

Ms Karen Batt
Secretary
Community and Public Sector Union

Dear Karen,

Victorian Labor recognises the important work of the CPSU in representing members and advocating for a better public service.

We understand the role of the CPSU to inform members about the respective political parties' values and policies relating to public servants, public sector workers and contractors delivering services on behalf of the Victorian Government, in the lead up to the state election on November 29th 2014.

Thank you for the opportunity to respond to issues that are important to your members.

I trust this letter will provide your members with some certainty regarding Victorian Labor's position on matters related to the employment relationship between a Government and its workforce.

Victoria's public sector and funded agencies provide real services that are essential to the community, this work should be recognised, valued and rewarded.

BARGAINING

Labor will honour all collectively bargained agreements made. Labor will not use jurisdictional arguments to undermine the integrity of agreements made and will legislate to ensure these agreements are enforceable.

Labor will make a partial referral to the Commonwealth to allow matters that form part of an enterprise agreement approved pursuant to Division 4, Part 2-4 of the Commonwealth Fair Work Act. This will:

- give jurisdiction to the Fair Work Commission to approve an agreement containing the otherwise excluded subject matter;
- not give jurisdiction to the Fair Work Commission to make a workplace determination which effectively imposes upon parties the terms of an enterprise agreement;
- excludes the possibility of the Fair Work Commission having power to subsequently make an award which contains matters which have been included in an enterprise agreement; and
- ensures that to the extent that the subject matter is contained in a certified enterprise agreement, the terms of that enterprise agreement can be enforced by the Federal Court or Federal Circuit Court, including to impose civil penalties and other orders upon public sector bodies in respect of breaches.

Labor also believes that adversarial public sector bargaining disputes need to end.

Labor will create a Central Bargaining Unit (CBU) as an agency of the Department of State Development Business and Innovation.

Labor will ensure that conduct is a reviewable matter in the context of good faith bargaining (which will also apply to heads of Departments) and will commence EBA negotiations six months in advance of the nominal expiry date.

Labor will also examine model agreements and standard clauses across the public sector to streamline the bargaining process and promote equity.

WORKING COOPERATIVELY

Labor will have a Minister with responsibility for assisting the Premier on the Public Sector.

The Minister will:

- Report directly to the Premier.
- Have responsibility for the creation of a new set of protocols to better communicate issues between the Government and public sector unions and to collaboratively resolve workplace problems.
- Establish and chair the Public Sector Committee (PSC) within six months of the election of a Labor Government.
- The Deputy Chair will be the Secretary of the Department of State Development Business and Innovation.
- The PSC will meet on a monthly basis with representatives from public sector unions and appropriate departmental heads.

The Premier will chair the Public Sector Committee of Cabinet (PSCC).

All agreements will be considered by the PSCC, which will return them to the CBU within two months.

Labor is will work with the CPSU to develop strategies to address bullying and work load stress.

SECURE EMPLOYMENT

The current Government promised that public sector jobs were safe and then slashed 4200 of them as part of the so-called Sustainable Government Initiative.

Services for Victorians have been cut or substantially diminished, employees who remain are expected to do more with less, and labour hire workers are filling redundant positions with restricted rights and can be sacked on a whim.

This has a negative impact on the quality of the services provided by the public sector as many permanent experienced workers are being replaced by inexperienced workers on insecure contracts.

As the State's largest employer, the Victorian Government should set an example.

Labor will seek to reduce, and where possible eliminate, the use of outsourcing of publicly funded employment and workplaces covered by government wages policy; include a secure jobs clause during EBA negotiations, committing agencies to a secure employment recruitment target and improving casual conversion arrangements.

If outsourcing work, Labor will ensure that public sector terms and conditions of work transmit with employees to the new employer and are maintained, with access to future wage improvements and including protections from unlawful discrimination and forced redundancy.

Labor will also formalise and ensure the enforceability of agreed public sector redundancy provisions.

PUBLIC SECTOR RESOURCES

Labor acknowledges your concerns about the allocation of resources and the current Government's priorities.

As you have identified, on many occasions this Government has undervalued public servants by cutting so-called 'back office' jobs. People in 'front-line' jobs like police, child protection workers and teachers were exempt – but we all know this results in fewer people doing the same work and poorer services.

Labor will ensure public sector employment levels are based on needs, not arbitrary caps.

SERVICE SECTOR REFORM

Labor believes that Government should work in partnership with the community sector.

There is scope for innovation and reform however we are concerned that the Shergold Report and the Government's public sector reform process is about withdrawing the delivery of Government services in the social and community sectors.

Labor believes there is a strong role for Government to play in the direct provision of services.

ESSS

Labor will need to discuss the request with the ESSS Board and is therefore unable to commit to that policy at this stage.

Yours sincerely



Daniel Andrews
Leader of the Opposition