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MoPS EA Bargaining Meeting 2 - Record of Meeting

Tuesday, 20 February 2024
 Committee Room 2S2/Microsoft Teams

Meeting Opened: 12:00pm
 Meeting Closed: 3:00pm

Chair: Amanda Bruce, Chief Negotiator – Department of Finance

Attendee	Office
Kerrod Gream *	Senator the Hon Matthew Canavan
John Harris	Senator the Hon Jane Hume
Simon Kelly	Llew O'Brien MP
Lachlan McIntyre *	Hon Sussan Ley MP
Francis Filler*	Hon Karen Andrews MP
Sam Te Rure *	Terry Young MP
Jake Durrington *	Senator Paul Scarr
Dean Shachar *	Hon Sussan Ley MP
Jacqueline Martin *	Senator Wendy Askew
Sallyann Innes *	Hon Peter Dutton MP
Catherine Maltman *	Ian Goodenough MP
Catherine Heidrich *	Hon David Littleproud MP
Michelle Hutchinson *	Hon Peter Dutton MP
Bonnie Pederson *	Special Minister of State, Senator the Hon Don Farrell
Joshua Polak	United Services Union (USU)
Brydan Toner	USU (Joanne Ryan MP)
Emma Groube	Community and Public Sector Union (CPSU)
Elisabeth Bateson	CPSU (Hon Mark Dreyfus MP)
Kim Hall	CPSU (Sharon Claydon MP)
Bryce Wilson	USU (David Smith MP)
Dee Gustafsson	CPSU (Senator Barbara Pocock)
Amy Knox	CPSU (Joanne Ryan MP)
Amanda Bruce	Department of Finance
Regan Tanaskovic *	Department of Finance (Secretariat)
Lachlan Bayliss *	Department of Finance
Casey Hayne	Department of Finance
Trent Krew *	Department of Finance
Ellen Laenen	Department of Finance
Alex Bond	ASU SA + NT (Louise Miller-Frost MP)
Mary von Marburg	Senator the Hon Michaelia Cash
Garth Morrison	Senator Jacqui Lambie
Olivia Rankin	Office of Staff Support (Government)
Apologies	Office
Lilli Balaam	Senator the Hon Anne Ruston
Daniel Frost-Foster	Bert van Manen MP
Cory Bowman Harding	Senator the Hon Michaelia Cash

**Via Microsoft Teams
 Due to privacy arrangements some attendee details have been removed from this list.*



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Agenda Item 1 – Welcome and apologies

The chair opened the meeting and all meeting participants introduced themselves followed by the chair giving an acknowledgment of country.

Agenda Item 2 - Action items update

The action items were noted.

2.1 Public Sector Workplace Relations Policy 2023 and process update

The chair explained the bargaining process and the next steps under the *Public Sector Workplace Relations Policy 2023*. This includes development of the Funding and Remuneration Declaration that requires endorsement from the minister and APS Commissioner prior to being able to commit to any specific claim amendments that require cost adjustments.

The chair noted that the intention of the meeting today is to hear further detail on claims against each of the topics on the agenda and confirm the following meeting's agenda.

Bargaining representatives requested advice on a budget and costing envelope and noted that it would be beneficial to understand how claims might sit within that envelope. The chair explained that the department is currently preparing an initial costing based on the APS Common conditions.

Bargaining representatives discussed preferred mechanisms for facilitating discussions and the chair confirmed there will be opportunity for bargaining representatives to bring forward more claims and clarify current claims throughout negotiations.

In discussion, the chair explained that in practice the department will call for any final claims or details on a topic (ie Travel) so that interrelated claims can be made by all representatives, appropriately considered by all parties, costed, and necessary drafting changes to the MOPS EA agreed. Representatives should submit claims sufficiently in advance of meetings to provide all parties with the opportunity to genuinely consider claims. This is to assist all parties to meet their good faith bargaining requirements under s228 of the *Fair Work Act 2009*. Finance is available to provide support to bargaining representatives to ensure their claims are submitted in a form that supports genuine consideration.

2.2 APS Common conditions

The chair noted that the bargaining team circulated a mapping document of the APS Common Conditions against the current MOPS EA, which had been included in the papers for ease of reference. Following discussion there was in principle agreement to adopt the APS Common Conditions where practical (and subject to bargaining and consideration of individual claims) for the context of the MOPS Act employment framework. The department will surface the relevant the APS Common Conditions as appropriate and provide the relevant information for consideration.



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Agenda Item 3 - Discussion of leave related claims

3.1 Parental leave

The chair drew attention to the claims register that was circulated as of 16 February 2024 and relevant claims for discussion.

Bargaining representatives discussed parental leave including current provisions in comparison to the APS Common Conditions and related representative claims. Employee representatives supported the CPSU claim of 26 weeks leave (as detailed in CPSU claim number 18a/PARL.1). To enable further consideration, they requested a draft of the proposed parental leave clause which adopts both the CPSU claim and the relevant APS Common Condition. Further information was also sought from the department on certain definitions outlined in the CPSU claim.

The chair noted that claims exceeding the APS Common Conditions, such as 26 weeks parental leave, require approval from the minister and APS Commissioner before they can be supported by the department in bargaining.

3.2 Annual leave

ASU spoke to their claim regarding an 'annual leave loading' of 17.5 % for all employees (ASU claim number 4/AL.1). The group discussed this claim on balance with current allowances and the industrial history of the provision. The chair noted interest in costing the claim and expressed a preference for batching costings for administrative efficiency.

3.3 Personal leave

The chair outlined current personal leave entitlements in comparison to the APS Common Conditions. Employee representatives agreed that similar to parental leave it would be beneficial to view a draft clause.

3.4 Other leave

The chair requested that claims include an explanation on how amendments would be operationalised, as well as the proposed changes to relevant clauses. This is to provide all parties with the opportunity to genuinely consider claims and ensure an efficient next meeting.

The group discussed formatting changes that could be made to the claims register to support and track discussions.

Agenda Item 4 - Discussion of travel related claims

4.1 Excess (Canberra) Travel Leave thresholds and other allowances

The group agreed that the administration and operationalisation of Excess Canberra Travel Leave (ECTL) is a key issue and could be resolved through various mechanisms. The group agreed to further consider arrangements and mechanisms to address concerns relating to excessive travel.

The chair agreed in principle to the USU claims (USU claim number 8a and 8h/TRA.8 and TRA.11) noting IPEA would need to be consulted.



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Next meeting and agenda items

The meeting closed with the chair agreeing to carry forward travel and learning and development to the next meeting on **Tuesday 5 March 2024**.