

Department of Premier and Cabinet

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Dear Thirza

Tasmanian State Service wages negotiations - Offer to unions – Public Sector Unions Wages Agreement (PSUWA) 2022

Following extensive negotiations meetings where we have discussed and considered all public sector union claims, this outlines the Government's offer in respect of the Public Sector Unions Wages Agreement (PSUWA) 2022.

This offer reflects the results of the many hours of productive discussions between the parties about improving the salaries and working conditions for State Service employees.

In order for your members to receive a pay increase without any further delays, I am pleased to provide you with an offer for a new Public Sector Union Wages Agreement which proposes:

Terms of Offer for the Agreements

Period of Operation of Agreement

An agreement operating for 3 years, commencing from 1 July 2022 and remaining in force until 30 June 2025.

Salary and Allowances Increases

3.5% per annum with effect from the first full pay period commencing on or after (ffppcoa) 1 December 2022

3.0% per annum with effect from the ffppcoa 1 December 2023

3.0% per annum with effect from the ffppcoa 1 December 2024

Cost of Living/Retention Payment (COL/Retention payment)

In addition to the salary increases, employees covered by the PSUWA agreement receive a Cost of Living/Retention Payment of \$1000 flat rate increase to their base salary, with effect from the ffppcoa 1 December 2022.

Lower Income Payment (LIP payment)

In addition to this, employees covered by the PSUWA agreement equivalent to the top of General Stream Band 3 (TSSA) and below, receive a \$500 flat rate increase to their base salary, with effect from the ffppcoa 1 December 2022.

Further employees covered by the PSUWA Agreement equivalent to the top of General Stream Band 3 (TSSA) and below, receive a One-off Lower Income Payment each year of the Agreement of:

\$1,000 (pro rata) payable from the ffppcoa the date of registration of this Agreement (note this is an addition to the \$500 flat rate increase to the base).

\$500 (pro rata) payable from the ffppcoa 1 December 2023

\$500 (pro rata) payable from the ffppcoa 1 December 2024

Current Agreement clauses

It is proposed to carry over the following clauses from the current Agreement:

Clause 8 – Novated Lease

Clause 9 – Personal Leave Accumulation Scheme

Increased and new Tasmanian State Service standard conditions

The finalisation of the clauses to give effect to these new standard conditions that will be varied as part of the awards are intended to be completed by consent of the parties by 31 March 2023 but will be effective from ffppcoa 1 December 2022.

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| <p>Paid Parental Leave</p> <p>(increase to current standard and a change to conditions)</p> | <p><u>Primary Caregiver:</u> 18 weeks paid parental leave</p> <p><u>Secondary Caregiver:</u> 4 weeks paid parental leave at the time of the birth. An additional 12 weeks paid parental leave if the secondary caregiver takes over primary care responsibilities within the first 18 months of the life of the child.</p> |
| <p>Paid and Unpaid Grandparent Leave (as part of Parental Leave)</p> <p>(New entitlement)</p> | <p>To support primary caregivers, TSS grandparents acting as primary caregivers will be entitled to paid Parental Leave: 18 weeks continuous paid parental leave where the grandparent has primary responsibility for the care of a newborn or newly adopted grandchild.</p> <p>Further including the 18 weeks paid parental leave grandparents acting as primary caregivers are entitled to 52 weeks continuous unpaid leave where grandparents assume primary care giving responsibilities in respect of the birth or adoption of a child.</p> |
| <p>Foster Leave</p> <p>(New entitlement)</p> | <p>Up to 10 days paid leave per year to support foster carers, recognising diverse family arrangements.</p> |

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| Surrogacy Leave (New entitlement) | 6 weeks paid surrogacy leave for an employee acting as a surrogate in a formal surrogacy arrangement pursuant to <i>Surrogacy Act 2012</i> . |
| Bereavement and Compassionate Leave (Amended entitlement) | Amend the scope of Bereavement and Compassionate Leave to include still birth and miscarriage, enabling employees to take up to 10 days compassionate and bereavement leave in these circumstances. |
| Aboriginal Cultural Leave (New entitlement) | 5 days paid leave per year for Aboriginal or Torres Strait Islanders, to assist in cultural and ceremonial obligations or community culture events. |
| Aboriginal Kinship Relationships | Amend the definition of immediate family to recognise significant Aboriginal kinship relationships for the purpose of access to personal (carer) leave, and compassionate and bereavement leave. |
| Disability Leave (New entitlement) | 5 days paid leave per year to be used for activities or appointments associated with the employee's disability. |
| Gender Transition Leave (New entitlement) | 4 weeks paid leave and 48 weeks unpaid leave for employees undertaking a gender affirmation process. |
| Family Violence Leave (increase to current standard) | That the quantum of paid Family Violence Leave be increased to 20 days per personal leave year. |
| Salary sacrifice in rural and remote locations | The extension of salary sacrifice arrangements for all staff in remote/regional locations for remote area housing rental, housing loan interest or the costs of purchasing or building a property in line with ATO guidelines. Any benefit will be on the basis of no FBT liability accruing to the employer. |

Further to the standard TSS salary and conditions matters listed above the following condition matters also form part of the offer and will be implemented subject to the provisions being agreed by the parties

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| Christmas close down days (no deduction from recreation leave) | Insert a new clause into the PSUWA. The clause is to provide that where a Head of Agency determines to close the Agency or part of Agency commencing from Christmas Day and |
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| | <p>ending on New Year's Day including days that are not State Service Holidays With Pay, day workers covered by the PSUWA and who work in those offices that are closed will be entitled to three (3) ex gratia days with pay (non accruable) to cover those usual working days without deduction from recreation leave. Where a day worker employee entitled to the ex-gratia days is directed to attend work, they make access the ex-gratia days within a 6 month period from New Years Day. This clause is to be subject to review over the life of the Agreement.</p> <p>Note – part-time employees are paid for the days they would normally work.</p> <p>The offer of the clause for three ex gratia days relating to Christmas close down is contingent on the incorporation of the new standard recreation leave clause in all TSS awards.</p> |
| <p>Recreation Leave Clause TSSA and HAHS</p> | <p>Amend the current recreation leave clause in the awards and provide a standard clause to uncap recreation leave and provide flexibility for management to meet operational needs and the ability to direct employees to take leave after excessive accrual and where an employee has an excessive leave accrual, and genuine agreement has not been reached to reduce the excessive leave accrual, the employee may give a written notice to the Head of Agency requesting to take one of more periods of recreation leave.</p> |
| <p>Market Allowance – TSSA and HAHS</p> | <p>Amend current market allowance provision in TSSA and HAHS to increase the market allowance from up to 10% to up to 20% of salary above the maximum salary of the specified band.</p> |
| <p>Shift Work provisions TSSA</p> | <p>Update and contemporise TSSA shift work provisions including the following:</p> <p>Definition of a shift worker means an employee who works in accordance with a roster.</p> <p><u>Provision for Day, Afternoon and Night Shift</u></p> <p>'Day shift' means a shift starting at or after 7.00am and terminating at or before 7.00pm.</p> <p>'Afternoon shift' means a shift terminating after 7.00 pm and at or before midnight.</p> <p>'Night shift' means a shift terminating after midnight and at before 8.00am.</p> <p><u>Penalty rates</u></p> |

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| | <p>Shift workers working an afternoon are to be paid 15% more than the employee's normal salary rate for the period of the shift.</p> <p>Shift workers working night shift are to be paid 27.5% more than the employee's normal salary rate for the period of the shift.</p> <p>A minimum of eight-hour break between shifts</p> <p><u>Rostering provisions</u></p> <p>Rosters to be provided for a 28 day period notified at least 14 days in advance.</p> <p>Any changes to the roster not by agreement – penalties to apply.</p> <p>Maximum number of consecutive night shifts to be defined</p> <p>Maximum number of consecutive shifts to be defined.</p> <p>Provide for a minimum of two consecutive days off</p> |
| TSSA/HAHSA Higher Duties Allowance/More Responsible Duties Allowance (HDA/MRDA) | Amend award to remove restriction on fixed-term employees access to HDA and MRDA. |
| Mobility Register | Parties to continue the commitment to consider the merits and the value proposition of a Mobility Register and aim to develop policies and procedures to allow a Mobility Register to be established within the TSS employment framework, continuing the previous work and in accordance with Recommendation 49 of the Tasmanian State Service Review. |
| Improved superannuation benefits | Employer superannuation contributions to extended to all periods of unpaid Parental Leave and extended personal leave without pay over 4 weeks |
| Removal of classification cap on overtime | Amend TSSA and HAHSA to remove existing caps on access to overtime, recall and availability for employees up to and including General Stream Band 8 and Professional Stream Band 3. |
| Fixed Term and fixed-term casual conversion to permanent | <p>Amend EDI and provide a mechanism to provide for change of employment status to permanent for fixed-term employees on meeting certain criteria and after 12 months continuous period of service in the same or similar duties in consecutive appointments.</p> <p>Consecutive Appointments: where an employee has performed the same or a similar duties in more than one</p> |

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| | <p>position, the total employment period is to be considered when calculating the continuous period of service.</p> <p>Concurrent Appointments: where an employee has two or more part-time appointments, each arrangement is considered in isolation.</p> <p>An eligible fixed-term employee for change of employment status is an employee who has completed at least 12 months continuous period of service;</p> <ul style="list-style-type: none"> - in the same or a similar role; - under one or more fixed term instrument of appointment/s; and - without a break in service; <p>Employment will be considered a continuous period of service even if it has been broken by a period of 4 weeks unless there was a legitimate reason why the duties the fixed-term employee was performing on one fixed-term instrument were no longer needed to be performed by anyone before the employee was engaged to perform them again on the next fixed-term instrument.</p> <p>The criteria to be met for a change of employment status from fixed-term to permanent is:</p> <ul style="list-style-type: none"> - that the duties and hours are required on an ongoing basis; - the conduct and performance of the employee has been assessed as satisfactory and - At the discretion of the Head of the Agency, there is no other reasonable ground as to why the employment should not be converted. (This may include that the duties are not substantively vacant or that the offer would not comply with merit principle in accordance with the State Service Act 2000 and Employment Direction 1.) Where the Head of Agency exercise this discretion they are to provide the employee with written reasons for their decision. <p>The same eligibility and criteria above applies for a fixed-term casual employee.</p> <p>In addition an assessment is undertaken as to the pattern of work over the previous 12 months.</p> |
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| | <p>The additional criteria for assessment for a fixed-term casual is that the employee:</p> <ul style="list-style-type: none"> - has worked a regular and systematic pattern of hours on an ongoing basis for at least the last 12 months; - has a reasonable expectation of ongoing employment |
| Conversion of regular hours for permanent part-time employees | <p>Provision for conversion of additional hours worked on a regular and systematic pattern above the hours of the employee's permanent part-time appointment.</p> <p>Subject to the following criteria an employee can request the additional hours are converted to their permanent part-time hours appointment.</p> <ul style="list-style-type: none"> - An employee has completed a regular and systematic pattern of additional hours on an ongoing basis for at least the last 12 months; - that the duties and hours are required on an ongoing basis; and - that the hours are funded. |
| TSSA - Compressed hours | Inclusion of a provision in the TSSA to make provision for working a compressed hours of work arrangement. Award clause to be drafted by 31 March 2023. |
| TSSA - ICT pathway | Amend the TSSA Information Communications & Technology Classification Structure Appendix 10 to include clear promotion and progression pathways for ICT employees with a high level of technical expertise, but no management responsibilities. |
| TSSA – Minimum Hours of engagement for fixed-term casual and permanent part-time employees | Make provision in TSSA to increase minimum hours of engagement of work for fixed-term casual and permanent part-time employees to 3 hours noting exceptions for School crossing guards in DoSG and any other relevant cohort. |
| Workplace Delegate Training Leave | Amend the award to provide that workplace delegates may roll over up to 5 days of delegate training leave in one year where it is not all accessed in the previous year, for a maximum period of two years. |
| Reclassification Review – Higher Duties Allowance payable to date of application | Amend EDI (to be incorporated as part of the EDI review) to provide that where a classification review results in an employee being assigned duties at a higher level; and where the delegate approves promotion without advertising, that payment of a Higher Duties Allowance will be made to that employee from the date at which the employee formally sought the review or the date at which the employer formally commenced the review whichever is the earlier. |

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| TSSA and HAHSA - Private Vehicle Use | Amend the TSSA and HAHSA for Private Vehicle Use and Occasional user (without changing intent or operation) to clarify that the provision covers employees using electric vehicles. |
| TSSA - Time Off In Lieu (TOIL) | Amend the Time Off In Lieu (TOIL) clause in TSSA, without changing the intent, or operation, to provide clarity that TOIL is to be paid out at the end of 28 days if not taken within the time period and no mutual agreement in writing to take at a later date. Clarify that TOIL is paid out on cessation. |
| DECYP - Communicable Diseases Leave | Extend the application of Communicable Diseases Leave to IT staff based in schools (Network Support Officers) by amending Appendix 16 of the TSSA. |
| DECYP - Health Care Procedures Agreement/Award appendix | <p>Define the term 'regular' in the Health Care Procedures Allowance (by 31 March 2023); include the allowance and mechanism in appendix 16; and retire from the Department of Education Health Care Procedures Allowance Agreement 2020.</p> <p>Increase the Health Care Procedures Allowance to \$40 per week and review of arrangements and application.</p> |
| DECYP- New Allowance for TAs for working with students on meal plan | Introduction of a new allowance for those teacher assistants working with students on a meal plan to be paid at the same rate as the Health Care Procedure allowance \$40 per week. |
| DECYP – New Allowance for TAs undertaking Special Programs | Introduction of a new allowance for Teacher Assistants undertaking Speech and Language, Auslan and Physiotherapy programs. \$40 per week. |
| DECYP - TSSA – Appendix 16 - Toileting Allowance | <p>Extend the Toileting Allowance to all kindergarten and prep TAs;</p> <p>Increase the Toileting Allowance to \$30 per week applicable to all schools (replace current (a) and (b) allowance)</p> <p>and define/clarify 'regular' in the clause by 31 March 2023.</p> |
| DECYP – TSSA – Appendix 16 Support School/Tier Four Engagement Allowance | <p>A new Support School/Tier Four Engagement Allowance for TSSA school-based staff, based on the same allowance recently negotiated and to be paid to Teachers.</p> <p>Allowance will be paid as 1.35% of salary for all support staff in these settings.</p> <p>The allowance will only apply in Support Schools due to their complexity.</p> |
| DECYP – TSSA - School Business Managers – Classification Structure | A proposal for a separate classification structure for School Business Managers with criteria to be based on the budget criteria used for the proposed Principals' Agreement classification to be undertaken over the next 12 months. Any |

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| | subsequent changes to classification will be backdated to the date of the agreed criteria by 31 March 2023. |
| DECYP – TSSA –Paid Time to Attend Induction | <p>To provide paid time for first-year Education Support Personnel (including TAs and School Support Staff) to attend a professional development induction program facilitated by DECYP (new induction program).</p> <p>TAs and Support staff to co-create induction in first year induction program.</p> <p>DECYP to review induction processes that occur across schools to ensure system consistency and engage learning division about specific professional development opportunities for school support staff.</p> <p>Link to additional week or could be standalone only for new employees. Structure and duration of PD to be subject to consultation between the parties for 2024 implementation.</p> <p>This consists of a review of an induction program for new school support employees. In addition, this would be part of an additional week for all school support employees who wish to take up this option, and by 2024 there will be an expectation that all new employees undertake induction.</p> |
| DECYP – TSSA – Appendix 16 Paid Recess Breaks | Paid recess breaks for Teacher Assistants. 1 x 15-minute break each day to be inserted into Appendix 16. |
| DoH - Direct access to supervisor for HAHSAs | To be addressed through a redrafting of the current mixed functions allowance clause. |
| DOH - Lead Apron Allowance (HAHSA) | <p>Introduction of a new lead apron allowance into HAHSAs as follows:</p> <p>LEAD APRON ALLOWANCE - An employee who is required to wear a lead apron is to be paid an allowance of \$2.64 per hour or part thereof for each hour the requirement continues</p> |
| DoH - Night Shift Loading Allowance | Increase of the night shift loading to 27.5% for HAHSAs shiftworkers. |
| DoH - Allied Health Assistants Classification Review - HAHSAs | <p>Review of AHP Assistant roles and classifications. Proposal with a statement of intent to modernise has been provided to HACSUs.</p> <p>Statement of Intent provided to CPSU, HACSUs and ANMF.</p> |
| DoH - HSO Classification Review HAHSAs | Review of Health Service Officer classifications to be undertaken by DoH and a statement of intent to modernise |

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| | <p>has been provided to HACSU including a timeframe and related resourcing.</p> <p>Statement of Intent provided to CPSU, HACSU and ANMF.</p> |
| HAHSA- Flexi-time | Include the standard TSSA provisions for flexi-time in the HAHSA award with the same span of hours as TSSA. |
| DoH - HAHSA - Leave Accrual | Recreation leave accruals to change from monthly accruals to reflect fortnightly leave accruals. |
| DoH - HAHSA - Leave Loading | Alignment of HAHSA with the Nurses Award by changing to pay as you go leave loading. Include as a leave reserve matter that will be progressively implemented prior to HRIS. |
| DoH - HAHSA - Extension of Spread of Hours | <p>To expand the spread of hours for dayworkers by agreement from 1730 to 1900 by mutual agreement.</p> <p>Amend Part VII Clause 1(c) (c) Notwithstanding the provisions of this subclause, the spread of hours may be altered between 6.00am and 7.00pm where there is an agreement to enter a flexitime arrangement or to all or a section of employees by mutual agreement in writing between the employer and, the relevant union and the majority of the employees affected, but not so as to require any employee to work more than nine hours in any day or more than 152 hours in any two consecutive fortnightly pay periods.</p> <p>Include a new provision to provide that where an employee requests to participate in a flexitime arrangement they agree to expand the spread of hours for dayworkers from 0700 to 1900 hours.</p> |
| DoH - HAHSA - Afternoon Shift | <p>Clarification of the penalty payment if the roster does not continue for five consecutive shifts (HAHSA – Part VIII Clause 1(a)(iii)). Current wording of the clause states: A shiftworker who works on any afternoon shift or night shift which does not continue for at least five successive afternoons or nights is to be paid for each shift 50 per cent more than their ordinary rate Without prejudice proposal to amend to ‘...where the roster does not continue to incorporate an afternoon shift for at least five successive afternoons or nights is to be paid for each shift 50 per cent more than their ordinary rate’.</p> |
| DOH – HAHSA Pharmacy and Pathology Technicians Broadbanding | Department of Health will implement broadbanding of Pharmacy and Pathology Technician roles |
| NRE Tas – TSSA – Foul and Nauseous Allowance | <p>NRE Tas commit to reviewing current policy and procedures where staff may be required to undertake waste management functions as part of their role, including review of PPE provided.</p> <p>NRE Tas commit to reviewing current policy and procedures where staff may be required to undertake waste management</p> |

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| | <p>functions as part of their role, including review of PPE provided.</p> <p>NRE Tas are agreeable to a \$700pa allowance, paid pro-rata fortnightly, for Band 5 and below Field Officers and Rangers. This allowance is payable where an employee is required to come in contact with uncontained waste. This does not include the standard cleaning of visitor or management amenities where contact with uncontained waste does not occur, where that work forms part of the regular duties.</p> |
| NRE Tasmania– Hiking and camping reimbursement | <p>NRE Tas are currently progressing the development and implementation of a policy and procedure for the supply of specialised clothing, and outdoor / camping equipment outside of the Agreement. This will include a matrix for the supply of equipment based on the work arrangements; accommodation options available and location, including alpine/extreme locations and Macquarie Island.</p> <p>Deputy Secretary PWS has purchased dedicated tents; and individual items issues for employees such as backpacks, sleeping bags and mats for those employees required to undertake hiking and camping. Appropriate fit for purpose gear will be available to all Wilderness Rangers for this coming season. There will be no reduction in hours available for rangers as a result of the purchase of the hiking and camping equipment for employees.</p> <p>NRE Tas commit to an internal PWS policy to be developed within 6 months of registrations of PWS Agreement that will specify the brand, type and specification of gear required for each particular role within the PWS and will deal with situations where employees are not provided with appropriate hiking and camping gear.</p> |
| NRE Tasmania - Special Allowance (District and other Allowance for Field Centres | <p>NRE Tas agree to work with the CPSU to determine the appropriate amount and coverage of a one-off incentive/attraction payment and an ongoing allowance for remote/isolated workers required to reside in the area, with this work to be completed within 3 months of registration of the Agreement.</p> |

Non-Agreement Matters

Further to the conditions matters above there were a range of specific non PSUWA agreement matters and commitments for other negotiations that were considered as part of the union claims and form part of this offer. These will be actioned within the first six months of the new agreement unless indicated otherwise.

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| Practice, Procedure and Standard (PPS) | A PPS to direct agencies to make reasonable accommodations to allow employees paid time to attend medical including diagnostic appointments where an employee is not ill and where they cannot otherwise access |
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| | through flexible working arrangements, subject to approval by the employer. |
| Department of Premier and Cabinet – Service Tasmania | <p>Service Tasmania is in the process of introducing regular team meetings to facilitate staff communication and feedback opportunities. This will introduce 10 x 30-minute paid meetings per year which will be face to face for Category A and B sites and on Teams for Category C and D sites (which may involve more than one site). This is a preferred option for employees.</p> <p>DPAC will also undertake a review of Service Tasmania staffing model to include consideration of regional model which encompasses a number of the CPSU claims in relation to staffing across Service Tasmania sites and WHS arrangements in place at each location. Note that DPAC had initiated the review prior to the negotiation process. DPAC is ready to commence consultation on the Service Tasmania change proposal and a formal meeting between DPAC and CPSU officers can be scheduled within two weeks.</p> <p>The consultation will inform how staffing levels can be managed within the regional model.</p> <p>Relocation of positions is not an outcome that is being considered however travel arrangements is a matter that DPAC would consult and seek feedback on.</p> |
| Incident Management Operations | <p>The parties agree to undertake a review of Incident Management Operations within the TSS with a view to consistent conditions to apply across the TSS within 6 months of registration of the Agreement.</p> <p>The employer commits to pay higher duties where payable to any employee who is directed to perform a role within the AIMS structure that is at a level higher than their substantive level for the time spent undertaking the role for a minimum of four hours. This does not include those employees who are engaged through interoperability arrangements.</p> |
| Department of State Growth – Tasmanian Museum and Art Gallery | <p>DSG to review of the Visitor Service Officer roles including review of the Tasmanian Museum and Art Gallery Agreement. Prior to the start of the PSUWA negotiation process State Growth had initiated a business model review of the Tasmanian Museum and Art Gallery (TMAG) including a review of the Visitor Services operating model and classification levels of the roles. As part of this change, State Growth commits to consult with the CPSU and staff in early 2023 including a review of the Tasmanian Museum and Art Gallery interim Agreement 2015. Where the review supports the outcome of roles being reclassified to a higher band, an employee appointed to a reclassified role will be</p> |

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| | appointed to the level within the band based on the employee's experience and skills. |
| Department for Education, Children and Young People - Review of library assistants in Libraries Tasmania | DECYP to reclassify employees currently classified at Band 1 to Band 2 where assessed as appropriate in relation to the Band 2 Statement of Duties within 3 months of registration of the Agreement. Where a position is reclassified as a result of this review, DECYP will support promotion without advertising for those employees who have been reclassified. |
| Department for Education, Children and Young People - Laboratory technicians | DECYP to clarify communication in relation to the allocation guidelines for schools employing laboratory technicians to ensure schools are employing technicians as per allocations. |
| Department for Education, Children and Young People - Laboratory technicians | DECYP to review potential for school-based arrangements in relation to the access of time off in lieu for additional hours to be taken in term breaks. |
| Department for Education, Children and Young People - Vacancies at other schools | DECYP to support the implementation of a process allowing school support staff and Teacher Assistants to express an interest in vacancies at their classification at other schools within twelve months of registration of the agreement. DECYP agrees to a trial in 2023, Term 1 to identify the details and in Terms 2 to 4 to trial and review commencing with transfers at level. |
| Department for Education, Children and Young People - Laptops | DECYP support laptops being supplied centrally to all school support staff commencing 2023 and rolling out by the end of 2024. |
| Department for Education, Children and Young People - Transfer Policy for Teacher Assistants | DECYP to review Placement Policy to consider criteria for employee-initiated transfer/compassionate transfer and considerations of placement within a kilometre range of current workplace. |
| Department for Education, Children and Young People - Review into moderation of education adjustments | DECYP are currently reviewing educational adjustments and unions will continue to be involved in this work. Commences in December 2022, with first consultation with unions before 30 December 2022 final report due to DECYP by May 2023. |
| Department for Education, Children and Young People - Leave arrangements for Education Support Employees: Appendix 16 of TSSA | DECYP to review internal communication around the additional weeks of work. Agreement to increase the level of potential hours for an employee covered by Appendix 16 to TSSA with a focus on utilising that time to support professional development in non-class time and to facilitate work that contributes to improving teacher workload and therefore maximising the time for teaching. |

Specifically, it is agreed that the Department will introduce an additional week of work which will provide an additional 43rd week for support staff. This means that Teacher Assistants will be offered an additional week of work in term time plus leave accrued which provides up to 48 weeks paid time.

For full-time School Business Managers who already work 43 weeks, they will be provided a 44th week.

This reflects the commitment to increasing education support employee's potential work hours (teacher assistants and administrative staff). This also recognises family friendly arrangements where Teacher Assistants may choose to restrict their work time to school term times only.

The table below reflects the current and proposed situation.

| <i>Standard weeks</i> | <i>Recreation Leave (weeks)</i> | <i>Extra week of hours in term time (plus leave accrued)</i> | <i>Total weeks</i> | <i>Other conditions</i> |
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| Current | | | | |
| 40 (all in term time) | 3.07 | 1.11 | 44.18 | Banking of hours by agreement |
| 42 (2 weeks in non-term time) | 3.23 | 1.11 | 46.34 | Banking of hours by agreement |
| Offer | | | | |
| 43 (3 weeks in non-term time) | 3.31 | 1.11 | 47.42 | Banking of hours by agreement Plus 3 grace days = 48.02 weeks |

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| Department for Education, Children and Young People | DECYP to provide communication in relation to all permanent ESP positions being advertised as a maximum of |
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| - Leave arrangements for Education Support Personnel (ESP) | 44 weeks per year (within a range of 42 weeks and 44 weeks). |
| Department for Education, Children and Young People - Recreation Leave during school terms for school-based employees | DECYP to provide communication to schools for school-based employees confirming that employees can apply for recreation leave during school terms. |
| Department for Education, Children and Young People – Banking of hours | DECYP to clearly communicate that banking of hours clause applies to all school support staff in accordance with Appendix 16 responding to the flex time claim. |
| Department for Education, Children and Young People – TOIL – Appendix 16 | <p>DECYP to review guidance and communications regarding TOIL for school support staff to enable ease of calculation of TOIL days for school support staff and clarify the calculation of TOIL tied to when public holidays fall.</p> <p>Where an employee who accrues TOIL in accordance with Appendix 16 – Holidays with Pay is unable to take the accrued TOIL during term time or during additional weeks worked outside term time, the employee may elect to take payment in lieu of accrued TOIL at the ordinary rate within the same calendar year as the year of accrual.</p> |
| Department for Education, Children and Young People- Child Safety Service & Advice and Referral Line | <p>The employer agrees to negotiate a s55 Agreement to cover staff in the Child Safety Service and the Advice and Referral Line. The matters to be included in the agreement will include, but not be limited to:</p> <ol style="list-style-type: none"> 1. Defined rules and eligibility criteria that would allow child safety officers, advice and referral line officers and practice leaders access to additional salary points; 2. Defined rules and eligibility criteria that allow for appointment levels to recognise and reward experience, length of degree, post-graduate qualifications and incentivise regional roles; 3. The implementation of a Market Procedures Allowance to assist to attract new staff; 4. A review of the classification level of existing employees to ensure their qualifications, knowledge and experience is reflected in their classification level; 5. The development of an advanced assessment criteria specific to CSS and ARL that facilitates progression from AHP Band 1 to AHP Band 2; 6. The development of improved pathways for students into the CSS workforce that include placement pathways that contribute to or cover costs upon meeting specific criteria/eligibility and release time for study; 7. The development of improved pathways for support workers and administrative staff into the CSS |

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| | <p>workforce that include placement pathways that contribute to or cover costs upon meeting specific criteria/eligibility and release time for study;</p> <p>8. The development of mental health programs for CSS employees.</p> |
| Department of Treasury and Finance – RBF Integration | <p><i>Retirement Benefits Fund (RBF) Integration Agreement</i> – the parties will renew the RBF integration Agreement for a further 5 years on the same terms as currently provided for.</p> |
| Department of Justice – Monitoring and Compliance Unit | <p><i>Community Correction Monitoring and Compliance Unit Shift Arrangements Agreement</i> – the agreement has nominally expired -The parties will review and commence negotiations for a new Agreement.</p> <p>In undertaking an analysis of the impact across current payments to MCU employees, the data shows that the current loading is beneficial to some employees, whilst potentially disadvantageous to others.</p> <p>Noting this, DoJ agrees to explore (by the end of March 2023) a composite loading to replace all existing shift penalty rates. the rate is to be no higher than 28% and will be determined between the parties following further joint examination of rostering arrangements and related remuneration that would apply due to penalty rates.</p> <p>The Department's support for the introduction of this loading is subject to:</p> <p>Increasing rostering flexibility, including matters such as:</p> <ol style="list-style-type: none"> 1. Reviewing the allocation of resources between day shift and night shift to better reflect where the higher activity level occurs (during the day shift). This would include reducing the number of staff on night shift and commensurately increasing the number of staff on day shift. This will in turn assist with workload management. 2. Reviewing the hours worked per week to increase flexibility with rostering e.g., moving to 152 hours worked over a 28-day period; 3. Introducing non-shift day work positions (that would not attract this loading); and 4. Introducing flexibility on the span of shift durations and for shift commencement times and cessation times. <p>DOJ also supports payment of HDA per shift where MCU Officers act in MCU Supervisor positions. DoJ supports the</p> |

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| | <p>inclusion of a provision in the MCU Appendix in the TSSA reflecting this change.</p> <p>DoJ proposes all supervisors are trained in First Aid along with the MCU Officers who are in the pool of employees who act as Supervisors.</p> |
| <p>Department of Justice – Appendix 15 TSSA Probation Officers Community Corrections</p> | <p>DoJ agree to review Appendix 15 within the next 12 months.</p> |
| <p>Department of Justice – WorkSafe Inspectors</p> | <p>The parties to review the classification progression arrangements for WorkSafe Inspectors, with a view to adjusting the existing arrangements to better reflect the recruitment, development, and operational requirements of the work group.</p> <p>In-principle we accept the claim to establish broad banding arrangements for WorkSafe Inspectors that facilitate progression between B4 and B5, subject to the development of objective criteria. Work would need to be done to determine what the progression arrangements will look like and who exactly it will apply to. We commit to work in consultation with the unions to have a model developed during March 2023.</p> |
| <p>Department of Justice and DPFEM– acting up for less than 5 days and undertaking delegated authority or limited supervision due to a declared emergency</p> | <p>Include provision in PSUWA to provide for HDA to be paid for periods of one day in exceptional circumstances and where employees in DOJ and DPFEM are directed to undertake significant roles requiring the exercise of delegated authority or limited supervision due to a declared emergency, or key operational role required at the direction of the Agency. For example: this may apply to administrative court staff employed at Band 2 level required to perform a Court Clerk (General Stream Band 3) roles for a full day or more. (This will be clarified through an exchange of letters). This clause is to be reviewed over the life of the Agreement.</p> |
| <p>Department of Police, Fire and Emergency Management - State Emergency Service (SES)</p> | <p>State Emergency Service – review State Emergency Service workplace flexibility arrangements in respect of award requirements within 12 months of registration of the Agreement and consider s55 Agreement.</p> |
| <p>Department of Police, Fire and Emergency Management - Police Radio Room</p> | <p>Police Radio Room - review Police Radio Room workplace flexibility arrangements and roster arrangements in respect of award requirements within 12 months of registration of the Agreement. DPFEM are currently undertaking a full review of Police rostering and these outcomes will inform the review. (the outcome may be to review and include in Appendix 17 or a section 55 agreement),</p> |

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| Department of Police, Fire and Emergency Management - Police Radio Room | DPFEM to establish a permanent relief pool for the Police Radio Room. Note DPFEM already undertaking steps towards this. |
| Department of Police, Fire and Emergency Management – Engineering Services – AMWU - Permanent employment preferred method of employment over fixed term employment and contracted labour | Current fixed term arrangements within the EFS structure will shift as structural changes are implemented and DPFEM will work with AMWU as this develops. |

Please find attached a copy of the proposed Salary table for the PSUWA salary increases for the three years of the Agreement based on the offer above.

Long Term Industrial Reform Commitments

On the 4 November 2022 I wrote to you outlining a number of matters discussed during the negotiations and that have been raised through your claims that remain outstanding. I am including the review of TSSA General Stream classification descriptors in respect of operational roles in this list. As advised, I have committed to a dedicated centralised resource to progress these matters as a priority over the next 18 months following reaching agreement in respect of a number of key industrial agreements by 1 December 2022. As part of these commitments we will continue to explore any options in relation to Long Service Leave for shiftworkers.

As has been discussed, if in-principle agreement is reached by 1 December this will provide you the opportunity to consult with your members fully, if required after that date while still providing for a pay increase from the first full pay period on or after 1 December 2022.

Therefore, this offer remains open for you to advise in-principle or full support until close of business Thursday 1 December 2022 and applies to all PSUWA covered employees who are employed at the time of registration of the Agreement

I reiterate that there will no backdating of any salary offer should in-principle agreement not be reached by close of business 1 December 2022.

I look forward to your response and if you have any questions, you should contact Jane Hanna Head Lead Negotiator for any specific queries you may have.

Yours sincerely



Jenny Gale
Head of the State Service

29 November 2022

Attachment: PSUWA Salary Table