

FACILITIES AGREEMENT 1992

No. PSA AG 2 of 1992

1. - TITLE

This Agreement shall be titled the Facilities Agreement 1992.

2. - ARRANGEMENT

1. Title
 2. Arrangement
 3. Scope
 4. Term
 5. Framework
 6. Operating principles
 7. Grievance Resolution Procedures
- Schedule A. - Respondents to CSA Awards and Agreements

3. - SCOPE

The Agreement extends to employees who are duly elected or appointed by the Civil Service Association to the position of Workplace Delegate in accordance with subclauses (1), (2) and (3) of Clause 6. - Operating Principles of this Agreement. It extends to Government employers who are respondents to the awards listed in Schedule A to this Agreement.

4. - TERM

The term of this Agreement shall be for three years.

5. - FRAMEWORK

- (1) The Government recognises and supports the right of unions to organise and represent employees. Constructive and consultative labour relations are important for economic development and increased organisational productivity, and rely on co-operation between the industrial partners based on mutual recognition and respect.

- (2) Government Policies on Paid Leave for Employee Representatives

Existing Government policies under which employee representatives can request leave provide scope for such representatives to attend to those functions as a work place representative which contribute to harmonious labour relations within an organisation. Specifically, these situations relate to instances where paid leave is granted to an employee:

- (a) who is required to give evidence before any Industrial Tribunal;

- (b) who as a union nominated representative of the employees is by mutual agreement or by the Industrial Tribunal, required to attend negotiations and/or conferences between the union and employer;
- (c) when prior agreement between the union and employer has been reached for the employee to attend official union meetings preliminary to negotiations or industrial hearings;
- (d) who as a union nominated representative of the employees is by mutual agreement required to attend joint union/management consultative committees or working parties.
- (e) who is a union nominated delegate on an internal Administrative Appeal Panel and Public Service Appeal Boards.

(3) The Role and Responsibilities of CSA Workplace Delegates

As representatives of the Union, workplace delegates have a legitimate role and function in assisting the union in the tasks of recruiting members, communicating with those members and providing them with relevant union information and services.

Furthermore, there may be issues within an individual agency or workplace that relate to employee grievances and which do not fall within the scope of existing Government policies. Such issues may also relate directly to the employee-employer relationship, and the appropriate involvement of a Workplace Delegate will generally assist in resolving the grievance and thereby contributing to harmonious labour relations within the organisation.

A workplace delegate also needs to be aware that the primary role of an employee is to fulfil the contract of employment and that union activities undertaken as a workplace delegate should not unreasonably interfere with work duties.

(4) Workplace Delegates - Role With Respect to Other Authorised Employee Representatives

In agencies where there are agreed procedures designed to deal with specific issues such as sexual harassment, occupational health and safety or equal opportunity for which legitimate authorised and trained representatives have been appointed, a workplace delegate will normally refer any such issue arising to the appropriate representative.

(5) Employer's Role and Responsibilities

Employers have a responsibility to provide co-operation and support, so that workplace delegates are able to carry out their role and functions effectively. These functions should relate to the rights and interests of the employees in the workplace. Furthermore, the benefits resulting should be felt by employees within the particular workplace.

6. - OPERATING PRINCIPLES

- (1) The definition of a workplace is defined as in the Occupational Health, Safety and Welfare Act 1984 as "a place, whether or not in an aircraft, ship, vehicle, building or other structure, where employees work or are likely to be in the course of their work".
- (2) Management shall recognise an elected/appointed workplace delegate for the workplace. Where a disagreement occurs over the level of coverage, the union and the agency shall negotiate an acceptable position. Such agreement should recognise union wishes for adequate membership representation, and any management concerns about the number of workplace delegates.
- (3) Following the election or appointment of a workplace delegate, the General Secretary of the CSA will advise the Chief Executive Officer of the relevant Agency, in writing, of such election or appointment. The workplace delegate will be issued with written credentials by the CSA authorising him or her to act as a workplace delegate in accordance with the provisions of this Agreement.
- (4) Management shall also recognise the authorisation of each person so elected/appointed to act in accordance with the duties of a workplace delegate as defined in this Agreement. In recognising workplace delegates, management signals that they have a legitimate role to play at the workplace. Such a role includes both rights and responsibilities.
- (5) Management and workplace delegates are committed to improved and effective consultation in the workplace, which can improve the working lives of employees and the productivity of the organisation.
- (6) Management recognises the importance of the well-being of employees and the part that consultation and the provision of information can play in this well-being.
- (7) Management shall facilitate this consultation through information sharing and participatory practices.
- (8) Such participatory practices might include the establishment of a joint consultative committee or other consultative forums.
- (9) Delegates shall be protected from any victimisation which may arise out of their need to carry out their duties as a delegate. Management recognise that it is paramount that workplace delegates are not threatened or disadvantaged in any way as a result of their role as workplace delegates.
- (10) It is recognised that workplace delegates require time to carry out their duties. Matters relating to employee grievances within an individual agency may require the involvement of a workplace delegate in that person's paid work time. Any such paid time shall be at a time suitable to both parties, and is provided to enable the resolution of workplace grievances and assist the promotion of co-operative labour relations.
- (11) Delegates shall be granted reasonable access to facilities required for the purpose of carrying out their duties, referred to in the above paragraph. Facilities may include but not be limited

to access to relevant documents (eg. administrative instructions), the reasonable use of photocopiers, filing cabinets, meeting rooms, telephones and typing facilities.

- (12) Such access to facilities shall be negotiated at an agency level and shall not unreasonably affect the operation of the organisation.
- (13) Delegates shall have the right to display union material at the workplace.
- (14) On request, Delegates shall be provided with the names and locations of new employees and other information relevant for membership recruitment purposes. It is recognised that such information is necessary for the carrying out of duties by Workplace Delegates.

7. - GRIEVANCE RESOLUTION PROCEDURE

- (1) Grievances dealt with under this procedure may encompass, but not be limited to, such matters as: the numbers of workplace delegates; the use of facilities such as photocopiers, filing cabinets, meeting rooms, telephones, typing services, the amount of time spent by workplace delegates in carrying out their duties, and the level of support to workplace delegates by Agencies.
- (2) Any dispute concerning the interpretation of this Facilities Agreement should be resolved within the agency where possible, however, this does not preclude either party from seeking advice in order to resolve the dispute at any stage in the process.
- (3) The following stages should be followed:-
 - (a) If a workplace delegate in an agency believes that the Agreement is not being implemented properly he or she should raise the issue with the appropriate Human Resource/Industrial Relations Manager or other appropriate manager.
 - (b) If a manager in an agency believes that the Agreement is not being implemented properly he or she should raise the issue with the appropriate workplace delegate.
 - (c) In the event that agreement is not reached at Stage (a) or (b) within five working days of the issue being raised, relevant CSA industrial staff should be involved in discussions on the issue.
 - (d) In the event that agreement is not reached within five working days of being raised at stage (c) the issue should be referred to a Grievance Resolution Panel. This panel shall comprise a representative from the CSA industrial staff and a representative nominated by the Government agency involved. The Panel shall be chaired by someone mutually agreed by the CSA and the agency.
 - (e) The Panel will normally be convened within five working days of the matter being referred to it and will normally make its decision within three working days of hearing submissions and will report in writing that decision to the parties within that time frame.

- (f) The panel will not normally require the hearing of submissions from other than: the workplace delegate, their supervisor, the employer and the union.
- (g) Where the decision of the panel is unanimous that decision shall be final. Where the decision of the panel is a majority decision either party shall have the right to refer the matter to the Western Australian Industrial Relations Commission.

SCHEDULE A - RESPONDENTS TO CSA AWARDS AND AGREEMENTS

1. Department for Community Welfare Institution Officers Allowances and Conditions Award 1977 No. 3 of 1977

RESPONDENT:

Department of Community Services, 189 Royal Street, EAST PERTH WA 6000

2. Department for Community Services (Family Resource Workers, Welfare Assistants and Parent Helpers) Award 1990

RESPONDENT:

Department of Community Services, 189 Royal Street, EAST PERTH WA 6004

3. Education Department Ministerial Officers Salaries, Allowances and Conditions Award 1983 No. 5 of 1983

RESPONDENT:

Minister for Education, 151 Royal Street, EAST PERTH WA 6004

4. Government Engineering and Building Trades Foreman and Sub Foremen Award

RESPONDENTS:

The Minister for Environment; Housing; Construction; Heritage, 12th Floor, Dumas House, 2 Havelock Street, WEST PERTH WA 6005

The Minister for Transport, 12th Floor, Dumas House, 2 Havelock Street, WEST PERTH WA 6005

The Minister for Health, 189 Royal Street, EAST PERTH WA 6004

The Minister for Education, 151 Royal Street, EAST PERTH WA 6004

The Minister for Agriculture, Water Resources, North West, 20th Floor, Forrest Centre, 221 St. Georges Terrace, PERTH WA 6000

The Premier of Western Australia, 19th Floor, Capita Centre, 197 St. Georges Terrace, PERTH WA 6000

The Board of Management, Royal Perth Hospital, Wellington Street, PERTH WA 6000

The Board of Management, Fremantle Hospital, Alma Street, FREMANTLE WA 6160

The Board of Management, Princess Margaret Hospital, Roberts Road, SUBIACO WA 6008

The Board of Management, Sir Charles Gairdner Hospital, Verdun Street, NEDLANDS WA 6009

The Board of Management, Perth Dental Hospital, 196 Goderich Street, PERTH WA 6000

Fremantle Port Authority, 1 Cliff Street, FREMANTLE WA 6160

Board of the Water Authority of W.A., 629 Newcastle Street, LEEDERVILLE WA 6007

Homeswest, 99 Plain Street, EAST PERTH WA 6004

Commissioner of Main Roads, Waterloo Crescent, EAST PERTH WA 6004
Zoological Gardens Board, 20 Labouchere Road, SOUTH PERTH WA 6151
Curtin University of Technology, Kent Street, BENTLEY WA 6102

5. Government Officers (Social Trainers) Award 1988

RESPONDENT:

Authority of Intellectually Handicapped Persons, 53 Ord Street, WEST PERTH WA 6005

6. Government Officers (State Government Insurance Commission) Award, 1987

RESPONDENT:

State Government Insurance Commission, 221 St. Georges Terrace, PERTH WA 6000

7. Hostel Supervisory Staff Agreement 1980

RESPONDENT:

Country High Schools Hostels Authority, 87 Adelaide Terrace, PERTH WA 6000

8. Government Officers Salaries, Allowances and Conditions Award 1989

RESPONDENTS:

Agriculture Protection Board of Western Australia, Baron-Hay Court, SOUTH PERTH WA 6151

Albany Port Authority, PO Box 175, ALBANY WA 6330

Animal Resources Authority, PO Box 180, WILLETTON WA 6155

Authority for the Intellectually Handicapped Person, 53 Ord Street, PERTH WA 6000

Builder's Registration Board, 18 Harvest Street, WEST PERTH WA 6005

Bunbury Port Authority, PO Box 4, BUNBURY WA 6230

Burswood Park Board, Great Eastern Highway, RIVERVALE WA 6103

Commissioner of Main Roads, Waterloo Crescent, EAST PERTH WA 6004

Construction Industry Long Service Leave Payments Board, 3 Bennett Street, EAST PERTH WA 6004

Country High Schools Hostels Authority, 184 St Georges Terrace, PERTH WA 6000

Dairy Industry Authority of Western Australia, 217 Stirling Highway, CLAREMONT WA 6010

Director General Department for Community Services, 189 Royal Street, EAST PERTH WA 6004

Director of the Perth Mint, Hay Street, PERTH WA 6000

Director, State Printing Division, Department of Services, Station Street, WEMBLEY WA 6014

East Perth Redevelopment Authority, 19 Pier Street, PERTH WA 6000

Eastern Goldfields Transport Board, 108 Boulder Road, KALGOORLIE WA 6430

Esperance Port Authority, PO Box 35, ESPERANCE WA 6450

Executive Director, Department of Conservation and Land Management, 50 Hayman Road, COMO WA 6152
Fremantle Cemetery Board, Carrington Street, PALMYRA WA 6157
Fremantle Port Authority, PO Box 95, FREMANTLE WA 6160
Geraldton Port Authority, PO Box 1064, GERALDTON WA 6530
Hairdressers Registration Board, 678 Beaufort Street, MT. LAWLEY WA 6050
Hedland College, PMB 1, SOUTH HEDLAND WA 6722
Herd Improvement Service of Western Australia, PO Box 463, BUNBURY WA 6230
Joondalup Development Corporation, 40 The Esplanade, PERTH WA 6000
Kalgoorlie College, PMB 22, KALGOORLIE WA 6430
Karratha College, Millstream Rd, KARRATHA WA 6714
Keep Australia Beautiful Council, 12 Preston Street, COMO WA 6152
King's Park Board, Kings Park Road, WEST PERTH WA 6005
Legal Aid Commission of Western Australia, 105 St Georges Terrace, PERTH WA 6000
Library Board of Western Australia, Cultural Centre, PERTH WA 6000
Metropolitan Cemeteries Board, PO Box 53, CLAREMONT WA 6010
Metropolitan Markets Trust, 280 Bannister Road, CANNING VALE WA 6155
Nurses Board of Western Australia, 49 Stirling Highway, NEDLANDS WA 6009
Painter's Registration Board, 18 Harvest Terrace, WEST PERTH WA 6005
Perth Dental Hospital, 196 Goderich Street, PERTH WA 6000
Perth Theatre Trust, 5 St Georges Terrace, PERTH WA 6000
Port Hedland Port Authority, PO Box 2, PORT HEDLAND WA 6721
Secondary Education Authority, 27 Walters Drive, OSBORNE PARK WA 6017
Small Business Development Corporation, 553 Hay Street, PERTH WA 6000
State Employment and Skills Development Authority, 35 Havelock Street, WEST PERTH WA 6005
The Lotteries Commission, 334 Rokeby Road, SUBIACO WA 6008
The National Trust of Australia (W.A.), 4 Havelock Street, WEST PERTH WA 6005
The Waterways Commission, 184 St Georges Terrace, PERTH WA 6000
The Western Australian Film Council, 336 Churchill Avenue, SUBIACO WA 6008
Totalisator Agency Board, 14 Hasler Road, OSBORNE PARK WA 6017
Trustees of the Western Australian Museum, Francis Street, PERTH WA 6000
Western Australian Alcohol and Drug Authority, 7 Field Street, MOUNT LAWLEY WA 6050
Western Australian Art Gallery Board, 47 James Street, PERTH WA 6000
Western Australian Coastal Shipping Commission, Port Beach Road, NORTH FREMANTLE
Western Australian Egg Marketing Board, 43 McGregor Road, PALMYRA WA 6157
Western Australian Fire Brigades Board, 480 Hay Street, PERTH WA 6000
Western Australian Greyhound Racing Association, PO Box 9, CANNINGTON WA 6107
Western Australian Health Promotion Foundation, 46 Parliament Place, WEST PERTH WA 6005
Western Australian Land Authority (Landcorp) Joondalup House, 8 Davidson Terrace, JOONDALUP WA 6027
Western Australian Meat Marketing Corporation, Wellington Street, PERTH WA 6000
Western Australian Potato Marketing Board, Cockburn Road, HAMILTON HILL WA 6163

Western Australian Sport Centre Trust (Superdrome), Stephenson Avenue, MT CLAREMONT WA 6010

Western Australian Tourism Commission, 16 St Georges Terrace, PERTH WA 6000

Zoological Gardens' Board, 20 Labouchere Road, SOUTH PERTH WA 6151

The Hon. Premier, the Hon. Deputy Premier and all Ministers of the Crown in the right of the State of Western Australia as they be from time to time.

Parliamentary Secretary of the Cabinet: 25th Floor, Capita Centre, 197 St. Georges Terrace, PERTH WA 6000

9. Parliamentary Employees Award 1989

RESPONDENTS:

- (a) The Governor in Council acting on the recommendation of the President or the Speaker, as the case may be, in relation to the Clerks and Deputy Clerks of the Legislative Council and the Legislative Assembly;
- (b) The President of the Legislative Council acting on the recommendation of the Clerk in relation to employees of the Council;
- (c) The Speaker of the Legislative Assembly acting on the recommendation of the Clerk in relation to employees of the Assembly;
- (d) The President and Speaker in relation to -
 - (i) the Chief Hansard Reporter;
 - (ii) the Parliamentary Librarian;
 - (iii) the Executive Officer (Joint House);
- (e) The President and Speaker acting on the recommendation of the appropriate Head of Department in relation to employees of departments other than the Legislative Council or Legislative Assembly.

10. Western Australian Fire Brigades Board Communications Systems Officers Salaries Allowances and Conditions of Services Agreement

RESPONDENT:

Western Australian Fire Brigades Board, 480 Hay Street, PERTH WA 6000

11. Western Australian Tourism Commission Employees Agreement 1985

RESPONDENT:

Western Australian Tourism Commission, 16 St. Georges Terrace, PERTH WA 6000

12. Public Service Award 1992 No. PSA A 4 of 1989

RESPONDENT:

Public Service Commissioner, 469-489 Wellington Street, PERTH WA 6000

13. Electorate Officers Award 1986

RESPONDENT:

Joint House Committee of the Parliament of Western Australia, Parliament House, Harvest Terrace, WEST PERTH WA 6005

VARIATION RECORD**FACILITIES AGREEMENT 1992****PSA AG 2 of 1992**

Delivered 28/01/93 at 73 WAIG 1013
Consolidated at

CLAUSE NO.	EXTENT OF VARIATION	ORDER NO.	OPERATIVE DATE	GAZETTE REFERENCE
1. Title				
(1A. State Wage Principles)	Cl. & Title	1457/93	24/12/93	74 WAIG198
(1A. State Wage Principles December 1993)	Cl. & Title	985/94	30/12/94	75 WAIG 23
(1A. Statement of Principles December 1994)	Cl. & Title	1164/95	21/03/96	76 WAIG911
(1A. Statement of Principles March 1996)	Cl & Title	915/96	7/08/96	76 WAIG3368
(1A. Statement of Principles - August 1996)	Cl & Title	940/97	14/11/97	77 WAIG3177
(1A. Statement of Principles - November 1997)	Cl. & Title	757/98	12/06/98	unreported757
1A. Statement of Principles - June, 1998	Del. Cl. & Title	609/99	06/07/99	79 WAIG 1843
2. Arrangement				
	1A. Title	1457/93	24/12/93	74 WAIG198
	1A. Title	985/94	30/12/94	75 WAIG 23
	1A. Title	1164/95	21/03/96	76 WAIG911
	1A. Title	915/96	7/08/96	76 WAIG3368
	1A	940/97	14/11/97	77 WAIG3177
	1A. Title	757/98	12/06/98	unreported757
	Del. 1A	609/99	06/07/99	79 WAIG 1843
3. Scope				
4. Term				
5. Framework				

6. Operating principles

7. Grievance Resolution Procedures

Schedule A. - Respondents to CSA Awards and Agreements

Respondent deleted

No. 76/80 Pts 29,
55, 92, 151, 162,
164, 174, 175, 177,
178, 179 & 181 18/04/97

77 WAIG1260