

**Commonwealth Members of Parliament Staff Enterprise Agreement 2020-23
Bargaining Group**

MEETING RECORD

Thursday, 1 April 2021

11:30am – 1:00pm

1S4, Parliament House and by GovTEAMS

Present:

Name	Office / Organisation
Lynn Bonanno*	Mr George Christensen MP
Michael Heydon*	Senator Slade Brockman
Simon Kelly*	Mr Llew O'Brien MP
Helen Lewis	The Hon Stuart Robert MP
Rosemary Little*	The Hon Peter Dutton MP
Tom Pretty	The Hon Dan Tehan MP
Kim York	Senator Rex Patrick
Mick Jones*	Australian Services Union (ASU)
Poni Ravula*	ASU
Bryce Wilson	ASU (Mr David Smith MP)
Ron Johnson	Community and Public Sector Union (CPSU)
Eleanor Kennedy*	CPSU
Kim Hall*	CPSU (Ms Sharon Claydon MP)
Trish Cowcher*	CPSU (Senator Jordan Steele-John)
Steven Mammarella	Minister for Finance
Dana Sutton*	Department of Finance
Luke Kostava	Department of Finance
Jo Fernandez	Department of Finance

*Via GovTEAMS

Apologies: Alison Byrnes (ASU, the Hon Sharon Bird MP), Mark Briers (Senator the Hon Anne Ruston), Daniel Frost-Foster (The Hon Trevor Evans MP), Jordan Gunton (Senator Wendy Askew), Leonie Lloyd-Smith (Mr Rowan Ramsey MP), Kate Sutherland (CPSU, Ms Lisa Chesters MP), Brydan Toner (Dr Mike Freeland MP)

Meeting Chair: Dana Sutton

Meeting opened: 11:35am

Meeting closed: 1:20pm

Item 1 – Introduction and apologies

- Ms Sutton opened the meeting and welcomed all attendees. Attendees introduced themselves and apologies were noted.

Item 2 – Business arising

- Open action items
 - 6/21 – Complete – Following the meeting on 26 Feb, at the CPSU’s request a Fair Work Commission conference was held on 5 March, where the Department confirmed it would provide a detailed bargaining timetable within 7 days. A proposed bargaining timetable was provided on 12 March. This was adjusted following feedback from bargaining reps.
- Ms Sutton noted the CPSU’s request for information relating to special parental leave arrangements for the birth parent or non-birth parent in case of stillbirth or postpartum death of a child was added as a claim. Mr Johnson requested that the email exchange and communication from the Stillbirth Foundation to be circulated to representatives, subject to other parties’ agreement.

ACTION ITEMS
7/21: Finance to circulate information and communications between the CPSU and Finance in relation to special parental leave arrangements including communication from the Stillbirth Foundation (subject to agreement by the Foundation).

Item 3 – CPSU claim: Sexual harassment and gendered violence mitigation in the workplace

- Ms Kennedy expressed disappointment that the CPSU’s claim for sexual harassment and gendered violence mitigation in the workplace has not yet been responded to as this is an opportunity for the Commonwealth to be a model employer. Ms Sutton noted that the government is carefully considering the claim and will respond to it as soon as possible.
- Ms Sutton outlined online training on bullying and harassment awareness for Parliamentarians and MOP(S) Act employees. In 2019-20, 540 online bullying and harassment awareness training courses have been completed. Ms Sutton also noted on 31 March 2021 Comcare released new workplace sexual harassment guidance to support employers, managers and workers called ‘Never Part of the Job’.
- Mr Johnson asked for participation rates for training. Ms Sutton agreed to take this on notice. Mr Johnson also asked what measures will be taken to increase the participation in training. Ms Sutton agreed to take this on notice.
- Mr Johnson referred to a letter from the CPSU to Finance with requests including that Finance brief the Prime Minister on the CPSU’s sexual harassment and gendered violence mitigation claim. Ms Sutton restated that Minister Birmingham is responsible for bargaining on behalf of the Government and is kept informed of bargaining issues and progress, including the relevant letter. Mr Johnson restated the CPSU’s request for the Department to consider briefing the Prime Minister on this issue and for, the Department to provide a detailed response directly from Assistant Minister Morton and Minister Birmingham as to whether the CPSU claim will now be accepted in full . Ms Sutton indicated that these issues had been raised previously and responded to, but agreed to take this on notice.

ACTION ITEMS
8/21: Finance to consider participation rates for training in bullying and harassment training.
9/21: Finance to consider measures taken to increase the participation in bullying and harassment training.
10/21: Finance to consider CPSU's requests on sexual harassment and gendered violence mitigation claim, as outlined in Ms Kennedy's letter of 25 March 2021.

Item 4 – Government responses to claims

- Mr Johnson and Mr Wilson clarified that the matters raised by the CPSU and ASU at the meetings on 19 and 26 February 2021 did not represent new claims, rather they were issues identified as key concerns with the previous EA offer. The claims that the Government has previously responded to before the ballot in December stand. The Government was encouraged to reconsider its position on all previously tabled claims. Mr Johnson explained that the CPSU sought a written response from the Government only in relation to the key concerns identified and those union claims where the Government had, since the December ballot, altered its position. He also encouraged the Government to bring its own reform initiatives to the negotiation table.
- Mr Kostava outlined government responses to some matters raised at the meetings on 19 and 26 February 2021.
- Mr Johnson advised that he was happy to see the response to the claim in relation to paying superannuation on paid parental leave. He queried if a costing was required. Ms Sutton stated there would be cost implications, as with any proposal, and agreed Finance would seek to clarify this matter on notice.
- Mr Wilson asked if Finance had sought advice from the APSC on if TOIL is considered an enhancement under the *Public Sector Workplace Relations Policy 2020 (WR Policy)*. Ms Sutton indicated that we had previously responded to similar queries regarding the role of the APSC however agreed to take this on notice.
- The CPSU expressed concern that the Government appears to be not willing to include provisions in the EA to facilitate breaks for parents to feed their babies.

ACTION ITEMS
11/21: Finance to clarify costing implications for superannuation on paid parental leave.
12/21: Finance to clarify understanding of the application of WR Policy in relation to TOIL claims.

Item 5 – Other business

- The next meeting is scheduled for 16 April 2021 at 11am.
- Ms Cowcher asked for the meeting materials to be distributed earlier for the next meeting. Ms Sutton reassured that they would be distributed as soon as possible, including out-of-session.
- Ms Sutton noted that Finance would endeavor to distribute a draft meeting record by Wednesday 7 April 2021 or soon after.