



Summary of the terms of proposed EA, key changes and comparison against the applicable Modern Award

In accordance with the requirements of the *Fair Work Act 2009* (Cth) (FW Act) and the Fair Work Commission’s Statement of Principles on Genuine Agreement, this document outlines the terms, and effects of the terms, of the *Commonwealth Members of Parliament Staff Enterprise Agreement 2024-27* (Proposed EA) which is being considered for a vote by the MOP(S) Act employees. This includes by:

- explaining any differences when compared to the terms of the *Commonwealth Members of Parliament Staff Enterprise Agreement 2021-23* (the Current EA); and
- explaining the difference in entitlements and other terms and conditions between the Proposed EA and the [Australian Government Industry Award 2016](#) (the Award), to the extent it applies to employees.

General changes with no material impact on entitlements between Current EA and Proposed EA

- The Proposed EA has been written with gender neutral language and culturally appropriate/respectful terms.
- Definitions in the Proposed EA have been updated and added to reflect the changes to the Proposed EA.
- References to sections and parts of the MOP(S) Act have been updated where appropriate to reflect amendments to the MOP(S) Act, or removed if no longer relevant or required.
- References to “employing Member” have been updated to “employing Parliamentarian” to align with the current terminology now used in the MOP(S) Act.
- References to “senior staff” have been updated to “senior personal employees” to align with the current terminology now used in the MOP(S) Act.
- References to the title of the enterprise agreement have been updated in the Proposed EA to reflect its new title.
- References to guidelines or policies for further information have been amended or inserted for information purposes only.
- Cross references to new or amended entitlements have been updated across the Proposed EA.

These changes have not been noted in the table below given that they are minor, trivial and immaterial to employee entitlements under the Proposed EA.

SECTION	EFFECT OF TERM IN PROPOSED EA	CHANGE BETWEEN CURRENT EA AND PROPOSED EA	EXPLANATION OF TERM IN COMPARISON WITH THE AWARD
Technical Matters			
1. Title	This clause identifies the legal title of the Proposed EA.	This clause was updated to reflect the title of the Proposed EA, which records its years of operation (2024-27).	This clause does not correlate with any entitlements or other terms and conditions under the Award.
2. Coverage	This clause identifies the parties covered by the Proposed EA.	The Current EA is silent on union coverage. The Proposed EA specifically identifies the unions proposed to be covered by the Proposed EA (subject to compliance with the FW Act), being the Community and Public Sector Union (PSU Group), the Australian Services Union SA & NT Branch and the NSW Local Government, Clerical, Administrative, Energy, Airlines and Utilities Branch of the Australian Municipal, Administrative, Clerical and Serviced Union (also known as United Services Union).	The Award, being a modern award, has a much broader coverage clause than the Proposed EA or the Current EA. This is because it is designed to cover a large group of employees whereas the Proposed EA is designed specifically for MOP(S) Act employees.
3. Nominal expiry date	This clause identified the commencement date (7 days after approval) and the nominal expiry date of the Proposed EA (5 August 2027). The Proposed EA will continue to operate (and provide entitlements for employees) after the nominal expiry date until such time as the Proposed EA is terminated or replaced.	This clause has been updated to reflect the applicable dates for the Proposed EA.	Modern awards do not have nominal expiry dates so the Award does not have a corresponding clause.
4. No further claims	This clause records that parties to the Proposed EA cannot pursue extra claims during the life of the Proposed EA. This means that bargaining or the pursuit of a log claims cannot occur by either the employer or employees covered by the Proposed EA until after the nominal expiry date of the Proposed EA has passed. This is consistent with the requirements of the FW Act. This clause does not impact on any powers arising under the MOP(S) Act. It only relates	The Current EA does not have a 'no further claims clause' – this is a new clause.	The Award does not include a no further claims clause as it is not applicable to modern awards.

SECTION	EFFECT OF TERM IN PROPOSED EA	CHANGE BETWEEN CURRENT EA AND PROPOSED EA	EXPLANATION OF TERM IN COMPARISON WITH THE AWARD
	to pursuing extra claims or entitlements.		
5. Guidelines	This clause acknowledges that policies, procedures, and guidelines may be created by the Commonwealth to support the Proposed EA but that they are not incorporated into the Proposed EA and can be varied or amended at any time by the Commonwealth. This means that these policies, procedures and guidelines are not a part of the Proposed EA and cannot be enforced as terms of the Proposed EA.	While the wording of this clause has been amended compared to the Current EA to give greater clarity to readers, its material effects remain unchanged.	The Award does not include any provisions relating to policies, procedures or guidelines.
6. Parliamentary Workplace Support Service (PWSS)	This clause acknowledges the role of the PWSS which has been created to provide HR advice and support to parliamentarians and MOP(S) Act employees under the <i>Parliamentary Workplace Support Service Act 2023 (Cth)</i> .	The Current EA is silent on the PWSS because the PWSS did not exist at the time the Current EA was made.	The Award does not include any provisions relating to the PWSS.
7. Classification review	<p>This clause provides a commitment to commission a classification structure review for MOP(S) Act employees prior to the nominal expire date of the Proposed EA and to consult with employees about the terms of reference and implementation of the review (if any) via the Employee Consultative Group (ECG).</p> <p>It also notes that the Commonwealth will reasonably attempt (but cannot guarantee) that it will:</p> <ul style="list-style-type: none"> • commence the review as soon as practical after the commencement of the Proposed EA; • subject to consulting with relevant stakeholders and complying with applicable policies, complete the 	The Current EA contains no provisions relating to a classification review.	The Award does not include any provisions relating to a classification review.

SECTION	EFFECT OF TERM IN PROPOSED EA	CHANGE BETWEEN CURRENT EA AND PROPOSED EA	EXPLANATION OF TERM IN COMPARISON WITH THE AWARD
	<p>review within 12 months of the commencement of the Proposed EA; and</p> <ul style="list-style-type: none"> subject to consulting with relevant stakeholders and complying with applicable policies, complete any associated implementation, if any, within six months following the completion of the review. 		
8. Employee Consultative Group (ECG)	<p>This clause provides for the establishment of the ECG and outlines the Commonwealth's support for the composition of the ECG as well as the matters it will be consulted on and other administrative matters relating to its operation. The ECG will provide the mechanism to consult on workplace issues pertaining to employees.</p>	<p>The Proposed EA provides for enhanced terms in relation to the ECG when compared to what is in the Current EA. Specifically, the Proposed EA records the Commonwealth's support for the composition of the ECG, as well as prescribing the consultation role of the ECG and other administrative arrangements that were previously contained in the ECG Terms of Reference (external to the Current EA).</p>	<p>The Award does not provide for employees to have an Employee Consultative Group (or other named group). This is an entitlement greater than what is provided for in the Award.</p>
9. Consultation on major change	<p>This clause prescribes the consultation process the Commonwealth is required to comply with when there is a major change or changes to the regular roster or ordinary hours of work.</p>	<p>The Current EA's consultation clause is materially identical to the clause in the Proposed EA.</p>	<p>The Proposed EA and the Award contain materially identical consultation clauses.</p>
10. Delegates rights	<p>This clause enshrines the rights of workplace delegates to exercise certain rights in accordance with recent changes in the FW Act.</p>	<p>There is no Delegates' Rights clause in the Current EA.</p>	<p>The Proposed EA incorporates the model workplace delegates' rights clause that was inserted into the Award on 1 July 2024, with minor adjustments to align with the MOP(S) Act employment framework. Specifically:</p> <ul style="list-style-type: none"> clarification that the Commonwealth means 'employer' of the workplace delegate for the purposes of the MOP(S) Act; the addition of "via the department" at clause 10.3 of the Proposed EA to

SECTION	EFFECT OF TERM IN PROPOSED EA	CHANGE BETWEEN CURRENT EA AND PROPOSED EA	EXPLANATION OF TERM IN COMPARISON WITH THE AWARD
			<p>address the practical realities of notification processes; and</p> <ul style="list-style-type: none"> removal of the small business employer caveat in the model clause as it is not relevant to the Commonwealth.
11. Definitions	This clause provides the definitions of many of the terms used throughout the Proposed EA.	<p>The Proposed EA definitions have been updated to provide enhanced clarity on common terms and references used throughout the Proposed EA.</p> <p>Updated definitions include:</p> <ul style="list-style-type: none"> casual employee child de-facto partner dependent employee representative family and domestic violence parliamentarian partner primary and secondary caregivers 	The defined terms in the Award and the Proposed EA are not comparable.
12. Interpretation	This clause clarifies that references to legislation include amendments, changes or replacements and subordinate legislation. It also confirms that the Proposed EA will be consistent with the National Employment Standards (NES). When there is an inconsistency between the NES and the Proposed EA, the NES prevails to the extent of the inconsistency when the NES provides a greater benefit.	No change between Current EA and Proposed EA	The Award does not have a similar clause, although it does not provide for terms and conditions less than the NES.
Employment Options			
13. Type of employment	This clause identifies the types of employment covered by the Proposed EA, being ongoing, non-ongoing and casual, and specifies administrative matters relating to	No change between the Current EA and the Proposed EA	The Award provides for employees to be employed on a full-time, part-time, or casual basis as well as for fixed term employment. These are similar to the types of

SECTION	EFFECT OF TERM IN PROPOSED EA	CHANGE BETWEEN CURRENT EA AND PROPOSED EA	EXPLANATION OF TERM IN COMPARISON WITH THE AWARD
	the engagement of each type of employee by Parliamentarians.		<p>employment in the Proposed EA (with full-time and part-time employment being acknowledged elsewhere in the Proposed EA), albeit with different entitlements between the Proposed EA and the Award for each employee type.</p> <p>The Award provides for the engagement of shiftworkers which the Proposed EA is silent on (as is the Current EA). This is because MOP(S) Act employees are not engaged as shiftworkers.</p>
14. Probation	This clause specifies that the probationary period is up to three months and for ongoing employees can be extended by another two months. Probation can be waived by the employing parliamentarian.	No change between the Current EA and the Proposed EA	The Award does not include any provisions relating to probation periods.
15. Ongoing	This clause provides the details for the employment arrangements for ongoing employees.	In the Proposed EA, a clause has been included that explicitly states that ongoing employees may be employed on a full-time or part-time basis. This was always the case but has simply been added in the interest of clarity. There is no material effect as a result of this addition. The clause is otherwise identical to the Current EA.	The Award does not provide a specific definition of an “ongoing employee”, although many employees covered by it would be regarded as ongoing employees.
16. Non-ongoing	This clause provides the details of the employment arrangements for non-ongoing employees.	<p>The Proposed EA provides enhanced terms that clarify the existing arrangements for non-ongoing employees engaged against the electorate support budget.</p> <p>A clause has also been included that explicitly states that non-ongoing employees may be employed on a full-time or part-time basis.</p>	The Award does not provide a specific definition or reference to “non-ongoing” employment, although it does deal with fixed term employment (which is similar to non-ongoing employment).

SECTION	EFFECT OF TERM IN PROPOSED EA	CHANGE BETWEEN CURRENT EA AND PROPOSED EA	EXPLANATION OF TERM IN COMPARISON WITH THE AWARD
		There is no material effect of these changes as the inclusion reflects existing arrangements and entitlements.	
17. Casual	This clause provides the details of the employment arrangements for casual employees, including how to determine their hourly rate of pay, the entitlement to casual loading (and what the loading is provided in lieu of), the requirements relating to casual employment agreements and the minimum engagement period.	<p>The Proposed EA provides for enhanced conditions for casual employees compared to the Current EA, including:</p> <ul style="list-style-type: none"> • an increase in the casual loading to 25% (from 20%); • a minimum shift length of 3 hours (previously there was no minimum shift length); • an entitlement to paid leave in some prescribed circumstances; and • streamlined administrative processes with longer contract periods (which will reduce administration and assist with work base issues). <p>The Proposed EA also:</p> <ul style="list-style-type: none"> • adopts the definition of casual employment that has been introduced into the FW Act. There is no express definition for casual employee in the Current EA; • changes the duration and requirements associated with casual employment agreements to reduce the administrative burden associated with the term in the Current EA which requires new agreements to be entered into each month; and • clarifies that what the provision of casual loading is in lieu of, including references to new entitlements and confirming that it covers entitlements not accessible to casual employees under the FW Act. 	<p>The Award provides:</p> <ul style="list-style-type: none"> • for the same definition of casual employment as the Proposed EA; • for a 25% casual loading; and • that the casual loading is provided in lieu of certain entitlements under the FW Act <p>The Award also states that any provisions of the award specific to casual employees do not apply to Electorate Officers (as defined in the Award).</p>

SECTION	EFFECT OF TERM IN PROPOSED EA	CHANGE BETWEEN CURRENT EA AND PROPOSED EA	EXPLANATION OF TERM IN COMPARISON WITH THE AWARD
18. Flexible working arrangements and working from home	<p>This clause sets out the principles and mechanisms for making a request for flexible working arrangements and working from home arrangements. It specifically includes a right for employees to request working from home arrangements and flexible working arrangements, and the requirement to respond to these requests.</p> <p>The term also acknowledges the unique requirements of MOP(S) Act employment, the discretion of Parliamentarians in how they manage their offices and staff and the parliamentary workplace mean that opportunities for flexible working arrangements are limited and working from home is not possible for many roles.</p>	The Current EA provides no right to request working from home arrangements or flexible working arrangements.	The Award does not include any provisions relating to flexible working arrangements and working from home entitlements.
19. Individual flexibility	Provides for individual flexibility arrangements (IFAs) that can vary the effect of terms of the Agreement in accordance with the FW Act.	No change between the Current EA and the Proposed EA.	<p>The Proposed EA's term is based on the model flexibility term (which is in the Award) but also permits IFAs to deal with the following <i>additional</i> matters:</p> <ul style="list-style-type: none"> • leave loading; • remuneration; • superannuation; • arrangements about where work is performed; • leave; • prior service; • travel arrangements; • termination of employment; • severance benefits; and • work bases. <p>This means that IFAs can be agreed to by the Commonwealth and an employee in relation</p>

SECTION	EFFECT OF TERM IN PROPOSED EA	CHANGE BETWEEN CURRENT EA AND PROPOSED EA	EXPLANATION OF TERM IN COMPARISON WITH THE AWARD
			<p>to a greater range of matters under the Proposed EA than under the Award.</p> <p>The Proposed EA permits a party to terminate an IFA with no more than 28 days' notice to the other party. The Award requires 13 weeks' notice.</p> <p>The Award contains a number of administrative requirements around the use of IFAs that are not present in the Proposed EA.</p> <p>The Award also contains facilitative provisions which allow agreement to be reached between an employer and employees about payment of wages, the span of ordinary hours, the operation of flex-time, averaging of shift penalties. The Proposed EA does not contain facilitative provisions.</p>
Remuneration			
20. Payment of salary	This clause outlines how salary will be paid to employees and how to convert annual salary to fortnightly amounts.	No change between the Current EA and the Proposed EA.	The Proposed EA and the Award both include terms that provide for payment of wages to be made to employees fortnightly.
21. Salary adjustments	This clause specifies the location of salaries in the Proposed EA (in the Attachments) and the adjustments to salary rates over the three-year term of the Proposed EA.	<p>The Proposed EA provides for a salary increase of 11.2% over 3 years as compared to the remuneration in the Current EA, rolled out as follows:</p> <ul style="list-style-type: none"> a) adjusted by 4.0 per cent effective from 5 August 2024; b) adjusted by 3.8 per cent effective from 5 August 2025; and c) adjusted by 3.4 per cent effective from 5 August 2026. 	The Award does not include any provisions relating to salary increases. These are dealt with by way of the annual wage review conducted by the FWC.

SECTION	EFFECT OF TERM IN PROPOSED EA	CHANGE BETWEEN CURRENT EA AND PROPOSED EA	EXPLANATION OF TERM IN COMPARISON WITH THE AWARD
		<p>These increases will also apply to salary-based allowances (i.e. ESA, PSA, CRA and the allowance for the drivers of former PMs).</p> <p>The Current EA provided for yearly adjustments tied to WPI which has been removed in favour of the clear, certain increases outlined above.</p>	
22. Classification structures and salary ranges	This clause identifies the classification structure and the location of salary ranges for employees in each of these classifications (in the Attachments to Proposed EA).	<p>References to titles of classifications have been updated in the Proposed EA to align with the current language and terms in the MOP(S) Act. Specifically:</p> <ul style="list-style-type: none"> • Senior staff are now referred to as “Senior Personal Employees” and are engaged at the classifications of “Senior Advisers 1-5”. • Personal Employees are now referred to as Personal Employees “(Ministerial or non-Ministerial)” and are engaged at the classifications of “Advisers 1-3 “(Ministerial or non-Ministerial)” <p>Additionally, the bottom three pay points from the <i>Electorate Officer A</i> salary band, and the unused <i>Secretary/Administrative Assistant</i> classification, which are present in the Current EA have been removed from the Proposed EA. Casual employees who were engaged at one of these pay points will be moved to the new EOA-1 pay point upon the commencement of the Proposed EA. Electorate employees employed at pay points EOA-6, EOA-5, and EOA-4 prior to the</p>	<p>The classification structures in the Proposed EA and the Award are different. However, broadly the base remuneration under the Proposed EA is higher than the rates of pay provided for under the Award.</p> <p>The Award only provides for a single salary rate for each Electorate Officer classification. The Proposed EA provides for a range of salary points for employees who would be regarded as Electorate Officers.</p>

SECTION	EFFECT OF TERM IN PROPOSED EA	CHANGE BETWEEN CURRENT EA AND PROPOSED EA	EXPLANATION OF TERM IN COMPARISON WITH THE AWARD
		commencement of the Proposed EA will be translated to the new pay points of EOA-3, EOA-2 and EOA-1 respectively.	
23. Salary setting and progression	<p>This clause sets out the manner in which employees will be appointed into their roles, how starting salaries, and salaries on promotion or transfer, are determined and the process for salary advancement or progression. In essence:</p> <ul style="list-style-type: none"> • parliamentarians may appoint an ongoing electorate or personal employee, or engage a new non-ongoing electorate or personal employee, other than senior staff, at any applicable salary point based on the demonstrated and relevant skills and experience of the employee. They may also advance the salary of an employee to a higher pay point in their classification at any time; • salaries on promotion will be higher than the employee’s earlier salary (except for senior personal employees); • salaries on transfer will be maintained (except for senior personal employees); • salaries of senior personal employees are approved by the Prime Minister if appointed to a Ministerial position, and may be set at any salary point within the relevant classification if non-ministerial; • ongoing electorate employees at the top of their classification and competency assessment may be moved to the next classification; and • ongoing and non-ongoing employees may be eligible to advance one salary 	<p>This clause is identical to the Current EA other than the following:</p> <ul style="list-style-type: none"> • amendments have been made to permit the accrual of Eligible Service while on parental leave and to permit the advancing of one increment while on parental leave, subject to meeting the eligibility requirements; • the requirement for an employee to not be on unpaid leave for more than eight months in the preceding 12 months has been removed and replaced with a requirement for 6 months of aggregate Eligible Service at or above the relevant classification level during the most recent year; • the Proposed EA has changed the eligibility criteria to advance to the next pay point such that employees who have been on unpaid leave for more than 8 months of the preceding 12 months are no longer automatically disqualified from progression. Instead, employees only need 6 months of aggregate eligible service at or above the relevant classification level during the most recent year (together with the other two requirements). 	<p>The Award does not include any provisions relating to salary setting and progression arrangements or entitlements beyond the different definitions of classifications in the Award.</p>

SECTION	EFFECT OF TERM IN PROPOSED EA	CHANGE BETWEEN CURRENT EA AND PROPOSED EA	EXPLANATION OF TERM IN COMPARISON WITH THE AWARD
	<p>increment on 1 July of each year if they commenced prior to 1 March of that year, have 6 months of aggregate Eligible Service and have not had their performance reported as unsatisfactory.</p>		
<p>24. Temporary transfer – internal (higher duties allowance)</p>	<p>This term deals with the circumstances of a temporarily transfer to a vacant position at a higher classification within the agreed structure of the office in which they work for a defined period, and the salary payable while on this temporary transfer.</p>	<p>No change between the Current EA and the Proposed EA.</p>	<p>The Award provides for a higher duties allowance to be paid where an employee is directed to perform all or part of the duties of a higher classification for at least half a day (clause 14.2).</p> <p>The Proposed EA only provides for a higher duties allowance to be paid for the entire period of higher duties if an employee is temporarily undertaking duties at a higher classification for a period of two weeks or more.</p>
<p>25. Retention payment</p>	<p>This clause provides for a retention payment to be paid to ongoing and non-ongoing employees who have been engaged continuously under the MOP(S) Act for 12 months. Transitional arrangements for this payment are set out later in the Proposed EA.</p>	<p>The eligibility date for retention payments will now be November rather than July. This moves processing away from EOFY which will assist with faster processing of payments. There is also now a clause requiring the payment to be made as soon as practicable after the eligibility date.</p>	<p>The Award does not include any provisions relating to retention payments.</p>
<p>26. Community Language Allowance</p>	<p>This clause provides for an allowance, being a fortnightly payment of \$55.02, that remunerates eligible employees when they are regularly required to use their ability to communicate in Braille or a language other than English (including a First Nations language and Auslan) in the course of their work, subject to meeting the required level of competency as determined by PWSS.</p>	<p>This is a new entitlement and is not provided for in the Current EA.</p>	<p>The Award does not include any provisions relating to a community language allowance. This is an enhanced entitlement in the Proposed EA.</p>
<p>27. Salary packaging</p>	<p>This term provides for the availability of salary packing for employees and the</p>	<p>This clause is identical in the Proposed EA, other than the inclusion of a requirement for</p>	<p>The Award does not include any provisions relating to salary packaging.</p>

SECTION	EFFECT OF TERM IN PROPOSED EA	CHANGE BETWEEN CURRENT EA AND PROPOSED EA	EXPLANATION OF TERM IN COMPARISON WITH THE AWARD
	associated requirements relating to this.	in house 'fee-free' salary sacrifice arrangements for superannuation purposes to be introduced within six months of commencement of the Proposed EA.	
28. Superannuation	This clause provides employees with an entitlement to a superannuation contribution of 15.4% calculated on the employee's ordinary time earnings and paid in accordance with applicable legislation and fund requirements.	This clause in the Proposed EA has been updated to provide enhanced clarity of existing and legislative arrangements and to fix the superannuation contribution amount at 15.4% (previously it could also be an amount specified in the Deed to establish the PSSap).	<p>The Award requires contributions such that the employer is not required to pay the superannuation guarantee charge (currently 11.5% OTE (term 16.2 of the Award) except for members of the Commonwealth Superannuation Scheme, Public Sector Superannuation Scheme or Public Sector Superannuation Accumulation Plan, in which case the employer must make contributions in accordance with relevant legislation (clause 16.4 of the Award).</p> <p>The EA provides that an employee on paid and unpaid parental leave, including paid and unpaid maternity leave, will continue to receive employer superannuation contributions as though the leave is paid leave on full pay, subject to the applicable legislation and the rules of the scheme or fund (clause 28.3).</p>
29. Superannuation allowance	This clause provides that ongoing employees whose employer superannuation is paid under the <i>Superannuation Guarantee (Administration) Act 1992</i> (SG Act) may elect in writing to be paid a superannuation allowance each fortnight, calculated as set out in this clause.	The Proposed EA specifies the percentage for calculation of the superannuation allowance at the commencement of the Proposed EA and notes that this figure changes periodically. The percentage for the calculation of this allowance will be determined in accordance with the SG Act.	The Award does not include any provisions relating to a superannuation allowance.
30. Private-plated vehicle or allowance	This clause entitles senior personal employees to a private plated vehicle or to receive a private plated vehicle allowance.	Under the Current EA, private-plated vehicle allowances are adjusted in line with salary adjustments. This has now been removed. Under the Proposed EA, the rate of \$25,082	The Award provides for a per kilometre vehicle allowance (currently \$0.84 per km).

SECTION	EFFECT OF TERM IN PROPOSED EA	CHANGE BETWEEN CURRENT EA AND PROPOSED EA	EXPLANATION OF TERM IN COMPARISON WITH THE AWARD
		per annum will be maintained.	
31. Relocation expenses	This clause provides that the reasonable costs of removal and temporary accommodation expenses of ongoing employees may be met where they are required to relocate within Australia, including on appointment, promotion or transfer.	No change between the Current EA and the Proposed EA.	The Award does not include any provisions relating to relocation expenses.
32. Reimbursement for loss or damage to clothing or personal effects	This clause provides that an employee may be reimbursed up to \$1,000 per item for loss or damage to personal effects arising out of the course of their employment.	No change between the Current EA and the Proposed EA.	The Award does not include and provisions relating to reimbursement for loss or damage to clothing or personal effects.
33. Discretionary payments	This clause provides that the Minister may approve additional payments, as necessary, in any case where an employee would be otherwise financially disadvantaged in the performance of his or her work.	No change between the Current EA and the Proposed EA.	The Award does not include any provisions relating to discretionary payments.
34. Supported Wage System (SWS)	SWS is an attachment and based on the FWC's model SWS arrangements	No change between the Current EA and the Proposed EA.	The Award and the Proposed EA both include the FWC model SWS arrangements.
35. Recovery of debts and overpayments.	<p>This clause sets out how the Commonwealth will deal with debts owed by an employee to the Commonwealth in relation to the employee's employment, including overpayments. The clause clarifies that no interest will be charged in circumstances where an overpayment has arisen due to the Commonwealth's fault.</p> <p>The agreement of the employee is required for the recovery of an overpayment from salary during employment.</p> <p>An employee who wants to dispute an overpayment must advise the Department</p>	<p>The Current EA is largely silent on how the Commonwealth would approach recovering debts and overpayments.</p> <p>The Proposed EA offers certainty on how this will be dealt with for employees, including prescribing notice requirements and a dispute period as well as ensuring that no interest will be charged where the overpayment was due to an error by the Commonwealth not induced by the employee. The Proposed EA also:</p> <ul style="list-style-type: none"> reserves the Commonwealth's ability to investigate, recover or pursue money or other advance obtained by an employee 	The Award does not include any provisions relating recovery of debts and overpayments.

SECTION	EFFECT OF TERM IN PROPOSED EA	CHANGE BETWEEN CURRENT EA AND PROPOSED EA	EXPLANATION OF TERM IN COMPARISON WITH THE AWARD
	<p>within 28 days.</p> <p>If verified, the employee must repay the debt and can discuss repayment arrangements.</p>	<p>in their employment by way of fraud, misconduct or other inappropriate or unlawful actions; and</p> <ul style="list-style-type: none"> notes that the Commonwealth's rights to recover any overpayment or debt in the event that the employee's employment ends are not impacted by this clause. 	
36. Payment on death	<p>This clause entitles an employee who dies (or is presumed dead by Ministerial determination) to a payment of the amount to which the former employee would have been entitled had he or she ceased employment through resignation otherwise than by death on the date of death, including long service leave, to the former employee's executor or legal personal representative.</p>	<p>No change between the Current EA and the Proposed EA.</p>	<p>The Award provides for the payment of accrued annual leave on death (or presumed death), to be made to the dependants, partner or the legal personal representative of the deceased the amount that would otherwise have been paid if the employee had ceased employment.</p>
Working Hours and Related Allowances			
37. Ordinary hours of duty	<p>This clause prescribes the ordinary hours for full-time employees (38 hours per week, being 7 hours and 36 minutes per day) and part-time employees (as agreed). It also provides for ordinary hours to be varied by agreement and the times of commencement and cessation to be determined by the employing Parliamentarian in consultation with the employee.</p>	<p>No change between the Current EA and the Proposed EA.</p>	<p>The Award provides that ordinary hours of duty for a full-time employee are 36 hours and 45 minutes per week and the ordinary hours of duty for a part-time employee are an agreed number that is less than that of a full-time employee. The Award also provides for a 'flexitime' system which allows an employee to alter their pattern of attendance at work in accordance with clause 17.3 of the Award. The Proposed EA does not provide for flexitime.</p>
38. Additional hours	<p>This clause provides that the level of remuneration provided to an employee (including allowances and other benefits), reflects an expectation that they will be required to work reasonable additional hours above the ordinary hours of duty on a regular basis. This reflects the unique nature</p>	<p>No change between Current EA and Proposed EA.</p>	<p>Under the Award, employees are entitled to overtime in accordance with clause 19 of the Award. They are also entitled to The Proposed EA specifically excludes all employees (including Electorate Officers) from an entitlement to overtime (clause 38.3). However, the Proposed EA provides</p>

SECTION	EFFECT OF TERM IN PROPOSED EA	CHANGE BETWEEN CURRENT EA AND PROPOSED EA	EXPLANATION OF TERM IN COMPARISON WITH THE AWARD
	<p>and requirements of employment under the MOP(S) Act being such that additional hours of work (and the contact associated with this) are inherent in these roles.</p> <p>It also provides that the reasonableness of additional hours of work will be determined by the hours worked by an employee being averaged over a 12-month period.</p>		<p>for the ESA, PSA and NTA which are provided on an annualised basis, regardless of the hours worked, as compensation for the additional hours worked.</p> <p>TOIL entitlements are available in the Award by agreement for equivalent amounts to the overtime that would have been payable and must be paid out if it is not used within 4 weeks (or some other agreed period due to operational requirements). TOIL is available in the Proposed EA for non-casual employees who are not in receipt of the ESA, PSA or NTA.</p> <p>From 26 August 2024, the Award will contain a term dealing with the right to disconnect. The Proposed EA is silent on the right to disconnect, but employees will have access to the right to disconnect in accordance with the terms of the FW Act.</p>
39. Personal Staff Allowance (PSA)	This clause prescribes the payment of a personal staff allowance (PSA) to personal employees in recognition of, and as compensation for, reasonable additional hours of work and official travel undertaken outside of business hours. It also sets out certain administrative matters relating to the PSA.	<p>The value of the PSA will increase by 11.2 % over three years in accordance with the remuneration increase noted earlier in the Proposed EA.</p> <p>The fourth tier of PSA corresponding to the removed Secretary/Administrative Assistant classification has also been removed given this classification is not in the Proposed EA.</p>	
40. Nominated Traveller Allowance (NTA)	An electorate employee who is designated as the “Nominated Traveller” in accordance with the relevant determination will receive an allowance valued at 12 points of ESA and may also receive additional points of ESA up to their relevant ‘cap’.	The Current EA does not contain an entitlement to the NTA. This is an entirely new entitlement for employees under the Proposed EA.	
41. Electorate Staff Allowance (ESA)	This clause provides for the payment of an electorate staff allowance (ESA) to electorate employees in recognition of, and as compensation for, reasonable additional hours of work and official travel undertaken outside of business hours. It also sets out certain administrative matters relating to the ESA.	<p>The value of the ESA will increase by 11.2 % over three years in accordance with the remuneration increase noted earlier in the Proposed EA.</p> <p>This term is otherwise largely the same in the Current EA, other than:</p> <ul style="list-style-type: none"> the ESA cap being raised to 18 (from 16) for some individuals in electorates where there is a second or third Commonwealth funded office; and 	

SECTION	EFFECT OF TERM IN PROPOSED EA	CHANGE BETWEEN CURRENT EA AND PROPOSED EA	EXPLANATION OF TERM IN COMPARISON WITH THE AWARD
42. Time off in lieu	This clause provides for a TOIL entitlement for employees who are not casual employees, do not receive an ESA, PSA or NTA and are not drivers of former Prime Ministers. TOIL may accrue if agreed to by the employing Parliamentarian and may take into account the nature of the occasion and level of inconvenience to the employee when the additional hours were worked.	<ul style="list-style-type: none"> including references to the NTA. No change between the Current EA and the Proposed EA.	
43. Allowance for drivers employed by former Prime Ministers	This clause provides for an allowance to drivers employed by former Prime Ministers for additional hours of work, over and above the ordinary hours of duty. The allowance increases in line with salary increases over the life of the Proposed EA	No change between the Current EA and the Proposed EA.	As noted above regarding additional hours and related entitlements. There is otherwise no equivalent entitlement in the Award.
Leave			
44. Leave application	This clause provides that applications for leave must be submitted to the employing Parliamentarian as soon as practicable.	No change between the Current EA and the Proposed EA.	The Award is silent on applications for leave.
45. Annual leave	This clause provides for entitlements relating to annual leave, including: <ul style="list-style-type: none"> full-time employees are entitled to four weeks' annual leave at full pay per year of service and part-time employees' entitlement is calculated on a pro rata basis based on their hours of work; subject to at least 20 days of annual leave or long service leave being taken in the preceding 12 months, and having 4 weeks of leave remaining after the application, an employee may cash out between 5 and 20 days of annual leave; Parliamentarians may direct an employee to take a period of annual 	The Proposed EA contains a new clause that provides that if annual leave is cancelled, or an employee is otherwise directed to come back to work while on leave, the employee will have their cancelled annual leave recredited. This clause provides security for employees in these circumstances so that they will not be adversely impacted if they are recalled to duty. The entitlement is otherwise the same as the Current EA.	The Award provides for annual leave in accordance with the NES. It also provides for a maximum of 2 weeks' annual leave to be cashed out in a 12 month period (clause 20.6) which is more restrictive than what the Proposed EA provides. The Award does not permit the taking of annual leave at half pay, nor does it require the recrediting of leave upon being directed to come back to work while on leave (which the Proposed EA permits). The Award permits an employer to direct an employee to take annual leave where the

SECTION	EFFECT OF TERM IN PROPOSED EA	CHANGE BETWEEN CURRENT EA AND PROPOSED EA	EXPLANATION OF TERM IN COMPARISON WITH THE AWARD
	<p>leave if the employee has more than 80 days' leave accrued; and</p> <ul style="list-style-type: none"> • if annual leave is cancelled, or an employee is otherwise directed to come back to work while on leave, the employee will have their cancelled annual leave recredited 		<p>employee's annual leave balance is more than only 8 weeks (clause 20.7 and 20.8) whereas the Proposed EA only permits this where an accrual is more than 80 days.</p> <p>The Proposed EA provides for the accrual of additional annual leave for employees (other than casual employees) based in certain remote and/or rural locations to compensate them for travel to Canberra on a Sunday or public holiday for a parliamentary sitting commencing on Monday or Tuesday. Employees may claim 0.5 days' annual leave for each occurrence of travel (clauses 54.3 and 54.4). The Award does not provide for this entitlement.</p> <p>The Award allows for annual leave to be taken in advance by agreement. The Proposed EA is silent on this.</p>
46. Personal/Carer's leave	<p>This clause provides an entitlement for full-time employees to 18 days' leave at full pay per year of service to be used if they are unable to work because they:</p> <ul style="list-style-type: none"> • are sick or injured; • managing a chronic illness; • care or support a family or household member who is: <ul style="list-style-type: none"> ○ sick or injured; or ○ dealing with an unexpected emergency. <p>Part-time employees' entitlement to personal/carer's leave is calculated on a pro-rata basis based on their hours of work.</p>	<p>This clause is different from the Current EA due to the following:</p> <ul style="list-style-type: none"> • the language of this term has been amended to use the phrase 'personal/carer's leave' which aligns with the FW Act language; • personal leave entitlements have increased from 15 days to 18 days paid leave annually for full-time employees (pro-rata for part-time employees); • employees' entitlements will now accrue daily (and transitional arrangements are provided for); • upon the commencement of the Proposed EA, all existing ongoing and 	<p>The Award only provides for 15 days of personal/carer's leave, whereas the Proposed EA provides for an additional 3 days. The Award does not permit personal/carer's leave to be taken at half pay which the Proposed EA allows. The Award permits further paid personal/carer's leave to be provided but does not require it. Personal/carer's leave otherwise operates in a substantially similar way.</p>

SECTION	EFFECT OF TERM IN PROPOSED EA	CHANGE BETWEEN CURRENT EA AND PROPOSED EA	EXPLANATION OF TERM IN COMPARISON WITH THE AWARD
	<p>This clause also provides for employees to have access to two days' unpaid carer's leave in accordance with the FW Act.</p>	<p>non-ongoing employees will be provided an additional three days' personal/carer's leave (pro-rata for part-time employees);</p> <ul style="list-style-type: none"> • reasons for taking personal/carer's leave have been expanded and clarified in the Proposed EA; • acceptable evidence is defined to include a medical certificate, statutory declaration or other evidence approved by the Parliamentarian; and • if an employee has, or cares for someone with a chronic illness, they can provide a medical certificate to cover up to 12 months. 	
47. Unpaid carer's leave	<p>This clause provides that employees, including casual employees, are entitled to a period of up to two days' unpaid carer's leave for each occasion when a member of the employee's immediate family or household, requires care or support during such a period because they:</p> <ul style="list-style-type: none"> • are sick or injured; • manage a chronic illness; or • care or support a family or household member who is: <ul style="list-style-type: none"> ○ sick or injured; or ○ dealing with an unexpected emergency. 	<p>Reasons for taking unpaid carer's leave have been clarified and linked to clause 46.</p>	<p>The Award gives the employer the discretion to grant up to an additional unpaid carer's leave but does not require it. The Award otherwise provides for unpaid carer's leave in accordance with the NES.</p>
48. Compassionate leave	<p>This clause provides that employees, other than casual employees, can take up to three days' (per occasion) compassionate leave if an immediate family member, member of the employees' household, or someone the employees have a close personal</p>	<p>In the Current EA, compassionate and bereavement leave were a single entitlement. They have been separated in the Proposed EA and the entitlement has been <i>increased</i> to three days available for each occasion.</p>	<p>The Award and the Proposed EA provide equivalent entitlements to compassionate leave.</p>

SECTION	EFFECT OF TERM IN PROPOSED EA	CHANGE BETWEEN CURRENT EA AND PROPOSED EA	EXPLANATION OF TERM IN COMPARISON WITH THE AWARD
	<p>relationship with:</p> <ul style="list-style-type: none"> • develops a life threatening illness or injury; or • the employees or the employees' spouse lose a child through miscarriage. <p>Casual employees may access unpaid compassionate leave, known as unpaid carer's leave, in accordance with the FW Act.</p>	<p>Compassionate leave can now also be taken to provide support to a person the employee has a close personal relationship with.</p>	
49. Bereavement leave	<p>This clause provides that up to three days (per occasion) of bereavement leave is available if:</p> <ul style="list-style-type: none"> • an employee, or a member of the employee's immediate family or household, loses a child through stillbirth; or • a member of the employee's immediate family, household or someone they have a close personal relationship with, dies. <p>Casual employees may access unpaid bereavement leave, known as unpaid carer's leave, in accordance with the FW Act.</p>	<p>The entitlement to bereavement leave has been expanded in the Proposed EA as follows:</p> <ul style="list-style-type: none"> • the criteria for taking bereavement leave has been expanded so that it can be taken to provide support to a person the employee has a close personal relationship with and in the event of a stillbirth where the child was that of a member of the family or household; • evidence can be requested to support the taking of bereavement leave; and • bereavement leave may be taken as consecutive or separate periods, including part days, 	<p>The Award is silent on bereavement leave.</p>
50. Community service leave	<p>This clause confirms that community service leave is provided for as set out in the FW Act.</p>	<p>The entitlement in the Proposed EA and the Current EA are the same.</p>	<p>The Award provides an identical entitlement.</p>
51. Miscellaneous Leave	<p>This clause allows for miscellaneous leave to be granted subject to approval from the relevant delegate. This leave does not to count as service for the purposes of annual leave or personal/carer's leave when it is for a continuous period of 30 days without pay and provides that full pay non-accruing miscellaneous leave may be granted to</p>	<p>The Proposed EA clarifies that miscellaneous leave may be provided for casual employees experiencing family and domestic violence or as otherwise provided for by government directive.</p>	<p>The Award is silent on miscellaneous leave.</p>

SECTION	EFFECT OF TERM IN PROPOSED EA	CHANGE BETWEEN CURRENT EA AND PROPOSED EA	EXPLANATION OF TERM IN COMPARISON WITH THE AWARD
	employees, other than casual employees, subject to approval by the employing parliamentarian or the PWSS.		
52. Cultural, ceremonial and NAIDOC leave	This clause provides for leave for employees to fulfil religious or cultural obligations, including specific leave for NAIDOC and First Nations ceremonial obligations.	Cultural, ceremonial and NAIDOC leave are new entitlements in the Proposed EA. The Current EA does not contain these leave entitlements	The Award is silent on cultural, ceremonial and NAIDOC leave.
53. Other leave	<p>This clause provides for paid, non-accruing leave to employees, other than casual employees, subject to approval by the employing Parliamentarian, for absences associated with:</p> <ul style="list-style-type: none"> • Defence Force service; • participation in major international multi-disciplinary sporting events; • courses of approved study; • war service sick leave; and • political exchange leave. 	No change between the Current EA and the Proposed EA.	The Award does not include any provisions relating to other leave.
54. Long service leave	<p>This clause provides that long service leave entitlements are in accordance with the <i>Long Service Leave (Commonwealth Employees) Act 1976</i>.</p> <p>Long service leave can be taken for a minimum of seven consecutive calendar days on full pay or 14 consecutive calendar days at half pay.</p>	No change between the Current EA and the Proposed EA.	The Award does not include any provisions relating to long service leave.
55. Parental leave	This clause provides for an entitlement to paid parental leave when an employee is a primary or secondary caregiver which can be taken within 24 months of a child's birth or placement. The entitlements vary depending on caregiver status, but are set out in clauses 55.7 and 55.8 of the Proposed EA.	<p>The Current EA deals only with Maternity Leave whereas the entitlement to Parental Leave in the Proposed EA has been expanded. In particular, we note the following key differences:</p> <ul style="list-style-type: none"> • 12-month qualifying period for parental leave has been removed; • Primary Caregivers are now eligible for 	The Award provides for parental leave entitlements in accordance with the NES.

SECTION	EFFECT OF TERM IN PROPOSED EA	CHANGE BETWEEN CURRENT EA AND PROPOSED EA	EXPLANATION OF TERM IN COMPARISON WITH THE AWARD
		<p>18 weeks' paid leave (an increase of 2 weeks);</p> <ul style="list-style-type: none"> • Secondary Caregivers will be eligible for 8 weeks' paid leave from the start of the Proposed EA, increasing in increments to 18 weeks over the life of the Proposed EA. This is an increase to the current eligibility of 5 weeks; • Primary and Secondary Caregivers who adopt a child are also entitled to parental leave entitlements; • an employee who is automatically terminated under section 14 of the MOP(S) Act will be paid out their remaining parental leave entitlements if not reemployed under the MOP(S) Act; • premature birth leave is available from the date of birth up to what would have been 37 weeks gestation; • still birth leave is eligible for full parental leave entitlements (18 weeks). A Secondary Caregiver who experiences a still birth is eligible for two weeks' paid leave; • both Caregivers who experience a loss of pregnancy are eligible for one week of paid leave (in addition to entitlements under the FW Act); and • other clauses introduced by the Proposed EA provide for an employee to take parental leave as a flexible arrangement and provide clarity on arrangements for paid parental leave under the circumstances of automatic termination. 	

SECTION	EFFECT OF TERM IN PROPOSED EA	CHANGE BETWEEN CURRENT EA AND PROPOSED EA	EXPLANATION OF TERM IN COMPARISON WITH THE AWARD
56. Leave without pay	This clause provides that leave without pay may be approved by the employing Parliamentarian.	No change between the Current EA and the Proposed EA.	The Award does not include any provisions relating to leave without pay.
57. Public holidays and annual closedown	This clause provides for an entitlement to be absent and paid during the identified public holidays. It also provides for payment as a public holiday for the days during the annual close down period (between Christmas Day and New Year's Day). It explains how leave during the annual close down is dealt with and how to deal with working during the annual close down period.	The Proposed EA is the same as the Current EA other than the following: <ul style="list-style-type: none"> the reference to "Queen's birthday" has been updated to "Birthday of the Sovereign"; and an entitlement to an employee and employing Parliamentarian agreeing to substitute a different day in lieu of a public holiday has been added. 	The Award provides for the entitlement of an employee to be absent on public holidays during their ordinary hours of work and deals with circumstances where an employee works on a substitute public holiday. It allows the employer and employee to agree on the substitution of public holidays. It provides for a single, additional holiday between Christmas and New Year's Day.
58. Prior service	This clause provides that an eligible employee may choose to have prior service for leave, severance or both purposes recognised by repayment of relevant amounts (e.g. repay amount for accrued leave to have prior leave balances recognised). Prior service does not apply where an employee has made an irrevocable written election that they waive their option to have their prior service recognised for severance and/or annual leave purposes.	The Proposed EA now increases the amount to 45 days (instead of one month under the Current EA) for an employee to lodge a request with the Department to have their prior service recognised.	The Award does not include any provisions relating to prior service.
59. Portability of leave	This clause provides that employees (other than casual employees) on leave from the APS will have their leave credits recognised.	No change between the Current EA and the Proposed EA.	The Award does not include any provisions relating to portability of leave.
60. Unauthorised absence	This clause provides that an employee who is absent from duty without approval will cease to be paid salary and entitlements until they resume duty or are granted leave.	No change between the Current EA and the Proposed EA.	The Award does not include any provisions relating to unauthorised absence.
Travel			
61. Travel entitlements	This clause provides for employees to be directed by the employing Parliamentarian to travel and provides for travel entitlements including:	The Proposed EA contains the following differences from the Current EA: <ul style="list-style-type: none"> for the Excess (Canberra) Travel Leave entitlement, additional electorates 	The Award provides for the following travel related entitlements: <ul style="list-style-type: none"> a reimbursement for accommodation and meal expenses when travelling;

SECTION	EFFECT OF TERM IN PROPOSED EA	CHANGE BETWEEN CURRENT EA AND PROPOSED EA	EXPLANATION OF TERM IN COMPARISON WITH THE AWARD
	<ul style="list-style-type: none"> additional leave to compensate for travel time to Canberra (Excess (Canberra) Travel Leave) for employees whose work base is located in a remote and/or rural location and approved by the Minister or at Appendix A, eligibility for which will be reviewed periodically; and requiring the Commonwealth to introduce a same-day travel entitlement to be external to the Proposed EA prior to the nominal expiry date of the Proposed EA. 	<p>entitled to this entitlement have been included and a periodic review has been provided for; and</p> <ul style="list-style-type: none"> there was no entitlement to a same day travel allowance in the Current EA. The Proposed EA obligates the Commonwealth to develop this entitlement external to the Proposed EA and, until that occurs, entitles employees to request discretionary payments for expenses associated with same day travel. 	<ul style="list-style-type: none"> payment for excess travel time or time off in lieu for excess travel time; and reimbursement for excess fares associated with temporarily working in a location other than their normal place of employment.
62. Travel allowance – domestic travel	This clause provides for payment of a travel allowance, the value of which is determined by the Independent Parliamentary Expenses Authority, for overnight stays when an employee is directed to travel away from an employee's work base. It specifies the maximum number of overnight stays that can be paid in Canberra each financial year.	The rates for the Canberra Travel Allowance in the Proposed EA are higher than in the Current EA for non-senior personal employees, so that they receive an equal allowance to senior personal employees.	The Award does not provide for a domestic travel allowance.
63. Excess baggage reimbursement	This clause provides that an employee may be reimbursed excess baggage costs up to \$200 per return journey.	No change between the Current EA and the Proposed EA.	The Award does not include any provisions relating to excess baggage reimbursement.
64. Motor vehicle allowance	This clause provides for payment of a motor vehicle allowance to employees authorised by their employing Parliamentarian (for the reasons defined in the clause) in advance who, at their own expense, use their privately owned vehicle or self-drive hire vehicle.	No change between the Current EA and the Proposed EA.	The Award provides for a per kilometre vehicle allowance (\$0.84 per km), but it does not apply to Electorate Officers.
Learning, Professional Development and Performance Management			
65. Learning and development options	This clause sets out employees' learning and development opportunities including: <ul style="list-style-type: none"> a professional development program being available to employees, and 	The Proposed EA is the same as the Current EA other than the following: <ul style="list-style-type: none"> employees will now have reasonable opportunities to access learning and 	The Award is silent on learning and development options.

SECTION	EFFECT OF TERM IN PROPOSED EA	CHANGE BETWEEN CURRENT EA AND PROPOSED EA	EXPLANATION OF TERM IN COMPARISON WITH THE AWARD
	<p>employees having reasonable opportunities to access learning and development opportunities during working hours;</p> <ul style="list-style-type: none"> the ability for employees (other than casuals) to apply for Studies assistance to undertake accredited courses relevant to the employee's employment; and ad hoc learning and development opportunities for certain employees. 	<p>development opportunities during work hours;</p> <ul style="list-style-type: none"> the available reimbursement for Studies assistance has been increased by 50% (\$10,000 to \$15,000); the pro-rata reimbursement of Studies assistance for part time employees has now been removed, reimbursement is now complete for eligible employees; and pro-rata studies assistance is now available to employees who have been automatically terminated (in accordance with section 14 of the MOP(S) Act). 	
66. Performance Management	<p>This clause outlines principles supported by the Commonwealth for performance management processes while also acknowledging the discretion of Parliamentarians in managing their employees. It does not create any obligation or specific requirement to conduct performance management, or do so in a specific way.</p>	<p>The Current EA is silent on performance management.</p>	<p>The Award is silent on performance management.</p>
Work Health, Safety and Supports			
67. Work health and safety	<p>This clause provides that:</p> <ul style="list-style-type: none"> employees can request the PWSS to arrange assessments of work practices and equipment in Commonwealth funded offices; PWSS will provide annual flu vaccinations at no cost to all employees; and professional counselling sessions through an Employee Assistance Program (EAP) are available to 	<p>The Proposed EA is the same as the Current EA other than the following:</p> <ul style="list-style-type: none"> it has been clarified that annual flu vaccinations will be provided at no cost to the employee; and enhanced terms in relation to EAP services which will now be confidential and provided at no cost to the employee and expanding this entitlement to members of employee's immediate families. 	<p>The Award is silent on Work Health and Safety.</p>

SECTION	EFFECT OF TERM IN PROPOSED EA	CHANGE BETWEEN CURRENT EA AND PROPOSED EA	EXPLANATION OF TERM IN COMPARISON WITH THE AWARD
	employees, and members of their immediate family, for work and personal issues.		
68. Corporate responsibility allowance (CRA)	<p>This clause entitles employees fulfilling corporate officer roles (other than casual employees), including First Aid Officer, to an allowance.</p> <p>The allowance is adjusted in line with salary adjustments.</p>	The rate of CRA at the commencement of the Proposed EA is \$23.58 per fortnight for each role undertaken.	The Award does not provide for the CRA. It provides for a First Aid allowance but this does not apply to Electorate Officers.
69. Lactation and breastfeeding support	This clause provides for reasonable paid time for lactation breaks, access to appropriate facilities, and flexibility in consideration of lactation and breastfeeding requests.	The Current EA provides for no entitlements dealing with lactation and breastfeeding. This is a new term in the Proposed EA.	The Award does not include any provisions relating to lactation and breastfeeding support.
70. Respect at work	This clause records the Commonwealth's recognition of a range of matters relating to respect at work and the role of the PWSS. It also requires the Commonwealth to consult with employees and their representatives in developing, reviewing, and evaluating approaches to prevent sexual harassment, sex discrimination, sex-based harassment and victimisation in the workplace.	The Current EA is silent on these matters.	The Award does not include any provisions dealing with these matters.
71. Family and domestic violence support (including leave)	This clause provides employees experiencing family and domestic violence with support based on their individual circumstances to deal with this experience. They can also access (uncapped) paid leave as needed for their circumstances while experiencing family and domestic violence. This clause also includes a commitment to protect an individual's privacy.	This clause replaces clause 49 of the Current EA and incorporates the provisions previously outlined as well as providing enhanced conditions in support of employees experiencing family and domestic violence, including paid miscellaneous leave.	The Award provides for 10 days of paid family and domestic violence leave.
Termination of Employment			
72. Notice of	This clause sets out the required notice of	No change between the Current EA and the	The Award provides for notice of termination

SECTION	EFFECT OF TERM IN PROPOSED EA	CHANGE BETWEEN CURRENT EA AND PROPOSED EA	EXPLANATION OF TERM IN COMPARISON WITH THE AWARD
termination	termination of employment (or payment in lieu of notice) based on the duration of an employee's continuous service.	Proposed EA.	or payment in lieu of notice in accordance with the FW Act. The periods of notice in the Proposed EA are equivalent to this entitlement. The Award requires an employee to give the same period of notice of termination when they resign. There is no requirement for an employee to give notice in the Proposed EA.
73. Severance benefits	This clause sets out when an ongoing employee is entitled (and not entitled) to be paid severance benefits upon termination of employment.	No change between the Current EA and the Proposed EA.	<p>The Award provides for severance entitlements for Electoral Employees (as defined in the Award). The entitlements in the Award are less than what the Proposed EA provides. The calculation of severance benefits under the Proposed EA also takes into account allowances for additional hours of work and the higher rates of pay.</p> <p>The Proposed EA excludes employees whose employment is terminated from receiving severance benefits if:</p> <ul style="list-style-type: none"> • they have been approved for an invalidity retirement benefit from the Commonwealth Superannuation Scheme or the Public Sector Superannuation Scheme (the defined benefit scheme); • their employment is terminated during probation; or • they are absent without approved leave. <p>The Award could potentially allow these employees to receive a severance payment if they are Electoral employees and otherwise meet the eligibility requirements. However, the severance entitlements in the Proposed EA apply to all MOP(S) Act</p>

SECTION	EFFECT OF TERM IN PROPOSED EA	CHANGE BETWEEN CURRENT EA AND PROPOSED EA	EXPLANATION OF TERM IN COMPARISON WITH THE AWARD
			<p>employees who are eligible.</p> <p>The Proposed EA provides that a severance benefit may be reduced if an employee is re-employed during the period covered by the severance benefit.</p> <p>The provisions of the Award relating to redundancy do not apply to Electorate Officers but it applies to other employees. The redundancy entitlements in the Award are also less than the severance entitlements under the Proposed EA.</p> <p>Employees may also elect to keep their entire severance benefit under the Proposed EA if they are re-engaged following a break in service if they waive their right to have previous service recognised for annual leave or a future severance benefit. The Award is silent on this.</p>
74. Additional severance benefits	This clause increases severance benefits by an additional 30% where employment is terminated due to loss of office under section 14 of the MOP(S) Act.	No change between the Current EA and the Proposed EA	As above – the Award is silent on specific benefits due to loss of office.
75. Career transition payment (CTP)	This clause provides for a payment to be available, where severance is payable, to pay for counselling, training or financial advice.	Compared to the Current EA, the CTP has been doubled, increasing it from \$500 to \$1000 with part-time employees now entitled to the full amount (rather than a pro-rata amount).	This is not a term that is relevant or comparable to the Award.
76. Termination of employment	This clause outlines the rights and remedies of an employee in relation to termination of employment.	No change between the Current EA and the Proposed EA.	This is not a term that is relevant or comparable to the Award.
Dispute Prevention and Resolution			
77. Dispute	This clause outlines the procedure for	The Proposed EA is the same as the Current	The Award requires an additional step of

SECTION	EFFECT OF TERM IN PROPOSED EA	CHANGE BETWEEN CURRENT EA AND PROPOSED EA	EXPLANATION OF TERM IN COMPARISON WITH THE AWARD
prevention and resolution	<p>dealing with a dispute relating to a matter arising under the Proposed EA or NES, which involves trying to resolve the dispute at the workplace level and, if unsuccessful, referring the dispute to the FWC to be dealt with by way of mediation, conciliation, expressing an opinion or making a recommendation and, if these are unable to resolve the dispute, by way of binding arbitration.</p> <p>This clause enshrines an employee's right to be represented during this process, but this is not intended to exclude the Commonwealth or any other party to the dispute (e.g. a union) from being represented at any stage in a dispute in accordance with the FW Act.</p>	<p>EA other than the following:</p> <ul style="list-style-type: none"> • enhancements to assist with clarity in relation to dispute resolution processes and highlighting the role of PWSS; • a union or an employee can now start or be party to a dispute, whereas previously it was only employees; • a greater commitment to consulting with employees and unions; and • employees, and representatives of employees (including a union delegate), will now be paid for time attending conferences and hearings in the FWC arising from the referral of a dispute when this clause has been complied with. 	<p>consultation with senior management before referral to the FWC. However, the Award only permits arbitration by consent, whereas arbitration is available absent consent under the Proposed EA.</p> <p>The Proposed EA does not provide specific leave to attend proceedings, but it does require the employee and any MOP(S) Act employees involved in the dispute to be paid for time attending FWC proceedings.</p> <p>The Proposed EA does not provide for leave of absence to attend courses, but other leave can be accessed in accordance with the Proposed EA.</p>
Attachments			
Attachment A: Classification structure – Senior personal employee	This attachment contains the salary tables for senior personal employees.	<p>Salary tables for senior personal employees have been updated to reflect salary increases.</p> <p>The table also reflects the new classification titles of Senior Adviser 1-5.</p> <p>There is no material effect of these changes other than the increased remuneration for employees.</p>	The Award does not have an identical term and the Proposed EA provides for rates of pay higher than what is provided for in the Award.
Attachment B: Classification structure – Non-senior personal employees	This attachment outlines the salary tables for non-senior personal employees.	<p>Salary tables for personal employees (other than senior personal employees) have been updated to reflect the salary increases.</p> <p>The table also reflects the new classification titles of Adviser 1-3 (Ministerial), and Adviser</p>	The Award does not have an identical term and the Proposed EA provides for rates of pay higher than what is provided for in the Award.

SECTION	EFFECT OF TERM IN PROPOSED EA	CHANGE BETWEEN CURRENT EA AND PROPOSED EA	EXPLANATION OF TERM IN COMPARISON WITH THE AWARD
		<p>1-3 (non-Ministerial) which align with terminology in the MOP(S) Act.</p> <p>There is no material effect of these changes other than the increased remuneration for employees.</p>	
Attachment C: Classification structure – Electorate employee	This attachment outlines the salary tables for electorate employees.	<p>Salary tables for electorate employees have been updated to reflect the salary increases. There is no material effect of these changes other than the increased remuneration for employees.</p> <p>The lowest three pay points of the EOA classification in the Current EA will be removed at the commencement of the Proposed EA. Casual employees who were engaged at one of these pay points will be moved to the new EOA-1 pay point upon the commencement of the Proposed EA.</p> <p>Electorate employees employed at pay points EOA-6, EOA-5 and EOA-4 prior to the commencement of the Proposed EA will be transferred to the new pay points of EOA-3, EOA-2 and EOA-1 respectively upon commencement of the Proposed EA.</p>	The Award does not have an identical term and the Proposed EA provides for rates of pay higher than what is provided for in the Award.
Attachment D: Allowances (ESA, PSA and other)	<p>This attachment outlines the rates (per annum and per fortnight) for:</p> <ul style="list-style-type: none"> • private-plated vehicle allowance; • allowance for drivers employed by former Prime Ministers; • Corporate Responsibility Allowance (CRA); and • Community Language Allowance. 	Tables with the rates of allowances have been updated to reflect changes made in the Proposed EA and the introduction of new allowances.	The Award does not include any provisions relating to these allowances.
Attachment E:	This attachment provides further information	No change between the Current EA and the	The Proposed EA and the Award provide

SECTION	EFFECT OF TERM IN PROPOSED EA	CHANGE BETWEEN CURRENT EA AND PROPOSED EA	EXPLANATION OF TERM IN COMPARISON WITH THE AWARD
Supported Wage System Schedule	on the Supported Wage System (SWS) which supports employees with disabilities who are not able to perform jobs at the same capacity as any other employee. Under the SWS, special workplace arrangements are created so that employers can pay wages to a person with a disability based on how productive they are in their job.	Proposed EA.	equivalent provisions in relation to the SWS.
Attachment F: Transitional arrangements	This attachment outlines the transitional arrangement for ESA and classification structure changes.	Transitional arrangements have been updated to reflect the changes between the Current EA and the Proposed EA.	This is not a term that is relevant or comparable to the Award.
Appendix A: Electorates eligible to claim additional annual leave	Specifies electorates where employees are eligible to claim Excess (Canberra) Travel Leave.	This replaces a clause in the Current EA to specify all eligible electorates.	This is not a term that is relevant or comparable to the Award.