

# MINUTES – EMPLOYEE CONSULTATIVE GROUP (ECG) MEETING

Monday, 1 November 2021  
GovTEAMS

Meeting opened: 11:35 am  
Meeting closed: 12:35 pm

Meeting chair: **Ms Jillian Flinders** – Department of Finance (Finance)

Attendee	Office
Mr Luke Barnes	Mr Dave Sharma MP
Ms Alison Byrnes	The Hon Sharon Bird MP
Mr Tom Pretty	The Hon Dan Tehan MP
Mr Colin Lees	Senator Richard Di Natale
Ms Helen Lewis	The Hon Stuart Robert MP
Ms Georgia Goldsworthy	The Hon Anthony Albanese MP
Mr Thomas Moorhead	Senator the Hon Kim Carr
Ms Kim York	Senator Rex Patrick
Ms Eleanor Kennedy	Community and Public Sector Union
Mr Jordan Piggott	Observer – Community and Public Sector Union
Ms Rosemary Little	The Hon Peter Dutton MP
Ms Michelle Hutchinson	Special Minister of State
Mr David De Silva	Finance
Mr Dean Edwards	Finance
Mr Jillian Flinders	Finance
Mr Gary Jolly	Finance
Ms Ellen Laenen	Finance

Apologies: Ms Leonie Lloyd-Smith (Office of Mr Rowan Ramsey MP)

## Agenda Item 1 – Welcome and apologies

- Ms Flinders opened the meeting and delivered the acknowledgement of Country.
- Members of the ECG and Finance introduced themselves and apologies were noted.

## Agenda Item 2 – Covid-19 and APH arrangements for staff

- Mr Barnes advised that staff had contacted him with concerns relating to Covid-19:
  - they are being prevented from performing their required duties when their role is to be at Parliament House (APH) to support their Parliamentarian during siting weeks.
  - conflicting advice is being provided in relation to definitions of “essential workers” and the restrictions on who is allowed at APH.
- It was noted that whereas Ministerial and Shadow Ministerial offices appear to be working at capacity a single Electorate Officer is not permitted. Mr Barnes noted that the Presiding Officers and DPS appear to be operating against ACT Health guidance. He also noted that he had raised this issue with the PWSS also.
- Mr De Silva clarified that Finance has no control over access to APH or Covid-19 related arrangements put in place there by the Speaker of the House, President of the Senate or by the Department of Parliamentary Services (DPS). These restrictions also apply to public servants. The definition of an “essential worker” is a decision of each State and/or Territory, and Parliamentarian. It is a matter for each individual Parliamentarian how to manage staff movement.
- The ECG requested Finance take action to address the issues raised.
- Mr De Silva advised he can contact his counterpart, the Secretary of DPS and raise the concerns of the committee. Mr de Silva advised it was not appropriate for Finance as a Commonwealth Agency to write to the Presiding Officers raising these concerns, but that ECG members can do that themselves.

**Action 2021/3.1 – Finance to raise concerns of ECG with the Secretary of DPS in relation to access to APH during covid-19, establishing a line of communication between DPS and the ECG to facilitate consultation on workplace matters including WHS and individual impacts on MOP(S) Act employees by those arrangements, and extend an invitation for a representative from DPS to attend ECG meetings.**

- Mr Byrnes noted that as the ECG has previously written directly to a Minister the ECG may choose to communicate their concerns directly to the Presiding Officers in this instance.
- Ms Kennedy requested Finance provide an outline of the roles and responsibilities of Finance as the PCBU, and contacts for staff to contact in relation to issues, including WHS matters at APH. Clarification as to the WHS Committee arrangements for consultation was also sought, noting that APH is a workplace for many MOP(S) employees.

**Action 2021/3.1.A – Finance will seek clarification as to DPS WHS Committee arrangements, including for the purposes of consultation and ECG members being able to provide direct feedback to DPS.**

- Mr de Silva clarified misinformation regarding employment authority arrangements for MOP(S) Act employees, noting that the advice publicly available to staff on the MaPS website confirms that Parliamentarians engage staff under the MOP(S) Act, and

Finance is not the employer. Mr de Silva advised that Finance provides WHS support and advice and has responsibilities from a PCBU point of view in relation to WHS.

- Mr de Silva confirmed that Ms Sutton was no longer at Finance, and Mr Tim Abrahams was commencing in the role from 8 November 2021. Mr de Silva advised Mr Abraham would reach out to the ECG to introduce himself. The ECG was advised to contact Ms Flinders regarding any issues or concerns regarding matters previously responded to by Ms Sutton.

**Action 2021/3.2 – Finance to provide advice as to key roles and direct contacts for ECG members.**

- Ms Little sought clarification on whether the staff concerns raised by Mr Barnes were based on whether Electorate employees were offended they were not considered “essential workers, or whether issues were in relation to their inability to work in APH. Mr Barnes advised it was a combination of both, and Parliamentarians were frustrated by the limited support and requirement for staff to assist remotely.
- Mr Barnes nominated to draft and circulate correspondence to provide to the Presiding Officers on behalf of the ECG and will provide draft to the other members of the ECG so that they can confirm whether they are willing to sign.

**Action item 2021/3.3: Mr Barnes to draft and circulate proposed correspondence outlining concerns raised by the ECG to ECG members.**

### **Agenda Item 3 – EOA underpayment update**

- Ms Flinders advised that as at 16 September 2021, all of the 1,258 affected individuals had received their rectification payments.
- Payments totalled \$227,849.34.
- 206 parliamentarians were affected.
- Of the affected employees:
  - approximately 77 per cent were casuals
  - approximately 51 per cent were male and 49 per cent were female
  - by way of party breakdown approximately:
    - 27 per cent were from the Australian Labor Party
    - 15 per cent were from the National party
    - 54 per cent were from the Liberal Party
    - Less than 4 per cent were from other minor parties or Independents.
- Ms Kennedy queried whether the Fair Work Ombudsman (FWO) had been notified of the oversight. Ms Flinders confirmed that Finance notified the FWO in April 2021.

### **Agenda Item 4 – Payroll update**

- Mr Jolly noted the HR Service Delivery Team transitioned to the first new payroll system in 15 years which caused a significant increase in the team’s workload from late June to September 2021. This was due to migration of data, records and historical information from the old Chris21 payroll system to the new SAP payroll system.
- Over this period, payroll processing focused on ensuring all employees received remuneration and base salary. Unfortunately this meant processing delays for other payroll transactions including for higher duties allowance, promotions, leave

payments etc. and staff received communications advising of these matters. Also over this period the team paid annual retention payments and pay point advancements and implemented new remuneration and base salary changes under the new Enterprise Agreement, which commenced operation on 5 August 2021. Processing the new ESA arrangements was a significant part of this. , along with transitioning to the new ESA arrangements.

- Mr Jolly was pleased to advised that processing turnaround times were returning to normal, noting if individuals have concerns with their pay the they should contact the Ministerial and Parliamentary Services Help Desk on (02) 6215 333, or email: [mpshelp@finance.gov.au](mailto:mpshelp@finance.gov.au).

#### Agenda Item 5 – Other business

##### Guidelines

- Ms Flinders thanked everyone who provided feedback on the draft Guidelines circulated prior to the last ECG meeting and advised that Finance was in the process of finalising them and expects them to be published soon. It was noted that further guidelines for the ECG’s consideration would be provided out of session.
- Ms Byrnes advised she was under the impression the ECG would receive a further draft following consultation before finalising.
- Mr de Silva advised that Finance will circulate the consolidated versions of the Guidelines out of session, and provide a summary of comments and amendments. Any further comments can be dealt with out of session, and in the event there are significant issues, a discussion will be carried over at the next ECG meeting.

**Action 2021/3.4: Finance to provide consolidated guidelines where feedback provided and summaries of changes to these guidelines to ECG out of session.**

#### Agenda Item 6 – Next meeting date

- The next ECG meeting will be held on 26 November via GovTeams.

#### Action Items

**Action 2021/3.1** – Finance to raise ECG concerns with the Secretary of DPS in relation to advice provided regarding access to APH during covid-19 to facilitate consultation on workplace matters including Covid-19 and WHS, and invite a representative from DPS to ECG meetings.

**Action 2021/3.1.A** – Finance will seek clarification as to DPS WHS Committee arrangements, including for the purposes of consultation and ECG members being able to provide direct feedback to DPS.

**Action 2021/3.2** – Finance to provide advice on key contacts and roles.

\* Actioned on 2 November

**Action item 2021/3.3:** Mr Barnes to draft and circulate proposed correspondence outlining concerns raised by the ECG.

**Action 2021/3.4:** Finance to provide consolidated guidelines and summaries to ECG out of session.