

11 December 2017

Office of the National Rail Safety Regulator bulletin

CPSU NSW members have voted overwhelmingly to reject an enterprise agreement offer from the Office of the National Rail Safety Regulator (ONRSR).

In a membership poll conducted by the CPSU, 95 per cent of CPSU members voted to reject ONRSR's proposal. While not every member voted in the online poll, the response rate was still high, with 75 per cent of our total membership voting.

CPSU members identified the agency's salary offer of two per cent (or CPI) and incremental progression as key factors in their decision, with feedback like:

- » "Not happy with just two per cent salary increase."
- » "The incremental increases available through the EA need to be discussed further as the ability to attract an incremental increase as is being proposed will result in basically nobody being able to achieve 'exceed expectations'. Also the two per cent does not line up with the pay increase received by the highest person paid in the organisation, the Heavy Vehicle Regulator or the Department of Employment average figures."
- » "Not happy with the two per cent and wage increments subject to exceed performance KPI."
- » "Although I support all the other proposals, I believe the salary offer is too low. It ought to be 2.5 per cent or the CPI and adjusted for CPI movements in each state."

- » "The EA provisions for incremental pay rises are unfair."

CPSU Urges NO VOTE in ONRSR EBA Ballot

The CPSU is encouraging all eligible ONRSR staff to **VOTE NO** when the employee ballot opens tomorrow.

As a democratic union, we have consulted with and sought the opinion of our members.

We provided CPSU members with the following commentary on the ONRSR package and let them decide:

ONRSR is proposing a three-year agreement with annual salary increases of two per cent or Consumer Price Index (CPI), whichever is greater.

The pay proposal continues the prevailing arrangements. The incorporation of the CPI measure ensures no-one goes backwards in relation to the December weighted national average, and should CPI remain below two per cent, there is opportunity for small growth in real wages over the life of the agreement. ONRSR has advised the CPSU and other bargaining representatives that the agency's future funding is linked to CPI and the pay offer is consistent with that trajectory going forward.

The Consumer Price Index rose by 1.8 per cent over the 12 months to the September quarter 2017, compared with a rise of 1.9 per cent over the 12 months to the June quarter 2017. In terms of capital city results, Melbourne and Sydney lead the way with rises of 2.2 per cent and 1.9 per cent respectively.



11 December 2017

Office of the National Rail Safety Regulator bulletin

Adelaide saw a 1.8 per cent rise, while Brisbane recorded 1.5 per cent and Perth 0.8 per cent for the 12 months to September 2017.

Compared with movements in the ABS Annual Wage Price Index, the offer is competitive when measured against private sector wage growth (1.9 per cent), but is likely to finish lower than the national average for movements in public sector wages (currently 2.4 per cent per annum).

Wage growth by industry measures suggest that movement in wages in public administration and safety have tracked at around 2.2 per cent in the public sector and around 2.6 per cent in the private sector.

As a further point of comparison it is also relevant to note that the National Heavy Vehicle Regulator recently agreed to annual salary increases of 2.5 per cent (or CPI, whichever is greater) over the life of a three-year enterprise agreement (2017-2020).

Incremental progression

ONRSR is proposing to more clearly link incremental progression to the agency's performance management process, with incremental advancement dependant on "above expectation" performance in future.

ONRSR has provided the following general data in response to our request for information relating to the potential impact of any change to incremental progression:

- » There are 134 employees under the enterprise agreement as at 29 November 2017

- » Of the 134 employees, 60 are at the top increment of their classification level and 17 are senior managers
- » 57 employees still have room to move within their classification level.

It is important to note that ONRSR is also seeking to retain the current wording of subclause 4.1.3, which only requires employer "consideration" of incremental progression where an employee is eligible.

In other words, while staff may demonstrate performance above expectation, the proposed clause is not intended to create a binding obligation on ONRSR to approve advancement to the next salary step.

Bandwidth

ONRSR is proposing to delete the word "standard" from sub-clause 3.1.3. In effect, the change will mean that all business units across the agency will operate according to the same 7am-7pm (Monday-Friday) bandwidth.

Time off in lieu of overtime (TOIL)

ONRSR is proposing to amend sub-clause 3.5.2 to modify the calculation (accumulation) of TOIL, where an employee performs the Duty Officer function referred to in clause 4.6. Under the proposed arrangements employees performing a "limited initial response" will accrue TOIL on an hour-for-hour (not at the overtime rate). It is unclear whether this will extend to circumstances where site or office attendance is required. However, it appears unlikely this is what the agency intends.



11 December 2017

Office of the National Rail Safety Regulator bulletin

Duty officer allowance

ONRSR is proposing to increase the Duty Officer Allowance from \$10 to \$20 per day.

Special leave

ONRSR is proposing to include new categories of special leave, including domestic violence leave, cultural religious or ceremonial leave, extended compassionate leave and emergency situations leave.

Performance management and development

ONRSR is proposing that at the conclusion of the performance review cycle, managers will be required to provide written feedback to staff on their level of performance and why an increment increase has or has not been approved.

Prescription safety glasses

ONRSR is proposing to contribute \$300 towards the cost of safety prescription glasses where the agency determines they are required to be worn by an RSO for work.

Our members have overwhelmingly told us to reject the ONRSR offer and get back to the bargaining table.

It's the CPSU's view that ONRSR staff deserve a better pay deal and improvements to conditions.

Next steps

The all-staff ballot, which includes only those staff the agreement is intended to cover, will open on Tuesday, 12 December 2017.

What happens if staff vote yes?

If a majority of staff who vote, vote yes, then ONRSR's proposed enterprise agreement will be made. ONRSR will then apply to the Fair Work Commission for approval of the enterprise agreement.

What happens if staff vote no?

If a majority of staff who vote, vote no, then ONRSR's proposed agreement cannot be made. Under these circumstances staff will have voted to reject ONRSR's offer and bargaining for a new enterprise agreement will continue.

For further information on bargaining, or if you would like to arrange a teleconference at work, contact our Senior Industrial Officer, Thane Pearce at tpearce@psa.asn.au.

Not a member? **[JOIN](#)** today.

United we Bargain, Divided we Beg!

