

Child Safety, Youth and Women Log of Claims 2018

PREAMBLE

This document forms the draft log of claims for Together members in respect of an agreement for employees of the Department of Child Safety, Youth & Women. This document is without prejudice and for further negotiation and discussion. Together members reserve the right to make further claims.

The 2015 Core Agreement is still being implemented through the CCF and ACC. Together also notes the significant discussion and ongoing reviews in relation to:

- Temporary employment and employment security, particularly in relation to the implementation of Directive 08/17
- The review of the Workload Management Guide for Child Safety Service Centres
- The Youth Justice Workforce Taskforce and Centre-specific discussions
- The impact on staff affected by the implementation of the National Disability Insurance scheme

1. Wages

- 1.1. That employees receive annual wage increases in accordance with the following principles:
 - (1) A minimum of \$50 per week, or 3.5% whichever is greater, for each year of the agreement.
 - (2) This increase would support lessening the gender pay gap that exists in the department.
 - (3) Wage increases are to be fully and centrally funded.

2. Superannuation

Preamble: That the employer acknowledge that Together members have won higher superannuation contributions as part of previous wage negotiations.

That superannuation payments should be based on OTE

(Ordinary Time Earnings) including shift penalties. That the QSUPER trust deed, or such other instrument that would need to be altered, such as to give effect to the following:

- 2.1 That any Federal Government increase to the Superannuation Guarantee be reflected in superannuation improvements in the public sector.
- 2.2 That superannuation contributions by both the employee and the employer be adjusted immediately, when an employee's pay changes rather than on 1 July each year.
- 2.3 That the calculation of the final payout for members of the QSuper Defined Benefits be based on the member's salary at the time of retirement or at the time of commencement of pre-retirement or transition to retirement arrangements, so as not to disadvantage workers who continue to contribute but participate in pre-retirement transition to part-time or other arrangements.

3. Superannuation for women

Preamble: Universal superannuation is a vital part of a system designed to give Australians a decent standard of living in retirement. However, for millions of women, superannuation is failing. In a significant research collaboration, Per Capita and the ASU surveyed over 4,000 workers, complemented by a detailed analysis of the Household, Income and Labour Dynamics in Australia (HILDA) Survey.

This research found that the superannuation system is systematically biased against half the population. Women are simply not being assisted towards a reasonable standard of living in retirement. Women's superannuation balances at retirement are 47% lower than men's. As a result, women are far more likely to experience poverty in retirement in their old age. Superannuation is failing women. The following claims are based on the recommendations from this research.

- 3.1 Payment of superannuation for all periods of unpaid parental leave

- 3.2 Payment by the employment of an additional superannuation contribution where a workers superannuation is not on track to meet the Association of Superannuation Funds of Australia (ASFA) retirement standard by the age of 65.
- 3.3 Payment of superannuation for periods of carers leave.

4. Work/Life Balance and Hours of Work

Preamble: Optimum work/life balance especially supports the wellbeing of staff who are at high risk of workplace trauma. In addition best practice with individuals, families and communities is best scaffolded by well supported vital staff.

- 4.1 Timesheets that can be used to accurately record hours of work.
- 4.2 In line with the department’s focus on flexible working arrangements, improve access to flexible work arrangements within service centres, such as reintroducing the ability to work a 9-day fortnight.
- 4.3 Workers to be able to accrue up to an hour of flex per day without managers’ approval.
- 4.4 Increase number of consecutive days staff can take off as accrued time to match the number of days’ carry-over (5 days).
- 4.5 Utilising work from home in lieu of carers’ leave when children or family members are sick and require the worker to care for them, but the worker is still able to work.
- 4.6 There shall be no loss of accrued hours or TOIL for any worker. Should a worker not be able to take any of their accrued time for 12 months, the time, at the employees’ choice, may be paid out or carried forward to the following year.
- 4.7 Paid overtime available for every worker who is performing it, at their election (instead of TOIL) - remove the cap at AO5(4).

5. Fair treatment at work

- 5.1 A commitment from the department to adhere to any recommendations that may come from a review of discipline, workplace investigations, complaints management processes and performance management

6. Leave

- 6.1 Improve the policy and procedure regarding all types of leave, in terms of confidentiality,

treating staff with respect and supporting access, particularly in regards to Domestic & Family Violence leave and disclosure.

- 6.2 Increase bereavement leave and allow for automatic access to compassionate leave (rather than needing to apply for it), with a recognition that other cultural considerations may need to be applied.
- 6.3 Give access to certain types of leave – for instance, bereavement leave and domestic & family violence leave – to a broader range of significant relationships (including extended family, friends, colleagues and clients) in the recognition of the importance of support networks.

7. Bullying and Harassment

- 7.1 Identifying ways that workers, including union delegates, either by themselves or as a group can effectively blow the whistle on bullying & harassment without retribution.
- 7.2 Working in such a high pressure and high stress environment, workers are also reporting high rates of bullying and harassment. This is then contributing to burn out and lowering productivity for essential staff who are being bullied or harassed. Together members want to address bullying and harassment and see leadership from the Department and new approaches to stamp it out. This should be a collaborative process with union delegates and the department.
- 7.3 Mandatory training regarding identifying, addressing and preventing bullying & harassment.

8. Employment Security

Preamble: Retention of an appropriately qualified and experienced workforce requires a foundation of employment security and continuity.

- 8.1 Where the employer has demonstrated a genuine temporary need, the term of the temporarily engagement should be linked to the temporary circumstance, e.g., backfilling of 12 months maternity leave should be for a 12 month engagement, and a 6 month project should be filled with a 6 month engagement and not rolling month to month engagements.
- 8.2 Permanently fund and appoint Child Safety Regional Intake Service managers
- 8.3 After a period of 12 months, members performing ‘higher duties’ roles shall be appointed to those roles permanently if the role becomes substantively vacant or is ‘ongoing’.

- 8.4 There will be no redundancies or retrenchments during the life of this agreement including for long term temporary staff, with the exception of staff affected by the implementation of the NDIS who have chosen to pursue a voluntary redundancy
- 8.5 Permanently appoint Restorative Justice staff to acknowledge the important outcomes the Restorative Justice program is achieving.
- 8.6 Permanently employ 130% of the establishment figure recognising the high turnover and leave rates across the Department.
- 8.7 After a period of 12 months, even if those roles were within a different department, temporary members will be appointed to permanent status for all their current hours.
- 8.8 Permanently appoint all existing temporary Child Safety Officers in recognition of high levels of workload demand, turn-over and backfilling requirements.
- 8.9 That transfers of staff occur in a fair and reasonable manner, without the need to resign the department, in order to attain a position elsewhere within the department.
- 9.5 All base-grade vacancies to be filled within 2 weeks of the vacancy arising.
- 9.6 All other vacancies to be filled within 4 weeks of the vacancy arising.
- 9.7 Backfilling of staff when officers are on leave for a period of greater than 3 days, regardless of the type of leave.
- 9.8 Introduction of a 'relief pool' in each district in order to facilitate backfilling. This includes utilising "higher duties" to backfill roles as development opportunities for staff.
- 9.9 Each Child Safety Service Centre to have a dedicated Transportation Officer.
- 9.10 Vacancy rate to be abolished, this is not an appropriate budgetary management tool for this department.
- 9.11 Support Service cases must be counted as cases for the purpose of the Workload Management Guide and maximum number of cases.
- 9.12 One administration officer and one Child Safety Support Officer must be allocated per Child Safety team at minimum.
- 9.13 There should be no more than six workers reporting to Senior Team Leaders (this six includes Child Safety Officers and Child Safety Support Officers).

9 Reasonable Workloads

Preamble : Excessive workload and resultant fatigue is a serious problem for many workers. Vacancies going unfilled, increased expectations without additional staffing and staff not being replaced when they are on leave leads to excessive workloads in many areas.

Whilst work has been done more recently to update the Workload Management Guide for Child Safety Service Centres, it does not include support service cases nor is it broader than the role of Child Safety Officers.

Furthermore, this guide has not been well utilised to escalate workload concerns for resolution.

- 9.1 Establishment and enactment of a resourcing formula for staffing that takes into account not only population growth but staff wellbeing in terms of workloads across the department.
- 9.2 Capping caseloads for Child Safety Officers at the recommended level of 15 cases* per CSO at the maximum; however, acknowledging that 15 will be too many in the instance of complex or intensive cases. *one case being a child.
- 9.3 Once this maximum is reached, more CSOs must be recruited (Senior Team Leaders cannot 'hold' extra cases).
- 9.4 Expand the Workload Management Guide for Child Safety Service Centres to cover all roles within the department.

10 Recruitment and Retention

- 10.1 Implement a structured and resourced mentoring program for new Child Safety Officers and Youth Workers.
- 10.2 Implement a department-wide standard that any temporary positions greater than 3 months should be advertised internally (within the work unit) for merit-based appointment.

11 Career Paths and Classifications

- 11.1 That the department review the classification levels and the work undertaken across the different parts of the agency to ensure equality of pay and work/responsibility with a whole of department standard, post Machinery of Government changes. There should be a particular focus on reclassifying workers in Youth Justice who are comparatively lower paid compared to other directorates in the department.
- 11.2 That AO2 positions are reclassified to AO3 to reflect the value of the work undertaken by these positions.
- 11.3 That there be a minimum entry-level Caseworker

and Child Safety Officer classification that reflects the value of the work undertaken by these positions, consistent with similar roles in other jurisdictions and in Queensland Health. This will be no less than the current PO3 classification.

- 11.4 That this review of classification and position titles across the department is designed to ensure there is equity and no relative disadvantage.
- 11.5 That the department commit to access to higher duties in all centres and that higher duties opportunities are to be advertised and recruited to across regions.
- 11.6 That the Government commit to increased access to progression arrangements in all centres across the state, and at all classifications.

12 Workplace Health & Safety

Preamble : Workers in CSYW face a number of health and safety issues that many other government workers do not, due to the nature of their work. The safety of staff and, subsequently, the children, young people and families with whom they work must be the top priority. 'Burn out' or serious incidents involving staff cannot continue to be seen as an acceptable occupational hazard for CSYW staff. While a number of other claims will assist in addressing workplace health and safety risks (especially when it comes to reasonable workloads and employment security), there are some associated claims.

- 12.1 A commitment to a safe ratio of experienced staff to newer staff working the floor in Youth Detention Centres.
- 12.2 Increased ability for staff to transition to other areas of the department should they be injured or otherwise inhibited from performing their original role.
- 12.3 The reintroduction of the Peer Support Network (with an associated allowance, training and supervision for Peer Support Officers).
- 12.4 A commitment to zero tolerance towards client aggression, with a visible presence of the support and practice of this policy, openly displayed in the workplace, foyers and workplace culture.
- 12.5 Vehicles attached to rural & remote centres to have two-way radios.
- 12.6 Introduction of Welfare Officers for staff to assist with critical incidents and follow-up such as WorkCover.
- 12.7 A commitment to fund a research project into staff wellbeing and potential supports for staff specific for CSYW.
- 12.8 Evidence based non-violent crisis intervention training mandatory for all staff (PO, AO, OO).

13 Improving gender equity through flexibility for all workers

- 13.1 Increase paid spousal leave to equal paid maternity leave.
- 13.2 Separate carers' leave from sick leave, allowing for an additional 10 days of paid carers' leave.
- 13.3 Extending workers' carers leave entitlements to cover those caring for school age children, children and family members with a disability or mental health conditions (whether permanent or temporary) and elderly family members to all workers.

14 Allowances

- 14.1 Allowance of \$10 per day to be paid to experienced staff who mentor new CSOs and Youth Workers.
- 14.2 Provide the option for travel allowances to be paid upfront.
- 14.3 CSOs and CSSOs to have an allowance of \$500 per year to cover out-of-pocket costs for client-related purchases (i.e. lunch purchased for children).
- 14.4 Travel and accommodation for relevant Industry forums to be paid by department.
- 14.5 Include shift allowances as superannuable income.
- 14.6 Qualifications allowance should be paid on attainment of the qualification - not paid only when 12 months at top increment completed.

15 Professional Development and Training:

- 15.1 An allowance for professional staff to access 5 sessions of external supervision per year.
- 15.2 Ensuring Detention Youth Workers receive five days mandatory competency training per year.

16 Regional, Rural & Remote

- 16.1 Allowance for workers to travel to visit families at least once per year (for workers who have transferred or relocated to a RRR area).
- 16.2 No time limit on subsidised housing, and reinstatement of the original Regional Rural Remote incentive package.

17 Union Rights and Workplace Consultation

Preamble: Together union is an integral part of each CSYW worker's Safety and Support Network.

- 17.1. That Consultative Committees should continue as the minimum and standard form of consultation and the relevant decision maker/s be required to attend each and every committee meeting. (The decision maker refers to the Director General of the Agency and/or any person who has the appropriate delegated authority in that they have the capacity to make a binding decision with regards to the issues being raised and discussed).
- 17.2. That the Government commit that no workers conditions will be changed without agreement from those workers.
- 17.3. That the Government agree to a requirement that workers be consulted prior to any decision being made that may affect their employment, welfare, workload or job satisfaction.
- 17.4. That prior to making any decision mentioned above the department is required to demonstrate clear benefits in a business case tabled for the purposes of consultation at the relevant Consultative Committee.
- 17.5. That the department commit that all workers will continue to have access to union delegates and union staff in the workplace during work hours. This is in accordance with the Industrial Relations Act 2016 noting that union staff need to access staff in the workplace and that delegates will be provided with reasonable time and resources to undertake their roles as delegates.
- 17.6. That the department acknowledge a standard of information to be provided for the purposes of consultation when making change.
- 17.7. The standards referred to in 17.6 must require that the information provided as part of a consultation be provided in a timely way and that it must include as a minimum:
 - (1) Who will be affected by the change (names of impacted staff)
 - (2) How they will be affected
 - (3) Justification of the change
 - (4) Costs and cost benefit
 - (5) Time frames
 - (6) Consultation process
 - (7) Positions and levels of change
 - (8) Review and evaluation process
 - (9) How this will work within consultative committees.

17.8. That where any worker is to have their physical work location moved more than a reasonable distance from their existing work location those workers are entitled to consultation about compensation for the change in circumstances. Reasonable distance is defined as 50 minutes drive or 50km from the employees home address.

- 17.9. The consultation in 17.8 above must include but is not limited to discussion and consideration of:
- (1) Compensation for the additional cost of public transport (such as busses, trains, etc.)
 - (2) Private transport (such as car parking, etc.)
 - (3) Provision of direct assistance (such as providing shuttle busses, car parking, etc.)
 - (4) Additional assistance (such as facilitating, providing or compensating for local childcare, additional time to travel, accommodation, etc.).
- 17.10. That the Government commit to genuine consultation whereby employees have the bona fide opportunity to influence the decision maker.