



Employee Consultative Group – Terms of Reference



INTRODUCTION

Clause 5.1 of the *Commonwealth Members of Parliament Staff Enterprise Agreement 2020-2023* (the Enterprise Agreement) provides for the establishment of an Employee Consultative Group (ECG) for consultation 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 and advance matters brought before it promptly.

ROLE OF THE ECG

1. The role of the ECG is to:

- a. provide a forum for *Members of Parliament Staff 1984 Act* (MOP(S) Act) employees to raise matters of interest about the workplace or their employment;
- b. consult with employees on workplace and employment matters which may be raised by the ECG, by employees employed under the Enterprise Agreement and their representatives, by the Special Minister of State (the Minister), by the Department of Finance (the Department) or by other relevant organisations;
- c. convey to the Minister, in their management role of the (MOP(S) Act) employment framework, the views of employees on workplace and employment matters;
- d. prepare advice and recommendations to the Minister on workplace and employment matters affecting employees;
- 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 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 employee numbers, to be selected by MOP(S) Act 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.

ECG REPRESENTATION

4. Consistent with arrangements with the Work Health and Safety Committee, work groups for MOP(S) Act employees will be based on party lines, with a number of ECG representatives and “reserve representative positions” (Reserves) being allocated to work groups proportionate to the number of employee positions in each work group.
5. Each work group is responsible for electing its representatives. Finance is able to assist employees of Independent Senators and Members during the nomination and election process for ECG representatives and Reserves.
6. In addition, Reserves from each work group may attend meetings as a substitute employee representative if an ECG representative for their workgroup is unavailable. It is the responsibility of an ECG representative to arrange for a Reserve to attend any meetings they are unable to. Where a Reserve attends a meeting in place of an ECG representative at the ECG representative’s request, they are counted as a MOP(S) Act employee representative for their work group for the duration of the meeting. ECG representatives who will be absent from a meeting are asked to advise the Department prior to the meeting of any substitution arrangements they have made, to ensure that relevant information is provided to the substitute employee representative.
7. Where a general election or other circumstance occurs that changes the numbers of MOP(S) Act employee positions in a party or grouping, to the extent that the number of ECG representatives and reserves allocated to each work group is no longer proportionate to the total number of employee positions in a work group, work groups will be restructured to restore proportionality.
8. In the current (47th) Parliament, the total number of ECG representatives and Reserves to be elected is as follows:

Work Group	ECG Representatives	Reserves
Australian Labor Party	5	3
Liberal Party of Australia	3	2
The Nationals	1	1
Australian Greens	1	1
Representative for staff of Independent Parliamentarians and Minor Parties	1	1

9. Consistent with the arrangements for the current ECG, there may be one representative on the Committee from each union covering MOP(S) Act employees.
10. There will be no more than five management representatives at any meeting of the Committee, including a nominee of the Minister and/or representatives from Finance.

TERMS OF OFFICE

11. MOP(S) Act employees 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.
12. If a MOP(S) Act employee representative ceases to be employed, the representative will cease membership of the ECG. The representative may be replaced by an employee from the reserve list.

OPERATIONS OF THE ECG

13. 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.
14. 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
15. The date of each meeting will be agreed during the previous meeting.

16. Finance will provide secretariat support and chair each meeting.
17. 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.
18. The Department will call for agenda items at least 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.
19. Meetings may need to be called in addition to the four meetings per calendar year and this may necessitate compressed timeframes for the calling of agenda items and submission of papers. Matters may also be required to be considered out of session, with specific consultative timeframes advised.
20. The Department will endeavour to distribute record of discussion to the ECG within five working days of the meeting being held. ECG members will provide comments or suggested changes as soon as possible to Finance. The record of discussion will then be finalised and posted on the Ministerial and Parliamentary Services website.

Endorsed 10 February 2023