

Draft Decision of the Curtin Student Guild Remuneration Tribunal 2020

The following is the decision of the Remuneration Tribunal made on the 26 August 2020.

Preamble

The Remuneration Tribunal was established as per the *Student Guild (Tribunal) Regulations 2018* (The Regulations) to determine the remuneration for Officers of the 52nd Guild Council.

The members of the Remuneration Tribunal in 2020 were:

- Chair of the Remuneration Tribunal –Hana Arai
- Member appointed by the Managing Director –Maryanne Shaddick
- Member appointed by the Vice Chancellor- Tara Felton

Submissions

The Chair of the Tribunal invited submissions from among the members of the University:

- Vice Chancellor
- Deputy Vice-Chancellor Academic
- Chief Financial Officer
- Vice President Corporate Relations

And from the Guild (along with a survey to complete):

- Managing Director
- Guild Council members
- Representation Board members
- Postgraduate Students Committee
- International Students Committee
- WASM Student Guild

Submissions were received from the Managing Director and Post Graduate Committee along with 8 survey responses.

The Managing Director's report advised that:

- The Guild's 2020 budget was recently reforecast as a result of reduced trade in outlets and the university unilaterally reducing the semester 1 SSAF. This has forced us to make use of our reserves which had been set aside for capital projects.
- The financial situation was already tight leading into 2020. It is for this reason that professional staff unanimously voted in favour of a modest (1.2%) salary increases in 2020, 2021 and 2022.
- The Guild had underinvested for a significant period and capital upgrades had commenced. However, a number of these upgrades had been deferred due to the financial impacts of COVID-9.
- The Guild faced considerable financial uncertainty for the remainder of 2020 and going into 2021.
- SSAF fees generally increased by around 1.65% each year while the Guild grant was not indexed - the combined result being a 1.2% increase in overall funding
- Any increases beyond the 1.2% remuneration to office bearers would require funds to be

directed from elsewhere and needed to be carefully considered

Responses from the Survey and PSC submissions advised that:

- Guild representatives found that leave arrangements, rate of pay and the setting of KPIs were satisfactory.
- There was insufficient remunerated hours for the Education Vice President, the PSC, equity officers and a faculty representative to achieve all their goals.
- One of the faculty representatives' submissions noted the increasing demands of social media management.

Considerations

- The Tribunal acknowledged that student representatives did not have receive enough remunerated hours to achieve all their goals.
- There was appreciation by the Tribunal members of the challenges of COVID-19 and the extra support provided to students by representatives as well as the pivot to online services.
- The Tribunal discussed what trigger points would initiate a further review of cash flow and possible subsequent revision of officer remuneration. The Managing Director recommended the following: when a cash flow forecast predicts that the Guild will run out of cash at any time during the next 12 months and/or in the event that there is or is likely to be a substantial reduction in combined SSAF and (University) Grant income.

The Tribunal concluded that:

- Because of budget constraints there was no opportunity to increase the number of paid hours allocated to the equity roles but their hours should be reviewed again by the Remuneration Tribunal in 2021.
- The Tribunal members discussed the demands of the PSC and ISC and acknowledged that COVID -19 had added significantly to their workload. At the same it was felt that nearer normal conditions would likely prevail in 2021.
- The Tribunal members noted that Guild staff may be able to provide additional support to officers to assist them achieve their goals within their remunerated hours.
- In considering an increase in remuneration for office bearers it was noted the Guild's budget had come under immense pressure in 2020. Therefore the Tribunal agreed to a modest 1.2% increase in remuneration.
- The Tribunal agreed that it was appropriate for the level system (Hospitality Industry (General Award) to be continued with three distinct salary levels and associated pay. Clause 3 (4) to be updated to reference the current 2.1 per annum rate as articulated in the *Public Service and Government Officers CSA General Agreement 2017* (or equivalent). It was confirmed that this was a benchmark only and represented a maximum amount and the Guild was not obligated to pay officers at this level.
- The Tribunal discussed that the Secretary had been doing an extra 1/2 day a week as a result of additional responsibilities while the Executive Officer was on parental leave. These responsibilities fit well with Secretary's role and the Tribunal agreed that the Secretary's hours should be increased to 52 hours a fortnight (Clause 8 - Hours to be completed). The Tribunal received confirmation from the Managing Director that funding for the increased hours would come from savings elsewhere within the wider Guild budget.
- The Tribunal accepted a recommendation to amend Clause 12 (1) Fortnightly Remunerated

Officers Shall Observe and be remunerated for Public Holidays as the existing clause was not clear. The amendment will state that: fortnightly remunerated Officers who are required to complete 25 hours or more a week shall observe and be remunerated for public holidays which fall on days regularly worked.

- The Tribunal accepted a recommendation from the Managing Director to amend Clause 12 - Handover Pay removing the Secretary from eligibility as this position is not appointed until after the December Guild Council. Instead of handover pay, the Secretary's first fortnightly pay is to be based on a 37.5 hour week.
- The Tribunal accepted the recommendation of the Managing Director to clarify to Clause 14 (2) with the following: Consistent with the concept of leave without pay, where an Officer fails to complete their hours of contribution within a (two week) pay period, the Guild Secretary may reduce the hours for which they are remunerated to the hours they have completed. The decision of the Secretary may be appealed to the Guild President within 7 days of the notice of decision. The Guild President's decision is final.
- As well the Tribunal agreed to amend Clause 14 (3) to clarify what happens if someone abandons their role: If within a period of 14 days from the last performance of their duties or the date of their last absence (where notification has been given and consent granted), an Officer has not established to the satisfaction of the Secretary that they were absent for reasonable cause, the Secretary may deem the role abandoned and suspend remuneration for that Officer. The decision of the Secretary may be appealed to the Guild President within 7 days of the notice of decision. The Guild President's decision is final.
- The Tribunal accepted the recommendation of the Managing Director to change Clause 19 – Timing of Payment from paid monthly excluding January and July to “Paid Monthly.”
- The Tribunal accepted the trigger conditions and agreed that this may have flow-on effects on the officer payments in the 2020/2021 budget period

Part 1 - Preliminary

1. Context

This is the *Officers Remuneration Determination No.1 of 2020*

2. Commencement

This determination comes into effect on the 1 December 2020.

3. Context

- (1) The Tribunal membership was established under as per clause 16 of The Regulations.
- (2) The Tribunal has conducted an inquiry and has determined all matters required.
- (3) In accordance with clause 20(2) (a) of The Regulations no provision is made for termination or redundancy payment.
- (4) In accordance with clause 20(2)(b) of The Regulations, the total remuneration cost for any Officer shall not exceed on an annual basis the total remuneration cost for a person employed at full time at level 2.1 of the *Public Service and Government Officers CSA General Agreement 2017* (or equivalent). The total remuneration cost at Level 2.1 is \$63,172 per annum at this time. No remuneration in this decision exceeds this amount.

- (5) The Tribunal has considered all matters required under clause 20(1) of The Regulations.

4. **Terms Used**

For the purposes of this determination, unless the contrary intention appears:

Executive Officer means the President, Education Vice President, Activities Vice President and Secretary.

Fortnightly Remunerated Officer refers to those Officers listed in clause 5 of this determination.

Guild means the Student Guild of Curtin University established by Section 44 of the Act.

Guild Council means the governing authority of the Guild established by Section 8 of *Statute No.4-Student Guild*.

Leave refers to all forms of annual leave, personal leave, compassionate leave and leave without pay.

Other Remunerated Officers refers to those Officers listed in clause 16 of this determination.

The Tribunal means the Remuneration Tribunal.

This determination means the *Officers Remuneration Determination No.1 of 2018*

Part 2 - Fortnightly Remunerated Officers

5 Officers to receive Fortnightly Remuneration

- (1) The following Officers will receive ongoing fortnightly remuneration:
- (a) The President;
 - (b) The Secretary;
 - (c) The Vice President - Education;
 - (d) The Vice President -Activities;
 - (e) The Faculty Representatives;
 - (f) The International Students Committee President;
 - (g) The Postgraduate Students Committee President;
 - (h) The Kalgoorlie Branch President;
- (2) The following Officers will receive fortnightly remuneration for two twenty-week periods. Each period commencing two weeks prior to orientation week each semester and concluding at the end of the central examination period:

- (a) The Kalgoorlie Branch Vice President - Education;
- (b) The Kalgoorlie Branch Vice President - Activities;
- (c) The Kalgoorlie Branch Secretary;

6 Levels of Payment

The following table outlines levels of payment for each Officer receiving a fortnightly honorarium:

| Level | Hourly Rate | Weekly Rate (37.5 Hours) | Annual Rate | Nature of Role |
|--------------|--------------------|---------------------------------|--------------------|---|
| Level3 | \$22.97 | \$861.46 | \$44,796.18 | Most Senior Position within the Guild |
| Level 2 | \$21.79 | \$817.44 | \$42,507.03 | Role that supervises others and/or is a member of the Executive Committee |
| Level 1 | \$21.06 | \$790.11 | \$41,086.18 | Standard Rate |

7 Levels of Positions

Each position shall be assigned to a level of payment as follows:

| Level | Positions Assigned |
|--------------|---|
| Level3 | President |
| Level2 | Vice President - Education, Vice President - Activities, Secretary, ISC President, PSC President, Kalgoorlie Branch President. |
| Level 1 | Faculty Representative, Kalgoorlie Branch Vice President - Education, Kalgoorlie Branch Vice President - Activities, Kalgoorlie Branch Secretary. |

8 Hours to be completed

- (1) The following Officers shall complete the following hours in return for remuneration:

| Officer | Hours to be completed each week |
|---|--|
| President | 37.5 |
| Vice President - Education | 30 |
| Vice President - Activities | 26 |
| Secretary | 26 |
| Faculty Representative | 7.5 |
| International Students Committee President | 7.5 |
| Postgraduate Students Committee President | 7.5 |
| Kalgoorlie Branch President | 7.5 |
| Kalgoorlie Branch Vice President - Education | 7.5 |
| Kalgoorlie Branch Vice President - Activities | 7.5 |
| Kalgoorlie Branch Secretary | 7.5 |

9 Superannuation

All Officers that receive Fortnightly Remuneration shall receive the minimum statutory amount of superannuation required by law.

10 Frequency and Method of Payment

Payments of fortnightly remuneration shall be paid in a manner consistent with and at the same time as to employees of the Guild.

11 Leave

- {1) A pro rata period of four {4} weeks annual leave with pay shall be granted to Executive Officers. Annual leave shall be taken at a mutually convenient time and for a mutually convenient period.

- (2) A pro rata period of two (2) weeks personal leave shall be granted to Executive Officers. An Executive Officer shall not be entitled to this personal leave unless they produce proof satisfactory to the Guild of the need for personal leave. The Guild may require a medical certificate or statutory declaration.
- (3) An Executive Officer shall be entitled to compassionate and parental leave consistent with the minimum statutory requirements that would be available to employees.
- (4) Payments to all other Officers are to be considered directors fees and no leave shall be accrued by Officers.
- (5) The Guild President shall establish a procedure to enable time off in lieu for working hours above those required in clause 8 for all Officers subject to this determination.
- (6) No eligible Officer may accrue more than the equivalent of two weeks' time off in lieu.
- (7) Officers may take leave without pay.
- (8) Requests to use time off in lieu or leave shall be approved by the Guild President.
- (9) The Guild President's leave shall be approved by the Managing Director.
- (10) In the event of resignation or removal from office, accrued time off in lieu shall not be paid out.
- (11) Any period of leave or time of in lieu (or combination thereof) in excess of two (2) weeks must be approved by the Guild Council, unless delegated.

12 Public Holidays and Christmas Shutdown

- (1) Fortnightly remunerated Officers who are required to complete 25 hours or more a week shall observe and be remunerated for public holidays which fall on days regularly worked.
- (2) If requested by the Guild President, Officers shall be required to work a public holiday in return for two days' time off in lieu. For clarity, an Officer who volunteers to work on Australia Day for ethical reasons will receive one days' time off in lieu.
- (3) The Officers of the Guild shall observe and be remunerated for the period of any Guild administration shutdown during Christmas and New Years as well as any shutdown during Easter.

13 Handover Pay

- (1) The remuneration of the President, Vice President - Education, Vice President - Activities and Secretary shall commence prior to their commencement with the Guild as shown below.

| Position | Handover pay |
|-----------------------------|---|
| President | 1 week prior to their commencement with the Guild |
| Vice President - Education | 3 days prior to their commencement with the Guild |
| Vice President - Activities | 1 day prior to their commencement with the Guild |
| Secretary | First fortnight pay based on 37.5 hours per week |

- (2) For the purpose of 13(1) where an Officer is currently in a position being remunerated by the Guild their remuneration shall be paid at the highest rate of the two positions (being the position they currently hold, or the position they are entering).

14 Record of Hours Contributed

- (1) Officers remunerated for a number of hours will be required to complete a weekly timesheet to calculate time off in lieu and establish if the hours are being completed. The Guild President shall establish a procedure relating to this matter. The procedure shall specify the process for approving timesheets.
- (2) Where an Officer fails to complete their hours of contribution in two consecutive weeks the Guild Secretary may reduce the hours for which they are remunerated to the hours they have completed to compensate. The decision of the Secretary may be appealed to the Guild President. The decision of the Secretary may be appealed to the Guild President within 7 days of the notice of decision. The Guild President's decision is final.
- (3) If within a period of 14 days from their last performance of their duties or the date of their last absence in respect of which notification has been given or consent has been granted, an Officer has not established to the satisfaction of the Secretary that they were absent for reasonable cause, the Secretary may suspend remuneration for that Officer. The decision of the Secretary may be appealed to the Guild President. The decision of the Secretary may be appealed to the Guild President within 7 days of the notice of decision. The Guild President's decision is final.
- (4)

15 Key Performance Indicators for Fortnightly Officers

- a. The Fortnightly Remunerated Officers shall be required to meet and continue to meet the following key performance indicators throughout their term:

| Position | Key Performance Indicators |
|-----------------------------|--|
| President | <ul style="list-style-type: none"> • Attendance at 80% of required meetings; • Submission of monthly report to Guild Council; • Completion of handover report for successor. |
| Secretary | <ul style="list-style-type: none"> • Attendance at 80% of required meetings; • Submission of monthly report to Guild Council; • Completion of handover report for successor. |
| Vice President -Education | <ul style="list-style-type: none"> • Attendance at 80% of required meetings; • Submission of monthly report to Guild Council; • Completion of handover report for successor. |
| Vice President - Activities | <ul style="list-style-type: none"> • Attendance at 80% of required meetings; • Submission of monthly report to Guild Council; • Completion of handover report for successor. |
| Faculty Representatives | <ul style="list-style-type: none"> • Attendance at 80% of required meetings; • Submission of monthly report to Representation Board; • Completion of handover report for successor. |
| ISC President | <ul style="list-style-type: none"> • Attendance at 80% of required meetings; • Submission of monthly report to Representation Board; • Completion of handover report for successor. |
| PSC President | <ul style="list-style-type: none"> • Attendance at 80% of required meetings; • Submission of monthly report to Representation Board; • Completion of handover report for successor. |

| | |
|--|---|
| Kalgoorlie Branch President | <ul style="list-style-type: none"> • Attendance at 80% of required meetings; • Submission of monthly report to Guild President; • Completion of handover report for successor. |
| Kalgoorlie Branch Vice President-Education | <ul style="list-style-type: none"> • Attendance at 80% of required meetings; • Submission of quarterly reports to Kalgoorlie Branch Committee; • Run one (1) campaign each year; • Facilitate and support the Guild component of the Kalgoorlie Orientation Week; • Completion of handover report for successor. |

| | |
|---|--|
| Kalgoorlie Branch Vice President - Activities | <ul style="list-style-type: none"> • Attendance at 80% of required meetings; • Submission of quarterly reports to Kalgoorlie Branch Committee; • Arranging two (2) events each semester; • Completion of handover report for successor. |
| Kalgoorlie Branch Secretary | <ul style="list-style-type: none"> • Attendance at 80% of required meetings; • Submission of quarterly reports to Kalgoorlie Branch Committee; • Submission of accounts and other financial documents to Guild Finance Department each month; • Submission of Kalgoorlie Branch Committee Minutes to Guild Secretary each month; • Completion of handover report for successor. |

- b. Where a Fortnightly Remunerated Officer fails to meet their Key Performance Indicators as judged on a monthly basis by the Secretary, the Secretary may reduce the remuneration of that Fortnightly Remunerated Officer to compensate. The decision of the Secretary may be appealed to the Guild President.
- c. In relation to a judgement made regarding the Officers of the Kalgoorlie Branch the President of the Kalgoorlie Branch shall be consulted regarding if they have met their Key Performance Indicators.
- d. Where an Officer is on a leave of absence they shall be exempted from these Key Performance Indicators.
- e. The attendance of a nominee at a meeting where a nominee can be provided in place of the Officer shall not be a breach of these key performance indicators.

Part 3 - Other Remunerated Officers

16 Officers to receive other remuneration

The following Officers will receive other remuneration:

- (a) The Chair of the Representation Board;
- (b) The Queer Officer;
- (c) The Women's Officer;
- (d) The Indigenous Officer;
- (e) The Accessibility Officer;
- (i) The members appointed under 1.2(1) (d) of the Constitution of the Finance and Risk Committee.

17 Amount of Payment

The following table outlines levels of payment for each Officer receiving an Other Honorarium:

| Amount | Positions Assigned |
|------------------|---|
| \$2070per annum | Chair of the Representation Board |
| \$4140 per annum | Queer Officer, Women's Officer, indigenous Officer, Accessibility Officer |
| \$1000 per annum | The members appointed under 1.2(1) (d) of the Constitution of the Finance and Risk Committee. |

18 **Key Performance Indicators for other Officers**

(1) The Other Remunerated Officers shall be required to meet and continue to meet the following key performance indicators throughout their term:

| Position | Key Performance Indicators |
|--|--|
| The Chair of the Representation Board | <ul style="list-style-type: none"> • Attendance at 80% of required meetings. |
| Queer Officer | <ul style="list-style-type: none"> • Attendance at 80% of required meetings; • Submission of monthly report to Representation Board; • Completion of handover report for successor. • Run two (2) events each semester; • Run one (1) campaign for their portfolio each year; |
| Women's Officer | <ul style="list-style-type: none"> • Attendance at 80% of required meetings; • Submission of monthly report to Representation Board; • Completion of handover report for successor. • Run two (2) events each semester; • Run one (1) campaign for their portfolio each year; |
| Indigenous Officer | <ul style="list-style-type: none"> • Attendance at 80% of required meetings; • Submission of monthly report to Representation Board; • Completion of handover report for successor. • Run two (2) events each semester; • Run one (1) campaign for their portfolio each year; |
| Accessibility Officer | <ul style="list-style-type: none"> • Attendance at 80% of required meetings; • Submission of monthly report to Representation Board; • Completion of handover report for successor. • Run two (2) events each semester; • Run one (1) campaign for their portfolio each year; |
| The members appointed under 1.2(1)(d) of the Constitution of the Finance and Risk Committee. | <ul style="list-style-type: none"> • Attendance at 80% of required meetings; |

- (2) Where an Other Remunerated Officer fails to meet their Key Performance Indicators as judged on a monthly basis by the Guild Secretary, the Secretary may reduce the remuneration of that Fortnightly Remunerated Officer to compensate. The decision of the Secretary may be appealed to the Guild President. Where it is established to the satisfaction of the Secretary that an Other Remunerated Officer has not and is not likely, to meet the majority of their KPIs the Secretary may suspend remuneration for that Officer. The decision of the Secretary may be appealed to the Guild President.

- (3) Where an Officer is on leave they shall be exempted from these Key Performance Indicators. Further during the months of January and July these key performance indicators shall be exempted.

- (4) The attendance of a nominee at a meeting where a nominee can be provided in place of the Officer shall not be a breach of these key performance indicators.

19 *Timing of Payment*

The following table outlines the times that payment shall be made for each Officer receiving an Other Honorarium:

| Pay Period | Positions Assigned |
|--------------------------------------|---|
| Paid Monthly | Chair of the Representation Board, Queer Officer, Women's Officer, Indigenous Officer, Accessibility Officer. |
| Paid Bi-Annually in May and November | Kalgoorlie Branch International Officer, Kalgoorlie Branch Postgraduate Officer, Kalgoorlie Branch Women's Officer; The members appointed under 1.2(1)(d) of the Constitution of the Finance and Risk Committee. |

Part 4 - Miscellaneous Matters

20 *Requirements for Remuneration*

Prior to receiving any Remuneration an Officer must:

- (a) read and understand the Guild Code of Conduct;
- (b) enter into a deed of acknowledgement (if a member of Guild Council);
- (c) provide a copy of their enrolment advice if requested;
- (d) sign a confidentiality agreement (if not a member of Guild Council); and
- (e) Complete a Tax Declaration form and other forms necessary to make payment of any remuneration.

21 *Acting in a role*

- (1) Where a person is acting in an Officer role they are entitled to the remuneration of that role.
- (2) When an Officer is acting in the role of another Officer they shall be remunerated at the highest rate of the two positions (being the position they currently hold, or the position they are acting within).

22 *Final Payout*

- (1) Subject to 18(2) at the conclusion of each term all entitlements will be paid out to each Officer regardless of if they are continuing.

- (2) Final payment upon resignation, removal or conclusion of term of office shall not be released unless:
 - (a) A handover report is submitted (unless not required for the position); and
 - (b) Any keys, IT equipment or other Guild property in the possession of the Officer is returned to the Guild.