

6.1: CITY OF ALBANY GENERAL WORKERS ENTERPRISE AGREEMENT 2011
--

Responsible Officer(s) : Chief Executive Officer (F James)
Manager Human Resources (D Baker)

Maps and Diagrams:

IN BRIEF

- City of Albany General Workers Enterprise Agreement 2011 for Inside Staff.

RECOMMENDATION

ITEM 6.1: RESPONSIBLE OFFICER RECOMMENDATION VOTING REQUIREMENT: ABSOLUTE MAJORITY

<p>THAT Council ENDORSE the attached City of Albany General Workers Enterprise Agreement 2011 and direct the CEO to sign the Agreement and forward to Fair Work Australia.</p>

CEO:	RESPONSIBLE OFFICER:
-------------	-----------------------------

BACKGROUND

1. The City of Albany currently operates under three Employee Collective Agreements, namely the *Outside Workers Union Collective Workplace Agreement 2011*, *Employee Collective (Day Care) Agreement 2011* and the *General Workers Union Collective Workplace Agreement 2007*.
2. The General Workers 2007 Agreement has a nominal expiry date of 30 June 2010, but under the terms of that current Agreement, continues to operate until replaced or terminated by a new Agreement.
3. The General Workers Agreement negotiations for a new Agreement relating to changes in conditions have been undertaken between the Australian Services Union (ASU), the City of Albany (as employer) and staff “covered” by this Agreement.
4. Some new terms and conditions were agreed between the parties, while the majority of the current Agreement continues.
5. On 26 July 2011 staff voted to **accept** conditions proposed by the City.

DISCUSSION

6. The City of Albany and the ASU reached agreement for the new General Workers (Enterprise) Agreement to be put to a secret ballot for all eligible staff
7. The General Workers (Enterprise) Agreement, which was then the term, was made available in hard copy to staff in each applicable business unit as well as the Intranet and a seven day review period was held from the 14 to 21 May 2012.
8. Ballot papers were distributed to staff and a secret ballot held from the 21 to 25 May 2012.
9. The new General Workers (Enterprise) Agreement is endorsed by Council and then forwarded to Fair Work Australia for review and confirmation, this review can take anywhere from one week to three months to complete.

GOVERNMENT CONSULTATION

10. Not Applicable

PUBLIC CONSULTATION / ENGAGEMENT

11. Not Applicable

STATUTORY IMPLICATIONS

12. The Agreement will be governed by a range of Federal and State Industrial Relations law. This will be one of the matters that the Commissioner will consider if approving the Agreement – inconsistency between the Agreement's terms and conditions need to comply with legislation.

STRATEGIC IMPLICATIONS

13. This item directly relates to the following elements from the Strategic Plan (2011-2021):

5. Organisational performance.

The City's administration must exhibit strong accountability, transparency, effectiveness and efficiency. Planning and management of revenue, costs and the resource capability of the City is essential for financial stability.

Staff Development

Develop effective human resources policies to facilitate the recruitment and retention of trained staff.

POLICY IMPLICATIONS

14. Not Applicable

RISK IDENTIFICATION & MITIGATION

15. The risk identification and categorisation relies on the City's Risk Management Framework.

16.

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Employees do not accept the new General Workers (Enterprise) Agreement</i>	<i>Unlikely</i>	<i>Moderate impact to reputation</i>	<i>Medium (6)</i>	<i>Use of positive Public Relations to mitigate reputation damage</i>
<i>Employees do not accept the new General Workers (Enterprise) Agreement</i>	<i>Unlikely</i>	<i>Major impact to organisation operations</i>	<i>Medium (8)</i>	<i>Return to bargaining table and seek urgent agreement to mitigate industrial action</i>

FINANCIAL IMPLICATIONS

17. Due to the lower than expected CPI increase (1.9%) the one off payments to staff and increase in salaries have been accounted for in the 2012-2013 Budget.

LEGAL IMPLICATIONS

18. Not applicable.

ALTERNATE OPTIONS

19. Not directing the CEO to sign the agreement is the only alternative. This alternative would have implications on morale, Industrial Action and organisational uncertainty.