



NTPS Proposed EA – based on working draft EA tabled on 8 November, 2017

CPSU NTPS Agreement overview

The NTPS General Agreement is about to go out for a vote. CPSU members have said the offer is not good enough – this overview is to give you more detail about the detail in the agreement.


Some of the outstanding issues are: 2.5% for 4 long years; NT allowance cut; no superannuation increases; all entitlements and conditions NOT locked in to the Agreement; part time workers still disadvantaged; kinship relationships not respected; review for senior officers not agreed.



THIS IS BAD







THIS IS AN IMPROVEMENT/GOOD

SUBJECT	DETAIL/CHANGE OF NT GOVT. PROPOSAL	IMPACT	
Pay	<ul style="list-style-type: none"> Subsequent annual increase date first pay period from 10 August 2018/19/20) OCPE proposes increases of 2.5% per year 	<p>No change but not paid from annual date – from first full pay period after 9th August each year</p> <p>Only 2.5% p.a. increase</p>	



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	<ul style="list-style-type: none"> Back-pay agreed with effect from 10 August 2017 	Full back pay to current EA expiry date.	
Term of EA	<ul style="list-style-type: none"> 4 year duration for EA – expiring 10th August 2021 CPSU claim is for a 3 year duration 	4 years is a long time – after next election and uncertainty with economic situation so far in the future	
Superannuation	<ul style="list-style-type: none"> CPSU proposed increase to employee superannuation contained in the EA not agreed 	No proposal to increase superannuation from 9.5% now or in the future	
	<ul style="list-style-type: none"> Increase from 6 months to 12 months employer superannuation contributions for employees on periods of unpaid parental leave. 	Extends superannuation payments on unpaid maternity leave – valued at \$2000 - \$4000.	




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<p>Allowances</p>	<p>NT Allowance – grandfathering of allowance. Only employees in receipt of the NT allowance the day before the new EA commences will continue to receive it.</p> <p>Some allowances increased consistent with the applicable Determination</p>	<p>EA clause refers to By-law and limits payment to employees currently receiving it. NT allowance is in By-laws so can be changed anyway without your consent even if you are already receiving it. \$960 a year if you have a dependent</p>	
<p>Definition of “Family”</p>	<p>Does not include recognition of “Kinship relationships”</p> <p>Letter of offer includes working to identify productive ways to recognise obligations of kinship relationships to reach agreement with unions – this offer not included in the EA</p>	<p>Does not enable close relationships and obligations to be recognised for leave purposes</p>	
<p>EA conditions affected by By-Laws, Determinations, and Administrative Instructions</p>	<p>No guarantee of unchanging EA terms and conditions through the effect of By- Laws, Determinations, and Administrative Instructions during the life of the EA.</p> <p>The Commissioner will consult with the affected Parties prior to formalising an amendment. Employees continue to have no guarantee of stable conditions during the life of the EA, known to them at the time they vote on the EA.</p> <p>By-Laws and Determinations specified by the CPSU for inclusion in the new EA remain subject</p>	<p>Entitlements and conditions are not locked into your agreement – they are still able to be changed without your consent.</p> <p>We know there will be a review of PSEMA next year, review of Employment Instruction 1 and most likely another review of By-Laws.</p> <p>A review of the By-laws is by consultation only, changes are not by agreement as in the EA.</p>	






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	<p>to the Commissioner’s ability to change arrangements following consultation with affected parties. CPSU seeks inclusion in the EA of these specific terms:</p> <ul style="list-style-type: none"> ☐ Long service/Defense/emergency and miscellaneous leave ☐ Relocation expenses and allowances ☐ Travel allowance and Living away from home allowance (LAHA) (these also require more detail such as standard of accommodation and how rates are calculated eg. annual ATO rates) ☐ Camping and vehicle allowance ☐ Meal allowance ☐ Study assistance ☐ Remote locality provisions including FOIL, freight allowance, accommodation allowance (Det 2of 2003), rental concessions (Det 1098 of 2010), special study leave program/household contents insurance (Det 2 of 2003), Satellite television/internet reimbursement (Det 1100 of 2010) 	<p>2016 review of the By-laws saw changes to Travel allowance and shift work payments.</p>	
<p>Consultation</p>	<ul style="list-style-type: none"> • Management of Change – improvements: consultation with employees, their representatives and the employer prior to a decision being made; and, how the views of employees and their representatives were taken into account in the final decision • Consultation Committees – improvements: a 	<p>Clarifies current provisions that consultation occurs prior to decisions being made.</p>	







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	CEO may establish an agency’s consultative committee; and, Parties to the EA can request a CEO to establish a consultative committee		
Parental leave	New provisions – an NTG employee whose female partner is not an NTG employee can access their primary care giver leave; and, surrogacy arrangements included in recognition of parental leave provisions. <i>Still some issues with wording of proposed clause.</i>	Enables limited paid primary care giver leave for males whose partners do not work for NTG	
Overtime rates	Paid at Time and one half (1.5T) for the first three hours then at double time(2T) thereafter, Monday to Friday (applies to shift and day workers)	Improvement to previous offer from OCPE	
Part time employees and overtime	A part-time employee who agrees to work additional hours will only receive payment at single rates. OPCE advises that part-time employees will only be paid overtime rates where they have not agreed and have then been directed to do so. Part-time employees will continue to be at a disadvantage in comparison to a full- time employee in receipt of overtime payments. Loadings for long service leave, superannuation, annual leave and personal leave are not paid where a part-time employee agrees to work additional hours.	Part time employees are still disadvantaged Confusing clause where if part timers agree to work overtime after their normal hours on the day they don’t get paid overtime rates, if they say they can’t work overtime but are directed, they get paid overtime rates Also opens up review of part time hours if overtime is worked often	



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Split shifts	No mandatory split shifts. A work group may choose to work split shifts or split work time during the span of hours using flex time provisions	CPSU members did not want this so good its removed	
Shift workers	Penalties will be paid for all periods of recreation leave	This should always have been the case but changed during current EA	
Hours of work	Hours are described as being either 36:75 or 38 hours per week, or an average of 38 hours of a cycle of shifts	This means some employees could work 38 hours per week for the same wage as those working 36:75 hours per week	
Flexitime Scheme (does not apply to shift-workers)	New clause in EA - Flexitime can be worked subject to availability of suitable work, work is performed within the span of hours, demonstrated operational requirements and the employee adheres to the flexitime provisions. Requests to work flexitime will not unreasonably be	This is in policy but now at least has the basics in the EA.	

	withheld and a refusal for an employee or work unit’s request to work flextime will be provided in writing.		
Dispute Settling Procedures	<p>Improvements to existing clause:</p> <ul style="list-style-type: none"> - work must continue in accordance with usual practice prior to the dispute arising - any dispute arising under the EA or the National Employment Standards (NES) at the time a new agreement commences operation will continue into the new EA 	This clarifies current clause	
Union Representation	New provision – Delegate’s Rights and Obligations. Union representatives are guaranteed facilities to represent their members, without discrimination in their own employment. Facilities include paid time to consult with employees	Now list delegates rights and obligations so that delegates can consult with you	
Union delegates must notify	A union delegate will advise their manager that they have become a delegate	Not normal practice in other public services	
Performance Planning and Review	<p>New provision – Principles-based Performance system to apply across the Public Sector.</p> <p>Annual planning and review process, unless otherwise agreed – includes:</p> <ul style="list-style-type: none"> • Regular feedback during the life of the 	New clause which protects and enables fair performance management processes across agencies	

	<p>plan to avoid “surprises” at the review stage</p> <ul style="list-style-type: none"> • Knowledge, skills, resources, and training identified for employees • Principles of natural justice underpin where an employee seeks a review • An agency will make sure an employee has an opportunity to familiarise themselves with agency’s performance and review procedures • Timeframe for where an employee requests that performance planning and review occur: within 14 days of request to be concluded within 21 days, unless another timeframe is agreed 		
Domestic and Family Violence	<p>New provision – wide range of measures to support an employee experiencing domestic or family violence.</p> <p>Access to paid leave to attend to a wide range of matters associated with domestic or family violence, additional support from the agency and safety and security mechanisms</p>	Existing clause - Access to uncapped paid leave for employees experiencing domestic or family violence has been available since 2012 but in the Miscellaneous leave guidelines. Basics are now in the Agreement	
Cultural and Ceremonial leave	<p>New provision – access to 5 days unpaid leave each year to attend cultural or ceremonial obligations</p> <p>Additional access to unpaid leave is at the discretion of the CEO Documentary evidence may be required for</p>	New entitlement but still unpaid – CPSU claim was for limited paid leave for cultural or ceremonial obligations	



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	attendance at cultural or ceremonial obligations An employee may access their own recreation leave or long service leave (subject to the minimum period) to attend to cultural or ceremonial obligations		
Senior Correctional Officers	New Schedule appended to EA – Schedule 9 Provisions specific to this group of employees contained in the EA	Previously conditions were in a Tribunal Determination – now included in the EA	