

THE UNIVERSITY OF NEWCASTLE

COMBINED STAFF CONSULTATIVE COMMITTEE (CSCC)

Notes of a meeting of the **Combined Staff Consultative Committee** held at 1:00 pm on Tuesday 10 February 2015 in The Committee Room, The Chancellery.

PRESENT:

University – Sharon Champness, Paul Munro, Greg Kerr
NTEU – Sue Hodgson, Tom Griffiths, Lance Dale, Jenny Whittard
CPSU – Jodie Ryan, Jann Jeffries

APOLOGIES:

University – No apologies
NTEU – Suzanne Ryan, David Rambaldi, Fran Munt, Margaret Clarke
CPSU – Nick Koster

Chair – Sue Hodgson, NTEU representative
Note-taker – Jackie Fox

1. ORGANISATIONAL CHANGE – STANDING ITEM

Mr Paul Munro, Associate Director, Employee Relations reported that there has been a review of the International and Advancement Office and as a result there is likely to be some changes to the area. Timing is unknown at this stage.

Union representatives asked for a copy of the executive summary or findings of the review (which they understood was provided to staff). University representatives did not believe there was an executive summary but they will follow up and advise in regard to the findings of the review.

Action 1: University – Determine whether there is a document outlining the findings of the review and whether it was provided to staff. Consider providing the document to the unions.

2. FACULTY REVIEW RESTRUCTURING PROPOSALS

Union representatives requested an update on potential changes to the structure of the Faculties. Ms Sharon Champness, Director, People and Workforce Strategy advised that there are no further updates to report. Ms Champness understood that the Vice-Chancellor is working on implementing the NeW Futures Strategic Plan before considering the implementation of any structural changes to the Faculties.

Union representatives sought clarification from the University as to whether there are guidelines in place on Schools hiring external consultants for reviews. Ms Champness did not believe there were

any established guidelines as reviews can be undertaken in different ways. Often there are panels which involve both internal staff and externals.

3. REVIEW OF POLICIES AND PROCEDURES – STANDING ITEM

Ms Champness flagged that most of the HR staff related policies are due for review in 2015, and University representatives would welcome any feedback that may be provided by the CSCC. The University will consult with the relevant consultative committee(s) on any draft policies as they are developed.

Ms Champness flagged that the Secondment Policy has undergone an extensive review and may be tabled at the next CSCC. HR staff are working on consolidating the Recruitment Policies and refreshing other policies, including aligning them to the 2014 Enterprise Agreements. NTEU representatives noted that they had previously provided feedback on the Recruitment policies.

Union representatives were interested in the policy review process and requested a document outlining all of the policies and their review dates. Ms Champness advised that Council Services and Chancellery may keep a record of this. It was noted that all University policies indicate the review date on the policy document and generally the review period is between 2-3 years.

Action 3: University – Follow up with Council Services and Chancellery as to whether there is a record of all policies and their review dates.

3.1 OUTSIDE WORK POLICY

Ms Champness reported that the Outside Work Policy has been published on the University's policy library. Following consideration of feedback provided by the unions, the following changes were made:

- The policy generally excludes volunteer work and charity work where the work is unrelated to the staff member's employment with UON;
- Where staff are uncomfortable speaking to their supervisor due to privacy reasons, they can discuss their situation with their HR Business Partner; and
- The clause on Exempt academic activities was extended to apply to professional and teaching staff as well as academic staff.

Union representatives asked whether the University will accept further feedback. Ms Champness advised that University representatives would welcome any further feedback for consideration in future reviews of the policy. The e-mail sent to all University staff provided the opportunity for feedback to be provided, for consideration in future reviews of the policy. It was noted that there were not a lot of responses/questions from staff in response to the e-mail.

Union representatives indicated that the lack of feedback from staff could have been due to the timing of the e-mail being sent (in late January). However, NTEU representatives noted that the changes made regarding unrelated work have alleviated their concerns.

Union representatives suggested that the University continue to ensure that supervisors are aware of the Outside Work Policy, given that it is no longer compulsory to make a submission.

Union representatives requested the opportunity to consult on cases where staff members also have appointments in the Hunter Area Health Service (for example. Clinical Medical positions). Ms Champness was open to discussing these cases if there is uncertainty.

3.2 PARENTAL LEAVE GUIDELINE

It was noted that the NTEU provided written feedback on the Parental Leave Guideline on 1 February 2015.

NTEU representatives expressed concern that the Enterprise Agreement may not be used as the primary source document. Ms Sue Hodgson, NTEU representative suggested that the Guideline contain the Parental Leave clause with explanatory notes and examples to assist with the interpretation. Ms Hodgson noted that this was previously suggested in relation to the former Personal Leave Guideline.

The University will check on the status of the feedback provided by the NTEU on the Parental Leave Guideline and report back at the next meeting.

Action 3.2: University – Check on the status of the NTEU’s feedback and report back at the next CSCC.

4. LONG SERVICE LEAVE (LSL) DOUBLE PAY

Mr Greg Kerr, Senior Employee Relations Officer advised that the taking of LSL on double pay is in breach of the NSW LSL Act. Despite the provision being in all three 2014 Enterprise Agreements, it is illegal for the University to make payment and for a staff member to accept payment. This does not apply to LSL on half pay.

Mr Kerr explained that, in the proceedings for approval of the University’s Enterprise Agreements, Commissioner McKenna raised the provision as being inconsistent with the NSW LSL Act, however, it was not something that went beyond her ability to approve the Enterprise Agreements.

Union representatives asked what the outcome may be if someone claimed that the University was in breach of the Enterprise Agreement. Mr Kerr indicated that he suspects that the University could not be held to account for breaching the Enterprise Agreement where a provision is illegal.

Discussion took place regarding the following:

- Payment of LSL on termination of employment, including whether it is paid at the cessation of fixed-term contracts. Mr Kerr advised that if a fixed-term contract comes to an end, this does not constitute termination by the employer so it does not trigger a pro rata LSL payment. However, what is important is that service, whether continuous or broken, counts for LSL purposes at the University.

- The University's current position regarding staff taking LSL. Ms Champness advised that this was considered by the Financial Planning Committee in 2014. It is considered more expensive for staff to take leave in service than after termination however the University would not discourage the taking of LSL as it is important for staff welfare.
- Union representatives recommended that a LSL policy be developed. Mr Kerr indicated that all LSL matters are dealt with under the Enterprise Agreements and the NSW LSL Act.
- It was noted that there is no definition of 'domestic or other pressing necessity' (refer clause 59.1.2 ii – Professional Staff Enterprise Agreement 2014). The University would apply a reasonableness test in such cases.
- NTEU representatives asked if the University should apply to vary the Enterprise Agreements as a result of the University's position on the taking of LSL on double pay. As the Enterprise Agreements would need to go to a Ballot again, the University's preference was not to apply to vary the Enterprise Agreements. All University staff will be advised about this issue, which is likely to be in an 'In the Loop' article.
- Union representatives asked what sort of mitigation the University could offer by not allowing LSL at double pay. Ms Champness explained that there is a Financial Hardship Policy that staff could consider. Mr Kerr further indicated that if a staff member is over a particular age, they may be able to access a portion of their superannuation due to financial hardship (advice would need to be sought from UniSuper).
- Union representatives indicated that often the reason for staff taking LSL at double pay is more around the inability to take time off work and lack of a replacement staff member.

Action 4: University – draft and send a communication piece to all staff about the University's position on the taking of LSL at double pay.

5. YOUR VOICE SURVEY RESULTS

Ms Champness provided a briefing on the University wide Your Voice Survey Results of 2014.

Some key points included:

- All staff were invited to respond to the survey in October 2014;
- The University's results were benchmarked against 9 other Universities which have similarities to this University and where they have conducted the survey in the previous 18 months. The other University's performed better than average than the sector.
- The overall response rate was 39%;
- Improvements from 2013 included; Performance Appraisal; Respectful Workplace; and Leadership of Faculty/Division Heads.
- Areas for improvement and action include; Career Opportunities and Learning and Development; Involvement in decision making; and Communication and Cooperation.

Ms Champness advised that Pro Vice-Chancellors and Directors have been asked to share the University wide results and their area's results with staff. It is expected that each work area will

consider their results, including improvements and actions required, particularly, where there are inconsistencies with the University wide results.

6. EMPLOYEE ASSISTANCE PROGRAM (EAP) REPORT FOR 2014

It was noted that the University distributed (with the agenda) the 2014 EAP report and a one page document providing information in relation to the recommendations in the report.

Ms Champness advised that the University is considering EAP providers and will go out for tender for the arrangement. The University is currently liaising with Commercial Services to arrange the tender process. Ms Champness indicated that she has only heard positive feedback in relation to the current EAP service however, as the current arrangement has been in place for a number of years, a review should take place. The University's primary issue is about the quality not the cost of the service.

Union representatives expressed concern with the potential change of provider due to some staff having a long term relationship with the current providers.

Union representatives asked whether staff could be provided with the opportunity to provide feedback to inform the tender process. The University will consider this. It was noted that careful consideration would need to be given to maintaining confidentiality.

Discussion took place regarding the following:

- Concern over the campus split and usage at each campus;
- The sources of referral are broad eg. HR, word of mouth;
- Use of the service as a result of an Organisational Change process;
- That more people are using the service for non-work related issues; and
- That the Mental Health Working Party is considered a tool for improvements.

Union representatives would like the University to encourage more participation in using the service and suggested more communication to staff on the value of the program.

Action 6: University – consider providing staff with the opportunity to provide feedback on the current EAP service to inform the tender process.
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7. ENTERPRISE AGREEMENT (EA) IMPLEMENTATION ISSUES – COMMON PROVISIONS

Union representatives wished to discuss the items within the Enterprise Agreements where common implementation provisions apply (across all 3 Enterprise Agreements).

The committee noted the discussion that occurred at the PSCC (10/02/2015 meeting) regarding the Indigenous Employment item, which is a common provision. Other common provisions include:

- Environmental Sustainability ;
- Mental Health; and
- Domestic Violence.

Union representatives asked whether the University is developing policies in relation to Domestic Violence. Ms Champness advised that the University is not however HR staff have updated the leave forms so that staff can apply for Personal Leave due to domestic violence reasons.

In relation to Environmental Sustainability, Ms Champness advised that the University will invite the Chair of the Environmental Sustainability Committee to provide an update and seek feedback from the CSCC.

Discussion took place regarding the Mental Health Plan and who has primary responsibility for the plan. Ms Champness understood that Dr Stephanie Brookman, Assistant Director, Health Professional Services, has the primary responsibility but with individual implementation from different groups (a number of people are contributing their expertise). NTEU representatives asked that someone from that group attend the CSCC for a discussion, particularly as they have comments in relation to Mental Health to share.

Union representatives asked whether the mental health training for managers is compulsory. Ms Champness advised that it is strongly encouraged but not compulsory. The University is in the process of building a learning management system for different roles which will most likely include mental health training.

Action 7: i. University – invite the Chair of the Environmental Sustainability Committee to attend a future CSCC meeting to provide an update on Environmental Sustainability and seek feedback from the CSCC.
ii. University – consider the NTEU's request for someone to attend the CSCC to discuss the Mental Health Plan and related mental health matters.

8. SCHEDULE OF FUTURE PSCC AND CSCC MEETINGS

This item was discussed at the PSCC meeting (10/02/2015 - meeting held prior to this meeting). It was agreed that the PSCC and CSCC would be re-scheduled to be held on Thursdays for 2015 (in lieu of Tuesdays).

Action 8: University – re-schedule PSCC and CSCC meetings for 2015, to be held on Thursdays.