

Employee Consultative Group – Terms of Reference

October 2019

Introduction

Clause 5 of the *Commonwealth Members of Parliament Staff Enterprise Agreement 2016-2019* (Enterprise Agreement) provides for the establishment of an Employee Consultative Group (ECG) to be ‘consulted on workplace issues pertaining to employees generally (as opposed to issues relating to individual employees or individual offices)’.

Agreement

The ECG agrees to use its best endeavours to consult, communicate, negotiate and advance matters brought before it promptly.

Role of the ECG

1. The role of the ECG is to:
 - (a) provide a forum for staff employed under the Enterprise Agreement to raise matters of interest about the workplace or their employment;
 - (b) consult with staff employed under the Enterprise Agreement on workplace and employment matters which may be raised by the ECG, by staff employed under the Enterprise Agreement and their representatives, by the Minister, by the Department of Finance (the Department) or by other relevant organisations;
 - (c) convey to the Minister, in his management role of the *Members of Parliament Staff Act 1984* (MOP(S) Act) employment framework, the views of MOP(S) Act employees on workplace and employment matters;
 - (d) prepare advice and recommendations to the Minister on workplace and employment matters affecting staff employed under the Enterprise Agreement;
 - (e) be promptly consulted by the Department on proposed changes to, or establishment of, guidelines or policies in relation to the Enterprise Agreement, where the proposed change affects employees; and
 - (f) be promptly consulted by the Department on the operation and application of the Enterprise Agreement.
2. The Department undertakes to include the views and recommendations of the ECG in relevant briefings to the Minister and to report back to the ECG at each meeting.

ECG composition

3. The ECG is comprised of:
 - (a) employee representatives from all political parties on a proportional basis to party staff numbers, to be selected by employees covered by the Enterprise Agreement;
 - (b) employer representatives, including a nominee of the Minister and/or representatives of the Department; and
 - (c) a representative of each union covered by the Enterprise Agreement.

Employee Representation

4. There are a total of eleven MOP(S) Act employees selected as representatives to the ECG as follows: Liberal Party of Australia (five representatives); Australian Labor Party (three

representatives); The Nationals (one representative); Australian Greens (one representative); and Independent Senators and Members (one representative).

5. In addition, a reserve list of MOP(S) Act employee representatives from each political party can be selected in anticipation of any resignation or unavailability of employee representative(s).
6. Employee representatives may arrange for a MOP(S) Act employee from the reserve list to attend any meetings if they are unavailable.

Terms of Office

7. MOP(S) Act employee and union representatives on the ECG will serve until, in the event of a Federal election, the selection of new employee representatives, (based on any revised party proportional basis), is finalised.
8. If a MOP(S) Act employee representative ceases to be employed under the Enterprise Agreement, the representative will cease membership of the ECG. The representative may be replaced by an employee from the reserve list.

Operations of the ECG

9. Meetings will be held on a regular basis as agreed by the ECG, with generally four meetings per calendar year, unless otherwise agreed by the ECG. The ECG will schedule additional meetings at its discretion.
10. A formal meeting of the ECG is only constituted when there is attendance from at least one member from each of the following groups:
 - (a) employee representatives;
 - (b) union representatives; and
 - (c) employer representatives.
11. The date and chair of each meeting will be agreed during the previous meeting.
12. The role of chair will rotate between the MOP(S) Act employee members of the ECG.
13. MOP(S) Act employees or their representatives may attend meetings of the ECG as observers. At the request of the ECG, observers may be asked to contribute or provide information about specific issues. Observers may be requested to leave the meeting during discussions of a confidential nature.
14. The Department will call for agenda items two weeks before the meeting. Agenda items and any relevant papers should be provided to the Department so that they may be distributed to members as early as possible prior to the meeting. The Department should also distribute to members any relevant documents at least one week prior to the meeting.
15. The Department will endeavour to distribute the draft minutes to the ECG within five working days of the meeting. ECG members will have five working days to provide comments or suggested changes to the Department. The minutes will then be finalised and posted on the M&PS website, unless a significant disagreement with the minutes has been notified to the Department.