

NTPS ENTERPRISE AGREEMENT NEGOTIATIONS

JACANA ENERGY - INFORMATION SHEET 2/2017

IMPROVED OFFER FOR A NEW ENTERPRISE AGREEMENT

This information sheet outlines the terms of the Commissioner for Public Employment's improved "without prejudice" offer. The offer was made on 9 November 2017 to the Community and Public Sector Union (CPSU), for a new Jacana Energy Enterprise Agreement, to replace the 2015-2017 Jacana Energy Enterprise Agreement, which nominally expired on 30 June 2017.

This offer considers matters raised in the CPSU's log of claims and is consistent with the [NTPS Wages Policy 2017-2020](#). The offer is fair and reasonable, taking into account the current budgetary environment, forecast CPI, competitiveness of salaries and other terms and conditions being offered.

The terms of this offer comprise a total package of improvements and changes to terms and conditions of employment. The salary offer is dependent on the achievement of the proposed efficiencies and if these cannot be achieved the Commissioner for Public Employment reserves the right to vary the salary component accordingly.

Duration

The new agreement will have a four year term with an expiration date of 30 June 2021, which will provide employees with stability in terms and conditions over this period.

Salary Increases

Subject to approval of the agreement by the Fair Work Commission:

- an initial salary increase of 2.5 per cent to be paid effective from 1 July 2017;
- a second salary increase of 2.5 per cent to be paid effective from 1 July 2018;
- a third salary increase of 2.5 per cent to be paid effective from 1 July 2019; and
- a fourth salary increase of 2.5 per cent to be paid effective from 1 July 2020.

Salary increases under the new agreement will not apply to employees who cease employment with the NTPS prior to approval of the agreement by the Fair Work Commission.

Expanded Parental Leave for Partners

Paid parental leave provisions will be broadened to include surrogacy situations and to expand the leave available to partners. This will provide employees who meet the relevant criteria with the current generous levels of paid parental leave of up to 18 weeks, and up to a total of three years off for parental leave purposes.

This new provision will provide partners with additional leave where they take on the primary carer responsibilities. The leave would be available where the initial primary caregiver returns to work and the partner would be able to access paid partner as primary caregiver leave. For employees with more than five years of service this will be up to 18 weeks from the birth of the child, and 14 weeks for employees with one to five years of service. Partners may still access partner leave (up to 2 weeks paid) prior to accessing this new partner as primary caregiver leave. However only one parent of the family unit can nominate as primary caregiver at a time. The maximum period of paid leave for a partner will be 18 weeks.

Employees will continue to be able to request leave without pay or flexible working arrangements up until the child reaches school age.

Employer Funded Superannuation (12 months unpaid Parental Leave)

Employer funded superannuation payments during periods of unpaid parental leave will be increased from six months to 12 months. This would ensure the payment of employer funded superannuation payments for 12 months from the date of commencing parental leave, for employees entitled to paid parental leave (14 or 18 weeks).

Individual Performance and Personal Development Plan (IPPDP)

The current scheme was introduced in 2015 with the establishment of Jacana Energy. A review of the scheme and its increment and bonus provisions has been conducted, to better align it with the corporation's commercial business model that has developed over the past two years. The review included employee group input and consultation.

It was recognised that to receive increments under the current scheme (which provides for a salary increase of approximately 5 per cent on average), employees need to have 'exceeded' in both their individual objectives (what) and the corporate values (how).

The proposed new model will still provide for an approximate 5 per cent increment increase (or the current top of band bonus), for achieving an 'exceeded' rating, however a new rating of 'Met Plus' would result in an approximate salary increment increase of up to 2.5 per cent (2.46 per cent on average); or 50 percent of the top of band bonus for employees at the top of their classification. These increases are in addition to the 2.5% annual increases.

The 2.5 per cent increase for a 'Met Plus' would effectively replace the current 'exceeded/met' outcome which provides for a \$1000 bonus, and would provide salary increment increases ranging from \$1260 up to \$3500 (spanning across the current minimum of the JL1 to the maximum of the JL4). These salary increments will count for all purposes including superannuation, overtime and leave.

The current \$500 bonus for achieving a 'met/met' outcome, will be replaced with a new 'met' outcome, which would provide for a \$1000 bonus.

The introduction of the new PDP scheme, providing increased bonuses and opportunities for incremental advancement, will replace the Jacana Energy Corporate Bonus component of the current scheme.

Competency Based Increments for Contact Centre Employees

To recognise the skill development stages of entry level Customer Care Advisors (contact centre employees), Jacana Level 1 employees, within current increment points 1 to 4, will be able to access competency based increments, based on their level of competency in contact centre operations.

Casual and part time employees who work an average of at least 50 per cent of fulltime hours will, in addition to full time employees, be eligible to participate in the new competency based assessment progression scheme for Customer Care Advisors.

Higher Duties Allowance

Employees currently must perform the full range of duties of a higher level job in order to receive a Higher Duties Allowance (HDA) under the current agreement.

To recognise situations where employees may be performing a portion of the normal duties of a higher level job, partial HDA provisions will be introduced in line with the NTPS 2013-2017 Enterprise Agreement (NTPS

General Conditions). This would provide an alternative amount of HDA determined and authorised as a percentage of the duties performed, where that partial performance is required.

In line with this improved offer all employees who act in Jacana Executive Contract positions shall be able to receive HDA up to an amount being 5 per cent greater than the highest JL4 increment point.

Currently employees acting in Executive Contract roles could receive five per cent more than their nominal salary, or the nearest (higher) NTPS Senior Administrative or Executive Officer pay point. This improved offer provides greater potential HDA outcomes for employees, up to 5 percent more than the highest JL4 increment.

The amount of HDA would be subject to CEO discretion, and in line with the partial HDA proposal, the CEO may determine an appropriate level of HDA that may be applied that recognises the duties and responsibilities being undertaken of the Executive Contract role.

Introduction of On-Call Allowance and Restrictive Duty Provisions

On-call allowance and restrictive duty provisions will be introduced in line with NTPS General Conditions. This will provide an on-call allowance for employees who are required to remain prepared to return to work, and overtime rates for returning to work or taking a telephone call for duty purposes.

Domestic and Family Violence Provisions

The NTPS provides uncapped paid leave for employees experiencing domestic and family violence through miscellaneous leave provisions. To create awareness of these existing provisions, a new clause will be included in the new agreement highlighting Jacana Energy's commitment to providing leave and other support to employees who experience domestic and family violence.

Improvements to Union Rights Principles and Dispute Settling Procedures

Rights and obligations of delegates will be set out in the agreement and will be underpinned by a set of key principles. This will ensure that employees continue to have union representation in the workplace should they need support and assistance, as well as access to current provisions (e.g. union training leave).

Improved dispute resolution provisions will cover the application of By-laws, which will be able to be resolved through the dispute settling procedures and may be conciliated by the Fair Work Commission. An employee will continue to have access to the grievance review mechanisms under the Public Sector Employment and Management Act if a By-law has not been correctly applied.

Cultural Leave and Kinship Relationships

Five days unpaid cultural leave each year will be provided for employees. Work with unions and employees to identify productive ways we can recognise the obligations of kinship relationships will also commence. Where agreement is reached with the unions about appropriately identifying kinship relationships, provisions providing for kinship relationships to be recognised as immediate family for compassionate and personal leave will be established.

Part-time Overtime

Part-time employees will be paid overtime after reaching their agreed part-time hours, where they are directed to work additional hours. This improvement will ensure that part-time employees are compensated when they are directed to work longer hours. If a part-time employee agrees to work additional hours then they will be paid at single time until they have worked the hours of a full-time equivalent. However the agreed hours for a part-time employee will be subject to review and may be increased to align with any regular additional hours a part-time employee is working.

Review of Employment Instruction 1 – Security of Employment and Redundancy

Employment Instruction 1 Filling Vacancies will be reviewed to ensure that principles for security of employment through ongoing, fixed period and casual employment provisions are clear.

As part of the review of Employment Instruction 1, conditions for re-employment in the NTPS after a redundancy will be reduced from two years to 12 months.

Response to CPSU Claims

The proposals outlined above include a number of CPSU claims which have been agreed to including greater access to increment provisions; introduction of on-call and restrictive duty allowances; inclusion of references to domestic and family violence leave; the extension of parental leave entitlements to include surrogacy and partner situations; increasing superannuation payments during periods of unpaid parental leave from six to 12 months; improvements to dispute settling procedures (including disputes about By-laws); inclusion of union and representative rights; and improvements to higher duties allowances and flexitime provisions.

In addition to the above, the offer for a new agreement includes the following matters, which form part of the CPSU log of claims:

Permanent Jobs

The new agreement shall include an objective to improve and maintain ongoing employment opportunities and employment security.

Redeployment

Jacana Energy employees who may become redeployees, shall be considered for relevant vacancies within Jacana Energy and other agencies across the NTPS.

Redundancy

Jacana Energy redundancy entitlements shall remain consistent with general NTPS standards.

Learning and Development

Jacana Energy employees shall continue to benefit from learning and development opportunities on paid time, including through formal Study Assistance provisions, Individual Performance and Personal Development planning, and other day to day short courses relevant to employees and the workplace.

Reasonable Workloads

Jacana Energy are committed to employees achieving an appropriate work life balance and agreement provisions providing employees with the ability to have their workloads reviewed will continue.

Consultative Committees

Consultative committees provide effective forums for employees and their representatives to consult with management on workplace issues that may affect them, and the current agreement provisions will be retained.

Classification Levels

Work value assessments shall continue to be applied consistently across Jacana Energy in line with the NTPS Job Evaluation System (JES). Employees shall also continue to be able to request a review of their position, if required, in line with the NTPS JES guidelines.

Superannuation

Employees in choice of fund schemes will continue to receive a guaranteed minimum employer superannuation contribution regardless of their choice of fund.

Further, any increases to the minimum Superannuation Guarantee Charge (SGC) rate, required under federal legislation, will apply to eligible employees not already receiving the minimum SG amount through membership of a defined benefit scheme in addition to the salary increases in this offer.

Allowance Increases

Allowances provided under the agreement will be increased in accordance with salary increases offered (2.5 per cent per annum), or consumer price index variations.

Working hours

There shall be no increase to the current ordinary hours of work (37.5 hours per week), or the span of hours of 6am – 6pm Monday to Friday.

Rosters will continue to have consistent start and finish times; and employees will continue to have access to reasonable breaks, and the ability to request alternate roster options where they can be accommodated operationally by the corporation.

A new provision will be included in the agreement noting employees should be given at least one week notice for employer initiated roster changes, except for backfilling of absences or sickness of an employee (consistent with NTPS general conditions).

Flexitime

Flexitime provisions (which are not restricted to any level), shall continue to operate under the new agreement.

No Reduction in Leave

There shall be no reductions to current agreement entitlements relating to personal leave; recreation leave (including purchase of recreation leave or leave at half pay); parental leave; compassionate leave; access to leave without pay; miscellaneous leave; and employee applications for leave shall continue to be processed in a timely manner.

Work Life Balance / Family Friendly Provisions

Employees shall continue to have access to the work life balance options provided under the current agreement. Employees returning from parental leave, or with caring responsibilities, will maintain a right to request part-time work and other flexible working arrangements; and no employee employed on a full-time basis will be required to convert to part-time hours. Jacana Energy will also make all reasonable attempts to facilitate lactation breaks for employees who require them.

Rights at Work / Union Related Matters

Current provisions related to Union Representation; Union Training Leave (for accredited union delegates); and Communication facility will be retained in the agreement. New union rights principles will also be included.

Dispute Resolution

There shall be a dispute resolution procedure in the agreement that allows parties to refer disputes to the Fair Work Commission for conciliation or arbitration, subject to an internal resolution process first being followed, and will now provide for disputes about the application of the By-laws to be conciliated by the Fair Work Commission.

Safe Workplace

Employees have the right to a healthy and safe work environment employment, including a workplace free from discrimination, harassment and bullying, and provisions in the agreement to reflect these objectives will be continue.

Diversity

Jacana Energy value and are committed to embracing diversity in the workplace. Embracing diversity is reflected in the Jacana Energy's corporate values, and embedded into each employee's individual performance and personal development plan. The Corporation actively engage in NAIDOC Week and Harmony Day celebrations, and arrange cultural awareness training for all employees.

EFFICIENCIES

Overtime Provisions

Overtime rates will be aligned with the NTPS General Conditions, which reflect the general administrative based duties performed within Jacana Energy. This will provide for the first three hours of an overtime attendance from Monday to Saturday to be paid at the rate of time and a half, and then double time thereafter. Overtime on a Sunday would continue to be paid at double time.

Review of Individual Performance and Personal Development Plan (IPPDP)

A review of the scheme and its increment and bonus provisions will better align it with Jacana Energy's commercial business model that has developed over the past two years. As previously noted the proposed new scheme will provide increased opportunities for incremental advancement and greater bonus outcomes. These improvements will replace the Jacana Energy Corporate Bonus component of the scheme.

Northern Territory Allowance

Northern Territory Allowance (NTA) will be retained for existing employees currently receiving the allowance. The rate of the allowance will remain unchanged.

The purpose of the allowance stemmed from 'District Allowances' originally provided by the Commonwealth. The allowance was provided, amongst other incentives such as leave fares, for employees employed in or transferring to remote regions. The allowance recognised the cost of living, climate and isolation of the remote locations, and were used as incentives to recruit employees to the Territory.

With the significant development of the Territory's infrastructure; technology; industry; educational; medical and recreational facilities; and increased access to other services over the past 30 years (since the current NTA rates were established), the Territory is now a more sought after location to live in and raise families, and the allowance is no longer required as an incentive to recruit employees.

Obsolete Conditions

There are a number of provisions that are no longer relevant to Jacana Energy and will be removed from the new agreement. This includes provisions relating to past recreation leave entitlements where employees previously accrued five or five and half weeks recreation leave (they now all accrue six weeks per annum), and where flexitime credits of up to five days could be banked to be used for recreation leave purposes will be reduced to two days in line with the NTPS flexitime policy.

Jacana Energy's normal business hours operate within the current span of hours of 6am to 6pm, and there is no requirement for shift work arrangements in the new agreement. The current shift work provisions in the agreement were based on the trade based working environment of the Power and Water Corporation and are not relevant to Jacana Energy.

Summary of Offer

The offer represents a fair package that provides an appropriate balance between improving wages and conditions for employees, and introducing moderate efficiencies to support the effective operation of Jacana Energy.