

WaterNSW Enterprise Agreement Bargaining Plan

(Draft as at 11 June 2021)

WaterNSW, ASU, AWU, CPSU NSW, ETU NSW, PA and individual Employee Bargaining Representatives (the parties) have agreed to conduct negotiations to replace their current enterprise agreement WaterNSW Enterprise Agreement 2018.

The Notice of Employee Representational Rights was issued on 11 February 2021.

An interest-based approach

The parties have agreed to take an interest-based approach.

This means that the parties will identify their respective needs and concerns (otherwise known as interests) and generate a range of options to meet these interests before finalising the terms of the new enterprise agreement. This is different from the traditional approach of debating the parties' respective logs of claims.

The parties can learn more about this approach by downloading the Fair Work Commission's [Guide to interest-based bargaining](#).

Training

The parties undertook interest-based bargaining training on 19 and 20 May 2021 at Parramatta.

Starting negotiations

The parties met on 9 and 10 June to share interests and develop this plan. The Bargaining Committee will meet every week on a Wednesday, from 23 June 2021 by Zoom with the aim of concluding negotiations by 30 September 2021.

The Bargaining Committee

The composition of the Bargaining Committee is as follows:

Employer bargaining representatives		Employee bargaining representatives	
Name	Position	Name	Position & organisation
Amelia Doueihi	P&C Connect Coordinator	Brock Skelton	Industrial Officer, AWU
Beth Winchester	Executive Manager Safety, People and Performance	Gary McLaughlin	Delegate, AWU and Maintenance Officer Trade
Joanna Linehan	Communications Adviser	Troy Sands	Delegate, AWU and Maintenance Team Leader
Lorena Oliveira	Manager Water Quality	Ben Shallis	Delegate, ASU and Water Systems Operations Coordinator
Rod Smith	Manager, Industrial Relations Strategy	Caroline Dearson	Delegate, ASU and Education & Visitor Services Manager
Sam Ebzery	ER Manager	Jonathan Luck	Delegate, ASU and Maintenance Planning Officer
		Monica Dos Santos	Organiser, ASU
		Andrew Harrison	Delegate, CPSU NSW and Customer Field Officer
		Anne Kennelly	Senior Organiser National Systems, CPSU NSW
		Scott Butler	Delegate, CPSU NSW and Water Systems Business Analyst
		Garth Olsson	Delegate, CEPU NSW and

WaterNSW Enterprise Agreement Bargaining Plan

Employer bargaining representatives		Employee bargaining representatives	
Name	Position	Name	Position & organisation
			Maintenance Officer Trade
		Glen Clapham	Delegate, ETU NSW and Maintenance Officer Trade Electrical
		Nicole Athans	Delegate, ETU NSW and Maintenance Officer
		Steve Bankes	Organiser, ETU
		Dion Bailey	Delegate, PA and Maintenance Engineer
		Natalie Falvey	Industrial Officer, PA
		Raj Upreti	Delegate, PA and Water Resources Engineer
		Shanaz Razeen	Organiser, PA
		Gerhard Schulz	EBR and Water Quality Scientist
		Roger Patricks	EBR and Water Monitoring Team Leader
		Wayne Byrnes	EBR and Water Quality Adviser

Bargaining sessions

They will be facilitated by Anna Booth and Craig MacMillan of CoSolve Pty Ltd. We intend that the bargaining sessions be efficient, and outcomes focused.

Employees of WaterNSW will be paid as if working as usual for their attendance at bargaining sessions.

Notes of sessions

Notes of bargaining sessions will be taken by the facilitators. The notes will be outcome focused. The structure of notes will record interests, options and outcomes for each topic.

If a member of the Bargaining Committee wishes to say something that they regard as confidential, they will alert the Bargaining Committee and this will not be captured in the notes.

Communicating after bargaining sessions

At the end of each bargaining session, key messages will be agreed by all members of the Bargaining Committee.

A small group comprised of Anne, Brock, Jo, Monica, Natalie, Roger and Steve will agree the content of a jointly agreed communication to be placed on the WaterNSW intranet. Unions will issue separate communication to their members that is consistent with the key messages and share that communication with the Bargaining Committee.

Ground rules

Ground rules for bargaining sessions have been agreed as follows:

1. We will listen respectfully to each other with one person speaking at a time.
2. We will have open minds and explore all options
3. We have freedom to respectfully disagree
4. We will all make a contribution to the discussion, openly and honestly.
5. We will represent our stakeholders
6. Our stakeholders will be transparent to all
7. What is nominated as confidential will be kept confidential
8. Options generated but not agreed will be confidential (unless agreed for communication)

Key interests

WaterNSW has identified nine key interests the organisation seeks to be met by the enterprise agreement as follows:

1. A flexible organisation – to adapt and respond to external changes; meet emergent workload needs with flexible deployment of employees
2. Sustainable organisation
3. Support remote working
4. Attract and retain employees to meet needs of organisation
5. Support people through changing circumstances - support individual needs and implement change productively
6. Safe and well employees – fulfill our moral obligation, employees bring their whole person to work, support employees in their life circumstances and to be productive employees
7. Inclusive and diverse workforce
8. Trusting, engaged and collaborative team through the interest-based approach, during bargaining and during the life of the agreement
9. Clear terms and conditions of employment

Union representative/s have identified ten key interests of employees that they seek to be met by the enterprise agreement as follows:

1. Job security - concerns about job loss, insecure work and standards of terms and condition - outsourcing and contracting, strong consultation arrangements, fair processes when change occurs, including role changes, employability
2. Secure work - to provide certainty, positive morale, income security, health and well being of employees, quality of life, ability to plan for the future, ability to come to work and focus on role free from stress, knowing that regardless of change employees are valued and will have ongoing opportunities
3. Career development and succession planning given ageing workforce – retention of corporate knowledge
4. Maintain recognition of the value of work and the skills that are used – sensitivity to individual impact of changes to specific provisions of the EA to maintain standard of living and quality of life
5. Reward for skill and effort at work – a system that has integrity, is clear, transparent and understood, and is accepted by employees; recognition and valuing of professional and trade skills - the unique skills, qualifications and licences that are required at WaterNSW;
6. Recognition of impact on families of employees working unsociable hours e.g. in incident management
7. Flexible work arrangements (time, place) to support employees to meet their own and families' needs and balance work and the rest of their lives

8. Health and wellbeing – a productive life at work and in the rest of their lives; enjoy amenity of life at work e.g. accommodating places for eating lunch, access to toilets
9. Employees experience respect and equity in treatment at work and this is taken very seriously
10. EA is a modern document, addressing contemporary issues and is implemented in a fair, consistent manner and with an appreciation of interests and through ongoing and collaborative dialogue e.g. role for employee voice in grading process

Employee Bargaining Representatives have identified six key interests of employees that they seek to be met by the enterprise agreement as follows:

1. Support working flexibly e.g. formalise remote working conditions, support field-based employees to make the most of flexible working time arrangements
2. Job security – stability and confidence that income is secure, employees can make commitments with confidence
3. A pay structure that motivates progression, supports individual employee involvement in their own progression, rewards performance, is well understood
4. Enriching jobs that are satisfying and draw on a range of skills
5. Opportunity for career development
6. Opportunity for collaboration with others e.g. drawing upon existing skills within WaterNSW before making use of external skills

Common ground

The parties agree there is common ground between them in relation to all these interests even though they may prioritise the interests differently and have differences about how these interests can be met.

Agreed upon topics

The main topics the parties have agreed to work through during bargaining sessions are:

1. Job security
2. Working flexibly
3. Remuneration, reward and career development
4. Consultation and change
5. Health and wellbeing
6. Inclusion and diversity

7. Form of agreement, EBA modernisation, clarity and implementation

Other topics may emerge during bargaining.

Making tentative agreements

WaterNSW representatives are empowered to make tentative agreements and will report back to the business throughout the course of enterprise bargaining through to the CEO, Andrew George.

Employee representatives are empowered to make tentative agreements and will report back to members throughout the course of enterprise bargaining. WaterNSW will facilitate reasonable report backs during work time by agreement between the member of the Bargaining Committee and Rod.

Any tentative agreements reached by Bargaining Committee members will require endorsement from the business and from the membership of each union before becoming formal agreements.

Final wording

A drafting committee comprised of Anne, Monica, Natalie, Sam and Steve will be established. The committee will draft the wording to be inserted into the enterprise agreement. This will be reviewed by the Bargaining Committee.

If an agreement is reached the whole enterprise agreement will be put to employees for a vote in accordance with the provisions of the *Fair Work Act 2009* (Cth).

Date: 11 June 2021