



Andrew Barr MLA

Chief Minister

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Minister for Social Inclusion and Equality

Minister for Tourism and Special Events

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Member for Kurrajong

Ms Sandra Lambert AM
Chair
ACT Remuneration Tribunal
PO Box 964
CIVIC SQUARE ACT 2608
Email: remtrib@act.gov.au

Dear Ms Lambert ^{Sandra}

Thank you for your letter of 23 August 2019 about providing a submission to the ACT Remuneration Tribunal's 2019 Spring Review of remuneration, allowances and entitlements for judicial related roles, the Integrity Commissioner, and Part-time Public Office Holders.

The ACT Government's Submission to the 2019 Spring Review is attached. On behalf of the Government, I would like to acknowledge the important contribution that these judicial related roles and Part-time Public Office Holders provide to the ACT community.

I welcome the opportunity to discuss the Government's Submission further with the Tribunal at the upcoming Spring Review.

Yours sincerely

Andrew Barr
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Chief Minister

19 SEP 2019

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ACT
Government

Submission into the ACT Remuneration Tribunal 2019 Spring Review

September 2019

Background

The ACT Remuneration Tribunal advertised for the 2019 Spring Review in August 2019. This review is looking into the remuneration and allowances to be paid, and other entitlements to be granted to the:

- ACT Magistrates Court Judicial members;
- ACT Supreme Court Judicial members;
- ACT Civil and Administrative Tribunal members;
- Integrity Commissioner;
- Principal Registrar, Courts and Tribunal;
- Director of Public Prosecutions;
- part-time Holders of Public Office on boards, tribunals and committees; and
- any other positions that have been referred to the Tribunal for consideration.

This is the ACT Government Submission to the 2019 Spring Review and it is made without prejudice.

Context

The Government notes the outcomes of the:

- 2018 Spring Review for the cohort, including the general increase of 2 per cent for judicial and judicial-related officers and 2.5 per cent for part-time public office holders; and
- 2019 Autumn Review for Members of the Legislative Assembly (MLAs), Full-time Statutory Office Holders, including the general increase of 2.5 per cent and adjustments to fringe benefit tax and relocation allowances, and minor updates to the determination outlining remuneration and entitlements for part-time public office holders.

Enterprise Agreements

The ACTPS employment framework includes 18 Enterprise Agreements made under *the Fair Work Act 2009* (Cwlth). In the 2018-19 reporting year new enterprise agreements have been negotiated and approved to replace 13 of the existing Agreements. The new agreements are:

- ACT Public Sector Administrative and related Classifications Enterprise Agreement 2018-2021;
- ACT Public Sector Cultural Facilities Corporation Enterprise Agreement 2018-2021;
- ACT Public Sector Health Professional Enterprise Agreement 2018-2021;
- ACT Public Sector Infrastructure Services Enterprise Agreement 2018-2021;
- ACT Public Sector Nursing-Midwifery Agreement 2017-2019;
- Transport Canberra Operations (ACTION) Enterprise Agreement 2018-2021;
- ACT Public Sector Support Services Enterprise Agreement 2018-2021;
- ACT Public Sector Education Directorate (Teaching Staff) Enterprise Agreement 2018-2022;

- ACT Public Sector Technical and Other Professional Enterprise Agreement 2018-2021;
- ACT Legislative Assembly Members' Staff Enterprise Agreement 2018-2021;
- ACT Public Sector Office of the Legislative Assembly Enterprise Agreement 2018-2021;
- CIT Enterprise Agreement 2013–2017; and
- CIT (Teaching Staff) Enterprise Agreement 2013-2017.

The following agreements will be negotiated and finalised in the 2019-20 reporting year:

- ACT Public Sector Legal Professionals Enterprise Agreement;
- ACT Public Sector Ambulance Service Enterprise Agreement;
- ACT Public Sector Fire & Rescue Enterprise Agreement;
- ACT Public Sector Correctional Officers Enterprise Agreement; and
- ACT Public Sector Medical Practitioners Agreement.

The negotiated outcomes include fair, affordable and competitive wage and entitlement enhancements. The pay offer covers a period of four years duration with percentage increases being provided at regular intervals. The pay increases are applicable from the first full pay period on or after the dates listed below, with backpay applied as relevant:

- 2.25 per cent backdated from the first full pay period in October 2017;
- 0.5 per cent backdated from the first full pay period in June 2018; and
- 1.35 per cent every six months from the first full pay period in December 2018 to the first full pay period in June 2021.

Other benefits include:

- For members of Superannuation Guarantee Funds who were receiving a 10.5 per cent (9.5 per cent Super guarantee plus the current additional employer contribution of 1%) employer contribution will see that contribution increased to:
 - 10.75 per cent on 1 July 2018;
 - 11 per cent on 1 July 2019; and
 - 11.5 per cent on 1 July 2020.
- Superannuation contributions will continue to be paid for the first 52 weeks of parental leave.
- The agreements simplify and strengthen the ability for employees to access a range of entitlements to ensure they can balance their work and personal commitments.
- More flexibility provided for the taking of Bonding Leave.
- Misconduct and Underperformance provisions have been rewritten from previous agreements. The purpose is to ensure that Procedural Fairness and Natural Justice Principles are enshrined in these sections. Transparency and fairness are integral to any misconduct and underperformance process.

Substantial policy work continues to be undertaken to support the implementation of the new Agreements and to improve underlying processes.

In undertaking the 2019 Spring Review, the Government encourages the ACT Remuneration Tribunal (the Tribunal) to consider community standards, and the Territory's fiscal position going forward when assessing the remuneration, allowances and other entitlements of judicial and judicial-related officers and other full-time and part-time office holders.

Equally, it is important that these considerations are balanced by the need of the Territory to retain high calibre individuals to deliver quality services in the ACT.

A moderate rate of remuneration growth which is both fair and affordable, is expected. The Government is committed to its fiscal responsibility. In making determinations for the above offices, it is useful for the Tribunal to note that the Government has an election commitment to ensure that public officials continue to see their wages increase at a rate equivalent to the Consumer Price Index (CPI).

Thank you for the opportunity to provide a submission for the Spring 2019 review. On behalf of the Government, I would like to acknowledge the important contribution that these judicial related roles and Part-time Public Office Holders provide to the ACT community.