



Enterprise Agreement

Fact Sheet - Key changes for the proposed DSS Enterprise Agreement 2024-2027

This document provides an explanation of the key changes between the *Department of Social Services Enterprise Agreement 2018 – 2021* (2018 EA) and the proposed *Department of Social Services Enterprise Agreement 2024 – 2027* (2024 EA).

The 2024 EA will cover non-SES employees of the department. The 2024 EA will commence operation 7 days after it is approved by the Fair Work Commission and will nominally expire on 28 February 2027.

Section 1: Technical matters

Employment condition	Explanation of key changes from 2018 EA	2024 EA clause	2018 EA clause
National Employment Standards	The 2024 EA introduces an express clause which provides that the terms of the 2024 EA are intended to apply in a way that does not derogate from the National Employment Standards (NES) in the <i>Fair Work Act 2009</i> (FW	6	N/A

Employment condition	Explanation of key changes from 2018 EA	2024 EA clause	2018 EA clause
	Act) and that the NES will continue to apply to the extent a term is detrimental when compared with the NES.		

Section 2: Remuneration

Employment Condition	Explanation of key changes from 2018 EA	2024 EA clause	2018 EA clause
Salary increases	<ul style="list-style-type: none"> • The proposed agreement (2024 EA) provides increases to the salary rates in the Agreement of 11.2% over 3 years with the following breakdown: <ul style="list-style-type: none"> ○ 4% from the first full pay period after 1 March 2024 ○ 3.8% from the first full pay period after 1 March 2025 ○ 3.4% from the first full pay period after 1 March 2026. <p>Employees who, at the commencement of the 2024 EA, are in receipt of a salary above the maximum pay point of the band following the salary increases, will be entitled to one-off payments consistent with the 2018 EA.</p>	17 - 21	3.1 – 3.4
Payment of salary	The 2024 EA introduces a clause which sets out how fortnightly pay is calculated. This calculation reflects how the department calculates fortnightly salary.	22	N/A
Salary setting	The 2024 EA provides a greater list of considerations that the Secretary will have regard to in setting salary above the minimum pay point in the salary range on engagement, movement, or promotion (including an employee's previous non-ongoing and casual employment with the department).	23 - 30	3.16 - 3.17

Employment Condition	Explanation of key changes from 2018 EA	2024 EA clause	2018 EA clause
	The 2024 EA also provides that the Secretary may determine the payment of salary at a higher value within the salary range of a classification at any time. This is not expressly recognised in the 2018 EA		
Salary advancement (on-going and non-ongoing employees)	<p>The 2024 EA aligns the conditions for salary advancement for ongoing and non-ongoing employees.</p> <p>The minimum period of service to be eligible for salary advancement under the 2024 EA has been reduced to 6 months of aggregate service during the performance cycle. The clause now provides that periods of paid leave, unpaid leave that counts as service and paid and unpaid parental leave count towards an employee's service for advancement purposes (although an employee on unpaid parental leave can only receive advancement by one pay point during unpaid parental leave).</p> <p>Under the 2018 EA:</p> <ul style="list-style-type: none"> • ongoing employees are required to have 6 months continuous service • non-ongoing employees are required to have been employed continuously for a minimum period of 12 months. 	31-36	3.11 -3.15
Salary advancement (temporary assignment of duties to a higher classification (TPA))	<p>The minimum period of service to be eligible for salary advancement when an employee is acting in a higher classification has been reduced under the 2024 EA.</p> <p>An employee will be eligible to receive advancement at their temporary higher classification if they have 6 months of aggregate service at that level during the performance cycle (and they are assessed as having performed at a satisfactory level or higher at that classification).</p> <p>Under the 2018 EA, an employee is eligible for advancement at the temporary higher classification if they have performed duties at the higher classification:</p> <ul style="list-style-type: none"> • for a continuous period of 12 months; or • for 12 months within a 24 month period. 	32-36; 59	3.12 – 3.14

Employment Condition	Explanation of key changes from 2018 EA	2024 EA clause	2018 EA clause
	<p>Under the 2024 EA, an employee who receives advancement at a temporary higher classification will retain that higher level for all periods of acting, regardless of elapsed time.</p> <p>Under the 2018 EA, this advancement is not retained if an employee has not performed higher duties within 24 months.</p>		
Overpayments	<p>The 2024 EA contains more detailed provisions relating to the recovery of overpayments, including:</p> <ul style="list-style-type: none"> • a process by which the Secretary will notify the employee of an overpayment and provide an employee with an opportunity to respond before confirming an overpayment • the making of recovery arrangements between the Secretary and the employee. <p>The 2024 EA makes clear that these arrangements do not prevent the department from pursuing recovery through other means or prevent either party from seeking a waiver of a debt under the <i>Public Governance, Performance and Accountability Act 2013 (Cth)</i> (PGPA Act).</p> <p>The 2018 EA only states that debts that an employee owed to the department would be recovered in accordance with the Secretary's instructions.</p>	47 - 54	3.10

Section 3 – Allowances and reimbursements

Employment Condition	Explanation of key changes from 2018 EA	2024 EA clause	2018 EA clause
Higher duties allowance	<p>The 2024 EA provides that where a role needs to be filled for 2 or more working weeks, higher duties allowance will be paid to any employee occupying the role at a classification higher than their substantive classification.</p>	57 - 64	3.18-3.21

Employment Condition	Explanation of key changes from 2018 EA	2024 EA clause	2018 EA clause
(currently Temporary performance of other duties)	<p>The 2018 EA requires a particular employee to be performing higher duties for a minimum period of two weeks to receive higher duties allowance unless the Secretary determined a shorter period.</p> <p>The 2024 EA also provides:</p> <ul style="list-style-type: none"> • higher duties allowance is payable where an employee is acting in higher duties as part of a job share arrangement for at least two working weeks • an employee will not unreasonably be required to temporarily occupy a role at a higher level. <p>This is not set out in the 2018 EA.</p>		
<p>Workplace responsibility allowance (currently Workplace Contact Officer allowance)</p>	<p>The 2024 EA:</p> <ul style="list-style-type: none"> • includes a fortnightly allowance for employees appointed/elected to the role of Mental Health First Aid Officer and Family and Domestic Violence Contact Officer (in addition to First Aid Officer, Emergency Warden, Health and Safety Representative, Harassment Contact Officer which are included in the 2018 EA) • makes clear that the full amount of the fortnightly allowance is payable irrespective of flexible working, part-time or casual employment arrangements (provided a casual employee works during a fortnight) • contains an increased rate of allowance. 	65 - 69	4.1 – 4.3
Community language allowance	<p>The 2024 EA provides for a community language allowance to be paid where the Secretary determines an employee is "regularly required to use their ability to communicate in a language in the course of their work" (and where the employee meets the required level of competency).</p> <p>The 2018 EA provides for a community language allowance where the Secretary determines "there is a continuing need to utilise an employee's particular language skills".</p>	70 - 76	4.4

Employment Condition	Explanation of key changes from 2018 EA	2024 EA clause	2018 EA clause
	<p>The 2024 EA also:</p> <ul style="list-style-type: none"> • includes Braille and AUSLAN in the definition of languages • makes clear that employees engaged as RAOs will receive, at a minimum, Rate 1 • contains increased rates of allowance for community language allowance • makes clear that the full amount of the allowance will not be impacted by periods of leave taken at half pay, or part-time employment arrangements. 		
Departmental liaison officer (DLO) allowance	<p>The 2024 EA makes clear that a DLO allowance is payable in lieu of Executive Level time-off-in-lieu (EL TOIL) - this is not expressly specified in the 2018 EA.</p> <p>The 2024 EA includes a discretion for the Secretary to provide an amount equivalent to DLO allowance (in lieu of overtime/flexitime/EL TOIL) for other employees performing duties at the office of a Minister who the whole of their duties on a day (this is not included in the 2018 EA).</p>	77 - 78	4.5
Overtime meal allowance	<p>The 2024 EA makes clear that an employee is not entitled to overtime meal allowance if the employee is in receipt of travel allowance that includes an allowance payable for the relevant meal. The 2018 EA does not expressly deal with this.</p>	82 - 84	5.46 – 5.47

Section 4: Classifications and broadbands

Employment Condition	Explanation of key changes from 2018 EA	2024 EA clause	2018 EA clause
Work level standards	<p>The 2024 EA includes a clause which makes clear that the APS Work Level Standards continue to operate and describe work at each classification level.</p>	87	N/A

Employment Condition	Explanation of key changes from 2018 EA	2024 EA clause	2018 EA clause
	This is not expressly set out in the 2018 EA.		

Section 5: Working hours and arrangement

Employment Condition	Explanation of key changes from 2018 EA	2024 EA clause	2018 EA clause
Job security	<p>The 2024 EA includes new clauses which:</p> <ul style="list-style-type: none"> recognise the APS is a career-based public service and that in its engagement decisions, the usual basis for engagement is as an ongoing employee require the department to report to the Workplace Consultative Forum on an annual basis on a breakdown of employee classification, location and engagement type provide that the department will comply with the casual conversion provisions of the FW Act and recognises a proactive approach, including regular review of casual and non-ongoing arrangements, is a fair and efficient approach to supporting ongoing engagement as the usual basis of employment. 	89-91	N/A
Casual (irregular or intermittent) employment	<p>The casual loading will increase from 20% (under the 2018 EA) to 25% under the 2024 EA.</p> <p>The 2024 EA also includes new provisions with respect to casual employees which provide:</p> <ul style="list-style-type: none"> for a minimum engagement of 3 hours (or payment for a minimum of 3 hours) that a decision to expand the use of casual employees will be subject to consultation in accordance with the consultation obligations in the agreement the department will regularly review the working arrangements of casual employees to assess if they are genuinely performing 	92 – 98	3.30

Employment Condition	Explanation of key changes from 2018 EA	2024 EA clause	2018 EA clause
	irregular or intermittent duties, and report de-identified outcomes to the Workplace Consultative Forum.		
Non-ongoing employment	<p>The 2024 EA contains a new clause which:</p> <ul style="list-style-type: none"> • recognises that non-ongoing employees have the same terms and conditions under the agreement as ongoing employees, with the exception of personal/carer's leave and redundancy • recognises the consequence of a non-ongoing employment contract not being permitted by the FW Act. 	99 - 102	N/A
Flex for APS 1 – 6 classifications	The flextime clause in the 2024 EA does not deal with requests by employees to work outside the bandwidth. This is dealt with in the flexible working arrangement clauses under the 2024 EA.	114 – 121; 180	5.13 – 5.16
EL TOIL	The 2024 EA provides that a manager is to grant TOIL to an EL employee in recognition of additional hours worked, whereas the 2018 EA provides a discretion of the Secretary to grant TOIL. Consistent with the 2018 EA, EL TOIL is not intended to be an "hour for hour" arrangement. The 2024 EA also provides for more structured discussion between employees and managers in regard to workloads, and notes that EL working arrangements and actual hours should be discussed on at least a quarterly basis.	122 – 128	5.48 – 5.50
Overtime	The 2024 EA contains more detailed provisions about when each of full-time, part-time, casual employees and shift workers are entitled to overtime to make the entitlement clearer.	130 - 139	5.33 – 5.39
Shift work	The 2024 EA introduces a definition of shift worker to make clear that a shift worker is an employee who is rostered to perform their ordinary hours outside the period 7.00am to 7.00 pm Monday to Friday, and/or on a Saturday, Sunday or public holiday for an ongoing or fixed period.	146 - 152	5.26 – 5.31

Employment Condition	Explanation of key changes from 2018 EA	2024 EA clause	2018 EA clause
Flexible working arrangements	<p>The 2024 EA introduces detailed flexible working arrangement provisions which:</p> <ul style="list-style-type: none"> • recognise the benefits of flexible working arrangements and set out how requests for flexible working arrangements are to be approached • provide a right for all employees to make requests for flexible working arrangements • set out a process by which requests flexible working arrangements are to be made, considered responded to and documented; • set out how a flexible working arrangement may be varied, paused or terminated • deal with working from home requests • differentiate ad-hoc requests for flexibility from the need to make formal flexible working arrangements • recognise that an employee may request to work an alternate span of hours, but if this arrangement is granted, they will not be entitled to overtime or shift penalties for their ordinary hours. <p>The 2018 EA does not contain these provisions, and only includes a discretion for the Secretary to agree to employees working from home on a long term or casual basis.</p>	153 – 180	5.25
Part-time work	<p>The part-time work provisions of the 2024 EA make clear that a part-time employee receives salary and allowances (except expense related allowances) on a pro-rata basis having regard to their ordinary hours.</p>	181 – 186	5.21 – 5.24
Public holidays	<p>The 2024 EA contains more detailed provisions regarding the substitution of a public holiday, and provides:</p> <ul style="list-style-type: none"> • that the Secretary and an employee may agree to substitute a cultural or religious day of significance for the employee for any prescribed holiday • if an employee cannot work on a prescribed holiday, they will be required to work make-up time 	194 - 203	5.51 – 5.56

Employment Condition	Explanation of key changes from 2018 EA	2024 EA clause	2018 EA clause
	<ul style="list-style-type: none"> if an employee substitutes a public holiday for another day, they will not be paid penalty rates for their normal hours on the public holiday. <p>The 2024 EA also provides that where a full-time employee (including employees working compressed hours) has a regular planned day off on a public holiday, the Secretary may allow the employee to change their planned day off so that it does not fall on the public holiday (or if this is not possible, the employee will be credited with flex credits or EL TOIL in recognition of their planned day off).</p>		

Section 6: Leave

Employment Condition	Explanation of key changes from 2018 EA	2024 EA clause	2018 EA clause
Extended purchased leave	The 2024 EA sets out that an employee who wishes to be granted extended purchased leave will contribute an amount of salary each fortnight for two continuous years. The 2024 EA also makes clear that extended purchased leave counts as service for all purposes. The 2018 EA does not contain this detail.	218 - 220	6.74 – 6.76
Sabbatical leave	The 2024 EA makes clear that sabbatical leave counts as service for all purposes. The 2018 EA does not contain this detail.	221 - 222	6.77
Personal/carer's leave	<p>The 2024 EA continues to provide that employees will accrue 18 days personal/carer's leave (PCL) each year (pro-rata for part-time employees), but changes the arrangements for upfront crediting of PCL.</p> <p>Under the 2024 EA:</p> <ul style="list-style-type: none"> an ongoing employee who is new to the APS will be credited 18 days PCL upon commencement. Transitional arrangements are included for an employee who received an upfront credit of leave under the 2018 EA and is still in their first year of service 	223 - 235	6.20 – 6.30

Employment Condition	Explanation of key changes from 2018 EA	2024 EA clause	2018 EA clause
	<ul style="list-style-type: none"> • a non-ongoing employee will receive a credit of up to 18 days PCL upon commencement, which will be pro-rated based on the term of their contract period if it is less than 12 months, unless they are entitled to have an existing PCL balance recognised from prior service • an employee will not accrue PCL with respect to the period for which they have received an upfront credit. <p>Under the 2018 EA, ongoing employees are credited with 10 days PCL on engagement and then accrue 8 days PCL in their first year of service.</p> <p>The 2024 EA also:</p> <ul style="list-style-type: none"> • expands upon the circumstances in which PCL may be used to include the management of chronic conditions, and sets out examples of when a person will have caring responsibilities • provides that a certificate from a registered health practitioner may be used as evidence of a chronic condition for up to 12 months for PCL. 		
Portability of leave	<p>Under the 2024 EA, the portability of leave clause has been expanded to provide that:</p> <ul style="list-style-type: none"> • where an employee is engaged as an ongoing employee, and was engaged by another Commonwealth employer immediately prior to their engagement with the department, the Secretary will recognise any unused accrued PCL at the employee's request • where an employee is engaged as an ongoing employee, and was engaged by a State or Territory government employer immediately prior to their engagement with the department, the Secretary may recognise any unused accrued PCL at the employee's request. <p>The 2024 EA also provides that where there is a break in service of less than 2 months, an employee will be considered to have continuity of service.</p>	236 - 242	6.2 – 6.5

Employment Condition	Explanation of key changes from 2018 EA	2024 EA clause	2018 EA clause
Re-crediting of leave	The 2024 EA provides a wider range of circumstances in which an employee may be re-credited with particular types of leave if they become eligible for other forms of leave under legislation or the 2024 EA.	243 - 245	6.29 – 6.30
Long service leave	The 2024 EA provides that the minimum period for which long service leave can be taken is 7 calendar days (whether at full or half pay). The 2018 EA provides that the minimum period is 7 calendar days at full pay, or 14 days at half pay.	246 – 247	6.35 – 6.36
Miscellaneous leave	The 2024 EA limits the circumstances in which a casual employee may be granted miscellaneous leave with pay to family and domestic violence leave purposes as set out in clause 348, or for a purpose set out in a government directive. This is not set out in the 2018 EA.	248 - 249	6.64
Cultural, ceremonial and NAIDOC leave	The 2024 EA provides that: <ul style="list-style-type: none"> • all employees may access one day of paid leave per calendar year to participate in NAIDOC week activities • First Nations employees may access up to 6 days of paid leave over 2 calendar years to participate in significant activities associated with their culture or to fulfil ceremonial obligations • employees may be granted up to 3 days of paid leave per calendar year for the purpose of attending significant religious or cultural obligations associated with the employee's particular faith or culture. The 2018 EA only provides for three days of paid cultural/ceremonial leave for Aboriginal and/or Torres Strait Islander employees.	250 - 259	6.66
Parental leave	The 2024 EA provides: <ul style="list-style-type: none"> • up to 18 weeks paid parental leave for an employee who is the primary caregiver of a child born to them, or a child who is in adopted or in long term foster care 	260 - 280	6.37 – 6.58

Employment Condition	Explanation of key changes from 2018 EA	2024 EA clause	2018 EA clause
	<ul style="list-style-type: none"> 8 weeks paid parental leave for secondary caregivers of a child born to them, or adopted or in long-term foster care. The entitlement to paid leave for secondary caregivers will progressively increase over the life of the 2024 EA to 18 weeks. <p>There is no minimum service requirement for these paid parental leave entitlements.</p> <p>These entitlements are more beneficial than the 2018 EA, which provides the following entitlements for eligible employees (being employees with 12 months' service):</p> <ul style="list-style-type: none"> 14 weeks paid maternity leave (inclusive of entitlement under the <i>Maternity Leave (Commonwealth Employees) Act 1973 (Cth) (ML Act)</i>)/ adoption/ foster/permanent care leave for eligible employees 20 days supporting partner leave. <p>The 2024 EA also introduces:</p> <ul style="list-style-type: none"> paid parental leave for parents who have lost a child through stillbirth (although a secondary caregiver of a stillborn child is only entitled to 2 weeks of paid leave) one-week paid leave for a pregnant employee who experiences, or an employee whose spouse/partner experiences, pregnancy loss between 12 and 20 weeks gestation paid premature birth leave from the date of the birth to what would have been 37 weeks gestation. 		
Compassionate leave / Bereavement leave	<p>The 2024 EA separately provides for three days of compassionate leave, and three days of bereavement leave, per occasion.</p> <p>The 2018 EA dealt with these leave types together as "compassionate leave".</p>	281 - 290	6.31 – 6.34

Employment Condition	Explanation of key changes from 2018 EA	2024 EA clause	2018 EA clause
	<p>The 2024 EA provides that these types of leave may be taken as 3 consecutive days or in separate periods totalling 3 days, including part-days. The clauses make clear that casual employees are entitled to leave on an unpaid basis.</p>		
Emergency response leave	<p>The 2024 EA provides for paid emergency response leave for full-time and part-time employees to undertake eligible community service activity in line with section 108 of the FW Act.</p> <p>The 2018 EA provides for paid leave for community service activities under clause 6.65.</p> <p>The clause in the 2024 EA also includes that paid leave may be refused where the employee's role is essential to the department's response to the emergency.</p>	291 – 296	6.65
Jury duty	<p>The 2024 EA contains a separate clause for jury duty, which provides that employees who are required to attend for jury duty will be released from duty without the need to apply for leave. If an employee receives an amount from the Court for attendance, they must repay that amount to the department in accordance with the overpayments clause.</p> <p>The 2018 EA provides that paid leave will be provided for jury service.</p>	297 - 300	6.65
Defence reservist leave	<p>In addition to the entitlements contained in the 2018 EA, the 2024 EA provides paid leave may be granted to an employee to attend an interview or medical examination in connection with enlistment in the Reserve Force of the Defence Force.</p> <p>The 2024 EA provides that unpaid leave for six months or less (including for continuous full-time service (CTFS) counts as service for all purposes, and unpaid leave over 6 months counts as service except for annual leave.</p>	302 - 311	6.59 – 6.63

Employment Condition	Explanation of key changes from 2018 EA	2024 EA clause	2018 EA clause
	<p>The position under the 2018 EA is that defence reservist leave counts as service, except for unpaid leave to undertake continuous full-time service, which counts for service for all purposes except annual leave.</p>		
<p>Defence service sick leave (previously War service sick leave)</p>	<p>The 2024 EA provides that an employee is eligible for defence service sick leave credits when the Department of Veteran's Affairs has certified that an employee's medical condition is as a result of either warlike or non-warlike service.</p> <p>This criterion differs to the 2018 EA, which provides that the Secretary would grant war service sick leave to employees who are unfit for duty because of a war-caused or defence-caused condition that has been determined under the <i>Veterans' Entitlements Act 1986</i> and/or the <i>Military Rehabilitation and Compensation Act 2004</i>.</p>	<p>312 - 318</p>	<p>6.78 – 6.84</p>
<p>Leave to attend proceedings</p>	<p>The 2024 EA provides that an employee will be on duty if they give evidence before a Court, Tribunal or Royal Commission on behalf of the Commonwealth or the course of their duties.</p> <p>If an employee is otherwise required to give evidence, appear or instruct a representative at a Court, Tribunal or Royal Commission in relation to their duties, they will be released without loss of pay (including in a dispute between an employee and the department).</p> <p>An employee may otherwise be granted miscellaneous leave if required to give evidence in a Court, Tribunal or Royal Commission.</p> <p>The Secretary may refuse to release an employee having regard to business requirements and the necessity of their attendance.</p> <p>The 2018 EA does not contain these entitlements.</p>	<p>319 - 322</p>	<p>N/A</p>
<p>Unauthorised leave</p>	<p>The 2024 EA provides that where an employee is absent from duty without approval, all pay and other benefits under the agreement will cease to be available until the employee resumes duty or is granted leave. This is not expressly dealt with in the 2018 EA.</p>	<p>330-331</p>	<p>6.6</p>

Section 7: Employee support and workplace culture

Employment Condition	Explanation of key changes from 2018 EA	2024 EA clause	2018 EA clause
Blood donation	The 2024 EA introduces an entitlement for employees to take reasonable time away from duty to donate blood, provided that they inform their manager in advance.	332 - 333	N/A
Vaccinations	<p>The 2024 EA provides that the will offer:</p> <ul style="list-style-type: none"> • annual influenza vaccinations for all employees at no cost • other vaccinations required for specific departmental roles at no expense to the employee. <p>This is not dealt with in the 2018 EA.</p>	334 - 335	N/A
Employee Assistance Program	The 2024 EA introduces a term which provides that the department will provide employees, their partners, dependents/ children with access to a confidential, professional counselling service to assist employees to manage personal and work issues, at no cost to employees and accessible on paid time.	336	N/A
Respect at work	<p>The 2024 EA includes principles recognising:</p> <ul style="list-style-type: none"> • the value of respect at work and the priority placed on preventing sexual harassment, sex-discrimination, sex-based harassment and victimisation • the approaches to be taken toward prevention. <p>The 2024 EA also provides that the department will consult with employees and unions regarding its approach to prevention.</p>	337 - 339	
Family and domestic violence support	The 2024 EA contains detailed provisions regarding support for employees affected by family and domestic violence, including the provision of paid miscellaneous leave for all employees experiencing family and domestic violence leave (in addition to an employee's existing leave entitlements). This entitlement does not reduce an employee's	340 - 356	2.9 – 2.14

Employment Condition	Explanation of key changes from 2018 EA	2024 EA clause	2018 EA clause
	<p>entitlement to family and domestic violence leave under the National Employment Standards.</p> <p>This differs from the 2018 EA, which provided that employees could access PCL for particular purposes, or access another form of leave including miscellaneous leave in accordance with the relevant clause of the 2018 EA.</p> <p>The 2024 EA also deals with how information relating to family and domestic violence will be dealt with confidentially and sets out the other support that may be available. The 2018 EA did not deal with this matter.</p>		
Integrity in the APS	<p>The 2024 EA introduces:</p> <ul style="list-style-type: none"> • a recognition of the importance of procedural fairness • a recognition that employees are to give frank, honest, timely advice based on the best available evidence • an ability for employees to access ethics advisory services and mandated integrity training during ordinary work hours. 	357 – 359	N/A
First Nations cultural competency training	<p>The 2024 EA introduces a requirement for:</p> <ul style="list-style-type: none"> • the Secretary to take all reasonable steps to ensure that all ongoing EL2 employees at the commencement of the agreement, and those who start within six months of commencement, complete relevant First Nations cultural competency training within 12 months of the 2024 EA commencing • any new substantive EL2 employees who starts 6 months after the commencement of the 2024 EA to complete relevant First Nations cultural competency training within 6 months of their engagement or promotion. 	360 - 361	N/A
Lactation and breastfeeding support	<p>The 2024 EA introduces:</p> <ul style="list-style-type: none"> • an entitlement to reasonable paid time during work hours for lactation/breastfeeding and associated activities 	362 – 367	N/A

Employment Condition	Explanation of key changes from 2018 EA	2024 EA clause	2018 EA clause
	<ul style="list-style-type: none"> an obligation on the department to provide access to appropriate facilities for lactation/breastfeeding purposes (or otherwise flexible approaches so that the employee can access support required). 		
Disaster support	<p>The 2024 EA introduces provisions which provide that if an official emergency or natural disaster is declared which prevents an employee from doing their work, the employee may be supported through:</p> <ul style="list-style-type: none"> flexible working arrangements; or paid miscellaneous leave. 	368-370	N/A

Section 8: Performance and development

Employment Condition	Explanation of key changes from 2018 EA	2024 EA clause	2018 EA clause
Performance Management	<p>The 2024 EA has replaced the performance principle of "Fair" with the principle of "Natural Justice" and includes further detail about what this principle means.</p> <p>The 2024 EA provides that the department's performance cycle for all employees will run from 1 August to 31 July in the following year, except for the 2023/2024 performance cycle, which will run from 1 July 2023 to 31 July 2024.</p>	371 – 376	2.1 – 2.5
Workloads	<p>The 2024 EA introduces a clause which provides:</p> <ul style="list-style-type: none"> the department recognises the importance of employees balancing their work and personal life (noting that it may be necessary at times for some extra hours to be worked by an employee, but this should be the exception rather than the rule) the department will consider the need for employees to strike a balance between their work and personal life in determining workloads for an employee or group of employees 	377 - 379	N/A

Employment Condition	Explanation of key changes from 2018 EA	2024 EA clause	2018 EA clause
	<ul style="list-style-type: none"> where an employee or group of employees raise that they have experienced significant workload pressures over a prolonged period of time, the department and employee/s together must review the employees' workloads and priorities, and determine appropriate strategies to manage the impact on the employee or group of employees. 		
Study assistance	The 2024 EA increases the maximum amount of reimbursement available for fees to \$2000 per semester (from \$1,500), and \$6,000 per annum (from \$3,000). The 2024 EA also provides for these amounts to be indexed on 13 March 2025 and 12 March 2026.	380 - 381	2.6
Learning and development	<p>The 2024 EA introduces clauses which provide that the Secretary will:</p> <ul style="list-style-type: none"> assist employees and managers to identify priority learning and development needs and opportunities and build employee capabilities identified in employee performance agreements provide appropriate driver training where an employee is required to undertake regular work-related driving in remote or regional areas as part of their duties make online cultural awareness training available to all staff. 	382 - 384	N/A
Professional qualifications	<p>The 2024 EA:</p> <ul style="list-style-type: none"> removes the cap on reimbursement of annual membership fees where membership of the association is essential to enable the employee to undertake their duties where the Secretary approves reimbursement increases the reimbursement limit for annual membership to other professional association relevant to the work of the department from \$42 to \$50 where the Secretary approves reimbursement. 	385 - 386	2.7 – 2.8

Section 9 – Travel and location-based conditions

Employment Condition	Explanation of key changes from 2018 EA	2024 EA clause	2018 EA clause
Travel allowance	The 2024 EA provides that, where practicable, the department will pay applicable overnight travel allowance at least two days prior to travel. This is not included in the 2018 EA.	387 - 394	7.1 – 7.6
Part day travel allowance	The 2024 EA includes provision of \$65 for part day travel allowance where an employee is required to be absent from their usual place of work for official business for a period of ten hours or more (but not overnight). This is not included in the 2018 EA.	391	N/A
Relocation assistance	<p>The 2024 EA provides that where an existing employee is required to relocate at the request of the department, the employee will be provided with relocation assistance. The clause also provides that an employee will be provided with relocation assistance where they are required to relocate on engagement. The clause sets out reasonable expenses associated with relocation and does not include a limit on the amount of assistance.</p> <p>This is different to the 2018 EA, which provides the Secretary with a discretion to reimburse employees (or pay third parties directly) on term transfer or compulsory transfer up to \$40,000 for reasonable expenses associated with relocation.</p> <p>The provisions relating to employee initiated moves in the 2024 EA are largely the same as the 2018 EA, but remove reference to circumstances which may be dealt with in the amended clauses.</p>	398 - 404	4.8 – 4.13
Remote localities	The provisions in the 2024 EA are in largely the same terms as the 2018 EA, but make clear that the department's grading methodology is the same as that used in the APS Enterprise Award 2015, except that employees stationed in Darwin and Townsville are not entitled to remote localities unless the provisions of the 2024 EA which preserve benefits for a particular group of employees apply.	405 - 414	8.1 – 8.11

Section 10: Consultation, representation and dispute resolution

Employment Condition	Explanation of key changes from 2018 EA	2024 EA clause	2018 EA clause
Consultation	<p>The 2024 EA introduces a recognition of the benefits of consultation and the nature of consultation to be undertaken and principles as to what genuine and effective consultation involves.</p> <p>The 2024 EA includes a requirement to consult beyond major changes that are likely to have a significant effect on employees and changes to an employee's regular roster or ordinary hours of work. Consultation is also required in relation to:</p> <ul style="list-style-type: none"> • changes to work practices which materially alter how an employee carries out their work • changes to the introduction of policies or guidelines relevant to workplace matters (unless the changes are minor or procedural) • implementation of decisions that significantly affect employees • other workplace matters that are likely to significantly or materially impact employees. <p>The obligation to consult with respect to major change in the 2024 EA relates to consulting on proposals to introduce major change, rather than consulting once a definite decision to introduce a major change has been made (unless consulting prior to a decision being made is not practicable where a decision is made by Government or is required due to matters beyond the reasonable control of the department).</p> <p>The 2024 EA maintains the obligations to consult on proposed changes to regular rosters and ordinary hours.</p>	415 – 436	10.1 – 10.16
Workplace Consultative Forum	<p>The 2024 EA amends the Workplace Consultative Forum clause from the 2018 EA by:</p> <ul style="list-style-type: none"> • providing that the forum will meet four times a year, rather than providing that meetings will occur every three months • noting that the Forum will operate subject to an agreed terms of reference and structure for the term of the agreement and that 	437 - 442	10.17 – 10.21

Employment Condition	Explanation of key changes from 2018 EA	2024 EA clause	2018 EA clause
	representation on the committee will be in accordance with the terms of reference.		
APS Consultative Forum	The 2024 EA introduces a clause which provides that the Secretary will support the operation of the APS Consultative Committee to the extent possible.	443	N/A
Dispute resolution	<p>The 2024 EA includes a similar process for dispute resolution as the 2018 EA with respect to matters arising under the Agreement or the NES. This does not impact an employee's right to access the Fair Work Commission in relation to matters under the NES.</p> <p>The 2024 EA provides that:</p> <ul style="list-style-type: none"> • an employee or union covered by the agreement may initiate or be a party to a dispute • a representative appointed by an employee who is a party to a dispute will be recognised and dealt with in good faith • when the parties are attempting to resolve the dispute at the workplace level, the parties will notify higher level managers to assist in the resolution of the dispute and that parties will give genuine consideration to proposals to resolve the dispute • includes a term which states that disputes formally notified under Part 11 of the 2018 EA before the commencement of the 2024 EA that remained unresolved at the date of commencement of the 2024 EA will be progressed under the 2024 EA dispute resolution procedure • where the dispute resolution provisions have been complied with, an employee/union delegate/employee representative or an employee required to provide evidence, will be provided paid time to attend dispute resolution processes and proceedings in the Fair Work Commission arising from a referral of a dispute to the Commission. 	444-452	11.1-11.7

Employment Condition	Explanation of key changes from 2018 EA	2024 EA clause	2018 EA clause
Delegate's rights	The 2024 EA introduces clauses recognising the role of union delegates and how the department will support the role of union delegates.	454 - 461	N/A

Section 11: Separation and retention

Employment Condition	Explanation of key changes from 2018 EA	2024 EA clause	2018 EA clause
Resignation	<p>The 2024 EA provides that an employee may resign from their employment by giving the Secretary at least 14 days' notice. The 2018 EA currently provides that where practical, an employee should give at least two weeks' notice in writing.</p> <p>The 2024 EA also provides that:</p> <ul style="list-style-type: none"> at the instigation of the Secretary, the resignation may take effect at an earlier date within the notice period and the employee will receive compensation in lieu of the notice period which is not worked the Secretary has the discretion to agree to a shorter period of notice or to waive the requirement to give notice. 	465 – 467	9.1
Payment on death of an employee	<p>The 2024 EA includes further detail about payment on death of an employee, including that:</p> <ul style="list-style-type: none"> where legislation provides specifically for amounts calculated based on the death of an employee, the payment made will be that amount if payment has not been made within a year of a former employee's death, it should be made to their legal representative. 	468	3.35