



APS951/2475  
21<sup>st</sup> November, 2014

# Defence Reveals Nearly All - it's not pretty!

The DECA negotiations continued in Canberra on Tuesday and Wednesday of this week.

Defence has now addressed all Parts of the DECA, although it is withholding its positions on:

- pay;
- the amounts to apply to the allowances in the current Annex E, changes in them being dependent on the pay offer;
- ordinary weekly hours of duty;
- the DECA day (at point 3 of Annex C);
- the specified leave day (at point 4 of Annex C).

There were some positive developments in this week's negotiations. For example:

- the Department offered to extend use of carer's leave to employees affected by domestic or family violence and adoption and fostering leave to include surrogacy;
- the unions tabled a proposal to have some apprenticeship rates increased, which Defence will consider; and
- the unions tabled an amended form of the DECA's current no extra claims clause, which Defence will also consider.

Otherwise, it was more of the same.

## Ideology Gone Mad

The [last bulletin](#) advised that Defence had all but dismissed our two unions' claim concerning remediation of the problems in the physical science and engineering (PSE) grades identified in the Deloitte report.

A related claim of our unions was to "follow through the DECA-related provisions of the TRFW Working Party (, including) BDCP for retention and mentoring". (Note: The TRFW Working Party was formed to oversee the work of Deloitte and to consider its findings. Both of our unions were represented on it.)

BDCP - the building Defence capability payment - is addressed at paragraphs B3.5 to B3.13 inclusive of the current DECA and at Section G5. The first of these appears under the heading of "Support for Occupational Disciplines Critical to Defence Capability". Paragraphs B3.6 to B3.8 read:

*B3.6 A group of jobs within an occupational discipline may be of significance to Defence capability and may require additional support to attract or retain a sufficient number of employees to facilitate the achievement of Defence's capability requirements. The requirement for support will change through time, as the numbers of appropriately qualified personnel increase, or Defence's capability requirements mature or change.*

*B3.7 Strategies identified in Part E (i.e. Training, Education and Career Development) are to be harnessed to increase the number of employees available within Defence who have the appropriate skills and knowledge.*

*B3.8 In the meantime, the Secretary may prescribe a premium, in addition to the rate of salary otherwise payable under this Agreement, to some or all of the jobs within an occupational discipline of significance. The premium would usually be prescribed for up to two years.*

**Even Blind Freddy could see the significance of these provisions to today's Defence engineering and science.**

However, Defence proposed on Wednesday to:

- move these paragraphs to Part G;
- combine them with the current Section G5;
- retitle the new section "Individual Flexibility Arrangements"; and
- replace the text with provisions which closely resemble template provisions from the Fair Work Act.

No doubt, this is being done to conform with the Abbott Government's bargaining framework (see paragraph [7.1.7](#) of that framework). This is putting ideology above purpose.

### **But Wait - There's More**

The Abbott Government's policies apply across the APS. Whilst we were meeting with Defence on Tuesday afternoon, the Department of Employment was making an offer on pay to its workforce. The following is quoted from a document which that Department tabled.

#### ***Options for a Pay Increase***

*The Department has identified two options to offer a pay increase to employees:*

#### ***Option 1***

*... This option includes:*

- *a pay increase of 1.7% over three years (0.5% payable from the first pay period commencing after the enterprise agreement comes into operation, 0.6% payable 12 months after the enterprise agreement comes into operation, and 0.6% payable 24 months after the enterprise agreement comes into operation.*

*The pay increases are offset by the removal of the half-day closedown before Christmas, removal of the Health Related Allowance, increased incremental points in the salary range for each classification, and increasing the period of temporary performance to payable after 10 continuous days.*

### **Option 2**

*This includes each of the initial position initiatives in Option 1 and the working hours initiative (i.e. an increase of 30 minutes per week). A staff reduction through natural attrition of 46 jobs (over three years) associated with increased working hours is also included in this option to provide a cash offset that is equivalent to the productivity initiative. This option provides:*

- *a pay increase of **2.8%** over three years (**1%** payable from the first pay period commencing after the enterprise agreement comes into operation, **1%** payable 12 months after the enterprise agreement comes into operation, and **0.8%** payable 24 months after the enterprise agreement comes into operation.*

*The pay increases are offset by the removal of the half-day closedown before Christmas, removal of the Health Related Allowance, increased incremental points in the salary range for each classification, and increasing the period of temporary performance to payable after 10 continuous days, **and** increased working hours and reduced staffing by natural attrition of 46 jobs over three years.*

Defence and the unions are a long way apart on:

- terms and conditions of employment; and
- the levels of respect with which employees should be treated.

They are even further apart on their views of the state of engineering and science, as currently practised within the Department.

A further eight days of negotiations have been scheduled in February and March to try to bridge the gap.

Workplace Express is an electronic bulletin for industrial relations practitioners. On Wednesday it reported on a discussion paper issued by the Australian Institute of Employment Rights. It quoted that organisation's executive director as saying the Abbott Government's single-minded focus on the "economic imperatives of growth and productivity, along with the significant changes deregulation has brought to the labour market, are risking Australia reverting to a mind-set where labour is once again treated as a commodity".

**Our two unions held a national telephone hook-up of their delegates today. That hook-up heard a report and discussed possible responses.**

**You are encouraged to confer with your local union delegate or Organiser.**