



# POLICY P3.2.1

## NSW RFS EMPLOYEE WORKPLACE CONSULTATION

ITEM	DESCRIPTION
Policy Title	NSW RFS Employee Workplace Consultation
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Version Number	1.1
SOPs	> SOP P3.2.1-1 Employee Consultative Arrangements
Policy Owner	Executive Director Membership and Strategic Services
Policy Contact	Director Membership Services
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### 1 Purpose

- 1.1 The knowledge and skills of its employees is an important factor in the ability of the NSW Rural Fire Service (NSW RFS) to adapt to the changing needs of the workplace.
- 1.2 The NSW RFS recognises that communication, information sharing and consultation between management, employees and their representative bodies on workplace matters is critical to the development of a strong, responsive, equitable and efficient workplace and a culture that values mutual respect and professional behaviour.
- 1.3 This policy:
  - a. establishes the framework for employee consultation with the NSW RFS;
  - b. establishes the Workplace Advisory Committee (WAC) as a high level advisory committee able to make recommendations to the Commissioner;
  - c. establishes a Workplace Issues Register to capture and assess issues raised;
  - d. incorporates the NSW RFS Joint Consultative Committee (JCC) Terms of Reference and Special Purpose Committees as established by the Commissioner; and
  - e. complies with NSW Department of Premier and Cabinet Circular C2012-13 Consultative Arrangements: Policy and Guidelines (2012).
- 1.4 This consultative framework provides the opportunity to have open and frank discussions on matters of relevance prior to any negotiation or decision making by the NSW RFS.
- 1.5 This policy does not cover consultative committees relating to volunteer membership.

## 2 Definitions

2.1 For the purpose of this Policy the following definitions apply:

- a. **Joint Consultative Committee (JCC):** the committee established to provide a dialogue between the NSW RFS and the Public Service Association (PSA).
- b. **Special Purpose Committee (SPC):** a committee convened for a specific purpose and for a defined period of time.
- c. **Work Health and Safety Consultation:** will be as determined under the *Work Health and Safety Act 2011*;
- d. **Workplace Advisory Committee (WAC):** the forum established to facilitate the communication and consultation process between management, employees and their representatives in respect of significant matters associated with employee working conditions, as determined by the Commissioner and in accordance with the WAC Terms of Reference.
- e. **Workplace Issues Register (WIR):** the document by which matters raised by the WAC are captured in a transparent and accountable manner.

## 3 Policy

- 3.1 This policy provides for regular meetings between NSW RFS management, employees and their representative bodies to facilitate the consultation process regarding significant matters that affect the workplace and/or employment conditions.
- 3.2 The WAC shall meet as prescribed by the Terms of Reference, on matters associated with the NSW RFS workforce and employee working conditions and make recommendations to the Commissioner.
- 3.3 An administrative process shall be developed that will ensure matters captured on the WIR through a number of forums are assessed and referred for action to relevant consultative committees or local management, and outcomes are documented. The issues that may be considered for discussion through these consultative arrangements are outlined in the Terms of Reference for each respective committee including Special Purpose Committees.
- 3.4 Consultation does not require all parties to be in agreement before a determination is made by the Commissioner.
- 3.5 The final decision on matters discussed within the consultative process remains with the Commissioner of the NSW RFS.

## 4 Related documents

- > *Government Sector Employment Act 2013*
- > *Work Health and Safety Act 2011*
- > Department of Premier and Cabinet Circular C2012 – 13 Consultative Arrangements: Policy and Guidelines
- > Crown Employees (NSW Rural Fire Service) Award
- > Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009
- > Workplace Advisory Committee Terms of Reference

## 5 Amendments

AMENDMENT DATE	VERSION NO	DESCRIPTION
19 February 2015	1.0	Initial release
24 August 2015	1.1	SOPP3.2.1-1 Clause 2.20 - Amending term of workplace representatives, as per Workplace Advisory Committee minutes

# SOP P3.2.1-1

## EMPLOYEE CONSULTATIVE ARRANGEMENTS

### 1 Purpose

- 1.1 This Standard Operating Procedure (SOP) provides for the implementation of the NSW RFS consultative arrangements.

### 2 Procedures

#### Composition of the Workplace Advisory Committee (WAC)

- 2.1 The Workplace Advisory Committee is comprised of:
- › Deputy Commissioner (Chair)
  - › Executive Directors (3 representatives);
  - › Regional/District (4 employee representatives);
  - › Headquarters Employee Representative;
  - › OMSS/CSC Employee Representative;
  - › PSA Industrial Officer/PSA Organiser;
  - › PSA Departmental Committee Chairperson/Deputy Chairperson
- 2.2 The WAC shall report to the Commissioner.
- 2.3 The WAC shall operate within the Terms of Reference as approved by the Commissioner.

#### Composition of the Joint Consultative Committee (JCC)

- 2.4 The Joint Consultative Committee is comprised as follows:
- › Director Membership Services (Chair)
  - › A nominated Executive Director
  - › Manager Membership Services
  - › Employee Representative - Regional/District
  - › Employee Representative - Head Office
  - › Employee Representative - OMSS/CSC
  - › PSA Industrial Officer
  - › PSA Organiser
  - › PSA Departmental Committee Chairperson/Deputy Chairperson
- 2.5 The JCC shall report to the Commissioner unless it is determined that matters or issues should be referred through the WAC.
- 2.6 The JCC shall operate within the Terms of Reference as approved by the Commissioner.

#### Work Health and Safety Consultation

- 2.7 Any Work Health and Safety consultation arrangement will be developed and conducted in accordance with the *Work Health and Safety Act 2011*.

## **Roles and Responsibilities**

### **The role of participants**

- 2.8 The NSW RFS management and employee representatives participating in consultative arrangements shall understand and acknowledge each other's rights and obligations, including those arising from the relevant legislation and industrial instruments.
- 2.9 The NSW RFS management and employee representatives shall genuinely participate in the consultative process and commit to upholding an environment that values mutual respect and professional behaviour.

### **The role of Management**

- 2.10 It is the primary responsibility of the NSW RFS management team to make decisions in order to achieve the objectives of the NSW RFS. However, the effective implementation of such decisions may be significantly enhanced through a process of canvassing issues of common interest between management, employees, and employee representatives.
- 2.11 The NSW RFS management representatives shall ensure:
- a. the timely provision of relevant information, including:
    - i. details of a proposed change;
    - ii. the likely impact on employees;
    - iii. the reasons for the proposed change, and
    - iv. a proposed implementation schedule (where relevant);
  - b. that there is discussion on possible measures for mitigating or averting any adverse effects on employees;
  - c. the provision of appropriate and reasonable resources, including work time and communication facilities, for employee representatives to fully participate in the consultative arrangements;
  - d. that genuine consideration is given to the ideas and contributions of employee representatives and that the NSW RFS provides to employee representatives the management response to their submissions
  - e. where the NSW RFS makes a final decision in relation to the matter which is the subject of consultation, the NSW RFS shall notify the affected employees and at the employees' election, their representatives

### **The role of NSW RFS employees**

- 2.12 Employees shall ensure that:
- a. in the first instance, they consult with their local management about any local causes of concern or grievance; and
  - b. ideas for improving the workplace or systems of work are discussed with their managers, or where it may affect the organisation generally, submit ideas through their employee representatives.

### **The role of NSW RFS employee representatives**

- 2.13 Employee representatives shall ensure that they:
- a. contribute to effective communication within the agency through genuine participation in the consultative arrangements;
  - b. establish good local relations to facilitate resolution of employee concerns as close to the source of the issue as possible, and
  - c. use the consultative arrangements to present employee's input and seek the settlement of any concerns (not individual grievances).

### **Employee nominations for committees**

- 2.14 Nominations for employee representation on committees shall be called for through an Expression of Interest (EOI) process by way of an email to all staff.
- 2.15 In calling for the EOI, employees shall be advised of the work requirements, the length of tenure for the committee and any other relevant information.

- 2.16 Nomination shall be completed on the appropriate form.
- 2.17 Nominations shall be considered in accordance with the process outlined in this SOP, which includes commentary by the applicant's Manager as to whether they can be released or any other relevant information that may be required by the Executive Director in considering the nomination for approval.
- 2.18 The relevant Executive Director shall make recommendations to the Commissioner.
- 2.19 The final decision in relation to approval of nominations rests with the Commissioner and/or an appropriately delegated officer.
- 2.20 Employee representatives shall not hold office on any one particular committee for a period longer than two consecutive terms of two years.

### **3 Related forms**

- Expression of Interest – Employee Representative