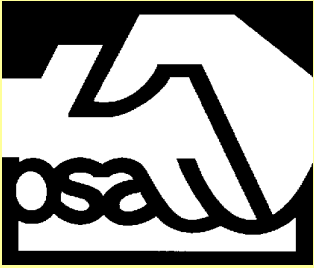


# WAGES AND CONDITIONS

## **BACKGROUND:**

- †PSA lodged claim August 2003
- †Government refused to negotiate beyond 3.5% / 4%
- †Government offer rejected by 70% in ballot August 2004
- †IRC commences hearing Government application for Award



## WAGES AND CONDITIONS

- † PSA appears before Full Bench seeking Interim Award so that members are not disadvantaged because Government refuses to negotiate, necessitating lengthy arbitration case.
- † Full Bench identifies technical concerns re the relationship between an Award and the current Parity Agreement of 2001.
- † Full Bench issues Statement 15 September 2004.



## WAGES AND CONDITIONS

IRC Statement finds that:

“there is a prima facie case for making an interim Award in part settlement of an enterprise bargaining dispute” para 10

“...applicants (Government) have ultimately made an offer....and have refused to further review that position...” “...it is important that a party seeking to utilise the Commission's Award making jurisdiction to settle such a dispute does not gain an unfair advantage from such a strategy.” para 16



## WAGES AND CONDITIONS

**The Full Bench identified an alternative approach -para 23-**

“Parties make a new short term Enterprise Agreement”  
“that Agreement would supersede the existing Enterprise Agreements.”

“..preserve the relevant parts of the existing Agreements..”

“..expressly provide for the operation of outcome determined by the Full Commission”

“also provide that the parties would be free to continue negotiations on other potential conditions that are not resolved and not subject to this application.”

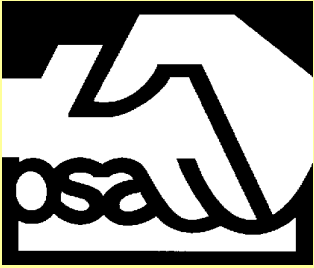


## WAGES AND CONDITIONS

The considered and even handed IRC Statement is regarded positively by PSA.

PSA has always wanted an Agreement, but has been forced to consider an Award because of Government's refusal to negotiate.

IRC proposal avoids conflict between Award and Agreement, as outcome is an Agreement which has disputed elements arbitrated by the Commission.



# WAGES AND CONDITIONS

## **PSA proposal would include:**

Short EA, with interim payment and extra maternity leave from 1 October 2004.

IRC to arbitrate payments to apply October 2004 and 2005.

Existing Parity EA clauses other than pay rates and maternity leave to carry over into new EA.

Non agreed matters to be Reserved so that PSA is not prevented from progressing them by a “No extra claims” clause.



# WAGES AND CONDITIONS

## RECOMMENDATION:

That this meeting supports the making of a short term Enterprise Agreement incorporating interim adjustments, with the Commission arbitrating pay rates and maternity leave to be included in such Agreement.