



Submission to the ACT Remuneration Tribunal 2022 Autumn Review

April 2022

Background

The ACT Government acknowledges the Ngunnawal people as the Traditional Custodians of the land on which the Government operates.

The ACT Remuneration Tribunal (the Tribunal) advertised the 2022 Autumn Review in March 2022. This review is looking into the remuneration and allowances to be paid and other entitlements to be granted to:

- Members of the Legislative Assembly;
- the Head of Service, Directors-General and ACT Public Service Executives;
- full-time Statutory Office Holders (including Officers of the Legislative Assembly); and
- any other positions that have been referred to the Tribunal for consideration.

This is the ACT Government Submission to the Tribunal's 2022 Autumn Review, and it is made without prejudice.

2021 Review

The Government notes the outcomes of the:

- 2021 Autumn Review, held in April 2021, at which the Tribunal determined to provide an increase of 1.8% to the remuneration of position holders. The Tribunal balanced the community standards and expectations, in particular in terms of the continuing uncertainty of circumstances due to COVID-19 with the importance of the Territory providing competitive and equitable remuneration, allowances and other entitlements so that it can continue to attract and retain high calibre individuals;
- 2021 Spring Review, held in September and November 2021, at which the Tribunal again determined that no adjustments be made to remuneration, allowances or other entitlements for the Chief Justice and Associate Justice and the Integrity Commissioner. Other Office Holders, inclusive of the CEO of the Integrity Commission received a 2% increase. Following the completion of the further examination of remuneration, allowances and other entitlements for Judicial and related Offices, various increases were determined for the Office Holders which were largely consistent with the 2% increase.
- In 2017-2019 the ACT Remuneration Tribunal conducted a major review into the ACT Public Service SES remuneration, allowances and other entitlements. The Tribunal recommended the SES member entitlement to a vehicle be replaced with a payment in lieu of a vehicle, similar to arrangements for Members of the Legislative Assembly. The Government agreed to remove the SES member vehicle entitlement from the Public Sector Management Standards 2016 (PSM Standards) and replace it with additional base salary. Changes to the PSM Standards took effect from 23 December 2021. The additional salary amounts are:

Band	Additional annual salary payable in fortnightly instalments
1	\$24,000
2	\$24,500
3	\$25,000
4	\$25,500

Matters for the Tribunal to consider

In 2021 the COVID-19 pandemic continued to cause many Canberrans to become unemployed. Many businesses were forced to close or lost a significant portion of their revenue.

The ACT Government implemented an economic survival package to support the ACT community through the public health emergency. The Government effort to protect as many jobs as possible, support Canberra households and help our most vulnerable is ongoing, and the wider ACT economy is beginning to recover from the repercussions from the COVID-19 pandemic.

In the context of a recovering economy, the Government identifies the importance of balancing community expectations with the need for attracting and retaining talented senior management. In the preceding 24 months (2020 and 2021), these position holders received a 1.8% remuneration increase. Over that period, other ACTPS classifications received a total of 5.4% increase.

The Government notes the need to maintain an appropriate gap between the salary of a Senior Officer Grade A (SOGA \$155,107) and the base remuneration of an SES Band 1 (\$192,818 inclusive of the car parking allowance and additional annual salary previously paid as a motor vehicle allowance). The Government further notes that the move to the SES level requires a change in employment conditions to contract-based employment and a loss of tenure, and access to certain benefits of being employed under an ACTPS Enterprise Agreement, such as Recovery Leave. The Government considers a distinction between the two classifications is important to attract talent to the SES level from the Commonwealth public sector and other State jurisdictions.

A pay increase to these positions is consistent with our Commonwealth counterparts and other jurisdictions. Remuneration increases in other jurisdictions varied in 2021-2022 from 1.9% to 5% over a 12-month period.

- Commonwealth: increases capped at 1.9% from 31 August 2021 to 30 August 2022 in line with the private sector Wage Price Index (WPI);
- New South Wales: 2.5% increase from 1 July 2021;
- Queensland:
 - 2.5% increase from 1 September 2021; and
 - 2.5% increase from 1 March 2022; and
 - 2.5% increase from 1 September 2022;
- Victoria: 2.5% increase from 1 July 2021.

It is a key consideration for the Government to remain and be seen as a competitive employer. Lastly, the Government is appreciative of the important contribution and achievement of these Office Holders over the preceding 12 months, and a measured and reasonable pay increase would recognise this contribution.

In its submission for the Autumn Review 2020, made before the public health emergency was declared, the Government recommended the rate for vehicle allowance for MLAs be reviewed. The rates have not been adjusted since they were introduced in 2015. While this matter was deferred during the public health emergency, the Government believes it is now an appropriate time to revisit the review of vehicle allowance for MLAs.

Remuneration under Enterprise Agreements

During 2021, COVID-19 caused delays to the enterprise agreement bargaining process. The Government wanted to ensure the bargaining process was conducted comprehensively and allow for full consideration of all terms and conditions of employment, while not delaying any pay increases. The Government proposed to finalise and ballot short-term 12-month agreements for sixteen

agreements, with a small number of changes. This had the benefit of allowing bargaining to recommence in 2022 so a more comprehensive examination and negotiation of the agreements could be undertaken.

This approach was successfully voted up with the majority of the agreements due to expire by October 2022.

The pay increases under the agreements are:

1.35% payable from 9 December 2021; and

1.35% payable from 9 June 2022.

Bargaining has recently re-commenced for the new ACT Public Sector enterprise agreements which are due to expire by October 2022.

The ACTPS enterprise agreements to be negotiated as part of the current round are as follows:

- ACTPS ACT Ambulance Service Enterprise Agreement 2021-2022
- ACTPS Administrative and Related Classifications Enterprise Agreement 2021-2022
- ACTPS CIT General Staff Enterprise Agreement 2021-2022
- ACTPS CIT Teaching Staff Enterprise Agreement 2021-2022
- ACTPS Correctional Officers Enterprise Agreement 2021-2022
- ACTPS Cultural Facilities Corporation Enterprise Agreement 2021-2022
- ACTPS Education Directorate Teaching Staff Enterprise Agreement 2018 – 2022
- ACTPS Health Professional Enterprise Agreement 2021-2022
- ACTPS Infrastructure Services Enterprise Agreement 2021-2022
- ACTPS Legal Professionals Enterprise Agreement 2021-2022
- ACT Legislative Assembly Members' Staff Enterprise Agreement 2021-2022
- ACTPS Medical Practitioners Enterprise Agreement 2021-2022
- ACTPS Nursing and Midwifery Enterprise Agreement 2020 -2022
- ACTPS Office of the Legislative Assembly Enterprise Agreement 2021-2022
- ACTPS Support Services Enterprise Agreement 2021-2022
- ACTPS Technical and Other Professionals Enterprise Agreement 2021-2022
- ACTPS Transport Canberra Operations (ACTION) Enterprise Agreement 2021-2022

Conclusion

In undertaking the 2022 Autumn Review, the Government encourages the Tribunal to consider community expectations and the Territory's fiscal position when assessing the remuneration, allowances and other entitlements of MLAs, ACT Public Service Executives and Full-time Statutory Office Holders.

The wider ACT economy is emerging from the COVID-19 pandemic and our focus is on rebuilding our economic, social and community resilience. It is the Government's opinion that a measured increase to remuneration, allowances or enhancement of other entitlements for position holders in the Tribunal's jurisdiction would be appropriate, and therefore requests the Tribunal consider these points.

Thank you for the opportunity to provide a submission for the Autumn 2022 review.

The Government wishes to acknowledge the important contribution that MLAs, ACT Public Service Executives, and Full-time Statutory Office Holders provide to the ACT community.