

Australian Public Service Bargaining Framework

January 2011

Part 1 - Workplace Relations Framework

APS Agencies are to:

- 1.1 Set out Senior Executive Service (SES) employees' terms and conditions in either:
 - (a) determinations made under the *Public Service Act 1999* or individual common law arrangements; or
 - (b) where a majority of SES officers choose, in an SES enterprise agreement separate to that agency's non-SES enterprise agreement;
- 1.2 Set out non-SES employees' terms and conditions in one enterprise agreement per agency, other than in exceptional circumstances as approved by the Prime Minister and the Special Minister of State for the Public Service and Integrity, with coverage excluding SES employees except for the following limited cases:
 - (a) small agencies where the nature of the work and benefits does not differ considerably between SES and non-SES; or
 - (b) defined specialist SES in non-managerial positions;
- 1.3 Comply with all relevant legislative requirements;
- 1.4 Facilitate productive workplace relations and collective bargaining in good faith with employees and their representatives;
- 1.5 Ensure an employee's right to representation in the workplace is respected;
- 1.6 Apply the right of entry and freedom of association provisions contained in the Fair Work Act 2009 in a fair and reasonable manner;
- 1.7 Ensure all enterprise agreements, determinations made under the *Public Service Act 1999*, common law arrangements, and workplace policies and practices are clear, easy to read, and streamlined;
- 1.8 Seek the inclusion of relevant model clauses, as advised by the Australian Public Service Commission (APSC), in terms and conditions instruments;
- 1.9 Submit proposed bargaining positions, enterprise agreements and collective determinations to the APSC for assessment prior to seeking Ministerial approval;
- 1.10 Comply with any instruction issued by the Public Service Commissioner in relation to administering the Bargaining Framework; and
- 1.11 Obtain Ministerial approval in relation to enterprise agreements and collective determinations.

Part 2 - Remuneration Policy

APS agencies are to observe the following remuneration policies:

- 2.1 Improvements in remuneration are to be offset by genuine, quantifiable productivity improvements;
- 2.2 Salary advancement for individuals within classifications and broadbands is subject to at least satisfactory performance;
- 2.3 Remuneration increases are to apply prospectively, other than in exceptional circumstances

Part 3 - Funding Policy

- 3.1 Improvements in pay and conditions are to be funded from within existing budgets, without the redirection of program funding.

Part 4 - Staffing Policy

All APS workplace arrangements (including enterprise agreements, common law arrangements, determinations made under the Public Service Act, and workplace policies and practices) are to:

- 4.1 maintain structures that are consistent with the APS Classification Rules and work level standards;
- 4.2 include compulsory redeployment, reduction and retrenchment provisions, without enhancing existing redundancy arrangements other than where required by legislation, or in exceptional circumstances with the approval of the Special Minister of State for the Public Service and Integrity;
- 4.3 contain provisions which ensure the portability of accrued paid leave entitlements and enhance mobility of employees;
- 4.4 incorporate leave policies and employment practices that support the release of community service volunteers for emergency services duties and Defence Reservists for peacetime training and deployment; and
- 4.5 incorporate flexible attraction and retention initiatives, including incorporating terms and conditions which assist employees in maintaining a healthy work-life balance and improve diversity.