

## **Draft enterprise bargaining protocol - TAFE NSW 2012**

### **Behaviour and Conduct**

1. All discussions during the negotiation are on a without prejudice basis. A party may request another party's position to be confirmed in writing.
2. Parties will make every effort to ensure that Enterprise Bargaining discussions are conducted in an effective and efficient manner.

### **Logistics**

3. Enterprise bargaining will commence on (insert agreed date) 2012 and after that date bargaining meetings will take place on a (insert agreed day) every fortnight. A schedule of meetings will be developed at the first meeting.
4. Meetings will take place at (parties to discuss venue(s))
5. Each bargaining meeting will commence no earlier than 11:00am and finish no later than 4:30pm, with the start and finishing times to be agreed between the parties. However each bargaining meeting will go for no more than 4 ½ hours.
6. There will be a lunch break during each bargaining meeting and TAFE will provide lunch.
7. TAFE will ensure that at least two senior representatives of TAFE will attend each bargaining meeting.
8. A negotiation issues log, including agreed action items and outstanding matters, will be maintained by TAFE and disseminated to the parties after each meeting via the distribution list below within 48 hours.
9. Prior to the conclusion of each meeting, the parties will agree on agenda items for the following meeting. TAFE will provide an agenda at least 24 hours prior to the meeting.

### **Resourcing of bargaining**

10. TAFE will maintain a master draft agreement, has responsibility for version control, and will track changes.
11. Parties will use their best endeavours to provide responses to proposed draft clauses prior to the next negotiation meeting or within seven days of receipt of proposed wording, whichever is earlier.
12. TAFE will cover the travel and accommodation expenses of CPSU bargaining representatives (who are employees of TAFE) when they attend bargaining meetings.
13. Compensatory funding will be made available to a CPSU bargaining representative's work unit for time spent on bargaining activities. This compensatory funding is to come from a central account administered by TAFE. Where necessary CPSU bargaining representatives will be entitled to be replaced, or be paid overtime, to make up for time spent in bargaining activities.
14. A memorandum will be sent to the relevant supervisor of each CPSU bargaining representative to advise them of these arrangements to enable their release from work.

## **Time release and bargaining representative rights**

15. TAFE will reasonably resource the effective and informed participation of CPSU bargaining representatives and members in enterprise bargaining.
16. The CPSU will caucus for one hour before each bargaining meeting and debrief for half an hour at the end of each bargaining meeting. Both will be included as bargaining time.
17. No CPSU bargaining representative will be disadvantaged or discriminated against as a result of their participation in enterprise bargaining.
18. CPSU bargaining representatives (who are employees of TAFE) will be released from work without loss of pay to participate in all bargaining activities.
19. TAFE will provide CPSU bargaining representatives (who are employees of TAFE) with two hours bargaining preparation time for each hour of face-to-face bargaining. This can be accrued to accrue a maximum of 10 hours per fortnight, and each CPSU bargaining representative is entitled to be released for this time. Hours accrued as bargaining preparation time may be banked and do not have to be taken during the fortnight they are accrued.
20. TAFE will consider requests to increase the preparation time available to bargaining representatives, provided that clear information is to be provided to justify why additional time is needed so that TAFE can consider any such request.
21. CPSU delegates will be provided with access to TAFE workplaces for purposes of communication with all staff about bargaining matters.
22. The parties agree that TAFE will facilitate reasonable access to the staff email system for CPSU delegates and members for the purposes of communication with all staff about bargaining matters. CPSU delegates and members will be responsible for ensuring that such communication does not conflict with TAFE's Code of Conduct and is not defamatory.

## **Staff meetings**

23. In addition to meetings in their lunch break, staff at each TAFE campus, and where necessary DEC office, will be able to attend up to six meetings in paid work time for this bargaining period. With the mutual agreement of the parties, additional paid work time meetings may be agreed to during work time.

## **Provision of information**

24. Should a party require information from another party before, during or post a bargaining meeting, the parties may require that such a request be made in writing.
25. Each party, using its best endeavours, will attempt to provide a response prior to the next bargaining meeting or within seven days, whichever is the earlier. An extension of time may be requested and such request will not be unreasonably refused.

## **Contacts**

26. At the first meeting the parties will establish contact details for the key contact of each of the parties, for communication between the parties during the negotiations. This contact list is below: