

## Wages outcome secured in state budget

The state budget has confirmed the 4.5%/ 4.0% /4.0% wages Memorandum of Understanding still applies to relevant groups.

The memorandum of understanding applies to collective agreements for a number of different agencies, including the core public sector departments (see right for details).

The state budget says: "The government is committed to maintaining wage increases as prescribed in the Memorandum of Understanding (MOU) with unions for all agreements covered by the MOU. All other agreements that have expired or are due to expire by 31 December 2009, will have until 1 September 2009 to reach an agreement".

For agreements that are not reached by 1 September 2009, an annual 2.5% wages increase will apply until the budget returns to surplus.

QPSU members in those agencies to which the MOU does not apply are working to have in-principle agreements finalised by 1 September so they can include the 4.5%/4.0%/4.0% offer.

### The following groups are covered by the wages memorandum of understanding with the state government:

QBuild - In-house cleaning	GoPrint
Cleaners – Education Queensland	Parliamentary Services
QFleet	QLeave
DPI Fire Ant Control Centre	CITEC
Core Government Departments	TAFE Non Educational (core)
Crime and Misconduct Commission	Government House
Project Services	Information Commissioner
QBuild (white collar)	Ombudsman
Sales and Distribution Services	Custodial Corrections
State Government Security	

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- > **Other agencies** that are in the process of collective bargaining for **wages and conditions**
- > **Queensland Health industrial updates**

# Collective Bargaining '09 update

Delegates in core government agencies are moving closer to an in-principle agreement with the government that will cover wages and working conditions in these workplaces for the next 3 years.

The expiry date for the current collective agreement for workers in 'core' government departments is 31 July 2009 – just around the corner! Our QPSU negotiators are meeting frequently with the employer's representatives to work through the negotiations for a new agreement, in anticipation of QPSU delegates from Core agencies making a final decision at the beginning of September on whether or not to accept an 'in-principle' agreement.

QPSU members have already won a major victory in securing a wage increase of 12.5% over three years in the new collective agreement.

At the time of printing, discussions were continuing on a range of other items QPSU members had voted for as being the most important issues for them at work, including : -

- **Employment security:** Along with wages, employment security was the most important priority for QPSU members going in to this campaign.

The Government has re-confirmed its commitment to protecting the employment security of public sector workers. It is also likely that this agreement will include provisions to make it easier for long-term temporary workers to be converted to permanent status.

- **Superannuation:** Negotiations on superannuation had shifted with the announcement that the government was considering scrapping the existing 12.75% public service contribution rate in the lead-up to the State Budget.

QPSU members announced they would campaign hard against any cuts to superannuation entitlements, and ultimately the government agreed that moving away from the existing levels was simply not good policy. It is confirmed that the current rate of employer contributions for QPSU members will be maintained, even while our State's finances are recovering from the global financial crisis.

The employer has, however, rejected our proposal to remove the date of 1 July for superannuation calculations on the basis that this change would create a significant additional cost that is not affordable at this time.

- **Workplace Health and Safety:** The employer has agreed in principle to review the existing workplace health and safety policies governing call centres and client aggression, and will work with QPSU delegates to implement these policies in their workplaces.
- **Climate Change:** The government has accepted that it has responsibility as an employer to address dangerous climate change in consultation and collaboration with employees.

Negotiations are continuing over the structure of proposed joint management/union committees to look at the implementation of sustainability measures in public sector workplaces.

- A range of **other matters** put forward by QPSU delegates and members will be discussed in the next four weeks, including hours

of work, workload management and consultation arrangements.

For the full list of issues that QPSU representatives have put to management in our Log of Claims you can find the Log of Claims document at [www.qpsu.org.au/core09](http://www.qpsu.org.au/core09).

It is anticipated that an in-principle agreement, to the satisfaction of our union's Core EB Oversight Committee, made up of delegates from the Departments covered by this agreement, will be reached by early August.

This allows delegates and members the month of August to consider the proposed agreement and decide whether to accept it or to continue campaigning.

While wages and employment security should be settled matters members in some areas may decide to continue to campaign around workload concerns or other work-life balance issues. To find out more about what you could do to lend your support to campaign efforts for a new agreement email [core09@qpsu.org.au](mailto:core09@qpsu.org.au) or contact your local delegate or organiser.

For more information and regular updates, visit [www.qpsu.org.au/core09](http://www.qpsu.org.au/core09) or email [core09@qpsu.org.au](mailto:core09@qpsu.org.au).

## BARGAINING UPDATE: OTHER INDUSTRIAL GROUPS

### **Public Works negotiations continue**

Workers have established bargaining units and are meeting with the employer in QFleet, Project Services, SGPSS, GoPrint, CITEC, and Sales and Distribution Services.

Negotiations with the employer are proceeding well. At the time of printing, QPSU members were hopeful that draft agreements for all these groups would be completed soon.

The employer has committed to ensuring that relevant entitlements forming part of the Core agreement – including the wages offer from the memorandum of understanding – will be included in Public Works collective agreements when they are finalised.

### **TAFE Teachers to vote on offer once draft is finalised**

At the time of printing, QPSU members were waiting for a final draft of the offer made for a new agreement from the employer before a ballot of TAFE teachers takes place.

The offer to TAFE teachers includes the 4.5%/4.0%/4.0% wages offer from the memorandum of understanding, and a number of other significant points.

The full text of the offer from the employer as it stands is available on the QPSU website, [www.qpsu.org.au](http://www.qpsu.org.au). TAFE teachers should contact their local delegates or the union office for more information

### **Corrections members seek draft agreement by end of the year**

QPSU members in custodial corrections are working towards having an in-principle agreement with the employer by the end of

2009.

The QPSU has written to the employer, asking that an agreement may be drafted by 31 December so that the wages offer included in the memorandum of understanding will apply.

Points of concern for Custodial Corrections members include having a review of classification and progression arrangements codified in an in-principle agreement.

Thanks to the hard work of delegates, another item which will be included as part of the in-principle agreement will be the variation in conditions created by fitness assessments for dog handlers.

Some matters, like the inconsistencies that exist in leave-loading practices, and transfer of entitlements when moving from privately-operated to publicly-operated correctional centres, may have to be dealt with outside of the collective agreement and instead will be the focus of discussions on award variation.

QPSU members and delegates in custodial corrections will continue their planning to ensure that we have firm guarantees from the employer on wages, working conditions and other matters before the end of 2009.

### **QComp agreement to include provisions from Core**

QPSU members in QComp have started their negotiations with the employer. The employer has committed that the wages outcome and other relevant outcomes from the Core agreement will flow on to workers in QComp. For more information on the progression of collective bargaining in QComp, please contact your local QPSU delegate or the union office on 1800 177 244.

### **Other areas**

The following areas are still in negotiations with the employer about new collective agreements:

- CMC
- Ombudsman
- Information Commissioner
- Parliamentary Services

### **Members to seek clarification on Transport/Main Roads conditions**

QPSU members will be seeking clarification from the employer about the uncertainty around wages in the new Department of Transport and Main Roads (DTMR).

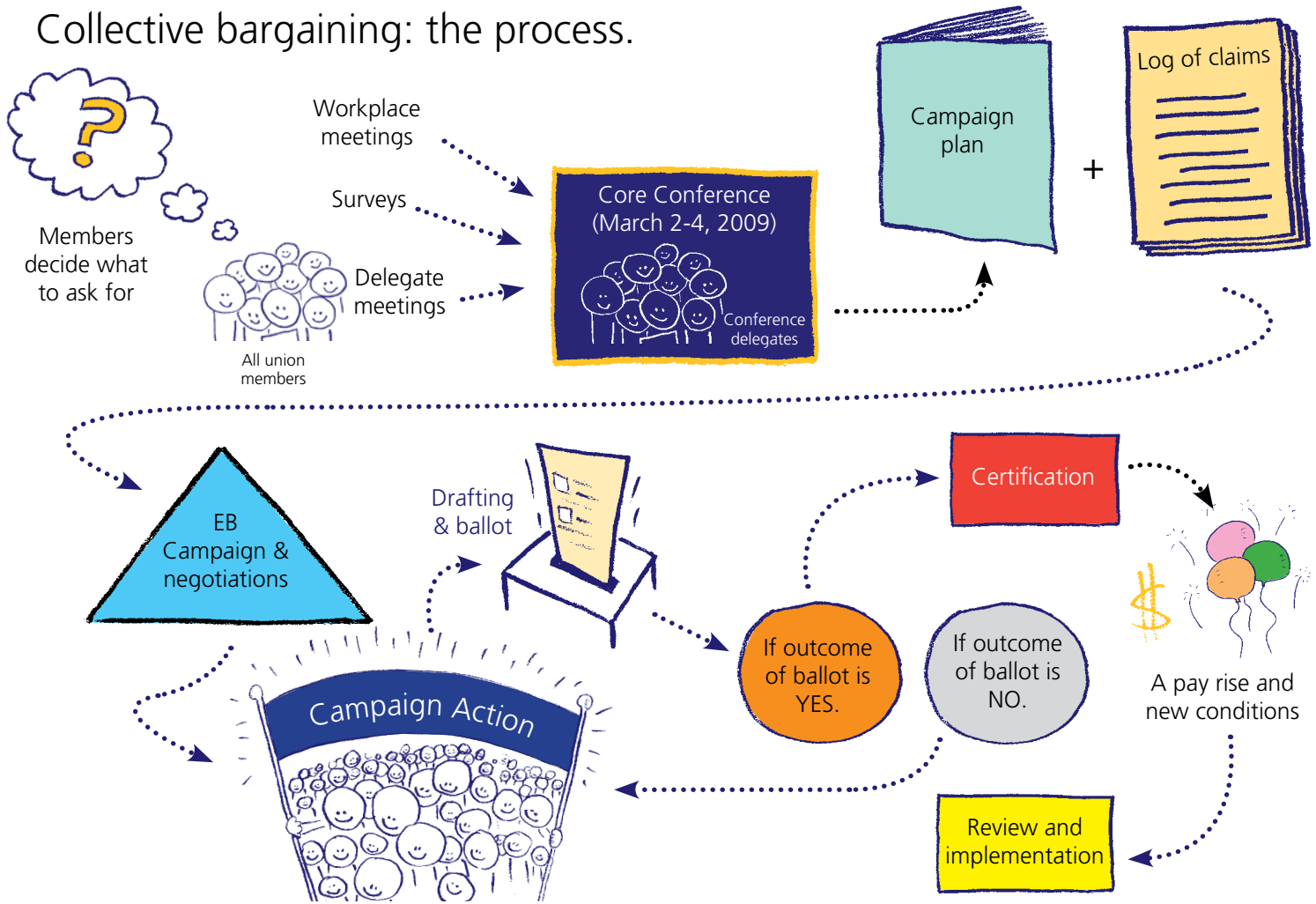
Queensland Transport and the Department of Main Roads were merged into a new agency as a result of Machinery of Government changes following the state election in March this year.

While the new agency has been created, it is not yet clear whether the terms and conditions set out in the collective agreement covering Main Roads workers that was finalised late 2008 still apply, or whether all workers are now under the terms of the Core collective agreement.

Until the government clarifies what wages and conditions apply to workers in DTMR, it will not be possible to work out whether they are included in the new Core Collective agreement or not.

Regardless of the outcome of these discussions, the QPSU believes all workers in DTMR should continue to have access to the Memorandum of Understanding wages increase.

## Collective bargaining: the process.



## INDUSTRIAL ADVICE

### Medical Assessment Directives

Members may already be aware that in certain circumstances, Section 174 of the Public Service Act empowers the employer to direct public sector workers to be medically assessed.

Section 174, contained within Part 7 of the Public Service Act 2008 governs application of Part 7 and specifies that:

"This part applies to a public service employee if:

- (a) the employee is absent from duty or the employee's chief executive is reasonably satisfied the employee is not performing his or her duties satisfactorily; and
- (b) the chief executive reasonably suspects that the employee's

absence or unsatisfactory performance is caused by mental or physical illness or disability."

In the last 8 months QPSU industrial officers have identified instances across some agencies where the employer has failed to meet the requirements of the Public Service Act when issuing these directions. Our industrial officers have noted substantial anomalies in the employer's handling of medical assessment directions provided to members.

Recent instances where the employer's correspondence fails to satisfy the requirements for a directed medical assessment include failing to provide the authority for the direction, not substantiating their reasonable belief that performance or absence is related to an illness or disability and

providing instructions over and above this stated section of the Act. QPSU industrial officers are working with the agencies concerned to address these problems on an individual basis and directly through agency executive officers where relevant.

### Know Your Rights

If you are ever approached about a medical assessment directive in the workplace, you should contact the union office immediately by calling 1800 177 244. Public sector workers are advised not to sign any paperwork in the first instance if they are approached about a medical assessment, seek industrial advice first.

For these and other industrial issues, you can call the QPSU office on 1800 177 244.

### **Medical Officers: new Agreement terms settled**

The government's considering the terms of a possible agreement for Medical Officers.

This package covers all collective bargaining claims for our Medical Officer members for the next 3 years.

Talks around the second Medical Officers' Agreement have ended.

Our union has agreed to recommend a package to our members in settlement of all collective bargaining claims for the next 3 years.

The package recognises the current economic circumstances facing the government as the employer of Queensland's public sector Medical Officers. Nevertheless it delivers some real improvements to our members' employment conditions.

The terms are still being considered by the government and clearly it is conditional on approval. In anticipation of approval, our union is working with Queensland Health representatives to finalise:

- A proposed Agreement to be put to a ballot of workers.
- A Memorandum of Understanding defining additional commitments.

### **Health practitioners phase 2**

It has required a mammoth effort but an intradisciplinary review of Health Practitioner levels is almost finished.

The intradisciplinary review of Health Practitioner levels is now all but completed.

This has been detailed, comprehensive work and we are grateful to our members who have contributed to this initiative.

The interdisciplinary review is now commencing. Notification of Phase 2 outcomes should occur by September 30.

It will take approximately 8 weeks to adjust pays for those who are being reclassified. It is expected it will take some time for any back pay to be delivered.

We will keep you informed about back pay processing in future U-mails. Queensland Health has given an undertaking that it will complete this review by the end of September 2009.

You can find out more about the HP reviews by emailing [hp@qpsu.org.au](mailto:hp@qpsu.org.au).

### **Clinical Coders**

The first phase of reclassifications for health clinical coders is underway.

Health clinical coders should contact us if they believe they are wrongly excluded from the reclassification process.

The first phase of reclassifying clinical coders' positions has been completed a month ahead of schedule.

Phase one included assessment of AO3 and AO4 clinical coders.

Those AO3 clinical coders who qualify as AO4 should be advised shortly.

If you are an AO3 coder and believe you qualify as AO4 you should check with your manager as to whether you will be included in the Reclassification process. If you believe that you are eligible but your Manager has not identified you as such, please let us know by emailing your details to [health@qpsu.org.au](mailto:health@qpsu.org.au) with 'Health – Clinical Coders' in the subject line of your email.

Alternatively you can call our Membership Services Centre on 1800 177 244.

### **Enterprise Bargaining 7**

A Centralised Job Evaluation Unit is defining the roles of a range of health workers.

These job descriptions will form the basis for a new jobs database for health.

There's been substantial progress by the Centralised Job Evaluation Unit, which is establishing primary benchmarks for the jobs of ward clerks, emergency department AOs, switchboard operators and medical records officers.

As you may already be aware, the unit is working to define and describe all job titles and classifications and capture them in a database.

All our members affected by the scope of this work have recently completed and filed online surveys.

There's no doubt this is detailed, important work that aims to clearly define the roles our members perform across these varied responsibilities.

It's not too late to sign up for the latest updates about the work of the Centralised Job Evaluation Unit.

If you are one of our members whose jobs are being defined by the Job Evaluation Unit right now, and would like updates as this progresses, we would encourage you to register by emailing [health@qpsu.org.au](mailto:health@qpsu.org.au).

## Proposed Rules Changes

### **Proposed Rules Changes for consideration by Union Council meeting on 1 September 2009.**

**Please note a number of Rules changes were advertised prior to the May Union Council Meeting but were not dealt with at that meeting. The changes advertised in this edition of our Union Journal need to be read in conjunction with the previously advertised changes.**

Amendment to existing Rule 2 – replace the words “96 Albert Street, Brisbane” with “27 Peel Street, South Brisbane”

Amendment to existing Rule 3 – replace the words “96 Albert Street, Brisbane” with “27 Peel Street, Brisbane”

New Rule 12 (i)

*“The affairs of the union shall be managed by a Council of the Union.”*

That the existing Rule 12 (iii) be replaced with the existing Rule 31A

That existing Rule 20 (viii) be renumbered Rule 12 (iv)

That a new rule 12 (v) be added:

*“Subject to Rules 38 and 38A and any Award or registered Industrial Agreement, Executive shall have the power to appoint and at its discretion remove or suspend union employees and to determine their duties and conditions of employment and fix their pay their salaries and emoluments.*

*PROVIDED THAT employees shall have the right of appeal in the instance of removal or suspension, to an Ordinary or Special meeting of Council.”*

That existing Rule 30 (i) be renumbered 22 and that the words “under Rule 25” be replaced with “under Rule 40”

That existing Rule 25 (Returning Officer) be renumbered 40 and that in (vi) the words “save in the event of an equality of votes, the Returning Officer shall have a casting vote.” be removed.

That the existing Rule 27 “Removal

from office” be removed and replaced with the

That existing Rule 28 “Allowances” be re-numbered new Rule 12 (vi) and the words “at its first meeting after the Annual General Meeting of members” be changed to “at its first meeting of the term.”

New Rule 28

*“Removal from Office”:*

*27.(i) The Council may remove from office any officer of the Union if:-*

*(a) such officer ceases to be eligible to hold the office; or*

*(b) such officer has been found guilty of:*

*(A) misappropriation of the Union’s property;*

*(B) a substantial contravention of the these Rules; or*

*(C) gross misbehaviour or gross neglect of duty in the office.*

*(ii) The Council shall not exercise the powers vested in (i) hereof otherwise than in strict conformity with the remainder of this Rule.*

*(iii) A Notice of Motion setting forth the terms of the resolution for removal from the office of the officer of the Union shall be made in writing over the signature of the proposer and the seconder and shall be given to the General Secretary or the President and every such Notice of Motion shall:*

*(a) specify the name of the member and the office held by the member;*

*(b) have annexed thereto a statement, as brief as the nature of the case will allow, of the material facts on which the proposer and seconder rely to support the resolution for removal of the officer from the office; and*

*(c) forthwith, upon receipt of such Notice of Motion, the General Secretary or the President, as the case may be, shall cause a copy thereof and any annexures thereto to be delivered to the officer the subject to the Notice of Motion by delivering it to the officer personally or by leaving it for the officer at the officer’s last known place of abode with some other person apparently of or over the age of 18*

*years or by posting it to the officer at the address which is the officer’s last known place of abode.*

*(d) the Council should not consider any such Notice of Motion save at a meeting of which the member has been given 21 days notice in writing delivered to the officer as described in sub-rule (iii) (c) above, being a notice which states that the removal of the officer from the office held by the member is to be an item of business at the meeting.*

*(iv) The officer shall have the right to appear in person at any such meeting of the Council, or if the officer so desires to be represented by any person at any such meeting and for the officer or the officer’s representative to address the Council in relation to the matters the subject of the Notice of Motion; and the officer may, at the officer’s option, make submissions in writing to the meeting of the Council.*

*(v) On any hearing of an allegation of a substantial contravention of these Rules or gross misbehaviour or gross neglect of duty in the office, it shall be a defence to prove that the substantial contraventions of the Rules or gross misbehaviour or gross neglect of duty of the office occurred notwithstanding that the officer charged took all reasonable precautions and used all due diligence to avoid the officer’s conduct.*

*(vi) No further material or evidence, other than that attached to the Notice of Motion shall be placed before the Council other than in respect of any material that the officer wishes to put before the Council.*

*(vii) After the officer or the officer’s representative have addressed the Council or have made submissions in writing to the Council, a debate shall ensue amongst Council delegates in accordance with the By-laws of the Council.*

*(viii) At the conclusion of the debate, the Council may, by two thirds vote of delegates present at the Council meeting, remove the officer from the office on the basis that the officer ceases to be eligible to hold the office or the officer has been found guilty of misappropriation of the Union’s*

*property, a substantial contravention of these Rules or gross misbehaviour or gross neglect in the duty of office."*

That the existing Rule 8 be renumbered as New Rule 31.

That the existing Rule 9 (i),(ii) (iv)(b) (vi) be removed and the remainder of the rule be renumbered New Rule 32 (i), (ii), (iii)

That the existing Rule 40 be replaced with the new Rule 33:

*(i) "All cheques and other negotiable instruments and the transfer of funds by credit card or any other form of electronic funds transfer, drawn on the Union's banks, accounts and funds shall be signed or authorized by the General Secretary or the General Secretary's delegate.*

*(ii) Every abstract supporting any such cheque or negotiable instrument and every remittance advice or other document approving any such credit card or electronic funds transfer shall be signed or authorized by the General Secretary or the General Secretary's delegate.*

*(iii) Provided that any cheque or other negotiable instruments shall be also signed by at least one of the following persons:-*

*(a) The President;*

*(b) The Senior Vice-President;*

*(c) The Treasurer;*

*(d) The Assistant Honorary Treasurer."*

That the existing Rule 30 (ii) and (iii) be replaced by New Rule 43 "Role of Workplace Representatives"

That existing Rules 16 (iii), 20 (vi) and 20 (vii) be replaced with a new Rule 29 (i)

*"Casual Vacancies':*

*"(i) That if any positions of Delegates to Council remain unfilled or casual vacancy arises, the vacancy shall be filled on an annual basis in accordance with these Rules and the nominations are to close in December, and the election, if required, to be held in February of the second year of the term."*

That existing Rules 20 (vi) and (vii) be renumbered 29 (ii) and 29 (iii).

That existing Rule 5 "Application of Funds" be renumbered New Rule 30.

That existing Rule 5A "Legal and Industrial Assistance" be renumbered New Rule 8.

That existing Rule 44 "Mortality Benefit" be renumbered New Rule 9.

That existing Rule 43 "Audit" be renumbered New Rule 34.

That the existing Rule 45 "Inspection of Books" be renumbered New Rule 35.

That the existing Transitional Rule and Appendix be removed from the constitution and Rules.

That the previously advertised New Rule 22 (Delegates Rights) be numbered 13.

That the previously advertised New Rule 26 "Meetings other than Council" be renumbered 25.

That the previously advertised New Rule 29 "Nominations" be renumbered 26.

That the previously advertised New Rule 32 "Elections" be renumbered 27.

That in the previously advertised New Rules 16, 17 and 22 that "Rule 14(1)" be replaced with "Rule 14".

That the previously advertised New Rule 7(i) be replaced with

*"7(i) A person who:-*

*(a) Has made application for membership of the Union; and*

*(b) Is not of general bad character;*

*is entitled to be admitted to membership of the Union and to remain a member thereof and enjoy all the advantages of membership for as long as the person complies with these Rules."*

That in the previously advertised Rule 19 (iv) the words "Rules 39 and 40" be replaced with the words "Rules 36 and 39".

That in the previously advertised Rule 20 the words "Rule 33" be replaced with the words "Rule 20"

That By-Laws A, B, C, D & F be replaced with the following:

A. - TIME OF MEETING

*The Council shall meet for business at times and dates determined at the last meeting of the previous year, unless otherwise decided by the Council, and on any other date that may be deemed necessary by the Executive.*

B. - ORDER OF BUSINESS

1. Roll call

2. Apologies

3. Reception and confirmation of minutes

4. Business arising from the minutes

5. Reports from committees

6. Financial statement and passing of accounts for previous month or months

7. Membership matters

8. Business of which notice has been given under By-Law E

9. Summary of Executive Decisions

10. General business

*PROVIDED THAT this Order of Business can be altered by a simple majority in support of a procedural motion to that effect.*

C. - STANDING ORDERS

*The Council shall adopt Standing Orders to preserve order so that business may be conducted with propriety.*

D. - PENALTY FOR BREACHES

*Any member violating any of the foregoing Rules, or By-laws, or the Union's Standing Orders, being or continuing to be disorderly, or refusing to retract any offensive expression when called upon to do so by the Chairperson shall be debarred from taking any further part in the discussions of such meetings.*

F. - PUBLICITY OF BUSINESS

*Information concerning proceedings of Council meetings or the business of the Union shall not be given to the Press excepting by the Secretary, on the authority of the President, or by some other officer authorised by the Executive. Any member breaking this by-law shall be deemed guilty of misconduct and may be dealt with as provided for in Rule 28.*



# Our union has a new office location

Over the first weekend in July, the QPSU moved to a new office building at 27 Peel Street, South Brisbane.

The QPSU Brisbane office has moved to Level 1, 27 Peel Street South Brisbane.

Relocating any office is always challenging, and in this case the additional challenges were the need to maintain services to members and keep the QPSU membership database running.

Alex Scott, QPSU General Secretary said the move went ahead with minimal disruption.

"I would like to thank members for their patience while the move took place," Alex said.

The new Peel Street premises are only a short distance from the heart of the city and also offer a more spacious working environment for QPSU delegates and staff.

All office phone numbers and email addresses will remain the same, however the postal address for the QPSU is now:

**PO Box 3272**  
**South Brisbane BC 4101**

As always, all QPSU members can call 1800 177 244 to access industrial assistance in one phone call and visit our website at [www.qpsu.org.au](http://www.qpsu.org.au)



Authorised Alex Scott QPSU General Secretary 27 Peel St South Brisbane 4101