

Department of Disability Services- RCOs

AS&RS

MEMORANDUM OF AGREEMENT

Settlement of Log of Claims for AS&RS 2006

between

DISABILITY SERVICES QUEENSLAND

and

THE QUEENSLAND PUBLIC SECTOR UNION OF EMPLOYEES

and

THE AUSTRALIAN WORKERS' UNION OF EMPLOYEES

The following matters are full settlement for the union claim items contained in the unions' 2006 log of claims for enterprise bargaining in Residential Care Officers in the Accommodation Support and Respite Services (AS&RS) Directorate.

1) Closed Merit Selection

Disability Services Queensland is committed to improvement in the recruitment and selection of Residential Care Officers and where possible the filling of permanent positions. These actions are part of recommendations arising from the recent Government decision on the implementation of the Accommodation Support and Respite Services Review.

As part of this commitment to maximise permanent employment, the Department will undertake the following:

- Identify vacant positions and examine the possibility of risk managing a number of positions and changing them into permanent positions in order to maximise the available permanent pool;
- Identify those Residential Care Officers who are considered to be true temporary having two or more years of continued service (with no performance related matters), and undertake a process of conversion and appointment to available vacant positions. Where there are multiple staff for the vacancies, an assessment process may need to occur and an order of Merit established and be completed by the end of October 2006;
- Those staff who fall outside of the above criteria will be looked at on a case by case basis. For example where there have been breaks in service, the current Ministerial Directive would be applied in accordance with the legislation;
- Where staff have been employed for two years or more through having worked across both casual and temporary status, the Department will work with Human Resources and Office of the Public Service Commissioner around the application of the new Directive and the development of future Order of Merits.

2) Public Holiday Payments

The Department agrees to a consent variation to the award to provide the same provisions for public holidays as the recent variation to the Other Than Public Servants Award provision for public holidays which in a summary explanation are:

- If Xmas falls on Saturday or Sunday, an employee will receive an extra 50% (public holiday work payment) on top of weekend penalties and public holiday penalties (if worked) on day gazetted in lieu; and
- Local management process for rostering on Christmas day to be developed and discussed at the local level.

3) Transport and travel

Residential Care Officers are appointed to an office and can be deployed to any of the various locations within the office to which they are appointed (*HR Policy: Internal deployment of Residential Care Officers within Area Offices*).

For Operational reasons the Department requires staff to be appointed to an area and not to a house. The staff are then required to work, with appropriate notice, in any location in that area. This is a fundamental requirement of the contract of employment. Whilst the impact only affects a small number of staff at shift rotation, the Department acknowledges that there may be instances where a staff member believes that the allocated location will cause them hardship.

The Department is currently working through recommendations from the AS&RS review around the development of Boundaries. The Department will work with staff and unions to develop a framework for implementation focusing on catchment areas for office locations. In addition the Department will identify best practice from other Departments in relation to transport allowance issues.

In the interim, the Department is prepared to review cases for hardship on a case by case basis.

These arrangements will be reviewed by December 2006. Initially the review will examine those areas where there are known issues concerning travel. Ongoing monitoring of transport and travel issues will be included on the agenda of the agency consultative committee.

The Department agrees to apply the dispute avoidance and settling procedure contained in the Core EB in relation to these matters.

4) Training

The Department is committed to providing training and development to Residential Care Officers as outlined in the AS&RS Review and the *Disability Services Queensland (Residential Care Officers) – Certified Agreement 2005* endorsing a consistent approach for training of staff using a Training Needs Analysis.

The Training Needs Analysis is focused on improving the advanced skills set of staff which is linked to a greater recognition of career development. Work on this strategy has already commenced with the establishment of Terms of Reference and a joint working party consisting of both Union and Management representatives.

Key Milestones and timeframes are:

- Advertise for Consultants – August 2006
- Working Party to assess Consultant submissions – September 2006
- Design TNA process and Methodology – October 2006
- TNA Data and Analysis – October 2006
- Development of Training Strategy – December 2006

- Approval of Training Strategy – January 2007
- Commencement of Training Initiatives – February 2007

(Note: during these milestones feedback to be provided to Unions and staff).

The Department agrees to apply the dispute avoidance and settling procedure contained in the Core EB in relation to these matters.

5) Access to 12 hour shifts

The AS&SRS review outlines a significant project to identify and review issues associated with rostering within the Directorate based on best practice rostering. In the interim, the Department commits to the following process around 12 hour shifts.

- Appropriate assessment tool to be developed to support current rostering guidelines to enable consistent assessment of requests for 12 hour shifts based on balancing staff, client need and organisational issues. This Tool will provide a basis for assessment of all requests across the Directorate. This tool will be developed for implementation in the next 3 months;
- In the meantime, local management will accept submissions from all household teams who request 12 hour shifts;
- Requests will be assessed using the above mentioned Tool and already endorsed rostering guidelines;
- In those cases where it is deemed by the local office that the request cannot be supported, they will submit their findings to the Director AS&RS for final endorsement of the decision;
- Decisions will be communicated to the Residential Care Officer Team in writing;
- In those cases where the team are dissatisfied with the decision, they may seek a review from the Executive Director, AS&RS.

The Executive Director, AS&RS will send a memo to Managers advising of this process.

6) Workplace Health And Safety Representatives Training Recognition

The Department will investigate including part of the training for a workplace health and safety representative towards recognition for units of a nationally accredited qualification, once Workplace Health and Safety, Queensland has prescribed accredited training.

7) Elected IR Representatives

The Department is prepared to determine that attendance at agreed Consultative Committees outside of rostered hours is considered as normal duties for the purposes of payment. The Department will amend current procedures to allow for the payment of overtime for attendance, whilst rostered off duty, for Agency Consultative Committee and for other significant forums and working parties where prior endorsement has been sought from the Executive Director AS&RS.

As part of the AS&RS Review, the Department will ascertain whether training attended by staff on this topic can be included as a recognised unit of a nationally accredited qualification and be incorporated as part of the Certificate program and the progression scheme.

8) Employment Security

The Department is committed to the employment security of employees as contained in the State Government Departments Certified Agreement 2006 (The Core). Additionally, Disability Services Queensland is committed to maximising opportunities for a permanent workforce through reducing temporary and casual profiles. These actions are part of recommendations arising from the recent Government decision on the implementation of the Accommodation Support and Respite Services Review and the Government's policy to maximize permanent employment in the Public Sector.

The AS&RS review project focuses on the development of a rolling 3 year Workforce Establishment Plan. This will deal with optimising the number of permanent positions, and establish principles around the use of casuals.

This project is to be finalised by 31 March 2007.

9) Progression – 003-004.

The Department commits to the following:

Work on this project will take place during 2006 and will be implemented by 31 March 2007.

Progression will occur (on application) if the 3 elements for progression have been assessed as having been met, that is:

- a) Length of relevant service greater than 2 years;
 - b) Demonstrated relevant skills/expertise = Certificate IV in Disability Work or other equivalent qualification; and
 - c) Proven on the job performance in a relevant service delivery role.
- Progression does **not** rely on OO4 position vacancies – ie progression is automatic if all threshold elements are met.
 - Payment for the higher level will commence after 31 March 2007 from the date of lodgement of the application.

10) Whole of Government matters agreed to:

The following improvements in conditions, agreed to at a Whole of Government level, will also apply to employees:

- Annual Leave
- Long Service Leave
- Parental Leave
- Purchased Leave
- Superannuation

SIGNATURES

.....

Linda Apelt
Director-General
Department of Communities

.....

Witness

.....

Bill Ludwig
Secretary
The Australian Workers Union
of Employees, Queensland

.....

Witness

.....

Alex Scott
Secretary
Queensland Public Sector Union
Of Employees

.....

Witness