

Chapter 1

Inquiry terms of reference

1.1 On 13 October 2016 the Senate referred an inquiry to the Education and Employment References Committee into the impact of the Government's Workplace Bargaining Policy and approach to Commonwealth public sector bargaining.¹

1.2 The terms of reference for the inquiry were:

- (a) the failure of the Government to conclude workplace bargaining across the Australian Public Service almost three years after the process began – a process that has impacted on more than 150 000 staff nationally and 115 agencies during that time;
- (b) the impact of the protracted dispute on service provision, particularly in regional Australia, and for vulnerable and elderly people;
- (c) the impact on Australia's tourism industry and international reputation as a result of ongoing international port and airport strikes;
- (d) the impact on agency productivity and staff morale of the delay in resolving enterprise agreements across the Australian Public Service;
- (e) the effect of the implementation of the Government's Workplace Bargaining Policy on workplace relations in the Commonwealth public sector;
- (f) the effect of the implementation of the Government's Workplace Bargaining Policy on the working conditions and industrial rights of Commonwealth public sector employees;
- (g) the extent to which the implementation of the Workplace Bargaining Policy impacts on employee access to workplace flexibility, and with particular regard to flexibility for employees with family or caring responsibilities;
- (h) whether the Workplace Bargaining Policy and changes or reductions in employees' working conditions and industrial rights, including access to enforceable domestic and family violence leave, are a factor in the protracted delay in resolving enterprise agreements;
- (i) the effect of an expanded role for the responsible Minister in the Government's Workplace Bargaining Policy; and
- (j) any other related matter.²

1 *Journals of the Senate*, No. 11, 13 October 2016, p. 329.

Conduct of the inquiry

1.3 The inquiry was publicised on the committee's website.³ The committee also wrote to key stakeholder groups and organisations to invite submissions.

1.4 The committee received 637 submissions as detailed in Appendix 1.

1.5 The committee held two public hearings:

- 11 November 2016 in Canberra; and
- 15 November 2016 in Townsville.

1.6 The witness lists for these hearings are available in Appendix 2.

Structure of the report

1.7 During the course of the inquiry, the committee identified a range of matters related to the government's Australian Public Service (APS) bargaining policy. Many of these matters are closely inter-related. For ease of navigation, however, these matters are dealt with separately as follows:

- Chapter 2: Background
- Chapter 3: Annual cap on pay increases
- Chapter 4: The wage freeze
- Chapter 5: Wage increases must be completely offset by productivity gains
- Chapter 6: The no 'enhancements' rule
- Chapter 7: 'Streamlining': shifting conditions to policy documents
- Chapter 8: 'The most divisive and least productive bargaining round in 30 years'
- Chapter 9: Adverse impacts of the bargaining policy on APS staff morale
- Chapter 10: Concluding comments

Acknowledgement

1.8 The committee thanks those organisations and many individuals who contributed to this inquiry by preparing written submissions and giving evidence at the public hearings. The committee particularly thanks those witnesses who put in

2 *Journals of the Senate*, No. 11, 13 October 2016, pp. 329–330.

3 Senate Standing References Committee on Education and Employment, *Impact of the Government's Workplace Bargaining Policy and approach to Commonwealth public sector bargaining*, www.aph.gov.au/Parliamentary_Business/Committees/Senate/Education_and_Employment/APSBargaining (accessed 21 October 2016).

extra time and effort to answer written questions on notice and provide further valuable feedback to the committee as it gathered evidence.

Notes on references

1.9 References to the *Committee Hansard* are to proof transcripts. Page numbers may differ between proof and official transcripts.

