Regional Investigators statewide.

CPSU lodged a dispute against **VicPol** with Fair Work following the **State Intelligence Department's** decision to renege on its 2009-10 review recommendations that there was to be some changes to VPS staffing profiles to encourage and facilitate career development. The 2010 review process was then scrapped, replaced by another review, which did not convince CPSU members of career opportunities for existing staff, and in fact disadvantaged them.



Premier Ted Baillieu launched the inquiry 'Protecting Victoria's Vulnerable Children' to comprehensively investigate systemic problems in Victoria's **child protection** system and make recommendations to strengthen and improve the protection and support of vulnerable young Victorians. CPSU welcomed the review that includes an examination of the adequacy of funding and staffing models, yet was concerned about the timeframe for report and potential delay and called for an immediate resources down payment. CPSU called for input from members to assist in putting forward a union submission to the panel.



FEBRUARY '11

CPSU contacted **G4S Prisoner Transport** seeking a halt to changed roster implementation after concerns the consultation process to that point had not met the requirements of the enterprise agreement, and sought to stop the progress of its implementation until adequate consultation had occurred. CPSU called for standard practices across the Victorian prison system regarding roster changes.

CPSU raised concerns with **Corrections Victoria** that members were being denied reimbursement of expenses if not absent from their work location for a minimum period of seven hours. The department remedied the situation and sent an email to all General Managers stating "allowable expenses include those resulting from part day duties away from the normal work location. Where reimbursement of actual expenses is sought by an employee, receipts must be provided."

Following the restructure in Property Portfolio Branch in **Housing**, many members contacted the union concerned they were being required to sign a confidentiality agreement and a declaration of interests form. While the declarations of interest forms are required across government for decision makers awarding contracts, the confidentiality agreement does nothing more than the Victorian Public Service Code of Conduct already provides and CPSU advised members not to sign the forms and await further advice.

Long service leave entitlements were restored to **VicPol** employees following a dispute lodged by CPSU with Fair Work. As a result of an agreement reached, VicPol advised there will be an adjustment to the LSL entitlement for all VPS employees who commenced employment on or before 3 May 2009. There will be no change to LSL entitlements for VPS employees who joined **Victoria Police** on or after 4 May 2009, the date from which the current VPS Agreement applies.



In negotiating to get the **Plumbing and Building Commission** consultative committee and salary review up and running, CPSU wrote to **PIC** and **BC** to invite them to meet and discuss these matters. The invitation was declined by these Employers in favour of setting up their own consultative committee. A subsequent meeting brought no change in their position, leaving CPSU no choice but to lodge a dispute with Fair Work.

A Government announcement to cap the centrally funded **pay** component at 2.5 per cent per annum put already cash-strapped Agencies under threat as many felt they may be forced to cut services to survive. Under the new Government's plan, **Treasury** would oversee public sector bargaining, sidelining sensible and practical industrial resolutions. CPSU called on the new government to bargain in good faith and **adequately fund public services**.

CPSU, in conjunction with **SGE Credit Union**, confirmed it would continue its tertiary scholarship program through 2011, awarding \$950 per year to support those members and their families attempting a suitable tertiary course with a demonstrated need.

The **Tools of Trade** dispute at **WorkSafe** headed to the Magistrates Court after attempts to resolve the matter broke down. The issue started following a review in 2010 which led to a number of CPSU members having their vehicle taken away.

MARCH '11

CPSU's dispute with **VicPol** was heard by Fair Work after the union challenged their failure to follow their own recommendations and to have the current review suspended until the parties resolve matters arising from the previous review, however it was found that despite their decision to not proceed with the Grades 3 to 4 transitory arrangements, Fair Work could not compel the Employer to honour the former review's findings.

As a result of the Enforcement Group 'restructure' in **WorkSafe**, a combined 47 years of OHS prosecution experience became redundant. The 'restructure' saw four senior lawyers lose their jobs despite the Enforcement Group management and HR having given assurances to the union that when allocating roles within the new structure, priority would be given to permanent employees and long-term employees.

Negotiations began taking place with **State**

Trustees on the relocation package for employees considering moving to Bendigo following the decentralisation of some of the organisation's functions. CPSU believed employees were entitled to the same compensation that TAC employees received when their work was relocated to Geelong; however STL management, who put forward a very paltry offer, rejected this. CPSU recommended members not accept the proposal.

The State Government announced a new taxi industry commission would be set up as the cab regulator, scrapping the **Victorian Taxi Directorate**, which had been frequently criticised within a partisan industry as being ineffective.

Negotiations — which began in mid 2010 — between CPSU and **DECA** for a new EBA continued to drag out and after reluctantly providing the union with information regarding the proposed salary structure,

DECA management stalled talks by not responding to union offers.

WorkSafe ignored an invitation from CPSU to attend a meeting to discuss concerns about the lack of administrative support staff to meet the needs of the organisation's field staff. **WorkSafe** chose instead to have their second most senior manager hear the issues directly from employees.

G4S Prisoner Transport made a revised offer at Fair Work that included some concessions to staff and the latest pay offer. CPSU attributed the move to members' determination to pursue claims through protected industrial action.

CPSU members expressed concerns that some **State Trustees** managers had indicated remaining staff following the relocation to Bendigo would be forced into other jobs. Members were also advised that no redundancy packages would be paid. CPSU





asked STL to issue a statement to assure employees that no one would be forced to redeploy into another role against their will and that redundancy payments would be made to those unable to be redeployed but STL refused.

With the existing Agreement due to expire in May, the various unions party to the **Parks Victoria** Agreement continued efforts to get **Parks** management to start bargaining to create a new EBA. Yet Parks management proved painfully slow to act prompting the unions to consider using Fair Work to force the employer to commence bargaining.

APRIL '11

Zoos Victoria wanted to introduce a new uniform policy without consultation with the new policy containing a number of flaws and ambiguities such as "radical or boldly coloured hair-dos not being permissible." What constitutes a bold colour or radical hair-do was not clear, nor was who would make such a judgment. CPSU contacted Zoos for an explanation.

CPSU served claims for a new Agreement on the **Baillieu** government focused on salary, superannuation and fixing the career (classification) structure(s) as key issues to drive retention and assist recruitment to deliver public services.

Sheriff's overwhelmingly accepted the Terms of Settlement offered by the Department of Justice for the return of the vehicles for commuting purposes.

HMP Loddon staff were asked to complete yet another survey for management regarding their attitudes to the proposed roster trial with the union recommending staff make their preference for shorter working hours or a 9/76 roster. In the event such options were not offered on the survey, CPSU advised adding them in writing.

VicPol planned to streamline their HR resources and asked **Academy** staff in WorkCover to relocate to the CBD. CPSU met with the People Department and invited affected staff to talk to them regarding their specific circumstances.

The majority of CPSU members endorsed the

AMES 2011 Enterprise Agreement.

CPSU happily announced that **STL** employees facing relocation to Bendigo would be given a choice. Following a Fair Work hearing of the matter, it was agreed employees not wishing to move to Bendigo would have assistance finding suitable alternative employment. Further, Fair Work ruled **STL** must advise employees of their existing rights.

MAY '11

The Magistrates Court handed down its decision upholding **WorkSafe** member Anita Aiezza's Tool of Trade application against Vic WorkCover Authority. Anita won both on the contract and the estoppel points, after WorkCover withdrew a 'tool of trade' (TOT) business vehicle entitlement following a cost-cutting internal review in 2009, with an award of \$29,523 being made.

CPSU lodged a formal submission to the **Protecting Victoria's Vulnerable Children Inquiry** and thanked all members who contributed to the information included in the proposal.

Fair Work agreed with CPSU, DSE revised members who had been in dispute with the **Department of Sustainability and Environment** about the application of the cancellation payment under Appendix 9 of our Victorian Public Service Agreement. After Fair Work sided with CPSU members, DSE revised its position and gave a commitment that the cancellation payment will apply to all employees, including duty officers.

Fair Work assisted the union and **VicForests** to reach an agreement about setting appropriate limits on the use of GPS tracking devices in vehicles. The union welcomed the safety benefits of the GPS system, but had asked that **VF** rule out using the technology to monitor staff out of working hours, and also rule out using GPS information in disciplinary proceedings. **VF** refused to make this commitment. Through the Fair Work process, the parties agreed to a statement setting out the terms for the use of the new GPS tracking system.

Human Services advised CPSU of their intention to review the management structure of **Disability Accommodation Services** in the Southern Metro Region and the union invited affected members to take the opportunity to engage in consultation.

Following two unsuccessful ballots for a proposed enterprise agreement at **ADF**, employees met and determined that a number of staff representatives should attempt to recommence negotiations. CPSU was unsure whether this group was acting as a bargaining representative in accordance with the requirements of the Fair Work Act and called upon members to indicate whether CPSU was still their bargaining representative or if another representative had been elected.

CPSU was advised by **Transport** of a proposal to make changes to the organisational structure of the regulatory policy and legislation branch in the legal division of the department and affected union members were invited to take the opportunity to engage in consultation.

CPSU representatives met with **Judy Lazarus Transition Centre** management to discuss the proposed 8/80 roster and other matters as the union had previously discussed concerns about the proposed roster with members, which included: insufficient staff coverage on the weekends, reports of unpaid overtime, and reports of staff taking work home. CPSU also had concerns about the level of staffing generally at the centre. Following discussions, the proposed roster was tweaked to address weekend coverage while CPSU resolved to investigate options for additional staffing for the 'movements' desk while remaining concerned about work being taken home and unpaid overtime.

CPSU has been advised by **Health** of a proposal to restructure the Environmental Health Unit in Head Office and affected union members were invited to engage in consultation.

JUNE '11

CPSU was advised of interim arrangements the **legal services commissioner** had implemented on a trial basis as a result of the resignation of the



director, legal and policy and affected members were encouraged to engage in consultation.

Despite a 2010 meeting between CPSU and **Justice** discussing condoms being introduced to prisons and the union subsequently tabling a document with scenarios and control measures for the introduction trials for consideration, CPSU was disappointed to learn that, without union consultation, Justice Health announced a condom trial would go ahead at four prisons — **Marrngoneet, Dame Phyllis Frost, Dhurringile and Tarrengower**. CPSU negotiated a process to undertake an OH&S Risk Assessment in relation to the introduction of condoms and dental dams in prisons are yet to commence.

After CPSU's petition requesting the Minister for **Education** include the union on the stakeholder consultation group was signed by 82 per cent of the statewide **School Student Support** Officers workforce, **DEECD** Acting Secretary, Jeff Rosewarne, formally agreed a CPSU representative would be invited to attend such meetings.

Members forced to relocate after site closures at **Frankston, Werribee, Knoxfield and Box Hill** were informed that residential relocation allowance does not preclude employees who do not travel an additional 120 minutes or 120km daily from writing to DPI to apply for their relocation expenses to be met.

Treasury and Finance approved **Parks Victoria** management's list of claims and after months of delay, members were able to start bargaining for a new Agreement. The approval eventually came after CPSU sought to take both **Parks Victoria** and **Treasury** to Fair Work via a bargaining dispute.

Negotiations for a new **Victorian Public Service Agreement** began with state government representatives. While the agreement was set to expire on 30 June, the existing agreement was to remain until replaced.

CPSU took **Youth Justice** to Fair Work about the lack of consultation regarding the payout of TIL balances. CPSU sought an end to the planned payment





of TIL balances until employees had an opportunity to raise concerns about financial impacts and requests for leave. At Fair Work the department gave the undertaking that any union member who wants the decision to be reviewed will be considered on case-by-case basis. CPSU and **DECA** had been negotiating to create a new Agreement since mid 2010. After many frustrating meetings, the parties reached agreement on all significant matters except two being; management were still only offering 2.5 per cent annual salary increases; and travel time. Unable to recommend the agreement to its members, it was scheduled for a ballot of employees.

JULY '11

CPSU representatives continued negotiations with **DSE** management around our Appendix 9, Fire and Emergency provisions. CPSU members were working to improve conditions in areas including the increase of a number of roles eligible for Incident Management Team payments, increasing fire line and emergency support allowances, operational status for fire roles, and expanding the standby availability to a 12-hour period. **VicForests** and CPSU continued to nut out a suitable drug and alcohol testing policy. While some CPSU recommendations to the policy were accepted, they were intent on subjecting employees to random drug and alcohol testing.

WorkSafe were called upon to intervene on the **Treasury** Precinct OHS Committee after **DEECD** management denied CPSU access. Following concerns the OHS Committee was dysfunctional, Health and Safety Representatives on the **Treasury** Precinct OHS Committee requested CPSU attend to provide appropriate advice. Attempts to persuade **DEECD** that the union had a right to advise HSRs proved fruitless, leaving CPSU no alternative but to refer the issue to **WorkSafe**.

CPSU discovered that **Primary Industries'** policy not to pay local staff deployed to an emergency, when travelling directly to or from that emergency was in breach of the Victorian Public Service Agreement. CPSU urged members who believed they might not have been paid this entitlement to make a claim for unpaid wages.

CPSU members continued pursuing important improvements to the **Child Protection** Worker Classification structure. Issues being negotiated included increasing work value required with the increasing complexity of cases, and the inadequacy of current rates to value the work performed, or retain staff, and attract new staff.

Safety concerns were raised regarding a new **government services office** in **Dandenong**. Issues included a lack of compliance with Treasury and



Finance accommodation guidelines, lack of consideration in relation to the nature of the work undertaken by members, and lack of compliance with WorkSafe's Workplace Amenities, Work Environment Compliance Code and Office Wise Guidelines. CPSU planned preliminary discussions with government stakeholders involved and asked for member's feedback.

AUGUST '11

The **Arts Centre** unleashed a radical industrial plan that looked set to undermine the quality of the Arts in Victoria and drive many staff into the private sector. The plan included removal of annual leave loading, abolishing penalty rates for significant sections of staff, eradicating allowances for staff broadcasting performances, and a real wage cut with a pay increase offer of only 2.5 per cent. CPSU developed claims to improve the workplace and invest in staff.

CPSU happily announced a four (4) per cent salary increase for **Goulburn Murray Water** staff as a result of negotiations for a new agreement. The increase amounted to hundreds of extra dollars for all GM Water employees.

Royal Botanic Gardens staff began seeing their 3.25 per cent salary increase resulting from CPSU's bargaining for a new Agreement, amounting to hundreds

of extra dollars per year for employees. Even better, the wage increase was backdated to the date the in-principle agreement was reached in December 2010.

Zoos Victoria backflipped on an understanding that a 2.5 per cent pay increase (payable from 1 July 2011) would not prejudice future negotiated pay increases as part of a new Enterprise Agreement. **Zoos** Victoria management insisted further pay increase for the 2011-12 financial year would only be paid if 'cash at bank' productivity savings could be found. CPSU determined that bargaining for the new Enterprise Agreement would be suspended until the negotiated pay increase was paid.

Sustainability and Environment notified CPSU of the outcome its review of the Environmental Policy and Climate Change Division, which resulted in six fewer positions in the new structure. CPSU urged affected members to contact the union to discuss their concerns.

CPSU met with **Australian Health Practitioner Regulation Agency** management to continue negotiations for a new Agreement. The discussion focused on the proposed classification system and translation into the structure. CPSU asked **AHPRA** to provide further information including the complete classification report conducted by Mercer and a comparison of wage rates currently paid in each state/territory.

CPSU attended Fair Work regarding the log on time dispute with Human Services' **Housing Call Centre**. CPSU's position was employees should not have to perform work tasks in unpaid time, and that tasks should be arranged within paid time. DHS committed to obtaining legal advice about the union's claim.

Bargaining meetings with the **Baillieu** government made it clear only one side in the talks for a new Agreement was interested in bargaining. CPSU representatives could not get a new **wage offer** from the Government even though the union had indicated its preparedness to support the 'productivity' discussed.

After weeks of negotiations between the unions and **Parks Victoria**, it became clear the bargaining would only progress if members were prepared to back our claims with action. **PV** told CPSU they wanted to remove the 'performance pay' component, and not offer anything in return. CPSU advised members they could either accept 2.5 per cent, with no improvements,



and no performance pay, or take protected industrial action. CPSU resolved to make an application to Fair Work for protected industrial action.

CPSU representatives met with **Human Services** management for an explanation as to why the union was not informed of the intention to change rosters. CPSU's argued **DHS** are required to provide the required information to enable a proper consultation process to occur. The meeting failed to deliver an acceptable outcome, leaving the dispute referred to Fair Work where it was agreed **DHS** would provide CPSU and employees the outline and effects of the roster changes.

SEPTEMBER '11

On the eve of a hearing with Fair Work, CPSU scored an important victory for employees when **Business and Innovation** agreed to rescind a plan to make it harder for employees to receive a progression payment.

CPSU, MEAA and non-union bargaining reps withdrew from discussions about the new EBA, following **VACT** management's failure to respond in detail, or at all to staff claims. Areas of concern included moving the procedural steps to access entitlements such as maternity leave, sick leave and annual leave outside of the agreement and into unenforceable policy documents that management can change at will. CPSU and MEAA made it clear that unions would not discuss cutting conditions.

After three hearings at Fair Work attempting to ensure that **SES** comply with their obligations to consult staff before entering into re-structuring, changing job roles, and introducing psychometric testing for staff, **SES** finally agreed to a proper process for employee consultation in the future.

Delegates participating in negotiations for improvements to our **Sheriffs** classification structure formed a consensus the final offer being made was unacceptable. CPSU had been advocating for movement at each Grade, while Justice representatives argued changes to the role did not translate into greater work value. The union resolved to seek a Protected Action Ballot Order from Fair Work.



CPSU attended a meeting with **Sustainability and Environment** to discuss concerns about the proposed restructure at **EPCC**. CPSU raised concern about whether the proposed redundancies were genuine and that the consultation process has not been followed. **DSE** representatives agreed to provide more information and to meet again to try to resolve grievances.

Land Victoria members were experiencing difficulties with the Optical Character Recognition technology, and its impact on performance targets. After meeting with staff CPSU lodged a dispute with Fair Work. **DSE** and CPSU met to try to resolve the matter before it came before Fair Work, yet an agreement could not be reached and it was re-listed.

CPSU met with **Trade and Industry** to discuss ongoing concerns raised by members. CPSU were informed business plans in the proposed structure would not be available until after the restructure had been completed. CPSU pointed out the business plans would greatly assist employees going through the Expression of Interest process and it was agreed branch specific information would be made available. **DBI** confirmed the EOI process was open to all employees not yet matched to a position.

CPSU received notification from **Lower Murray Water** of the decision to recommend to the Board of Directors that 12 positions be made redundant.

CPSU met with **Victorian Taxi Directorate** management to progress the on call matter. It was agreed the majority of the on call roster issues could be resolved if our Agreement Appendices negotiations were re-opened. **Treasury and Finance** would not allow this. Without a consensus and with no solution in sight, CPSU resolved to exercise our rights under the Fair Work Act.

Department of **Human Services** scheduled



changes to rosters raised CPSU concern about the total loss of hours "off the floor", and the impacts it would have on members health and safety. CPSU had written to DHS about this, yet received no response. For this reason, CPSU asked Fair Work to relist the matter.

Discussions between CPSU and **Human Services** about conditions of employment for workers classified by the **Child Protection** Worker Structure broke down, as the Department would not consider appropriately addressing our key concerns about 300 workers being excluded from the solution to pay for the outcome. The matter went to Fair Work to try to reach an agreement.

OCTOBER '11

Fair Work made a recommendation regarding the alleged dispute in relation to the implementation of the **"Building Our Capacity and Competency"** BOCC initiative. CPSU was able to negotiate an agreement and following the outcome thanked the delegates who attended and provided invaluable advice to the CPSU organiser.

Finalisation of **DECA** Agreement negotiations was halted due to the circular logic of **DTF** and **DECA** management. CPSU rejected the offer put forward by management months ago, and urged them to put the Agreement to a ballot of staff. CPSU wrote to **DECA** management in a bid to resolve the issue, yet received no response, and on this basis CPSU sought assistance from Fair Work.





Public Service Agreement on financial grounds, it was revealed bonuses were paid to 48 DSE Executives in the last financial year. They shared in \$655,000 or about \$13,645 on average each, equaling about 7-8 per cent.

CPSU held discussions with **DSE** regarding the proposed restructure of the **EPCC** Division. The union welcomed the revised structure, and specifically the Department's agreement that there should be no net loss of overall numbers within the division.

An unprecedented number of public service members participated in a **ballot** to say 2.5 per cent wage increase is not enough, and endorsed our comprehensive list of **protected action bans and limitations**.

Through united action, **police** secure a new wages deal meaning they would receive eight pay increases throughout the life of their new agreement at six-month intervals. These pay rises compound to 4.7 per cent per annum by the end of the agreement in November 2015. In addition, each **police officer** will receive a sign-on bonus payment of \$1000 immediately upon the agreement taking effect on 1 December.

While preaching wage restraint and advocating a

VITAL STATS:

- **2,942** new members recruited so far this year including 710 in November alone. 2,840 in 2010.
- A net growth of **5,901 members** (representing a 62.4% increase) since 1 July 2001.
- Total Member **funds of \$1,273,897** at 30 June with a small operating deficit of \$53,344 for 2010/11 financial year (\$24,572 surplus 09/10).
- **34** Agreements negotiated with **8** FWA approved, **3** pending final approval (AMES at FWA; TAC & Shrine with Govt), **19** public sector agreements (including VPS) under negotiation with most awaiting VPS outcome, **4** private sector negotiations underway (21 in 2010)
- **864** applications from members seeking representation this year. (545 in 2010: 578 in 2009).
- **290** change advice letters received from agencies. (309 in 2010, 242 in 2009).
- **57** EBA's, **17,300** members, **410** Occupations, and **4,197** worksites.

real wage cut to the service deliverers, it was revealed in an Annual Report that **Treasury** Executives shared in \$1,410,000 in bonus' last financial year. Executives pocketed \$17,407 on average each, or 12 per cent.

NOVEMBER '11

Following months of being told **Parks** Victoria is in a difficult financial situation as justification for only offering 2.5 per cent annual pay increases, it was revealed in the **Parks** Victoria Annual Report that bonuses were paid to 14 executive officers in the last financial year. The windfalls totaled \$169,000, at an average of \$12,071 each or roughly seven (7) per cent.

CPSU was advised by **Vic Roads** of the decision to review the structure of the Business Services Team within the Registration and Licensing Division. Affected union members were encouraged to take the opportunity to engage in consultation.

Public servants were given the right to choose **not to comply with public comment restrictions** as part of our protected industrial bans arising from our pay dispute with the government. This enabled CPSU members who are usually prevented from participating in public debate to speak to the media about their program, resourcing, pay, and other issues.

CPSU was advised by **DHS** of the proposal to increase the number of case management teams from five to six and establish two teams with a specific focus on young people subject to parole orders with a supervised community work component. Affected union members were encouraged to take the opportunity to engage in consultation.

CPSU received a briefing on the new **SSSO** management model at a meeting with **Education and Early Childhood Development** officials. CPSU established a committee of members to prepare our response to **DEECD's** proposal comprising "regional representatives".

CPSU's effort to reduce the gulf in wages and conditions between **SES** and CFA employees by seeking parity with CFA workers through EBA negotiations was rejected, with **SES** management describing the exercise as "futile".

The **Baillieu** Government makes an application to Fair Work to end all bargaining and to stop our pro-



tected action. CPSU resolved to vigorously defend the bargaining rights of all 35,000 government employees who work in 400 different specialist occupations across 23 agencies and 2000 worksites.

Following a unanimous vote, **Environmental Protection Authority** members participated in a work stoppage to tell the Government that 2.5 per cent wage increase was not enough.

With the school holidays just around the corner, CPSU is informed of **Transport's** decision not to renew its contract with Camp Australia, meaning the January 2012 program will be the last. Among the reasons cited for not continuing with the program was the location not being appropriate for children, and children reportedly being bored, leading to complaints by parents about the program and damage to **DoT** property.

Fair Work issues a statement on the progress of child protection and wages conciliation since the cease-fire was agreed and importantly Fair Work acknowledges that **DHS** has not adopted a take it or leave it approach at this stage of the negotiations and anything said to the contrary does not reflect the true position.

Fair Work orders that our protected industrial action, can be extended by a further 30 days as legislative tests are met however in the spirit of the cease-fire no new notifications for protected action will be issued by CPSU however all earlier protected action notifications remain in place meaning bans and limitations continue with the exception of item 20 & item 21 relating to Child Protection caseload controls. These two actions are paused while Fair Work conciliation occurs.

Fair Work sponsored conciliation before Commissioner Smith reaches its end and a Statement is issued following a final attempt by CPSU to convince **Treasury** that the productivities put forward by the union should invoke in return a reasonable pay offer from the Government. No improved pay offer was forthcoming. The Government's simultaneous announcement of job redundancies exposes the duplicity of the Government's attitude toward our bargaining and was indisputably disrespectful to the workforce and to Fair Work.



The **Baillieu** Government backflips on its key election commitment to protect PS jobs and its redundancies announcement is a major betrayal for all those that cast their vote last November for change. The announcement makes no sense while the Vertigan Inquiry into the State's finances is still to report. The work just won't magically disappear so the Government must be preparing the ground for privatisation. Victoria has grown 20% in the last decade but the Service is 1/3 less in size than it was 20 years ago.

CPSU sends notifications to Government Employers of our intention to **escalate the protected action** commencing within 72 hours prompting the Government to respond by applying to curtail all our bargaining. Fair Work intervenes and will now determine the wages to be paid. The behaviour of our membership to respect Fair Work's request to pause the escalation of our protected industrial action whilst conciliation was facilitated is acknowledged and members are thanked for the discipline displayed.

Fair Work terminates our bargaining on the eve of Christmas and arbitration on wages will be the next step to resolve the impasse for CPSU members. The **Baillieu** Government can make an acceptable wages offer during the conciliation period but this ends on 14 January 2012. Treasury requested PS wage discussions early in the New Year as it sinks in it seems, that their massive job redundancy announcement ambush just before Christmas provides the undeniable '**cash at bank**' productivity evidence wage Tribunals love.

Brennan O'Brien, Child Protection

After 16 years working in child protection, Brennan O'Brien is something of an anomaly. The incredible and relentless workload, along with the emotionally draining aspects of a career in child protection ensures turnover is high.

Now in the twilight of his career, Brennan knows he'll retire in the job. He muses his tenacious character may have aided his longevity in child protection, though admits there have been tough days.

"I have been rattled quite a few times, I can assure you," he says.

These days Brennan's a case support worker with the adolescent team, which often means transporting clients to and from secure welfare and assisting case managers in the challenges of their role.

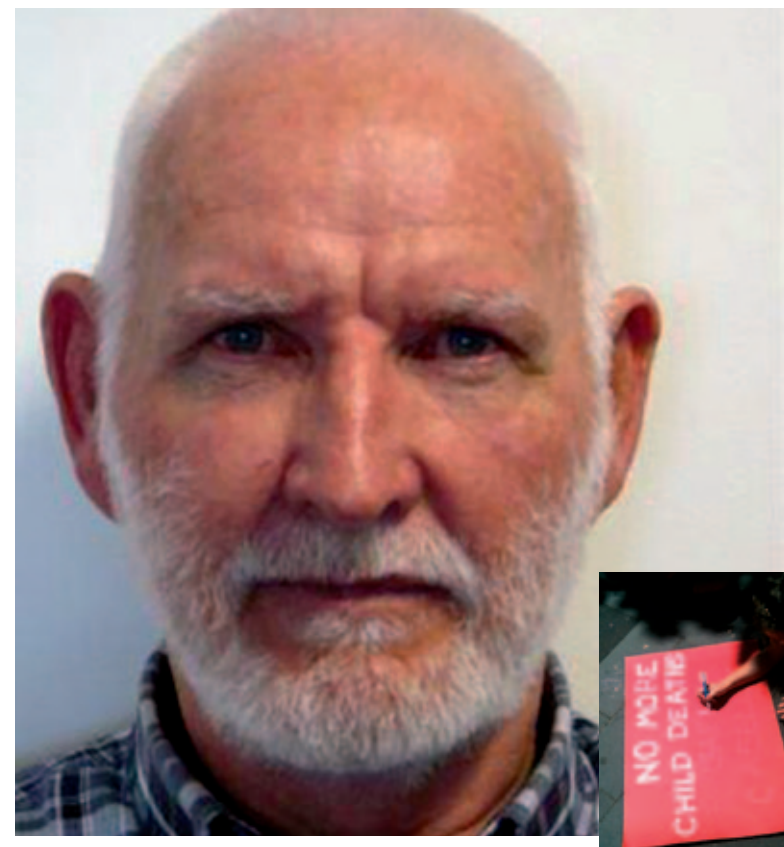
Child protection workers are routinely exposed to some of the more harrowing aspects of human behaviour and are confronted with the effects of drug and alcohol abuse, sexual abuse, domestic violence and other traumatic symptoms of family breakdown.

Their role in attempting to protect the children from the impact of such behaviour often exposes them to risk.

It's undeniably a difficult job, and one that the community values, yet Victoria's child protection workers are the lowest paid of any in the country and despite years of campaigning for a maximum staff to client ratio, there is no limit on workers' caseload.

"With a caseload of say 12-15 people, you only have to have one or two difficult ones and the rest of them don't get any attention at all, and that's often what happens," says Brennan.

Needless to say, staff turnover is the biggest issue facing the child protection industry as dedicated, well-educated, workers are continually burnt out. "A safe caseload is going to allow you to work meaningfully with the client and get a better outcome, it's going to retain staff, it's going to make child protection a healthier and safer place," says Brennan.



Adrian Tait, Sherriff's Office

When Adrian Tait starts his day as a Sheriff's Officer in Werribee, he arrives to where his vehicle is garaged overnight, gets in, looks where he's to be issuing his first warrants for the day, and drives there.

His car is already outfitted with the safety equipment he needs, including battens, handcuffs, and radios, along with all his necessary paperwork required for carrying out the day's duties.

His job is varied and can range from serving basic infringement warrants, through to warrants to arrest people. He enjoys his job and believes he's performing a worthy community service.

However, the ease in which he's able to carry out his job is about to get a lot more complicated when the government's car pooling program becomes fully operational.

Instead of being able to simply get in his car and go each morning, all Sheriff's will soon be required to pool their vehicles to share with other Department of Justice workers.

Sheriffs will then be forced to pack their cars with all their paperwork and equipment at the start of each shift, and unpack it again at the end of the day.

"It's well known, once the cars go into a pool depot-type parking arrangement, productivity will drop dramatically," says Adrian.

Two Sheriff's teams, Ringwood and Berwick, have started operating under the new program, and officers have reported losing up to 90 minutes each day in packing and unpacking their vehicles.

Adrian also has OH&S concerns about the program.

"The department wants to mark the cars with Sheriff's branding. Once that happens, then Community Corrections Workers, who don't carry a batten or handcuffs, would be unlikely to drive around in a vehicle with Sheriff marked on it, as people could perceive them as Sheriffs and that could become a safety issue."



Christopher Perry, Department of Education

Christopher Perry has been working in education for over 20 years, starting as a secondary school teacher before moving to the Victorian Curriculum and Assessment Authority in 1995.

As project manager in assessment system development, Christopher is responsible for the maintenance and development of the IT-based systems that are used to support the delivery of curriculum and assessment services to Victorian school students, including the Victorian Certificate of Education.

As part of this role, Christopher will be part of the team to help navigate the transition to the proposed introduction of the Australian Curriculum, which will result in all states and territories delivering the same curriculum.

"The introduction of the Australian Curriculum will have a significant impact on the entire education community, as everyone from education providers to parents and students come to terms with the new curriculum, how it is delivered, and how student achievement is measured and reported," explains Christopher.

Government belt-tightening is providing another challenge to Christopher's role. "Whilst the VCAA is doing a great deal in improving the delivery of services using more modern technologies, these initiatives are often hampered by the lack of resources that are allocated to these initiatives," he explains. "Further, the delivery of services in their current forms appears to be placed in jeopardy by budget cuts that the Victorian government has introduced, leading to staff at the VCAA having to work harder and longer to produce the required outcomes, and



the very real potential of a reduction in the quality of services delivered to the education community."

Christopher describes the government's pay increase offer as offensive. "I believe that Victoria's public servants provide essential services that are required to ensure that the state operates in the most efficient way possible. I am opposed to any attempt to reduce the value of work done by public servants by attempting to get them to accept a percentage salary increase that is less than the CPI."

Jo Haunui, Public Housing – DHS

When Jo Haunui began working for Public Housing and Community Building within the Department of Human Services 11 years ago she liked that she could help make a difference to people's lives by providing them with a basic necessity for survival – shelter.

"The more I learned about the department, their goals and objectives, the more I loved being a part of a program," she says.

Jo is now a Senior Housing Services Officer on the Tenancy Property Team in Footscray and responsible for managing tenancies once people are allocated housing from the public housing waiting list.

While she still enjoys her job, the demand for Victoria's public housing is enormous, creating many challenges in her daily responsibilities.

"One of our many roles is to provide long term accommodation and support for low income Victorians that are most in need," she explains. "At the moment we have approximately 38,000 people on our waiting list and many more applying every day."

Most housing offices are understaffed, leaving housing services officers to manage on average 300 tenancies and sometimes up to 400. Their role involves complex tasks such as managing neighborhood disputes and managing tenancy debt, and workers' safety is often compromised.

"Our clients have more complex needs which require specialist properties and/or extensive support to ensure their tenancy is sustained," she explains. "In addition to this, we are also faced with improving our current properties for longevity."



Given the vital role housing workers carry out in the community, Jo regards the 2.5 per cent wage offer an insult. "We have an extremely challenging job trying to balance the intentions of our policies and the 'expectations' of our clients and the community," she says.

"Our role requires specialist knowledge of many areas, including Office of Housing policies, the Residential Tenancies Act 1997, human rights, property maintenance requirements, how to deal with complex clients (including those suffering substance abuse, mental or physical disability – just to name a few). The list goes on.

"Workers deserve to be remunerated for the outstanding and often difficult job we do!"



Baillieu Bargaining

Our Victorian Public Service Agreement expired on 30 June 2011.

35,000 state employees are affected.

Another 21 Agreements including all our Arts Institutions, VicSES, Parliament, VIT, GAA and Parks amongst others are also waiting for VPS outcome.

The government offers a 2.5% wage increase.

The Service rejects this offer.

CPSU members vote overwhelmingly to commence protected industrial action.

100 meetings between CPSU negotiators and the Government had been held.

Govt fails to have our protected industrial action suspended in November 2011.

Fair Work sponsored conciliation occurred since mid-November 2011.

Govt announces a cut to one in 10 jobs on 15 December.

Fair Work conciliation talks break down.

Govt applies to only suspend our protected industrial action. Govt asks for another 3 months. This application was heard on 21 December 2011 and rejected.

CPSU asks for Fair Work to terminate all our bargaining, at this hearing, in the knowledge that after a period of 21 days, Govt stalling would be ended.

Fair Work issues its decision to terminate as per CPSU's request on 23 December 2011.

21 day compulsory conciliation period with Fair Work expires on Saturday 14 January 2012.

Govt seeks our consent to extend.

Consent not given.

Fair Work will determine the Govt wages policy through arbitration.