

# WaterNSW Enterprise Agreement Bargaining Plan

(Draft as 24 March 2022)

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 2021.

The Notice of Employee Representational Rights was issued on .....

## 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 in preparation for the 2021 negotiations. Largely the same representatives are meeting again and are well versed in the interest-based process. Those who were not in the 2021 Bargaining Committee, and who are not familiar with interest-based bargaining, will be briefed by facilitators on .....

## Starting negotiations

The parties met on 21 March 2022 to share interests and develop this plan. The Bargaining Committee will meet from 9.30am to 4.30pm on:

- 4 April online
- 11 April online
- 26 April online
- 3-4 May in person
- 16 May online

## The Bargaining Committee

The composition of the Bargaining Committee is as follows:

Employer bargaining representatives		Employee bargaining representatives	
Name	Position	Name	Position & organisation
Beth Winchester	Executive Manager Safety, People and Performance	Caroline Dearson	Delegate, ASU and Education & Visitor Services Manager
Emma Tink	Business Partner Safety, People and Performance	Jonathan Luck	Delegate, ASU and Maintenance Planning Officer
Joanna Linehan	Communications Adviser	Monica Dos Santos	Organiser, ASU
Rod Smith	Manager, Industrial Relations Strategy	Brock Skelton	Industrial Officer, AWU
Sam Ebzery	ER Manager	Gary McLaughlin	Delegate, AWU and Maintenance Officer Trade
		Troy Sands	Delegate, AWU and Maintenance Team Leader
		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
		Shane Jobberns	Organiser, CPSU NSW

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Employer bargaining representatives		Employee bargaining representatives	
Name	Position	Name	Position & organisation
		Garth Olsson	Delegate, CEPU NSW and 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
		Alycia Vasilangos	Senior Industrial Officer, PA
		Guy Jayasekara	
		Raj Upreti	Delegate, PA and Water Resources Engineer
		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 Communications Group comprised of Jo, Monica, Troy, Steve, Shane, Alycia and Roger will agree the content of a jointly agreed communication to be placed on the WaterNSW intranet. Unions may issue separate communication to their members that is consistent with the key messages. Communications will be shared with the Communications Group (with no right of veto) prior to dispatch by unions or WaterNSW.

## 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 and topics for bargaining

The parties have identified key interests to be addressed during bargaining. These interests have been grouped into key topics for bargaining with information to be shared to support the discussion of the topic. The parties have agreed that certain topics will be addressed on the dates indicated below:

*A: Remuneration - 26 April, 3-4 May What information will be needed? Technical input on what the current macroeconomic parameters are from Craig; briefing on remuneration frameworks from Rod or Emma; options presented by the Working Group; briefing on the workforce management including cost to the organisation.*

1. Affordable outcomes that allow a sustainable organisation to meet operational requirements
2. Maintaining real wages by keeping up with CPI to maintain living standards
3. Recovering the costs of working to reduce cost of living pressures
4. Transparent and coherent remuneration systems
5. Provide an incentive for performance and productivity
6. Clear and timely progression through pay zones
7. Adequate retirement income

*B: Skills/knowledge development and career progression - 3-4 May What information will be needed? Written briefing on knowledge transfer, learning and development opportunities and expenditure, relationship to professional development prior to the meeting with Q & A at the meeting.*

8. Security and progression in careers
9. Recognition of relevant skills and qualifications
10. Most talented people i.e., the best candidates obtain roles
11. Equitable access to job vacancies
12. Provide an incentive to take up higher duties
13. Retaining knowledge within the organisation
14. Transfer of knowledge from longer serving employees to other employees

*C: Working hours and work-life balance - 3- 4 May What information will be needed? Written briefing on use of flex, overtime etc. with Q & A at the meeting.*

15. Clarity of implementation of pay for incident rosters and continuity of the rosters
16. Better recognition and reward for disruption of work-life balance (such as being on call and working overtime)
17. Work life balance supported by access to and optimum use of flexible work arrangements
18. Ability to offset additional workloads with use of banked flex hours
19. Fair reward for work that is required
20. Coherent time management systems
21. Fair and manageable workloads, sufficient resourcing to carry out the required duties and ability to disconnect
22. Manage the liabilities on the balance sheet
23. Improved incentives for employees to use their leave

*D: A safe and healthy workplace - 11 April. What information will be needed? Written briefing prior to the meeting on:*

- *how the current WHS Committee was elected*
- *update on progress*
- *on the WHS Act obligations.*

24. A safe and healthy workplace and workplace culture

- 25. Processes to address any harmful behaviour in the workplace
- 26. Employees have a strong input into creating a safe place of work

*E: Implementation of the EA – 4 April. What information will be needed? State Government Wages Policy? No. It is understood. Submission has been made by WNSW for a 4-year EA with a fallback to 3 years. The policy is for no more than 2.5% p.a. increase employee related expenses.*

- 27. Managers understand the spirit of the EA and the interest-based approach and are able to have productive dialogue with employees
- 28. Clear two-way communication throughout the organisation
- 29. Consistent implementation for the EA across the organisation
- 30. An organisation structure that encourages sharing across the organisation and “one team”.
  
- 31. Return on the investment of time and effort in negotiating the enterprise agreement
- 32. Time to implement the enterprise agreement
- 33. Security and stability of enterprise agreement

### **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 ..... 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:** ..... 2022