

Roads & Maritime Authority – 2019 Award Negotiations

The PSA and combined unions met with Roads & Maritime Services representatives on Tuesday 12 February to progress negotiations regarding the *Roads & Maritime Services Consolidated Salaried Award 2017*.

The RMS has previously provided its negotiating platform to the combined unions and staff which is:

- » a one-year award
- » a 2.5 per cent pay increase
- » minor administrative changes (references to legislation or updated policies)
- » incorporation of STOO position into Incident Management Allowance
- » augmented Working Hours Clause for Sydney Harbour Bridge Control Room Operators.

Staff would be aware the PSA surveyed its membership last year and there were some considerable themes that have made up the PSA and combined unions' Log of Claims.

What have the unions asked for?

Salary increases over 2.5 per cent

The combined unions have asked for RMS to consider salary increases over that of 2.5 per cent. This is in the context that other parts of the Transport Service have realised pay increases above that 2.5 per cent figure. Furthermore, over the last two years, there has been a 42 per cent increase in the number of staff earning more than \$150,000 in TfNSW. If the Transport Service has this kind of money to splash on Senior Service

ranks, then there should be money for Award-based staff.

JOB security

Staff are being negatively affected by restructuring of business units within RMS. That PSA and combined unions consistently highlight the need for better change management processes that identify roles for staff to be redeployed into.

Previously the PSA and combined unions negotiated a clause for the adoption of a change management framework. Progress on that document has stalled as it was perceived that it wasn't delivering on the detail sought from the combined unions. Further work to provide a substantive clause is necessary.

Extension of flexible working practices

The PSA surveyed staff regarding the usage of Time In Lieu provisions and lost hours In December. Overwhelmingly, members reported losing hours and many were nervous to use the Time in Lieu provisions set down in the Award. The increased nature of project type employment equates to work practices that have considerable peaks and troughs. Staff found it difficult to work in a manner that did not accommodate those practices.

The current flexible working hours provisions allow for one day off per four-week settlement period. A change considered involves a reduction of the settlement period from four weeks to two weeks. However, a better way to look at flexibility is to identify some of the other current methods that have been adopted by the NSW public service in



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the form of flexible working hours agreements. The examples included those Government agencies like Justice or Industry and Investment, where there is an ability to accrue up to 6 'flex' days over a 12-week settlement period. This would allow for staff to work in a manner that can deal with the increased frequencies of work, meet business demands that are often urgent in nature and require more work at those times. Staff could also better manage caring responsibilities for school age children on school holidays.

What is most important to these negotiations, is that a change in process is without employment related cost. If staff only wish to work their contract of employment hours they can.

Registration of engineers

Professionals Australia has embarked on a campaign of registration of engineers and subsequently, there have been a number of states who have either adopted this system (Queensland) or in the process of adopting it (Victoria). Registration would provide the purchaser of engineering services, the confidence it would work in the same way that resembles the registration and on-going development required by legal practitioners.

Professionals Australia is looking for an allowance to recognise the costs associated to the upkeep of the registration program.

Maternity leave and altruistic surrogacy

As per the Premier's Memorandum M2018-02- Support for employees engaged in altruistic

surrogacy and permanent out of home care parenting arrangements.

Changing the language used in clause 21.6 from maternity leave to provide full gender equality in the ability to take parental leave – such as changing the language to primary caregiver and secondary caregiver. The current clause provides for 14 weeks' paid maternity leave and one week Paternal Leave.

Unions request that 15 weeks' paid leave in total should be available to either the Primary caregiver or the Secondary caregiver of the child concerned. If the initial primary caregiver returns to work early (before the 14 weeks of paid leave is used), the remaining weeks of paid leave should be available to the employee who was initially the secondary caregiver, but who has now become the primary caregiver.

Surveillance officer competency classifications

The issues surrounding the CIM prosecution for Surveillance Officers has progressed since 2015. A win/loss within that jurisdiction provides little, in a practicable working hours clause. With the issue regarding hours put aside until a decision in the CIM, other pressing issues relate to the grading of surveillance officer jobs and how these staff progress within the RMS. Currently there are a variety of grades for Surveillance from USS Grade 5 through to Senior Surveillance Officer Grade 9. This is further complicated by the previous grandfathering of some Surveillance Officer grades. There is little concrete understanding of how or what constitutes role complexity.



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A competency classification framework may provide a clear understanding of those requirements; provide a demonstrable framework for staff to develop to higher graded positions and; partially mitigate the issues of higher graded positions being offered in certain locations.

Extension of the incident management allowance to Senior Transport Operations Officer (STOO) and incident allowance payment definition

The RMS has created an extra position in the traffic operations command with responsibilities for incident co-ordination. It is arguable that the current incident management allowance is applicable. However, as the staff will not claim this allowance for all 52 weeks, *pro rata* calculation and definition is required. There are also issues in the definition of how it is calculated that require clarification.

Sydney Harbour Bridge Control Workers hours of employment clause

The PSA previously held discussions regarding a Local Arrangements Clause for Control Room hours of operation. This was eventually held in abeyance so the RMS could provide an update on PSA concerns over the 12-hour shift concepts that require better and more consistent definition with other public sector agencies. PSA members are seeking a permanent hours of work clause provides scope for the 12-hour shift patterns.

Domestic violence clause

After continuous union agitation, the NSW Government has agreed to an addition of 10 days'

paid domestic violence leave. This will require amendments to clause 21.19 to reflect the new entitlement as per the Premier's Memorandum M2018-03-*Support for Employees Experiencing Domestic and Family Violence*.

Morning and afternoon tea breaks

Paid breaks so that staff can take a short break from their workplace/workspace in order to obtain a coffee or a smoke (the PSA doesn't advise smoking) or to take medication or to make phone calls to family members. More importantly, to provide a space to clear your head and to take stock of what is required for the next portion of the day.

Changes to when salary increases are paid

Salary increases are paid every first full pay period after the enablement of the Award (usually but not limited to 1 July). The primary consideration for this was the previous massive administration costs associated with the payment of staff on two separate rates over one pay period. With new technology, this now becomes almost a click of a button. As a consequence, the combined unions are seeking payment to be made from the enablement of the Award, for example 1 July 2019.

So what now?

Whilst this is not an exhaustive list at this point in time, there is considerable food for thought from the PSA and combined union membership on how to make their work life better. The PSA and combined unions have a schedule of meetings established in order to progress the negotiations



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with the view to reach a consent or in-principle position for the membership to vote on. Important to note that it is only members who vote on the acceptance of the Award.

What are the issues?

The current NSW Government enacted the *Industrial Relations (Public Sector Conditions of Employment) Regulation 2014*. Increases in remuneration or other conditions of employment that increase employee related costs by more than 2.5 per cent per annum can only be considered where sufficient employee related cost savings have been achieved to fully offset the increased employee related costs and where this has been approved by the Cabinet Committee on Expenditure Review.

This effectively means that increasing in productivity or work value will not be taken into consideration by the Government when determining pay increases and subsequently, pay increases over 2.5 per cent are required to be offset by the loss of conditions. Members have already provided the PSA with a clear understanding that hard won conditions will not be sold off for higher pay.

This leaves the PSA and combined unions in a position where there can't be an effective bargaining process. The only way to progress the issue of the Wages Regulation cap is to have the regulation scrapped. This is where the upcoming state election on March 23 plays its part. The PSA isn't going to tell you how to vote, but it will say one thing – to get rid of the artificial wages cap and to give public servants a decent pay rise, this NSW Government needs to be voted out.

View information on our *Save The State, Change the Government* campaign [HERE](#).

