

MoPS Pay and Entitlements Consultation

2019-2020

Contents

Respondent demographics.....	1
General concerns regarding pay scales	1
Regional electorate office issues	2
Recommendations:	2
Excessive hours	3
Recommendations:	4
Out of pocket expenses.....	4
Administrative and communications costs	4
Transport costs	5
Education.....	5
Leave.....	6

A survey was sent to all MoPS Act staff by email with several reminders in the second half of 2019. Staff were asked about a range of issues including working hours, conditions and pay. The following issues and recommendations compiled arise from the results of that survey, and from discussions with MoPS Act staff members in our capacity as delegates and organisers.

Respondent demographics

89 responses total
LA MoPS staff: 73%
LC MoPS staff: 27%

Union membership:

- 43.8% PSA member
- 38.2% not a union member
- 18% United Services Union

A range of office types were represented:

- 25.8% based at NSW Parliament House permanently
- 29.2% based in a Sydney metro electorate office
- 44.9% based in a regional electorate office
- 58.4% work in Parliament during sitting weeks

General concerns regarding pay scales

- Staff expressed a wish for their pay rates to be in line with NSW Parliament clerk grades or general NSW public service grades. There was a consistent view expressed that a separate and inconsistent grading system for MoPS Act staff is inequitable and unjust.
- Superannuation was generally seen as low compared to similar jobs. Given the transient and insecure nature of political employment, superannuation should be higher to compensate for potential gaps in employment after leaving the Parliament. For example, Federal staffers receive 15.4% superannuation.
- Pay rates do not adequately take into consideration the considerable amount of after-hours work performed by staff.
- The all-incidences of employment allowance coupled with the base salary is barely competitive with overall pay for public service employees at Clerk Grades with equivalent job descriptions. It can therefore not be taken seriously as a compensation measure for overtime or work-related expenses.

Regional electorate office issues

We canvassed issues for regional staff. In particular, many staff raised issues related to travel, travel allowance and motor vehicle allowance.

- Travel allowance is not enough for some staff, for example, Lismore was highlighted as an area where the value of the General Travel Allowance budget is not sufficient to cover a staff member's flights and reasonable accommodation for the whole Parliamentary Sitting calendar.
- Due to funding restraints, some staff are driving to Parliament, leaving at 5 or 6am on a Tuesday sitting morning and working a full day (often until late on a Tuesday) in the Parliament. A lack of budget for a staffer to stay overnight the Monday before therefore sitting leads to a WHS problem with staff working well beyond their regular hours.
- Motor Vehicle Allowance discrepancy between staff and members is unfair (this has also been raised as an issue by Members). For example, Members and staff have raised the issue where an MP and a staff member could drive from the same location and own the same car, yet their allowance for that same trip is wildly different.
- A number of respondents noted that the motor vehicle allowance was unfair.
- Prepaying for TA items – hotels and transport for example – was highlighted as an issue for some. One staffer noted that they may have over \$1000 on their credit card before reimbursement for a double sitting block as they do not have the upfront cash to pay for a hotel.
- Sometimes staff are unable to collect a receipt for items (e.g. a coffee or meal where the vendor does not provide a receipt) so they are left out of pocket.
- Generally, respondents expressed that the Federal TA system is much more appropriate.
- Regional MLCs have difficulty hiring staff with regional knowledge or experience, as those staff must reside in Sydney and work out of Parliament House.

Recommendations:

- Investigate implementing a system similar to the Federal system, including the potential for a per-diem system
- Increase the General Travel Allowance budget for remote and regional electorates and calculate this on the actual cost of airfares and accommodation.
- Bring motor vehicle allowance in line with ATO recommendations and MP rates.

- Establish electorate offices for MLCs so that they can engage with the communities they live in and represent, in particular regional MLCs.

Excessive hours

Around two thirds of respondents reported working longer than an 8 hour day on a regular, non-sitting day.

- 33.7% reported working on average between 8-9 hours
- 24.7% reported working on average between 9-10 hours
- 6.7% reported working on average between 10-11 hours
- 1.1% reported working on average between 11-12 hours
- 23.6% reported working at the office or NSW Parliament on weekends or days they were not rostered to work

On sitting days, hours are understandably longer, with 72% working longer than an 8 hour day.

- 22.5% reported working on average between 8-9 hours
- 16.9% reported working on average between 9-10 hours
- 13.5% reported working on average between 10-11 hours
- 10.1% reported working on average between 11-12 hours
- 9% reported working more than 12 hours on average

In light of the post-election numbers in the Legislative Council, sitting often runs late in the Legislative Council, with debates and votes on Bills sometimes running into the early hours of the morning. On rare occasions (e.g. the Abortion Bill) this also occurs in the Legislative Assembly. Long sitting hours in the Legislative Council not only affect LC staff, but Ministers' (DPC) and Shadow Ministers' staff (who are, because of the refusal by the PRT to recognise Shadow Ministers as Office Holders and provide additional staffing, employed as MoPS staff in either the LA or the LC).

Staff noted that when sitting ran late, if they were employed in the Legislative Assembly, they had no safe way of getting home (with no provision for taxi vouchers). The following comments were made by staff members on safe transportation to and from work on sitting days:

"I often use taxis after late night sittings (after 9pm) but this is paid for out of my own pocket. After working 12+ hours, I don't have the energy to face a long journey on public transport only to have to turn around again and come back in at 8am for the next sitting day."

"Taxi vouchers for LA staff on sitting days are absolutely essential as a WHS matter - going home at sometimes 10-11pm after starting at 8am is unacceptable in any other workplace and I cannot understand why we don't get them when DPS or LA and LC staff do (and LC MoPS staff)."

In light of the ongoing long sitting days we are experiencing in the Parliament, we asked respondents what their longest day worked during a Parliament sitting was:

Hours	%	Number
8	13.5	12
9	11.2	10
10	11.2	10

11	6.7	6
12	20.2	18
13	10.1	9
14	9	8
15	4.5	4
16	5.6	5
16-18	7.9	7

Worryingly, over half (55.1%) respondents reported not making informal arrangements with their employing member to take time off after working long sitting hours or work outside of regular business hours. One third (31.5%) said they did, however it was not equal to the hours worked. Only 13.5% said yes, they had adequate time in lieu arrangements in place.

The consistency, breadth and length of additional worked hours by MoPS Staff reveals the inadequacy and inequity of the All Incidences of Employment Allowance. It must be abolished and replaced with Clerk Grading that takes into account the nature of work that MoPS Staff take on and a flexible and transparent allowance system that takes into account actual hours worked and actual out of pocket costs incurred in the workplace.

Recommendations:

- Bring provisions for taxi vouchers in the Legislative Assembly in line with the provisions for staff in the Legislative Council.
- Bring provisions for meal allowances for staff in the LA and LC in line with the conditions made available to administrative staff in the LC, LA and DPS.
- Provide the same concessional leave arrangements to MoPS Staff as those which exist for DPS/LA/LC Sessional staff to acknowledge the out of hours work that is normalised in electorate office and parliament work, e.g. an additional 2 weeks annual leave per year. This could be taken over the Christmas shut down.
- Implement an Employment Allowance system with blocks of funding that can be allocated appropriately between various staff in each office, as is provided to federal staffers.
- Formalise a time in lieu policy to ensure staff members who work additional hours during sitting weeks, on weekends or outside of hours have a formal way of recouping hours and taking time off where they may need to rest (e.g. recouping hours on a Friday after working additional hours on a sitting week or pooling these hours to take extended leave over holiday periods). A formal time in lieu policy will empower electorate office staff to take time off, rather than ad hoc arrangements from office to office, where power dynamics may discourage that staff member from asking for time off.

Out of pocket expenses

Staff noted a number of regular out of pocket costs associated with their job:

Administrative and communications costs

- Use of personal mobile phones and laptops for work purposes, including paying for a large data allowance to accommodate remote access and accessing and using the MPs social media accounts.
- Having to upgrade their phones or laptops to accommodate Parliament operating systems (to receive email) or use the latest graphics and video processing software.
- Newspaper subscriptions.

Recommendation:

- Option for subsidised compatible mobile phones (as in Federal EOs) for staffers who regularly travel outside of the electorate office for work, or are responsible for social media in that office and for this to be funded through the Communications Allowance.

Transport costs

- Opal card costs for intra-electorate travel (to attend meetings etc).
- Paid parking at electorate offices where there was no street parking (if they needed use their car during the day to attend meetings etc.).
- Use of private car not adequately compensated by the Motor Vehicle Allowance (one staff member said the MVA barely covered petrol costs from their regional electorate office to Parliament).
- The C2019-03 Rates and Allowances Table - Meal Travelling and other Allowances 2019-20 document provides for Crown Employees undertaking 'Official Business' to receive the full ATO rate of 68c per kilometre. Given MoPS staff claim motor vehicle costs only when they are directed by their Employing Member to use their cars it is appropriate that this is the rate payable.

Recommendations:

- Taxi vouchers for all staff travelling home late at night, regardless of the Chamber they are associated with, if that house rises after 7pm.
- A clear and fair system for the reimbursement of petrol and public transport costs, in line with Australian Tax Office specified amounts (currently 68c per kilometre) and in line with provisions available to other NSW public sector employees.

Education

- Paying out of pocket for further study as related to the workplace. Many identified that the amount given by DPS is insufficient to undertake necessary training and development.
- Staff noted that their studies, often relating to their employment as an electorate officer, were not supported by DPS financially or through formal leave arrangements (although some have information relationships with their employing Member to attend university classes).

Recommendation:

- Increase the amount allocated to MoPS staff for training, benchmarked against common training courses on offer in the Sydney metro market (e.g. University of Sydney Centre for Continuing Education). Presently, the \$500 per staffer is less than most relevant training courses provided at USYD CCE. This effect is even more profound in regional areas, where similar training courses can cost twice as much as those which are provided in Sydney.
- Provide study payments (similar to federal staffing and NSW Ministerial staffing system). Ministerial staff are entitled to up to \$6000 per year for study related activities, including payments for HECS or FEE-HELP repayments for relevant Units of Study, as the discretion of the employing Member or Chief of Staff.

Leave

- When DPS request that MoPS staff take two weeks over a Christmas shut down it limits options to take leave during the year – staff then have to consider (with the consent of their member) taking leave without pay if they want a holiday longer than two weeks at any other time of year. Since MoPS staff are discouraged (or leave is denied by their employing Member) from taking leave during Parliamentary sitting weeks and Budget Estimates, this limits their options significantly.

Recommendations:

- Introduce concessional leave for staff working longer hours (e.g. Parliament sitting weeks or weekend events with a Member), bringing leave entitlements in line with DPS LA and LC staff.
- Investigate the option of flex days/time in lieu to bring the NSW Parliament into line with the rest of the public service.
- Offer staff the option to purchase additional leave during the year from their pay.