

VPS Enterprise Agreement

FAQs for employees

Last updated: 24 July 2020

What is an enterprise agreement?

Enterprise agreements are collective agreements made at an enterprise level between employers and employees about terms and conditions of employment.

They must be approved by the Fair Work Commission. The Commission will only approve the enterprise agreement if it passes the 'better off overall test' – that is, that each employee would be better off overall if the agreement applied to the employee rather than the relevant modern award.

Who will be covered by the proposed Victorian Public Service Enterprise Agreement 2020 ('the proposed Agreement')?

The proposed Agreement will cover full-time, part-time and casual employees employed in the Victorian Public Service except:

- an employee eligible to be a member of the CPSU who is employed under the Education and Training Reform Act 2006 (Vic)
- an employee eligible to be a member of the Health Services Union
- an employee eligible to be a member of the CPSU who is employed pursuant to the Emergency Services Superannuation Act 1986 (Vic)
- an employee eligible to be a member of the Australian Nursing and Midwifery Federation or the CPSU who is employed as a nursing professional in a position requiring mandatory qualifications within the Maternal and Child Health Line (or any successor functional area)
- a locally engaged employee in an overseas office/work location
- an Employee eligible to be a member of the Australian Workers' Union:
 - whose terms and conditions are determined by reference to the Field Staff Agreement 2012, or any successor to this agreement, or
 - employed as a Wild Dog Controller, or
 - employed in a Roads Occupation

These employees are covered by separate enterprise agreements.

Can contract staff vote on the proposed Agreement?

No, employees who are employed by a contract agency (for example, Hays) are not eligible to vote on the proposed Agreement.

I am an eligible VPS employee on a fixed term contract, can I vote on the proposed Agreement?

Yes. Eligible VPS Employees on fixed-term contracts directly engaged with a Department or Agency covered by the Agreement are eligible to vote on the proposed Agreement and will be provided with personalised voting credentials.

I'm not a member of a union. Does this new Agreement apply to me? Can I still vote?

The VPS Agreement covers about 50,000 employees in the Victorian Public Service, both union and non-union members. You do not need to be a member of a union to cast a vote on the proposed Agreement.

When will we get our pay increase?

If employees vote to accept the proposed Agreement, the first increase of 1.50% will apply from 20 March 2020.

A further five pay increases are proposed after that to occur on:

- 1 December 2020 – 1.25%
- 1 September 2021 – 1.50%
- 1 June 2022 – 1.25%
- 1 March 2023 – 1.50%
- 1 December 2023 – 1.00%

Salary and allowance increases payable under the proposed Agreement for the period between 20 March 2020 and the commencement of the Agreement will be made as soon as reasonably practicable after the proposed Agreement is approved by the Fair Work Commission.

When will we get our mobility payment?

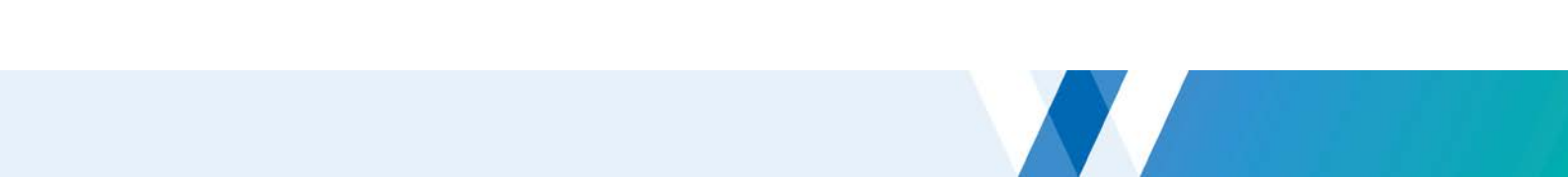
The Agreement proposes that the mobility payment be paid annually as a lump sum. Like the salary increases, if employees vote to accept the proposed Agreement, the 1 July 2020 payment will be made as soon as reasonably practicable after the proposed Agreement is approved by the Fair Work Commission.

How will the voting process work?

Eligible VPS employees have been contacted in writing wherever they might be working to be given a copy of the draft proposed Agreement and an explanation of the proposed changes to their terms and conditions of employment. Generally speaking, employees will be contacted through their usual work email address or intranet portal. Employees on long-term leave will be contacted by post.

Employees may cast their vote either electronically via a secure voting website or through the telephone voting service.

Employees will receive an Instruction Sheet/PIN and Password advice (by email to “at work” employees, and via post to “on leave” employees) just prior to the ballot opening, advising how to log on to the electronic services to vote. The Instruction Sheet will contain a link to the voting website, the 1800 number for telephone voting, and the secure PIN and Password combination to log in to cast



their ballot. You must have these credentials in order to vote. Please contact your Australian Election Company via help@austelect.com or 1800 224 420 if you do not receive this notification by Monday 10 August 2020.

When does voting commence and how long do I have to cast my ballot?

Voting opens at 9am on Monday 10 August 2020 and will close at 5pm on Friday 14 August 2020. Employees will only be able to vote within this period.

What happens if I lose my personalised voting credentials?

If you have lost your personalised voting credentials (Instruction Sheet), please contact the Aust ECo immediately at help@austelect.com or 1800 224 420.

Why am I being asked to approve the proposed Agreement?

The *Fair Work Act 2009* requires that before the terms and conditions of employees can be changed, those changes must be approved by employees.

For the changes in the proposed Agreement to take effect, a majority of employees who vote must vote in favour of the proposed Agreement which includes proposed amendments to the existing VPS Agreement.

Who is the Australian Election Company and why are they contacting me?

Australian Election Company (Aust E Co) has been contracted to conduct a secure and independent ballot of employees who are covered by the proposed Agreement, to see whether they approve the changes to their terms and conditions of employment.

Aust E Co will contact you directly (via email or post) to provide you with your personalised voting credentials and will securely host the electronic and telephone voting systems independent of your Employer.

How will we know if the proposed Agreement is approved by employees?

Under the *Fair Work Act 2009*, the agreement is made when a majority of those employees who cast a valid vote approve the agreement.

After Aust E Co determines the results of the ballot, employees will be notified by their employer of the outcome.

If the proposed Agreement is voted up by employees what happens next?

If a majority of the employees who cast a valid vote endorse the proposed, Agreement, the proposed Agreement will be submitted to the Fair Work Commission for formal approval within 14 days.

The Fair Work Commission will assess the proposed Agreement for compliance with relevant legislation and to ensure employees are better off overall compared with the underlying award. If they are satisfied that this is the case, the agreement will be approved and will commence operation seven days after approval by the Fair Work Commission.

Salary and allowance increases payable under the proposed Agreement for the period between 20 March 2020 and the commencement of the Agreement will be made as soon as reasonably practicable after the Agreement is approved by the Fair Work Commission.

What happens if the proposed Agreement is not voted up?

If the proposed Agreement is not supported by the majority of employees who vote, the agreement cannot be submitted to the Fair Work Commission for approval. The current VPS Agreement will continue to apply.

The salary increases, mobility payment and other improvements to terms and conditions in the proposed Agreement will not take effect and there will be no changes to your existing terms and conditions until another agreement is made and approved by the Fair Work Commission.

I have been redeployed into another role due to coronavirus (COVID-19). Will the proposed Agreement still cover me, and will I be able to vote?

Most VPS employees remain VPS employees regardless of the current situation with their role as a result of the Government's response to COVID-19 and are still covered by the VPS Agreement. Where employees are working in different roles and these roles are still covered by the VPS Agreement then you remain entitled to vote on the proposed Agreement.

VPS employees will be contacted in writing wherever they might be working to ensure they are aware of the draft proposed Agreement and the proposed changes to their terms and conditions of employment. If you are continuing to work during the COVID-19 pandemic, this will likely occur by email to your work email address.