Offer for a new Territory Generation Enterprise Agreement Negotiations

Details of overall offer

1. **Term of Agreement**

   It is proposed the new agreement (the Agreement) will have a four-year term that will provide employees with job certainty and secured terms and conditions over this period including employment **security provisions whereby no involuntary redundancies arise as a result of implementing the new** Agreement.

2. **Salary and Allowance Increases**

   A total increase in salaries for Territory Generation Employees of **11%,** or **11.46%** compounding, over 4 years, as follows:

   - **2.75%** salary increase will be back payable from the beginning of the first pay period on or after 15 July 2026 (on the basis that employees vote for the proposed agreement).
   - **2.75%** salary increase payable from the beginning of the first pay period on or after 15 July 2027
   - **2.75%** salary increase payable from the beginning of the first pay period on or after 15 July 2028
   - **2.75%** salary increase payable from the beginning of the first pay period on or after 15 July 2029

   Unless otherwise stated in this offer, allowances under the Agreement that are currently adjusted with the Darwin Consumer Price Index (CPI) will continue to increase in line with current provisions; those that increase in line with the Agreement, will continue to increase by the respective annual percentages; and allowances which are not currently adjustable (e.g. NT Allowance) will remain at their current rates.

   Payment of salary and allowance increases (including back payments that might apply) shall only be payable to employees who are employed on the date of commencement of the new agreement.

Territory Generation - Specific Conditions

3. **New Attraction and Retention Payment**

   To assist with the attraction and retention of employees to Alice Springs, the current annual attraction and retention payment will be increased from $1 000 pa to **$2 000**, effective from 14 August 2027.

   The lump sum payment will then increase up to **$3 000** on 14 August 2028, and annually thereafter. Payment will be based on an employee's continuous service over 12 months preceding 14 August each year. Where an employee has less than 12 months' continuous service, a pro rata payment will be made, proportionate to their length of service during that 12 month period.

4. **High Voltage Allowance Increases**

   The current High Voltage (HV) allowance will be increased from $115 to **$180** per fortnight (or **$ 4 695 pa**) for employees who are required to perform HV switching. The provisions of Determination 1028 of 2024 will also be included to provide the allowance to the Senior Technical Coordinator classification, or other classifications approved by the CEO.

   The allowance will also be adjusted in line with **2.75%** annual salary increases during the term of the Agreement.

5. NEW – Personal Nominee Electrical Licence Allowance

A new allowance of **$5 000 pa** will be provided for employees who undertake the responsibilities of a 'Personal Nominee Electrical Licence' holder, to provide certificates of compliance and in recognition of the additional responsibilities under the *Northern Territory Electrical Safety Act 2022*.

6. Power Station Operators, Senior Operators and Operator/Maintainers

The annualised salary arrangements for power station Operators, currently contained in Group Variation Agreements (GVAs) issued by the Commissioner for Public Employment, may be incorporated into the Agreement, based on the following:

24/7 Shift Workers

An annualised allowance equivalent to **47.6%** of base salary would be provided in lieu of:

- Shiftwork penalties and provisions for working 12 hour shifts on a 24/7 cycle basis, including public holiday and recreation leave loading entitlements; and
- an additional hours component equal to 31 hours duty per annum (paid at double time) arising from the reduction in weekly hours from 37.5 hours to 36.75 hours (effective 9 April 2026); and

The Responsibility Allowance provisions contained in the current GVAs for eligible employees will also be incorporated into the Agreement.

The current GVA provision for 96 hours of overtime worked, which equated to approximately 9.8% of the annualised allowance, is not proposed to be included, with all overtime worked to be paid in accordance with the Agreement.

7 Day Shift Workers

For the **7 day shift roster workers** the annualised shift allowance would be equivalent to **12.4%** of base salary in lieu of shiftwork penalties and provisions for working 9.18 hour shifts (including Saturdays and Sundays in each 3 week cycle), and recreation leave loading entitlements.

The Skills and Retention (Steam) Allowance provisions contained in the current GVAs for eligible employees will also be incorporated into the Agreement.

The new provisions for all of the above (24/7 and 7 Day shift workers) will also provide that the Annualised Allowance will count as salary for the purpose of payments in lieu of recreation leave.

With the introduction of the 36.75 hour week from 9 April 2026, accrual of recreation and personal leave will be based on the new ordinary hours of work, being 7.35 hours per day (replacing the current 8 hours per day accrual provisions).

7. Licence Fee Reimbursement

A new clause will provide that Territory Generation will reimburse licence fees for all employees who are required to obtain and maintain electrical, gas type-B and high-risk licences (excluding drivers licenses) which are an essential requirement of their role as determined by the job description.

8. Apprentices and Graduates

Apprentice and Graduate conditions will be improved providing greater flexibility in managing workforce capability as follows:

- the current limitation of employing 3 apprentices each year, subject to maintaining a maximum of 8 at any one time, will be removed from the agreement (allowing more apprentice placements); and
- Graduates will be offered a minimum of 6 months employment on the successful completion of Graduate Program.

9. Strengthened Safety and Healthy Work Environment

The Health and Safety provisions will be strengthened consistent with the *Work Health and Safety (National Uniform Legislation) Act 2011*, and improved measures will be included for Territory Generation to take reasonable and practicable steps to prevent and address psychosocial risks in the workplace; and support the establishment of committees and/or workgroups including health and safety representatives.

Other improvements to the clause will include:

- reasonable rest breaks being taken when working in extreme heat conditions;
- employee obligations to promote and encourage safety, and to comply with all relevant policies and procedures;
- workload reviews to provide that management will acknowledge receipt of requests within 7 days; and
- Fatigue management provisions (moved from the call out provision).

10. Higher Duties Allowance

The provisions relating to higher duties allowance (HDA) will be clarified in terms of allowances that are to be included as remuneration when an employee is acting in an Executive Contract role. For calculating the HDA, this will include the Consolidated Disability Allowance, Extra Duty Allowance, and High Voltage Allowance.

11. Shiftwork

The shiftwork provisions will be improved for night shift to mean any shift starting at or after 6:00 pm (reduced from 8:00 pm). This will also align with the current GVA calculations for Operators annualised salaries.

12. Recall or Cancellation of Approved Leave - Essential Services to the Community

New provisions will provide for employees to be reimbursed travel costs where their pending leave is cancelled, or they are recalled from leave. This would typically only occur to ensure Territory Generation can continue to provide essential services to the community in or following emergency situations (e.g. such as cyclone, flooding or fires), and employees would be consulted prior to any decision to cancel or recall them from leave.

13. Emerging Technologies and Artificial Intelligence

The existing clause will be amended to include recognition of the introduction of artificial intelligence (AI) and that AI automated systems will be used in accordance with Territory Generation's approved AI governance and acceptable use framework.

14. Use of Surveillance Technology

Use of Surveillance Technology provisions will be improved to provide that the accessing of data for the purpose of an investigation will only occur where there are reasonable grounds to suspect a breach of discipline, and if so only after approval has been granted by the CEO.

15. Integrity of Payments

A new integrity of payments clause will be included which recognises that all employees should be paid their entitlements correctly and on time, acknowledging that from time-to-time employees may be either overpaid or underpaid.

Consistent with current practice (and NTPS provisions) any underpayment will be rectified as soon as reasonably practicable; and employees will be notified of any overpayment and provided with an opportunity to provide reasonable recovery options. Unless agreed otherwise the maximum amount able to be recovered will be set at 10% of the employee's gross salary per pay period (consistent with NTPS provisions).

16. Performance Achievement / Pay Progression

Territory Generation’s performance achievement and pay progression provisions will be updated to clarify that employees are not eligible for pay progression or top of band bonus where they have not completed essential or identified training; or have been subject to a formal performance improvement plan during the performance agreement cycle.

17. Corporate Safety Initiative

To improve safety outcomes and eligibility for the corporate safety bonus, the timeframe for finalising safety investigations will be extended to 60 days (increased from 30 days) from the date of reporting. This allows for more thorough investigations and enables more effective actions to prevent repeat incidents.

In support of Territory Generation commitment to continual improvement in its safety record, the new agreement will provide that an employee will be ineligible for individual and corporate safety bonus payments where they have been found to have committed a breach of safety within the performance development cycle.

18. Inclusion of Bylaws and Determinations

The current long service leave (LSL) provisions contained in By-Law 8 will be enshrined in the new agreement, (consistent with all leave entitlements being included in the agreement) whilst also maintaining the current Territory Generation specific LSL conditions.

Determination 5 of 2024 – Community Language Allowance provisions will be included, which provides for an allowance of up to **$2 546 per annum** (from 13 August 2026), where an employee meets the eligibility criteria and is required by the CEO to use their bilingual communication skills in their role.

Determination 1099 of 2023 – Team Leader Allowance provisions will be included, which clarifies the allowance applies to Trade Technical at pay point 1 to 11 or Operator/Maintainer at pay point 1 to 5, or an employee classified as an Operator/Maintainer at pay point 6 or 7 at the discretion of the CEO.

As previously noted Determination 1028 of 2024 will also be included to provide the HV allowance to eligible employees at the Senior Technical Coordinator classification (or other classifications approved by the CEO).

19. Clarity on the application of current conditions of employment

Several clauses in the current Agreement will be updated to provide a better understanding and consideration of terms and conditions of employment, including:

- Classification stream descriptors have been reviewed and updated to clarify a AQF Certificate III requires a relevant trade discipline, or equivalent skills, knowledge and experience.
- Skills allowance for Workplace Health and Safety Officers will count as salary for all purposes.
- Tool Allowance will be payable during periods of approved paid leave.
- Objective of Agreement provisions will acknowledge that Territory Generation must operate within the Statement of Corporate Intent (currently provided under the resourcing provisions)

Improved leave and other provisions

New or improved leave provisions will be made to a number of clauses in the agreement consistent with the *Northern Territory Public Sector 2025 – 2029 Enterprise Agreement*. As discussed during the negotiation meetings these are summarised below:

20. **Personal leave to cover medical attendance** – Personal leave provisions will be improved to allow employees to provide certificates of attendance for medical appointments, for themselves, or to support an immediate family or household member (which will count as personal leave with documentary evidence), including for health issues other than just for an illness or injury (e.g. for preventative care).

21. **Compassionate leave** – This clause has been improved to allow access to compassionate leave provisions during a period of recreation leave (i.e. recredit of recreation leave).

22. Existing **Blood Donor Leave** will be improved to allow time for donating blood plasma.

23. **NEW - Organ Donor Leave** – The Chief Executive Officer will have the ability to approve a recredit of leave for employees to donate a kidney or part of a liver, up to an equivalent amount received in payment from the Federal Government's Supporting a Living Donor Program (based on a period of absence of up to 18 weeks).

24. **Leave to Engage in Voluntary Emergency Management Activities** – The current provisions will be improved in relation to volunteering for emergency management activities, and include leave may be taken for prevention, preparation, response or recovery purposes.

25. **Disability and diversity** - A new clause committing to support and accommodate a diverse and inclusive workplace which values the identities, skills and capabilities of all people including those with a disability, from culturally and linguistically diverse background, and senior people.

26. **Attendance at Approved Employee Assistance Providers** – The new Agreement will clarify that attendance at approved Employee Assistance Providers will be granted without deduction of any leave entitlements, and will include reasonable travel time for appointments.

27. **Improved access to flexible work arrangements** - The 'Flexible Work – General Principles and Requirements' provisions will be improved to provide that requests for flexible work arrangements will be considered favourably and, on a case-by-case basis, subject to the reasonable business grounds set out in the current Agreement. Further, it will provide that each 'work from home' request will be considered on its merits with no predetermined frequency on when an employee can work from home.

28. Right to disconnect - Employee right to disconnect provisions will be included in the agreement to assist in maintaining work life balance opportunities and breaks from work contact.

29. **New Fixed period employment provisions** - A new clause will be included to reinforce security of employment provisions for fixed period employees consistent with the Fair Work Act 2009 which provides that employees should only be provided fixed period employment contracts for no more than 2 years or 2 consecutive contracts, unless an exception under the Fair Work Act 2009 applies.

Compliance with the *Fair Work Act 2009*/ NTPS Enterprise Award 2016

30. Updated or new clauses to reflect recent changes to the Fair Work Act 2009 include Management of Change, Dispute Settling Procedures, Individual Flexibility Arrangements, Casual Employment (Employee Choice Pathway) and Union Rights *(in addition to the Right to Disconnect and Fixed period employment provisions previously noted).*

Additional commitments

31. During negotiations the parties discussed and addressed many claims that were day to day operational matters relating to the application of entitlements and conditions, which were not required to form part of a new agreement. It is noted that Territory Generation have agreed to:

    - review the Fatigue Management policy provisions; and
    - further investigate the qualifications required by Operators noting the Diploma of ESI is becoming difficult to access (or have recognition of prior learning assessed for this), and will consider appropriate alternatives in consultation with affected employees.