



APS 953:2477  
9<sup>th</sup> December, 2014

## DEFENCE REMAINS COY ..... is it teasing or fearful of your response?

Defence and the unions met at Fisherman's Bend in Melbourne on 3<sup>rd</sup> and 4<sup>th</sup> December to continue their discussions on replacement of the current DECA. (We use the work discussions deliberately, in preference to "negotiations".)

A previous [bulletin](#) had set out Defence's incremental approach to the discussions and the unions' response.

By the end of the previous meeting, held in Canberra on 18<sup>th</sup> and 19<sup>th</sup> November, Defence had addressed all Parts of the current DECA and many of the changes it proposed be made to them. The changes it had [not addressed](#) were, however, of particular significance.

At last week's meeting the unions expressed frustration that Defence was still not prepared to state a position on increases in your rates of pay. In addition, they asked why Defence could not disclose its position on matters such as ordinary weekly hours of work and the DECA day. The answer given was that Defence wants to present the items it has not yet addressed "as a group" (together with pay). Apparently, you as employees will just have to wait! Remember here that the Abbott Government's bargaining policy stipulates that:

- "Remuneration increases should apply prospectively unless exceptional circumstances apply and have the approval of the Ministers."
- "Sign-on bonuses should not be offered during bargaining unless approved by the Ministers."

Before proceeding Part by Part through DECA, the unions made a number of points general to the discussions. These were:

- the unions do not subscribe to the government's bargaining **policy**; the only limitations they accept are those imposed by relevant legislation;
- the unions strongly object to the intended effects of the government's policy, which in certain respects are antithetical to Defence's current needs (particularly in relation to the practise of its physical science and engineering);

- the government seems to misunderstand the nature of collective bargaining, where the intention is to have agreement reached between the employer and its workforce, with each being an equal partner in that agreement; it is not for Defence to dictate what is acceptable and what is not;
- the unions will resist attempts to promote managerial prerogative at the expense of genuine consultation with the workforce;
- the unions do not accept the mandating of template provisions, provisions which have been designed to have potential application in workplaces inclusive of those as diverse as production lines, \$2 shops, bakeries, hairdressing salons and funeral parlours, many of them without access to dedicated human resources practitioners like those found within a Department of State with 19,000 employees; the imposition of such templates is inconsistent with the notion of enterprise-specific bargaining, put aside a search for tailored productivity initiatives;
- the unions do not accept the definition of “productivity” which is being applied by the government under its policy; that definition puts the focus on cost-cutting rather than productivity; if Defence wants a genuine debate around the issues, the unions advocate use of one of the Australian Bureau of Statistics’ definitions of productivity\*;
- the unions have little to no confidence in policy prescription (such as found in the Defence Workplace Relations Manual), particularly where the subject matter is controversial; they will resist the removal of entitlements from a legally enforceable instrument like DECA to the DWRM or similar policy instrument.

## DCM

The last of these [bulletins](#) was highly critical of Defence’s position on the Defence Classification Manual.

In response to the views strongly put by the unions at an earlier meeting, Defence last week tabled for consideration a proposal that represents a significant advance on its previous position. The unions undertook to consider that proposal and respond.



TB5.848

### Note:

\*The ABS’ “multifactor productivity” includes consideration of management practices.