**PEAK CONSULTATIVE FORUM**

**PROPOSED MEETING DETAILS AND AGENDA**

**Meeting Date:** 22 April 2015

**Meeting Time:** 12.30pm – 2.30pm

**Meeting Venue:** CSA – Level 6, 445 Hay St Perth

**CSA Reps:** Toni Walkington – Branch Secretary

Rikki Hendon –Branch Assistant Secretary

Lea McKay – President

Brian Dodds – Vice President

Gavin Richards – Vice President

Trudy Bates – Coordinator, Campaigns and Community

Warwick Claydon – Senior Industrial Officer

Jeannette O’Keefe – Industrial Officer

Danielle Arntzen – Industrial Officer

**Commerce Reps:** TBA

**PSC Reps:** TBA

**Treasury Reps:** TBA

**PROPOSED AGENDA**

1. Attendance & Apologies (All)
2. Business arising (All)
   1. Draft protocols for PCF and PCF Working Group (Attachment 1)
3. Public Sector Workforce Renewal Policy – questions posed by CSA

(Attachment 2) (CSA)

1. Public Sector Workforce Renewal Policy – reserved matter (Clause 31 of MOU) (CSA)
2. Questions for Treasury (Attachment 3) (CSA)
3. Issues Concerning Compliance with the MOU (CSA)
   1. TVSS
      1. Position details not provided and/or provided once an employee had left the Public Sector
   2. Agency Expenditure Reviews
      1. No information has been shared, despite the requirements of the MOU
   3. Public Sector Workforce Renewal Policy
      1. Very little information has been shared, despite the requirements of the MOU
4. Next Meeting (All)

**Attachment 1 – Agenda Item 2.1**

**DRAFT PROTOCOLS FOR PEAK CONSULTATIVE FORUM (PCF) AND PCF WORKING GROUP**

**Peak Consultative Forum**

1. Terms of Reference as established in Clause 47 – Peak Consultative Forum of PSGOGA.
2. PCF to meet as required for strategic whole of Government matters and matters referred from the PCF Working Group in accordance with paragraph 26 of the MOU.
3. Frequency of meetings as required - with the first meeting to be scheduled in two months from the PCF on Wednesday 11 February 2015 (suggest Wednesday 22 April 2015 in light of Easter and school holidays).
4. Issues for discussion to be advised one week before each scheduled meeting.

**PCF Working Group**

1. Principles:

* Agency parties are to utilise the MOU to facilitate discussions and information sharing.
* Referral to the working group should occur only when all efforts to resolve an issue at agency level can be demonstrated to have been exhausted.

2. Administration:

* Monthly meetings with the capacity to be convened virtually out-of-session if needed.
* Agenda items one week before each scheduled meeting.
* Each party to nominate a central point of contact/administrator to facilitate referral of issues, minutes and agendas.
* First meeting scheduled for 25 February 2015 (location to be advised) with the agenda to be as per paragraph 27 of the MOU.

**Attachment 2 – Agenda Item 3**

**PUBLIC SECTOR WORKFORCE RENEWAL POLICY – CSA QUESTIONS**

1. In relation to the ‘various options’ identified in Page 10, para 2 of the *2014-15 Government Mid-year Financial Projections Statement* (Mid-Year Review) published 22 December 2014, will the Department of Commerce, the Public Sector Commission and/or Department of Treasury please explain:
   1. How *“ … employing replacement staff at lower classification levels, ...”* can be reconciled with Employing Authorities’ obligations to remunerate employees according to the value of their work consistent with:

(i) the *Public Sector Management Act 1994*;

(ii) WAIRC State Wage Principles and case law;

(iii) Public Sector Commission Employment Standard;

(iv) Public Sector Commission Approved Procedure 1 and other relevant Procedures;

(v) relevant Commissioners Instructions;

(vi) the terms of their various Industrial Instruments; and

(vii) any other relevant obligations.

* 1. How *“… replacing full time employees with part-time employees, or not replacing an employee at all.”* can be reconciled with Employing Authorities’ obligations to:

(i) comply with the *Public Sector Management Act 1994*;

(ii) comply with the *Occupational Safety and Health Act 1984*;

(iii) comply with the Public Sector Commission Structural Change Management principles;

(iv) comply with the Employing Authority’s workload management policies and procedures;

(v) ensure employees are not treated unfairly through Performance Management and Sub Standard Performance Management processes as a consequence of being required, or believing they are required, to undertake unreasonable workloads; and

(vi) any other relevant obligations.

1. In relation to the Acting Under Treasurer Michael Barnes’ letter to CEOs dated 22 December 2014, will the Department of Commerce, the Public Sector Commission and/or Department of Treasury please explain:
   1. How the ‘specified front-line’ occupations were chosen, including the reasons for selection of those occupations over other occupations which could be seen as front-line by other relevant stakeholders? Specifically:
      1. What characteristics of each occupation were taken into account?
      2. What process was used?
      3. Were all occupations reviewed when the definition for front-line was determined?
      4. If not, why not?
      5. Who was involved in the process for defining front-line?
      6. What consultation occurred in the process?
      7. Were external stakeholders consulted?
      8. If not, why not?
   2. Have any agencies sought to have the definition of ‘front-line’ under the Public Sector Workforce Renewal Policy (**Policy**) expanded to include other occupations? If so, please provide details on:
      1. Agency involved
      2. Occupations asked to be included in the definition of ‘front-line’
      3. Whether the definition was expanded to include any or all of the occupations
      4. Reasons for the decision to expand or not expand the definition of ‘front-line’
      5. Occupations now considered ‘front-line’ for the purposes of the Policy
2. For all agencies affected by the Policy will the Public Sector Commission and/or the relevant agency provide the CSA with:
   1. The basis used to calculate savings under the Policy? (New question)
   2. Agency turnover historical data for the past three years?
   3. Any other salary data being relied on by agencies and/or Treasury to forecast savings under the Policy?
   4. Information on the number of separations by agency/department over recent years currently being compiled by agencies and/or Treasury?
   5. Salary savings under the Policy forecasted for this financial year?
   6. Salary savings under the Policy forecasted for FY 15/16?
   7. Predicted total number of employees for the next three financial years?
   8. The estimated savings included in a global provision within Treasury for the Mid-year Review?
   9. Information on how this global estimate was derived?
   10. Information on what steps have been taken to ensure adequate stakeholder consultation has been occurring since the Policy took effect on 1 January 2015?
3. In relation to the Policy, will the Department of Treasury please explain:
   1. Who developed the policy? (Amended question)
   2. Was advice received from the Department of Commerce Labour Relations Division?
   3. If not, why not?
   4. Was advice received from the State Solicitor’s Office?
   5. If not, why not?
   6. Were any other agencies consulted with regards to the development and implementation of the Policy?
   7. If so, please provide details.
   8. If not, why not?
   9. What agencies/employees are exempt from the Policy?
   10. Reasons for each exemption under the Policy?
   11. Clarity on how the Policy is expected to impact on use of Fixed Term Contracts (FTCs)
       1. Have agencies and/or Treasury factored in the possibility of increased use of short term contracts to mitigate the impact of the Policy on salary budgets?
       2. What measures are being put in place to ensure short term contracts will not be used in place of longer term contracts or permanency where appropriate?

**Attachment 3 – Agenda Item 5**

**CSA QUESTIONS FOR TREASURY**

1. What happens to the funds allocated to an FTE when an agency makes the decision not to fill that office, post or position? Please outline the process.
2. In relation to question 1, please outline the authority and process for such a decision.
3. Please detail the extent to which agencies received funding for GA6 payrises. If different across agencies, please provide details and explain rationale.
4. In relation to question 3, if agencies had to fund GA6 payrises out of their existing salary budgets, to what extent were job losses in agencies contemplated by Treasury?
   1. Was advice received from the Department of Commerce Labour Relations Division?
   2. If not, why not?
   3. Was advice received from the State Solicitor’s Office?
   4. If not, why not?
   5. Were any other agencies consulted with?
   6. If so, please provide details.
   7. If not, why not?