

5.8. CERTIFIED AGREEMENT STRATEGY

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RECOMMENDATION

That Council:

1. continues with the Certified Agreement strategy previously discussed with Councillors and currently in place, in order to maintain a watching brief on the local government industrial relations landscape, and
 2. Councillors endorse the indicative timeline for the renegotiation of Douglas Shire Council's Certified Agreement, to be rolled out as required.
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EXECUTIVE SUMMARY

Council has directed that officers establish a strategy for the renegotiation of Council's Certified Agreement to be rolled out as required. The re-negotiation strategy is now presented to Council and recommended for adoption.

Council is currently operating under the Cairns Regional Council Certified Agreement 2012. This agreement formally expired in August 2015 however, as negotiations for all Queensland Local Council Certified Agreements were on hold until the establishment of the new Local Government Award, the agreement was not renewed at that time.

Council officers are maintaining a watching brief on the local government industrial relations landscape with no immediate plans to initiate the negotiation phase of a new Certified Agreement.

Despite the formal expiration of the Cairns agreement, Council employee conditions remain in place until a new agreement is negotiated and in the interim staff have been provided annual salary increases in annual budgets adopted by Council therefore have not been disadvantaged by this "wait and see" approach.

BACKGROUND

Councillors were briefed on a proposed Certified Agreement (CA) Strategy at a Workshop following the Ordinary Council Meeting 13 December 2016 (as per the table below). With the announcement that the new Local Government Award would be in place 1 January 2017, Council was advised that the best way forward was to attempt to negotiate a new CA between this date and the implementation of the new Industrial Relations Act (expected at that time to be 31 March 2017).

Councillors were briefed again at a workshop 17 January 2017. Due to the fact that the implementation date for the new IR Act and the Local Government Award had both changed to 1 March 2017, the previous strategy could not be implemented. Councillors were presented with various options in regard to a negotiation strategy and officers recommended a "wait and see" approach.

Councillors were formally briefed on the new IR Act at a Workshop 6 June 2017. At that Workshop officers confirmed that the strategy would continue to be to maintain a watching brief on the IR landscape.

COMMENT

Council Management formally meets with union representatives and staff union delegates once a quarter in the Joint Consultative Committee. The Certified Agreement is a regular agenda item at this meeting. The meeting attendees are fully supportive of Council's current strategy in regard to the renegotiation of a new agreement.

Officers recommend that the current strategy remain in place for a number of reasons:

- A new CA for Council is the final step in the de-amalgamation process. The new agreement will be the cornerstone for all future CAs and allowing time for Management to fully understand the new industrial relations landscape (as in the adopted 2017-2018 Operational Plan) is vital. This is not a process that should be rushed.
- Waiting will allow time for other councils with greater resources than Douglas to test the new legislation and deal with the potential political issues and legal challenges.
- Despite the expiration of the Cairns agreement, Douglas Council has continued to award staff annual increases in wages. As a result, Council staff are not disadvantaged by the current 'wait and see' strategy.

Prior to the commencement of the negotiation process, the overarching high level principles of the new certified agreement will be workshopped with Councillors and senior staff and brought to a Council Meeting for resolution.

The following steps will be scheduled once it is determined that it is time to commence the negotiation process:

Table 1.

DESCRIPTION	TIMELINE
Bargaining notice issued to unions	Month 1
Union representatives and staff union delegates consult with peers and develop list of items for discussion	
Bargaining Discussions	Month 2
Bargaining Discussions	Month 3
Bargaining Discussions	Month 4
Employee Briefing and communication on proposed agreement	
Vote of employees on agreement	Month 5
Application for certification	
Certification	Month 6

Councilors will continue to be briefed as appropriate during the process.

FINANCIAL/RESOURCE IMPLICATIONS

A new Certified Agreement will contain details of annual increases in staff wages and these costs will be factored into future annual budgets.

RISK MANAGEMENT IMPLICATIONS

The successful development of a new certified agreement will ensure ongoing security for staff and increased productivity in Council's operations. To achieve these outcomes it is imperative that this process is not rushed.

CORPORATE/OPERATIONAL PLAN, POLICY REFERENCE

This report has been prepared in accordance with the following:

Corporate Plan 2014-2019 Initiatives:

Theme 5 – Governance

5.3.2 - Recruit and retain skilled staff who are committed to quality customer service.

COUNCIL'S ROLE

Council can play a number of different roles in certain circumstances and it is important to be clear about which role is appropriate for a specific purpose or circumstance. The implementation of actions will be a collective effort and Council's involvement will vary from information only through to full responsibility for delivery.

The following areas outline where Council has a clear responsibility to act:

Fully-Responsible Funding the full cost of a program or activity

CONSULTATION

Internal: JCC Committee, Executive Leadership Team

External: LGAQ, Unions

COMMUNITY ENGAGEMENT

Nil

ATTACHMENTS

Nil