



# RedTape



Public Service Association of NSW  
[www.psa.asn.au](http://www.psa.asn.au)  
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## PSA to make every MP accountable for cuts

**On 17 June, just 24 hours before the State Budget once again hammered the public sector, the PSA launched a new campaign to defend public services in NSW.**

The campaign calls upon the O'Farrell Government to get its Act together – along with its policies and regulations – when it comes to the treatment of the public sector.

The PSA plans to make every MP accountable for the cuts to jobs and services.

The campaign was set in motion outside Parliament House by PSA General Secretary, Anne Gardiner and the members of the union's chief governing body, Central Council – with the presentation to members of the Upper House of two boxes of petitions

containing more than 16,000 signatures against the Government Sector Employment Bill 2013.

The Bill is the latest instalment in the O'Farrell Government's assault and will fundamentally change the rights and manner of employment of many public sector workers in NSW.

The Bill impacts on permanent positions, statutory protections for merit selection and promotional appeals.

For details see pages 8 and 9.

Unfortunately, despite our efforts and the support of the Labor Party and the Greens to have the Bill referred to an inquiry – the legislation and the associated Members of Parliament Staff Bill 2013, were passed unamended by Parliament on 20 June.

While this was disappointing, we now need to use our anger as an energy and escalate a campaign to protect jobs, conditions, services and the independence of the public sector in NSW.

The campaign will encompass a wide variety of issues which have impacted on the public sector at the

hands of the O'Farrell Government over the past two years.

That means the job cuts, the outsourcing of public services, slashing workers compensation, destroying the state's scientific and technical capacity and the 2.5% wage cap as well as the recent attack on the independence of the public sector in the Government Sector Employment Bill.

In the wake of the State Budget, members will also need to fight against the additional job cuts that were announced in a range of departments and agencies (see page 2) and the extension of the efficiency dividend.

As part of the campaign, the PSA is arranging community meetings from which delegations will be formed to visit local members of Parliament to turn up the heat on those who support the Government's ongoing attack on the public sector.

A geographic snapshot of just how heavily the sector is being hit was drawn up by the PSA and published in the *Sydney Morning Herald* on 1-2 June.

### Email action

On 8 July, the PSA launched a new on-line facility dedicated to taking the fight to protect public sector jobs directly to members of the O'Farrell Government.

All members, their families and friends are encouraged to go to [www.psa.asn.au/jobcuts](http://www.psa.asn.au/jobcuts) and email their local MP to protest against the slashing of jobs in their area.

To coincide with the on-line action, the PSA has also released a report titled *NSW state of job cuts* which maps the impact of the attack on the public sector.

The report is a modelling of how the 15,000 job cuts that were announced in the Government's first two budgets would play out in real terms across the state.

The Government has repeatedly refused to provide specific details of the cuts so our projections are based on figures obtained through the Government Information (Public Access) Act.

**2.5%  
super win  
...so Barry  
changes  
the law**

– page 3



**Kev lends a hand at State Library picket**





Anne Gardiner

# From the General Secretary

## We need to do more

**Much has been happening inside the PSA to better focus resources on the fight to save jobs.**

PSA staff are very conscious of the upheaval occurring across agencies and institutions.

None of our staff – who are taking hundreds of calls from distressed members – think that this situation is going to result in a ‘Better NSW’.

It is clear to us that apart from destroying individuals and their families, these job cuts are being made without any sort of plan and are resulting in the loss of critical skills which NSW needs for its future.

The challenge is to alert the community to these losses and their negative economic impact.

We are currently obtaining quotes for a series of advertisements and have just launched the ‘Cuts Hurt’ campaign highlighting the loss of local skills and jobs.

As the song says “you don’t know what you’ve got till it’s gone” and we need to let people know what you, our members, do, why what you do is so important and the fact that service is under threat.

Any suggestions you have can be sent to [PSACampaigns@psa.asn.au](mailto:PSACampaigns@psa.asn.au).

### Inside the PSA

After 11 years with the PSA, Assistant General Secretary, Shane O’Brien has left to take up a job with the Transport Workers Union (TWU).

We wish Shane well for the future.

The resulting vacancy comes at a time when we are reviewing the structure in the PSA and so Central Council has voted to delete this position once a rules change can be made.

As previously mentioned, the PSA has no dedicated internal employee relations or corporate governance personnel.

Given the importance of ensuring that we are a best practice union and that we are transparent and accountable, Central Council has created a combined position which will be responsible for both functions.

This position will be advertised in mid-August.

It is anticipated that if the deletion of the vacant AGS position is approved by the Industrial Registrar then part of the salary



**(From far right) PSA General Secretary, Anne Gardiner; Acting Assistant General Secretary, Greg Delprado and Assistant General Secretary, Steve Turner with internal PSA union reps, Simon van Vegchel, Majella Hand, Dave Wiseman and Josh Miles after signing the Dignity and Respect Charter.**

attached to it will be redirected to this new position.

The other big internal change which is taking place is the creation of a Member Service Centre. Please see article on page 4.

The PSA is one of the few unions which does not have this facility.

It is anticipated that this service centre will be functioning by 1 January next year.

The only change members should notice is an improved service.

There are currently several internal sub committees providing a mechanism for staff consultation

and ensuring that our Member Service Centre will be best practice.

Numerous other unions have been very generous in assisting us with advice and access to their existing centres and systems.

Whilst the move to such a centre is expensive in the short term, it will have many long term benefits for members and staff.

It will also allow Central Council to get a better big picture view of what is happening across the sector, as well as provide information that will assist us in our planning.

Keep in mind we need our voice to be heard.

We have had much greater success recently with the media around a range of issues that impact on our members.

But we need to do more to drown out the din and spin of the Government.

If you have ever thought of being a PSA delegate, now is the time to give it some serious consideration.

Current elections are advertised in this edition of *Red Tape*.

**Anne Gardiner**  
General Secretary

## JOB CUTS SUMMARY NSW BUDGET 2013–14

	2012/13	2013/14	JOB CUTS		2012/13	2013/14	JOB CUTS
<b>1. The Legislature</b>				<b>5. Finance and Services Cluster</b>			
Members' Support	386	382	4	Government Services	718	661	57
		<b>TOTAL</b>	<b>4</b>	Public Works	1,069	1,007	62
<b>2. Attorney General and Justice Cluster</b>				Land and Housing Corporation	627	597	30
Custody Management	4217	4200	17			<b>TOTAL</b>	<b>149</b>
Supervision of Offenders in the Community	1273	1200	73	<b>6. Health Cluster</b>			
Community Based Services	404	399	5		106,112	108,250	-2,138
Juvenile Custodial Services	1047	1041	6	<b>7. Premier and Cabinet</b>			
RFS – Emergency Bush Fire Response Operations	755	730	25	National Parks and Wildlife	1,953	1,908	45
RFS – Operational and Administrative Support	140	120	20	Regional Operations and Heritage	593	579	14
Information and Privacy Commission	29	28	1	Policy and Science	340	334	6
Police and emergency services - Policy and Finance	35	34	1	Historic Houses Trust of New South Wales	169	167	2
Counter Terrorism and Disaster Resilience	43	42	1	Royal Botanic Gardens and Domain Trust	263	259	4
ODPP - Prosecutions	579	577	2	Corruption Investigation, Prevention, Research and Education	127	123	4
		<b>TOTAL</b>	<b>151</b>			<b>TOTAL</b>	<b>75</b>
<b>3. Education and Communities Cluster</b>				<b>8. Trade &amp; Investment, Regional Infrastructure &amp; Services Cluster</b>			
Early Childhood Education Services	465	453	12	Primary Industries	3,198	3,094	104
Primary Education Services in Government Schools	41,776	41,641	135	Art Gallery of New South Wales	216	200	16
Secondary Education Services in Government Schools	37,047	36,732	315	State Library of New South Wales	360	345	15
TAFE NSW	15,630	15,300	330	Australian Museum	245	230	15
Sydney Olympic Park Authority	254	251	3	Museum of Applied Arts and Sciences	288	282	6
Examinations, Assessments and Credentials	651	632	19	Catchment Management Authorities	500	290	210
		<b>TOTAL</b>	<b>814</b>			<b>TOTAL</b>	<b>366</b>
<b>4. Family and Community Services Cluster</b>				<b>9. Transport Cluster</b>			
Community Support for People with a Disability, their Family and Carers	585	563	22	Transport for NSW – Asset Maintenance	25	18	7
Short-term Interventions for People with a Disability, their Family and Carers	1,237	1,189	48	RMS – Assets Maintenance	3,258	2,878	380
Supported Accommodation for People with a Disability	5,760	5,530	230	RMS – Services and Operations	3,717	3,333	384
Targeted Earlier Intervention for Vulnerable Children, Young People and Families	259	112	147			<b>TOTAL</b>	<b>771</b>
Out-of-Home Care for Vulnerable Children and Young People	1,263	1,121	142	<b>10. Treasury Cluster</b>			
Social Housing Assistance and Tenancy Support	1,964	1,916	48	State Resource Management	542	473	69
Homelessness Services	143	133	10			<b>TOTAL</b>	<b>69</b>
		<b>TOTAL</b>	<b>647</b>	<b>TOTAL JOB CUTS 3046</b>			

\* Figures sourced from Budget Paper No 3 Budget Estimates (Budget Papers 2013-14). Figures exclude departments which are not Treasury funded.

# PSA wins 2.5% super fight

## ...so Barry changes the law

The O'Farrell Government have arrogantly changed the law to overturn the decision of the Industrial Relations Commission not to cut the 2.5% public sector wage cap by the increase in the superannuation guarantee contribution.

This appalling shift of the goal posts by the Government was in response to a unanimous decision by the Full Bench of the NSW Industrial Relations Commission (IRC) on 25 June.

The Full Bench ruled that the PSA's applications for a 2.5% increase to the Public Sector Salaries Award and related awards be paid in full, and not discounted by the 0.25% rise in the superannuation guarantee contribution.

In response, the Government has announced it will override the Commission's decision with an amended regulation to force the IRC to discount the pay increase by the rise in superannuation.

Further, the Government indicated it will also appeal against the decision of the Commission in the event that the Upper House disallows this new regulation.

The move came on Friday 28 June, which was not only the last working day before the increase in the superannuation guarantee kicked in (on Monday 1 July) but

after Parliament had formally risen for the winter recess, which meant no opposition could be mounted until the next sitting.

As far as the PSA is concerned, the Commission's ruling vindicated our position that the Government's 2.5% cap applies to wages and wages alone.

The PSA initiated the fight against the Government attack and was then joined by Unions NSW and other public sector unions.

While the PSA maintains that the Government's 2.5% public sector wage cap leads to a reduction in pay in real terms, we were not about to sit by and have that figure discounted further.

That remains our position.

But it is now clear that the Government is incapable of sticking to its own wage cap and can and will change the law to suit its needs and circumstance.

The PSA and other public sector unions are planning a collective strategy in response to this latest attack.

# WorkCover bullying "disgrace" brings about inquiry

A Parliamentary Inquiry is to be conducted into the culture of bullying at WorkCover in the wake of a successful reinstatement case by the PSA.

The inquiry came about thanks to a push from the Greens following a slamming of the work, health and safety regulator by the Industrial Relations Commission for its treatment of a senior employee who was bullied from his position.

Deputy Industrial Relations Commission President Harrison's decision in relation to the PSA's unfair dismissal application was scathing of WorkCover.

It was ordered that the member be re-instated with no detriment in a decision which was wholly damning of the manner in which the disciplinary matter had been handled.

DP Harrison stated that in all his time on the bench he struggled to find an example where someone was dealt with in a more unjust manner and that WorkCover's handling of the matter was an "absolute disgrace".

DP Harrison further stated that the conduct by WorkCover was "shabby and disgraceful. It lacks any objectivity and has the characterisation of institutional bullying."

The episode comes despite WorkCover making the headlines

in relation to a culture of bullying in 2011.

In response to this latest incident, the NSW Greens called for the establishment of a Parliamentary Inquiry into bullying within WorkCover.

"There have been ongoing concerns within WorkCover of systematic bullying and mistreatment of staff, yet despite reviews and promises it seems nothing has changed," said Greens NSW MP and Industrial Relations spokesperson David Shoebridge.

"In 2011 a report by Pricewaterhouse Coopers uncovered that 40% of WorkCover employees reported experiencing harassment and bullying in their workplace.

"WorkCover is responsible for regulating occupational health and safety in workplaces across NSW, including claims of bullying and harassment.

"WorkCover handles more than 5,000 claims about bullying per year, but with the regulator accused of bullying within its own ranks, it is hard to see how workers could have confidence in its ability to handle their claims.

"The O'Farrell Government has massively gouged the Workers Compensation scheme in NSW, yet to date has been unwilling to address the bullying happening in this fairness arbiter.

"Given the recent finding by the IRC, it is clear that the recommendations of the previous report were either insufficient or have been inadequately implemented.

"Rather than just another consultant's review, what is needed now is a truly independent examination of the culture within WorkCover, and how this systematic bullying can be rooted out.

"Someone genuinely independent needs to shine a strong light on the internal workings of WorkCover."

And they are about to.

Delegates have met and called for action to be taken following the decision of the Industrial Relations Commission in the bullying case.

They are understandably concerned about the integrity of any internal investigation.

And who could blame them.

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**PSA**





Sue Walsh

## From the President

# Jobs must not be Gonski with schools agreement

**On 23 April 2013, the State Government signed up to then Prime Minister Julia Gillard's offer of a new intergovernmental agreement on funding for schools arising from the Gonski recommendations.**

The new Prime Minister has declared that the Gonski plan will no longer be known by that title, but at this stage, has not announced a new name.

The agreement will see \$5 billion of new money injected into NSW schools over a six-year period.

Essentially, the agreement stipulates that the Federal Government will provide an unprecedented \$3.27 billion for schools in this state on the condition that the NSW Government invest an additional \$1.76 billion.

It means schools will see an extra \$300 million in funds in 2014 which will gradually increase over the following five years, with most of the money flowing in during the fifth and sixth year of the agreement.

While the PSA welcomes additional funds for education in NSW, the concern is how the

State Government will fund their share of the deal.

While detail is scarce, we do know that:

1. up to 1000 job cuts announced in September last year involving education support staff working in schools and the state and regional offices will proceed
2. an efficiency dividend of 1% will be implemented across the public service between 2015 to 2016
3. there could be increases to TAFE and VET fees but it is unclear whether these are additional to the rises announced in September last year. We do know that DEC is awaiting IPART's review of VET reforms, fees and subsidies which will inform decisions around this issue.

We also know that despite the additional funding, the State



Government intends to proceed with its agenda of using the *Local Schools, Local Decisions, Every Student, Every School* and *Empowering Local Schools* programs as an excuse to attack the conditions and job security of school staff.

In short, I believe that the State Government will use what is a landmark investment in NSW

education as yet another excuse to cut jobs and undermine the delivery of the state's public services.

It's time that Barry O'Farrell got his act together when it comes to public sector workers.

The state budget came down heavily yet again on public sector workers in this state and the Government's agenda in relation

to job and service cuts shows no sign of slowing down.

Quite the contrary.

With your help, the PSA is going to have to be the one to apply the brakes on their plans.

**Sue Walsh  
President**

## Services to be more member centred

**The PSA is working towards launching a Membership Service Centre in January 2014 where trained generalist industrial staff will respond to all member and delegate inquiries.**

By reorganising our resources in this way we will improve the manner in which the PSA responds to individual and collective issues.

It will also free up organisers and allow them more time to recruit new members, support delegates and build the union's strength.

Most unions now have a Membership Service Centre so when considering this change we visited other public sector unions and those from other areas to learn the best, most effective way to implement such a facility.

The shared experience of other unions has been that member inquiries are resolved more quickly and collective issues with sector-wide implications are more readily identified and acted upon with a Membership Service Centre.

How will it work? Members and delegates will simply have to call a 1800 number which will be answered by trained industrial staff.

If the organiser attached to your workplace is busy or unavailable, the inquiry can be attended to immediately by the staff on the Membership Service Centre.

Members will still receive on-site support and representation while delegates can access assistance and advice about how to help members in the workplace.

Ensuring a seamless transition to the Membership Service Centre of course requires a great deal of preparation.

We are currently reviewing and improving all our systems, technologies and practices and anticipate the only change you will notice is an improved service from your union.

As it should be.

## Director of Member Engagement – takes some serious organising

**PSA Senior Industrial Officer, Maria Cirillo has been appointed Acting Director of Organising and Member Engagement for six months.**

Maria's background and credentials are impressive, having completed the ACTU's Organising Works traineeship 13 years ago while with the CPSU-PSU Group, where she worked with federal public servants under attack from the industrial relations agenda of John Howard and Peter Reith.

She came to the PSA as an organiser in 2002, working in various portfolios including higher education, state owned corporations, Parliament House, and the Women's Unit, where she successfully negotiated an enforceable clause in the Crown Employees Award for breastfeeding facilities and paid lactation breaks.

In 2011, Maria was awarded a Highly Commended certificate at the Jennie George Awards for contributions to the advancement of women in unions for her efforts to ensure domestic violence was recognised as an industrial issue.

Maria most recently worked with PSA members in Community Services and Schools where

recruitment grew substantially as a result of the campaigns that were rolled out under her watch.

"I have seen firsthand the effects a conservative government can have on union strength," said Maria, "That's why I am so excited about this new role and working with our members, delegates and staff on implementing a campaign to defend public services in a manner which will build on the PSA's already considerable strengths and further increase our capacity.

"I have been concerned by the level of the PSA's engagement with members so decided to appoint someone to tackle the issue," said PSA General Secretary, Anne Gardiner. "I believe Maria has the proven experience and attributes necessary to make a real difference in this area."

**PSA Women's Conference  
Tuesday 10 and Wednesday  
11 September 2013 at PSA House.  
Further details will be provided at a later date**

## NDIS – Hunter trial the start of something big

**The National Disability Insurance Scheme (NDIS), a Federal Government initiative that aims to federalise disability services, is being trialled at various locations across the country from 1 July 2013.**

These trials will commence in Tasmania, South Australia, the NSW Hunter region and the Barwon area in Victoria, with the ACT to join in July 2014.

The roll out of the scheme nationally is currently planned for July 2018.

While it is too early to have a clear and detailed picture of what the scheme will mean for everyone, we do know that its introduction has implications for PSA members working in Family and Community Services (FACS), and specifically within the Division of Ageing, Disability and Home Care (ADHC).

In ADHC alone it is estimated that more than 3000 members will be impacted.

Disability Care Australia (DCA) administers the trials through local corporations in each state.

This means that all staff are employed through these bodies and are not Federal Government employees.

In Victoria, staff were offered permanent positions and asked to resign from the state public service.

In NSW however, the PSA has acted to ensure members were aware that they had the option to remain state public servants by the use of temporary secondments.

As a result, the vast majority of workers in the Hunter trial who came from ADHC have their entitlements protected and retain a right of return.

The Heads of Agreement signed by Barry O'Farrell and the Prime Minister to commence the NSW trial in the Hunter requires the Commonwealth to "establish a transitional taskforce to examine employment issues, including redundancy or other transitional issues."

The PSA, through its federal body, the CPSU/SPSF, will work to ensure the protection of the rights and entitlements of all our members as we work towards the full implementation of the NDIS.

While the outcome of the upcoming federal election will have a bearing on the future funding and shape of the NDIS, a national disability system in some form will be implemented over the coming years.

The PSA will do all it can to ensure members are ready for that change.

## Probation and Parole cuts Community faces exactly what it fears

**The O'Farrell Government's cuts to positions in the Probation and Parole Service – now known as the Community Corrections Division – is placing public safety at risk in all too real terms.**

The state budget cut the equivalent of 73 full-time Community Corrections Officer positions, or \$5.7 million.

It equates to a cut of 2.8% of the budget for supervision of offenders in the community and 3.3% from offender programs aimed at rehabilitating former prisoners.

This is in addition to the 124 current unfilled front line vacancies in Probation and Parole.

Somehow the remaining staff are supposed to supervise the 16,000 offenders in NSW that are currently out in the community, some of whom have been convicted of violent and serious anti-social offences.

A very difficult task.

The horrific attack on a woman waiting at a bus stop at Hunter's Hill has highlighted the importance of this issue.

The individual involved in the assault had been released on parole only months earlier after being jailed for the murder of a 17-year-old child in 1990.

It's important to note that the staff supervising this person did their job properly and made sure the offender was meeting their parole requirements.

But how can less supervision than that which presently exists possibly be a safe and viable option for the community?

After the public outcry following the outrage at Hunter's Hill, the Government have launched a review into probation and parole mechanisms, yet they refuse to back away from the job and service cuts that will only make a bad situation a great deal worse.

"The Government doesn't seem to be able to get their heads around the notion of cause and effect," said PSA General Secretary, Anne Gardiner. "These positions are an integral and absolutely crucial part of the criminal justice system."

"Until recently Corrective Services New South Wales hadn't actively filled frontline vacancies in this area, despite repeated calls from the PSA, since 2010.

"The necessary recruitment action, which thankfully has finally begun, needs to be fast tracked urgently and the cuts to offender supervision and rehabilitation stopped in their tracks.

"Ironically, part of the delay that is being experienced with recruitment is caused by staff cuts in human resources – there just aren't enough people to process the applications quickly."

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# Get up! Stand up!

**The PSA's Annual Conference was held at PSA House in Sydney on 30 and 31 May with delegates from across the state.**

**It is the largest gathering of delegates each year.**

**There were workshops and an uplifting performance by the Trade Union Choir as well as inspiring speakers including CPSU-SPSF Federal Secretary Karen Batt, and Bill Mitchell (top right), Professor of Economics at Darwin University, who wrote the CPSU-SPSF commissioned report, *The Impact on Community Services of Staff and Service Reductions, Privatisation and Outsourcing of Public Services in Australian States*.**

**But it was Nick Moraitis (top left), Executive Director of the Centre for Australian Progress, who really had delegates captivated with a speech about connecting and communicating in a rapidly changing world.**

**The following is an edited version of his address.**

"What I wanted to do today was talk to you about some new approaches to organising and campaigning.

The brand of unions is in decline.

Are young people just very apathetic and disengaged and are they to blame for the decline in involvement in unions and in organising?

I don't think we can just blame young people.

We have to recognise that the brand of unions is something that we all have to be involved in fixing.

Let's go back a number of steps and look at the changing context and what will mobilise our members to help create social change in our workplaces and in the community more broadly.

Because I think it's not that we're doing something wrong necessarily as unions but it's that the world is changing around us and we have to adapt to that.

So there's a few things I want to note first of all.

One is the changing nature of activism in general.

People are not engaging as much in party politics these days and in ideological organising as they used to.

But that doesn't mean that people are completely disengaged from issues.

I was at a conference a couple of years ago with an organisation in the UK and they were interested in why young people don't come to their meetings.

I said, when are the meetings?

They said, Saturday morning at 9 o'clock.

I said, maybe you should change the time of your meeting. They said, we can't change the time of the meeting. We've had it at that time for 50 years!

We have to adapt to changing circumstances.

When I was at Get Up! back in 2006 and 2007 we recognised we had this huge community of people online and we wondered if that translated into off-line action at all.

So we ran get togethers which were events where we asked our members to get together in their homes across the country and we had thousands of people come together, hundreds of people self organising.

We didn't expect or anticipate these to be ongoing groups but I went to the northern beaches about a year ago and there was a sign on the wharf – and this was deep in the heart of Tony Abbott's electorate – and the sign said, 'Local Get Up! Group meets weekly here and the next topic is so and so'.

And it wasn't affiliated with Get Up!

I'm pretty sure that these people were doing it by themselves. But it showed that people still have a

desire to connect locally with like-minded people.

I think the relationship people have with organisations is also changing.

If you're a member of an environment organisation, 15–20 years ago, we used to sign up to ACF to get their magazine.

We used to get their magazine so we could learn what was happening in the environment.

Similarly, if you were involved in fly fishing, you'd sign up to get the *Fly Fishing mag*.

The reality is these days you can go on the internet and get all the information you need and not pay the \$100 membership fee and you don't need to be part of the organisation.

So the world is global and the way that people interact with organisations is very different.

The identity we have with organisations is reduced and unions I guess, are in a privileged position, where you are deeply embedded in the work and life of your members.

But they are paying hundreds of dollars for the privilege so they're going to want to get something out of that relationship.

But I think the standards are higher these days than they used to be.

You used to pay hundreds of dollars to get a magazine, now you expect something greater and I don't think greater means a better magazine, it actually means a sense of community and a sense of shared purpose.

That means you have to cut through more effectively.

We're bombarded with communication from social causes and social groups and as social causes and social groups we have to be much more strategic about how we communicate with people and not give everyone everything.

Not overwhelm people but have much higher quality communication as frequently as is

relevant and urgent and important for people.

But no more frequently than that.

I think unions over the next ten years are going to be fundamentally challenged by outside organisations on the internet who provide many of the same services unions provide but just probably better frankly and they'll do it without the privileges of unions.

They won't have the right to enter workplaces, they won't necessarily have the political skill.

So I think it really is a question for unions over the next ten years – which is an existential question – that is, how do we adapt to a situation where the barriers for entry are much lower?

The media is also fundamentally changing.

Previously, we as a union movement thought, well, if we want to reach the public on our issues and campaign with them all we had to do was write a press release and you relied upon the journalist to investigate the truth of the story, write it up really nicely, put it in the newspaper and then somehow organise the delivery of that message to hundreds of thousands of people to make sure it was received by the public. You can't rely on that to happen any more.

Either because the media that we're relying upon don't want to write a story that is actually accurate or because I think the *Sydney Morning Herald* and *The Age* will actually have closed down their print publications. I think it's very unlikely that they'll still exist in two years time.

So you have to think how you'll develop your own channels of communication with people and also utilise new platforms.

Hundreds of thousands of people every month go to *Mamamia* for their information.

I think it's possibly as well read as the *Sydney Morning Herald* particularly by younger women.



CPSU-SPSF Federal Secretary, Karen Batt

So we need to think about these other channels of communication. Not just are you on the front page of the *Sydney Morning Herald* or the *Daily Telegraph* or on the nightly news.

But on the front page of *Mamamia*. That might be the new measure of media success for the PSA moving forward.

I've got a few principles that I wanted to share with you about ways you can better engage with members in this new world, and particularly, get them to do things. I think we as organisations need to find ways to involve our

members in achieving a change we want to see rather than thinking of ourselves as some sort of separate entity, the union, that we're going to do it for them.

That's never been what unions are about.

Unions have always been about members taking action together to make a difference.

I think if we focus on that we'll be in good stead.

The first thing you have to do is make sure you frame the problem really well.

Clarify to people what the problem actually is in a way that's inspiring and exciting.

It's about making problems manageable, breaking them down into bite sized pieces.

The line is not the O'Farrell Government is terrible.

It's that they're doing these things to destroy the hospital system. This particular person is affected by this issue if this happens.

It's very important for organisations to make it manageable and personal. That's critical.

Secondly, I think you need to frame things as scandalous.

You're going to rile up people's anger and energy.

Thirdly, it's about emphasising the relevance and timeliness.

Fourth, it's about having a bad guy and painting a picture of that bad guy. Every campaign has a bad guy or bad girl.

And finally, I think it's about using illustrative language.

I think this is really important. The PSA is an organisation of public servants and we use language as public servants that is deliberately dry.

And that's the tone and style of a public servant. It's dispassionate,

it's apolitical, it's complex, it's policy heavy and I think you have to do that. But you also have to think about the fact that it's not particularly emotional, it doesn't rile people up, it doesn't explain, it doesn't get people's blood boiling. Language is really valuable in communicating, not just in emails.

When you speak to members and when you speak to people in the community, think of how you can use regular language but also illustrative language like a storybook that will help you get your message across."



# explore

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Members of the PSA Executive outside Parliament House after handing your petitions to cross benchers from Labor, the Greens and the Christian Democrats on 17 June.



# Your employment rights at work

## The State Government introduced the Government Sector Employment Bill 2013 on Thursday 23 May.

It was passed by Parliament on 20 June. The Bill was foreshadowed in the public sector reform announcement made in February this year.

It is a comprehensive rewrite of the existing Public Sector Employment and Management Act 2002.

It will affect how you do your job and the quality of service provided to the community.

In summary, the Bill:

- alters the structure of the public sector and undermines job security
- removes statutory protections for merit selection
- abolishes promotional appeals
- removes permanent positions
- expands the grounds for termination
- diminishes the size of the jurisdiction of the NSW Industrial Relations Commission
- transfers extended leave provisions to regulation
- creates new statutory instruments called Government Sector Employment Rules.

A more detailed analysis of the Bill is on the facing page.

The Public Service Commission has advised the PSA that the Bill will not come into operation for four to six months, as regulations and the new Government Sector Employment Rules need to be in place.

The Bill was tied to the Members of Parliament Staff Bill 2013 which creates separate employment legislation for the staff of political office holders.

The PSA met with the Public Service Commissioner on 24 May to raise our concerns with the Bill and ask a number of questions.

On 28 May, PSA General Secretary, Anne Gardiner also wrote to Treasurer, Mike Baird regarding the new legislation.

There was an enormous amount of change contained in the Bill which will take some time to properly digest.

For that reason, the PSA requested that the Government not rush the process and petitioned Parliamentary backbenchers to defer consideration of the Bill.

However, despite our efforts and petitions containing more than 16,000 signatures, the Bill and the Members of Parliament Staff Bill 2013, were passed unamended on 20 June.



Those 16,000 signatures and the clear level of support they represent for the PSA's position establish a solid platform for our campaigning against the O'Farrell Government moving forward.



# Government Sector Employment Bill 2013

## The structure of the Bill

The Bill is designed to simplify the statutory arrangements and shift much of the substance and detail of public sector employment provisions out of legislation and into regulations and other statutory instruments such as the newly created Government Sector Employment Rules. This diminishes the role of the Parliament in overseeing the administration of the public sector and hands too much control to the Executive arm of Government or the Public Service Commission.

## Merit

The Bill removes the statutory protections for merit selection. Section 18, the requirement to advertise positions, and section 19, the requirement for merit appointment, of the existing *Public Sector Employment and Management Act 2002* (PSEMA) are removed.

No similar provisions appear in the new Bill.

Promotional appeals are abolished, thus, removing the last remaining independent review mechanism for merit appointments.

## Permanency

The Bill abolishes the concept of 'officers' holding a defined 'position' and replaces it with the vague concept of 'role'.

This removes the security of tenure.

Employees will be assigned by the agency head to any role within their classification and thereafter may be reassigned.

This change also raises the prospect of agencies being able to move roles from one location to another.

Crucially, the Bill removes the requirement in section 7(3) of the existing *Public Sector Employment and Management Act 2002*, which stipulates that the usual basis for employment be permanent.

The detailed provisions that regulate the use of casual and temporary staff have also been removed.

The Bill specifies that employees can be engaged for a temporary purpose but lacks specifics about what that means.

## Protections against termination

The Bill removes legislative protections contained in the Managing Conduct and Performance sections of the existing *Public Sector Employment and Management Act 2002* and expands the grounds for termination in section 47.

Employees can be terminated for failing to meet the conditions of engagement as imposed by section 44. The actual conditions of engagement are however not specified.

Employees can be terminated for lacking or losing an essential qualification for performing duties of the assigned role.

In addition, employees can be terminated if their performance is determined to be unsatisfactory in accordance with section 68 and the subsequent Government Sector Employment Rules dealing with performance.

Termination of employment can occur if the employee has abandoned their employment. The Bill does not expand on this.

The wide ranging grounds for termination include any other ground prescribed by the regulations, without providing any further detail.

## Political independence

The Bill retains a section of the existing PSEMA that enables an expanded group of public servants to be sacked without a reason. This may create an environment where public servants feel vulnerable and are less able to express their professional opinion. These provisions should be dumped. It is vital to ensure that public servants are able to undertake their duties and provide 'frank and fearless advice' in the best interests of the community.

## Award coverage and jurisdiction of the Industrial Relations Commission

The Bill removes access to the Industrial Relations Commission and award system for senior officers who are currently covered by an award.

Section 35 gives the Minister power to make senior executive band determinations from time to time.

These will set the salary range of senior executives. This range may be lowered to enable positions below the current Senior Officer grade (\$140,067) to be moved onto contract employment.

As a consequence, senior executives on contract will be barred from access to the Industrial Relation Commission and the award system.

No case has been made as to why the proposed Senior Executive stream should be wholly excluded from the jurisdiction of the Commission.

This also further diminishes the size of the jurisdiction of the NSW Industrial Relations Commission and the loss of promotional appeals will have an adverse effect on the workload of the Commission.

## Extended leave

The Bill removes the extended (long service) leave provisions of the existing *Public Sector Employment and Management Act 2002*.

Instead, these provisions will be prescribed through regulation.

The Bill only states that employees have an entitlement to extended leave but does not provide parameters or specifics of the entitlement.

The draft regulation is not yet available and the Government have indicated that they do not intend to change extended leave entitlements.

But the fact is a regulation can be changed at any time.

## Enforceability of instruments

The Bill creates new instruments called Government Sector Employment Rules that will set out the detail around the procedural matters taken out of the existing *Public Sector Employment and Management Act 2002*.

The Government Sector Employment Rules do not appear to be enforceable in any way through traditional legal channels.

Any rights, benefits or duties specified in these rules will be enforced by the Public Service Commission, which is under-resourced for the task.

Government Sector Employment Rules can be changed at any time by the Public Service Commissioner.

There is far less certainty about the matters dealt with by these provisions than if the matters in question were enshrined in Acts or Awards.

The Bill replicates the Ethical Framework in Part 1.2 of the *Public Sector Employment and Management Act 2002* but the provision of section 8 means the Government cannot be held to these standards in a court of law.

## Members of Parliament Staff Bill 2013

The *Members of Parliament Staff Bill 2013* is cognate with the *Government Sector Employment Bill 2013*.

The Bill creates separate employment legislation for employees of political office holders, including staff of Ministers and Members of Parliament. Members of Parliament staff include electorate officers, staff of members of the Legislative Assembly and members of the Legislative Council.

Affected staff will be removed from the jurisdiction of the NSW Industrial Relations Commission with a consequential loss of entitlements and conditions.

Staff will be unable to take disputes to an independent tribunal.

Section 26(1)(b) of the Bill also removes the ability for staff to claim unfair dismissal.

Section 26(4) of the Bill extinguishes all employment instruments (awards etc) in force prior to its enactment.

On 29 May 2013, the Government amended the Bill in the Legislative Assembly to grandfather entitlements for existing staff in relation to leave, severance and notice periods.

Individual contracts will replace all pre-existing employment instruments in section 14 for staff of Members of Parliament and section 5 for staff of political office holders.

The Bill abolishes severance payments, including in the instance of a Member of Parliament losing their seat in an election.

It replaces the current arrangements in the *Public Sector Employment and Management Act 2002* for special temporaries (staff of ministers). Further, the Bill establishes the Member of Parliament as the direct employer of staff.





# Enforcing health and safety in the Force

**As at January 2013, the NSW Police Force (NSWPF) has been found criminally liable for ten separate work, health and safety law breaches resulting in death or serious injury for staff.**

With new work practices such as those currently being implemented by the Operational Communications & Information Command (OCI) and the on-going push for budget savings, it's likely that tally will rise even further.

The PSA lodged a dispute with the Industrial Relations Commission after an avalanche of concerns from members and delegates regarding new work practices, specifically 'Channel Merging'.

Similarly, the NSW Police Association has received numerous complaints from their members who are suffering under the saturated radio transmission activity levels produced by these super channels, and hold genuine fears that some urgent transmissions may simply not be heard.

The merging of two separate police radio channels into multiple 'super channels' in both high density urban and regional areas of NSW is being relied upon by Police management to reduce frontline staffing numbers.

That means Communication Officers, who are responsible for co-ordinating the police response to all 000 calls as well as being the 'lifeline' for officers in the field.

They also conduct location and person warnings and weapons checks, criminal history searches and all manner of traffic related enquiries needed by operational police.

It is they who contact the Ambos, Fire & Rescue and all other agencies when they are required at an incident.

The potential for error or delay in an already demanding and highly stressful role is being compounded by the merging of the police radio channels.

The NSW Police Force, like all employers, has a responsibility to ensure the health and safety, both physical and psychological, of all its employees.

The PSA recognises the Department's need to make savings and sought consultation prior to lodging the dispute. However, the concerns of members were waved away and all requests for variation to the guidelines regarding the new practices rejected.

The PSA has been working closely with Radio Operations Group delegates throughout the dispute and industrial staff have visited each of the five Police

Radio Operations Centres around NSW, conducting safety inspections and speaking with members.

The PSA was also present for all inspections by Justice Staff of the Industrial Relations Commission, during which members personally expressed their concerns to His Honour.

An application for a Safe Staffing Levels clause was filed on 19 June. On 24 June, Counsel appeared on behalf of the PSA for a directions hearing before Her Honour, Justice Backman, at which a timetable was ordered for the filing of evidence with the matter provisionally listed for hearing the week of 14 October 2013.



## Corrective Services Non-Custodial Officers

**Real people making society a better place**

**The focus of Corrective Services Non-Custodial Officers is ensuring offender access to, and engagement in, appropriate programs, services and activities in order to assist them to make behavioural change and adopt law-abiding lifestyles.**

Together with Custodial staff, they work towards community safety through the contribution of dedicated workers in a wide variety of fields – from welfare workers, psychologists and administrative officers to sentence administrators and community correctional officers – as well as the crucial back up provided by support staff.

They are passionate, dedicated people who encounter interesting professional challenges on a daily basis.

They are also a dynamic mix of individuals who work together to bring about positive outcomes for offenders both in correctional centres and the community to ensure compliance with the conditions of various court or parole orders.

The threat of violence both physical and verbal is in the air on a daily basis but they get the job done.

There are times when their uniformed colleagues attend to disturbances in program areas, placing themselves in harm's way and for that they are grateful.

Like many areas of the public sector, Non-Custodial Officers are facing continual job cuts, restructures, positions not being filled and are expected to do more and more work, with less and less resources.

The NCDC Committee are elected delegates who strive to ensure all members receive fair and equitable outcomes in dealings with CSNSW Management.

The NCDC Committee members are listed below and cover the following areas:

### **Metro Area**

**OMMP** Peter Devine – Chair  
**LBG CC** Elizabeth Fitzsimmons & Kathy Dwyer

**Penrith CCD** Neil Robertson  
**Penrith CCD** Robert Steuart  
**Campbelltown COSP** Ananka Golds  
**MRCC** Linda Codling

### **Head Office**

**HDB** Craig Wunsch

### **North West Area**

**Tamworth CCD** Kevin Jones

### **North Coast Area**

**Kempsey CC** Donna Symes

### **Central West Area**

**Wellington CC** Kylie McKelvie – Secretary  
**Bathurst CC** Scott Chapman – Vice Chair

### **South East Area**

**South Coast CC** David Rowe  
**Goulburn CC** Darren Plumb  
**Wollongong CCD** Carol Quilter

### **Central Coast & Hunter Area**

**St Heliers CC** Carrienne Wilton-Howarth – Assistant Secretary

### **P&P Advisory Group Representative**

**Bankstown/Hurstville CCD**  
Stewart McNaughton

## FACS localisation Disgusted PSA walks out

**The PSA has lodged a dispute in the Industrial Relations Commission and walked out in disgust from discussions with the Department of Family and Community Services (FACS) after management once again refused to provide basic information in relation to a massive shakeup of the organisation.**

FACS which includes Community Services, ADHC, Housing NSW and Businesslink is being sliced and diced with the O'Farrell Government proposal to create 15 new FACS Districts across NSW.

But whichever way the Government attempts to spin it, in this case under the banner of "devolution", the bottom line seems very simple – it's all about cost cutting and job losses.

What a surprise.

While FACS has repeatedly stated that no positions will be lost in the process, and that making savings is not a driving force, they have refused to give an undertaking to the PSA that no one will lose their job.

Despite numerous requests, the PSA has not been provided with:

- a copy of the current structures
- the various proposed structures
- proposed consultation mechanisms with the interim District Directors.

On 10 May, the PSA lodged a dispute in the Industrial Relations Commission as two of our main concerns had not been addressed.

Specifically:

- there had been no consultation with staff or the PSA in relation to the development of specific district structures
- the existing organisational charts and the Department's staffing establishment had not been provided despite undertakings to do so.

Justice Haylen in the Industrial Relations Commission on 17 May 2013 had this to say in relation to the Department's approach to the consultation process: "It may be critical what information

is available... and, clearly, the more information available the better for that consultative process, otherwise I anticipate we will be back here with some pressure being applied to halt the process until full consultation has taken place. So let's see if we can head that off."

Following the conference before the Commission – and at the Department's request – the PSA wrote to FACS to again request the information that was being sought as a matter of priority.

Late on 24 May, FACS finally provided some of the additional information the PSA was seeking including aspects of proposed District structures.

The comprehensive detail of existing organisational structures that was also requested was however not included in this material.

Despite the lack of critical information, FACS then announced it planned to proceed with staff briefings regarding localisation with a revised implementation date of August 2013.

In short, FACS expect their workforce and the PSA go into the entire process blind without adequate advice or information.

In response, the PSA took the matter back to the Industrial Relations Commission on 5 June, and several occasions since, while a joint meeting of Departmental Committee delegates – including representative from all FACS divisions – has resolved that:

"As a result of the Department's refusal to engage in genuine and timely consultation with staff and the union, PSA members are directed to withdraw 'good faith' and not participate in or assist FACS with the introduction of Localisation."



## Women's Council Committee Elections – 2013 to 2015 (2 year term)

**Women's Council Committee is an advisory body to Central Council on issues affecting women members of the Association.**

### Electorate 1

#### Attorney General and Justice – 1 delegate

Attorney General's  
Corrective Services NSW  
Judicial Commission of NSW  
Juvenile Justice NSW  
Legal Aid NSW  
Law & Justice Foundation of NSW  
Office of the Director of Public Prosecutions  
Information and Privacy Commissioner  
Ministry for Police and Emergency Services  
Fire & Rescue NSW  
NSW Crime Commission  
NSW Police Force  
NSW Rural Fire Service  
State Emergency Service

### Electorate 2

#### Education and Communities – 2 delegates (1 position reserved for school education)

Department of Education & Communities  
Early Childhood Education & Care  
NSW Institute of Teachers  
Schools  
TAFE  
Aboriginal Affairs  
Aboriginal Land Council  
Commission for Children and Young People  
Community Relations Commission  
Office of the Children's Guardian  
Office of Communities  
Sport and Recreation  
Sydney Olympic Park Authority  
Venues NSW  
Youth NSW

### Electorate 3

#### Family & Community Services – 1 delegate

Aboriginal Housing Office  
Ageing, Disability & Home Care  
Community Services  
Housing NSW  
NSW Businesslink Pty Ltd  
Women NSW

### Electorate 4

#### Finance and Services – 1 delegate

Department of Finance and Services  
Land and Property Information  
NSW Land and Housing Group

Teacher Housing Authority  
FSS Trustee Corporation  
Lifetime Care Support Authority  
Motor Accidents Authority  
PILLAR  
SAS Trustee Corporation  
State Property Authority  
State Records Authority  
WorkCover NSW  
Royal Botanic Gardens and Domain Trust  
Waste Assets Management Corporation

### Electorate 5

#### Premier and Cabinet – 1 delegate

Department of Premier and Cabinet  
Division of Local Government  
Office of Environment and Heritage  
Jenolan Caves Trust  
NSW Parliament  
Centennial Park & Moore Park Trust  
Historic Houses Trust of NSW  
Taronga Conservation Society Australia  
Western Sydney Parklands Trust  
Audit Office of NSW  
ICAC

### Electorate 6

#### Trade & Investment – 1 delegate

Primary Industries  
Crown Lands  
Trade & Investment  
Destination NSW  
NSW Office of Water  
Ausgrid  
Eraring Energy  
Macquarie Generation  
NSW Food Authority  
Delta Electricity  
Rural Assistance Authority  
TransGrid  
Art Gallery of NSW  
Arts NSW  
Australian Museum

Independent Liquor & Gaming Authority  
Museum of Applied Arts and Sciences  
Museum of Contemporary Art  
Office of Liquor, Gaming and Racing  
State Library of NSW  
State Water Corporation  
Sydney Opera House  
Parramatta Park Trust  
Coal Services  
Mine Subsistence Board  
Game Council of NSW  
Greyhound & Harness Racing Authority  
Livestock Health & Pest Authority

### Electorate 7

#### Ministry of Health – 1 delegate

Ministry of Health  
Health Care Complaints Commission  
Health Professionals Council  
Authority Medical Council of NSW

### Electorate 8

#### Treasury – 1 delegate

Treasury  
NSW Industrial Relations

### Electorate 9

#### Transport for NSW – 1 delegate

Transport for NSW  
Independent Transport Safety Regulator  
Road & Maritime Services

### Electorate 10

#### Universities – 1 delegate

Employed Solicitors  
Public Service Association

### Electorate 11

#### Rural and Remote Area – 1 delegate

Rural and Remote Area  
RRMA3, RRMA4, RRMA5  
Areas defined as rural and remote by the RRMA (Rural, Remote & Metropolitan Areas) classification system.  
RRMA 3: Large Rural Centres  
RRMA 4: Small Rural Centres  
RRMA 5: Other Rural Areas  
For information about the RRMA classification of a location you can search the map on the website at:  
[www.doctorconnect.gov.au/internet/otd/publishing.nsf/Content/locator](http://www.doctorconnect.gov.au/internet/otd/publishing.nsf/Content/locator)

**\* The above will be in addition to newly created women's delegate positions on a range of Departmental Committees.**

The committee meets up to eight times a year face to face in Sydney on a funded basis. Delegates needing to travel to attend committee meetings shall have their reasonable expenses paid by the PSA.

A candidate must be employed in the electorate for which she is being nominated and be nominated and seconded by at least two financial women members of the electorate.

Nominations must be on the prescribed form available from the 5th Floor Membership Counter, PSA House, 160 Clarence Street, Sydney or from Regional Offices.

The nomination form can also be downloaded from the PSA website

[www.psa.asn.au/election-nomination-forms/](http://www.psa.asn.au/election-nomination-forms/).

**Closing date for nominations: 5pm on Friday 9 August 2013.**

Nominations must be returned to the Deputy Returning Officer, Public Service Association of NSW, GPO Box 3365, Sydney NSW 2000.

Nominations may be hand delivered to the PSA Reception Desk on the Ground Floor or faxed to **(02) 9262 1623**.

**Note:** The Executive of the PSA reserves the right to vary the electorates in the event of changes in membership.

# University of Sydney – further action

**As reported in the previous edition of Red Tape, PSA/CPSU members at the University of Sydney have now taken strike action on 7, 26 and 27 March and 14 May and 5 June in support of their enterprise agreement.**

Members held pickets at all the major entrances to the Camperdown/Darlington Campuses on 14 May before escalating the dispute with the 5 June action and picketing the Rozelle Campus.

As bagpipes played and the Trade Union Choir sang, members stood firm to repel the attacks on their conditions from university management.

At the time of writing the dispute was yet to be resolved.

We will be consulting with members to plan the next steps in our campaign. "CPSU/PSA members at the University of Sydney have stood shoulder to shoulder on picket lines on five occasions so far in this enterprise bargaining process," said Grant Wheeler, President CPSU University of Sydney branch. "The sacrifices we have made along the way have been instrumental in beating off management's savage attacks on our conditions. The resolve of members remains strong and our message to the university, that we will not accept a sub-standard agreement, is finally being heard."



A meeting of the TAFE Departmental Committee at PSA House.

# Charles Sturt University

**At CSU, the union has made an application to Fair Work Australia for a Protected Action Ballot Order (PABO).**

Members are concerned that the University has failed to offer a decent pay increase and refused to agree to the insertion of the union's domestic violence clause in the agreement.

### University of Newcastle – bargaining

The PSA/CPSU has embarked on an enterprise bargaining campaign for a new agreement to replace the current instrument which expires on 30 June 2013.

Fortnightly meetings have been scheduled for the rest of this year.

### UNE – bargaining

To date there have been 11 bargaining meetings.

In addition to securing agreement to rollover many of the excellent conditions that we have won previously, progress has also been made on fixed term employment, secondment, indigenous employment transfer and consultation.

However, the University has not stepped back from its push to cut annual leave, sick leave and personal leave.

### TAFE bargaining

There have been four meetings with TAFE management.

TAFE has proposed the following:

- a 12-month agreement
- a 2.25% salary increase
- the introduction of part year employment
- a common approach to library shifts
- the review of the classification framework (but not as part of this enterprise bargaining process).

At this point in time, the overall feedback from members is that they oppose the position put forward by TAFE.

We have tabled a detailed log of claims, seeking to build on the many good conditions we rolled into the current agreement.

The PSA/CPSU bargaining team is developing clauses to support these claims.



# DON'T GET TRIPPED UP TRAVELLING TO OR FROM WORK



**JOIN THE PSA/CPSU** GO TO [MEMBERSHIP.PSA.ASN.AU](http://MEMBERSHIP.PSA.ASN.AU)  
TO JOIN THE PSA AND CPSU TODAY

The PSA/CPSU is now with you on your way to and from work thanks to our journey protection scheme.

In 2012, the State Government removed workers compensation for injuries suffered while travelling to or from work.

The PSA/CPSU journey protection scheme brings back peace of mind.

\* Subject to the terms and conditions of the policy wording - Employee Journey Personal Accident Insurance AH 670.3 PDS JM 09/01176.2.

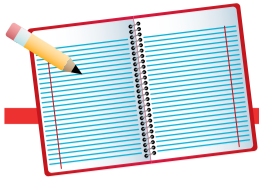
Authorised by Anne Gardiner, General Secretary, PSA of NSW, 160 Clarence Street, Sydney

The scheme provides income protection of \$1500 per week or 85% of salary - whichever is lower - for up to two years (up to 26 weeks for members aged 65 to 70).

Full financial members of the union at the time of the incident are covered automatically.

**Non-members just have to watch their step.**





## Delta agreement surges further ahead

A variation to the Delta Electricity enterprise agreement gives staff a 4% increase to wages and allowances, with a flat \$7.50 per week increase to the Location Allowance effective on the first pay period on or from 11 March 2014.

In addition, a provision has been included that will facilitate the cashing out of Annual Leave as a one-off arrangement related to the proposed sale transactions.

The term of the agreement will be extended by 12 months, with an expiry date of March 2015 once ratified by the Fair Work Commission.

## Ausgrid agreement also powers up



Mass meetings of Ausgrid workers at Broadmeadow and Sydney on 5 and 6 June have endorsed a new agreement.

The major features of the agreement are:

- a 2.7% per annum increase to pay and allowances (excluding Electrical Safety Rules Allowance) backdated to 19 December 2012 with the next 2.7% rise due on 18 December 2013
- a new dispute settlement procedure with the focus on resolving issues at the local level
- a new consultation clause to ensure all employees receive relevant information about changes in their workplaces in a timely manner and have the opportunity to respond. Under this provision, Ausgrid will establish local and central consultative committees
- a new outsourcing/contracting out clause that will establish a

- single central joint committee with employee and union representation to oversee consultation on this issue
- clarification of the personal/carer's leave entitlement
- a new clause supporting employees suffering domestic violence
- the fixing of the Electrical Safety Rules Allowance at the rate at 16 June 2012
- future increases to the Superannuation Guarantee Charge to be absorbed for the term of the agreement
- employees have the option to choose their superannuation fund.

The Fair Work Commission made the agreement on 29 June. It will operate until December 2014.

### You don't still pay your PSA fees by payroll deduction do you? Really?



Switching from the payroll deduction of your union fees to direct debit from a bank account means peace of mind.

It locks in your membership of the PSA.

It also ensures the strength of your union into the future, making it financially independent of any government – state or federal, Labor or Liberal – at any time.

If payroll deductions were cut not only would our service to you be reduced but our membership would shrink with a corresponding loss in all important bargaining power.

So switch to direct debit at <https://membership.psa.asn.au>

or talk to your PSA organiser, delegate or email [membership@psa.asn.au](mailto:membership@psa.asn.au).



## Distinguished delegate service

PSA Department of Trade & Investment, Regional Infrastructure & Services (DTRIS) delegate, Bernard Fitzsimon has been presented with a 'Distinguished Service Award' by the PSA for his efforts over 15 years as a PSA delegate.

Bernard's service was recognised at a farewell BBQ on his last day with the department.

He commenced work with the organisation in 1995 when the department was known as NSW Agriculture and has been involved with an enormous amount of change since that time.

While Bernard's tireless efforts supporting the PSA will be missed, his labours will continue in his supporting role with the Central West Union Alliance (CWUA) as an organiser.

Photo: Bernard Fitzsimon (left) receives the award from PSA Regional Organiser, Michael Fogarty.

## SMS: New membership cards chance for correct text

New PSA membership cards are being sent out.



In the past, the card was renewed on a regular basis, but this was quite expensive, and we are keen to make more effective use of your membership fees.

Accordingly, this new card will continue to be valid for as long as you are a financial member of the PSA.

Apart from providing members with solid proof of their membership of the PSA/CPSU, it's also an opportunity for you to correct – where necessary – the information shown on the accompanying paperwork.

Apart from the obvious importance of your correct mailing address, having your email address and mobile phone number on file are also vital.

The PSA's ability to communicate with members is only as effective as the quality of the contact information we have.

So if you notice any errors or omissions in the information on the 'carrier' sheet that is attached to your membership card or if you lose your card please email [membership@psa.asn.au](mailto:membership@psa.asn.au) as soon as possible.

## STOP THE NSW POWER SELL OFF POLES & WIRES NOT 4 SALE

### What the people of NSW think about Electricity Privatisation

**80%** of people believe that the electricity network should be owned by the public and operated by the government to benefit the community.

“ If it goes private the cost of electricity will go up further. When it is public there is more control and regulation of prices. ”  
**Nicole, stay at home mum, Sydney**

**83%** of people believe that the electricity network currently provides the NSW government with important financial dividends that help pay for other public services.

**86%** of people believe that electricity prices will go up if the government privatises the electricity network.

“ When it comes to monopolies, government should own the poles and wires. We have more accountability under government. ”  
**Jonathan, despatch clerk, Sydney**

**71%** of people believe that the government does a better job at running the electricity network than private companies.

**92%** of people believe that foreign companies should not be allowed to own important infrastructure such as our electricity network.

**87%** of people say that the issue of electricity privatisation will have some impact on how they vote at the next state election.

“ I'm dead against privatisation, its short sighted to get money. All major infrastructure should be publicly owned. ”

**Dick, self funded retiree, regional NSW**

Authorised by Mick Lannon, Secretary, Unions NSW, Gosburn, St. Sydney, 2010.

FOR MORE INFORMATION GO TO:  
[www.stoptheselloff.org.au](http://www.stoptheselloff.org.au) or [@NSWPowerSellOff](https://twitter.com/NSWPowerSellOff)



# Your super. Your 2.5%.

**In this article I want to cover two important issues. The first is the 0.25% rise in the Superannuation Guarantee (SG) and the second, the changes to superannuation in the 2013 Budget.**

## History of the Superannuation Guarantee (SG)

In 1986, the Federal Labor Government and the ACTU established the wages accord in which a wage increase of 3% for productivity improvements was paid in the form of superannuation under individual awards.

This was the start of award or productivity super.

As the 3% productivity increase was a national pay rise, all NSW Government employees were entitled to receive it.

The State Authorities Superannuation Non Contributory Scheme (SANCS) was set up under NSW legislation on 1 April 1988 and allowed for the payment of the 3% compulsory superannuation contribution to all employees, including members of the defined benefit schemes – which are the closed schemes SSS and SASS – where it was paid in addition to their existing entitlements.

The Commonwealth Government introduced the Superannuation Guarantee (SG) legislation from 1 July 1992, which set minimum levels of superannuation to be paid on behalf of employees commencing at 4% from 1 July 1992, rising to 9% from 1 July 2000.

Recent legislation provides for the SG rate to increase gradually from 9.25% from July 2013 to 12% from 1 July 2019.

I consider the current proposal by the NSW Government to deduct the initial 0.25% increase in the SG rate from the wage cap of 2.5% to be similar to what happened when the productivity benefit was introduced in 1988.

All employees should have the 0.25% paid into superannuation as intended, not have their wages reduced.

The way to treat the defined benefit members equably would be to either pay the full 2.5% pay rise which would increase superable salaries or to pay the 0.25% super rise into a separate account such as the SANCS account.

That is an accumulation account where the 0.25% can be paid, such as a SANCS number two account.

## The 2013 Federal Budget and superannuation

Due to media campaigns and a public backlash, the Federal Government made an announcement on 5 April to stem the uncertainty arising from the May budget regarding changes to tax on superannuation.

The following measures were announced:

### • Reforming the tax exemption for earnings on superannuation assets supporting income streams

The Government will better target this tax exemption by capping it to the first \$100,000 of future earnings for each individual.

Assets that are subject to Capital Gains Tax (CGT), such as property, will be allowed to be kept under grandfathering arrangements and not subject to the new rules up to 2014, in order to ensure assets that are presently held by funds aren't affected.

This provides more than ten years notice for those who have to decide whether they need to restructure their asset holdings. This will also be applied to defined benefit funds by calculating a notional earnings figure. It is worth noting that federal politicians will also be subject to the measure.

### • Simplifying the design and administration of the higher concessional contributions cap

The Government will do this by providing an unindexed \$35,000 concessional cap to anyone who meets certain age requirements.

This will apply to those aged 60 and over from 1 July 2013 and those aged 50 and over from 1 July 2014.

The Government will not be proceeding with their previously proposed measure of restricting the higher cap to individuals with balances below \$500,000.

### • Reforming the treatment of concessional contributions in excess of the annual cap

The Government will provide individuals with the option to withdraw any excess concessional contributions made from 1 July 2013 from their superannuation fund. In addition, the Government will tax these withdrawn amounts at the individual's marginal tax rate, plus an interest charge to recognise that the tax on excess contributions is collected later than normal income tax.

## Pre-retirement seminars, July–August 2013

In addition to monthly Sydney CBD seminars for **SSS & SASS members**, we will be conducting seminars in the following suburbs during July and August 2013:

Wollongong	SASS	23 July	4.30 pm – 8.30 pm
Wollongong	SSS	24 July	4.30 pm – 8.30 pm
Lismore	SSS/SASS	31 July	4.30 pm – 8.30 pm
Tweed Heads	SSS/SASS	1 August	4.30 pm – 8.30 pm
Sydney	SSS	13 August	9.00 am – 1.00 pm
Sydney	SASS	15 August	9.00 am – 1.00 pm
Taree	SSS/SASS	21 August	4.30 pm – 8.30 pm
Port Macquarie	SSS/SASS	22 August	4.30 pm – 8.30 pm

We are also conducting *Understanding Your Super* seminars for SASS members during July and August at the following locations:

Wollongong	SASS	22 July	5.30pm – 7.45pm
Sydney	SASS	5 August	5.30pm – 7.45pm

If you would like to book for a seminar please ring **(02) 9238 5931** or email **stcseminars@statesuper.nsw.gov.au**. It's important you advise in your email which scheme you're in when making a booking and which seminar you would like to attend.

These rules will ensure that individuals are taxed on excess concessional contributions in the same way as if they had received that money as salary or wages and had chosen to make a non-concessional contribution.

### • Further reforming the arrangements for lost superannuation

In the 2012-2013 MYEFO (the Mid-Year Economic and Fiscal Outlook) statement, the Federal Government announced that interest will be paid on all lost superannuation accounts reclaimed from the ATO and that accounts of uncontactable members with balances of \$2,000 or less will be required to be sent to the ATO.

The Government will further increase the account balance threshold to \$2,500 from 31 December 2015 and to \$3,000 from 31 December 2016.

### Additional changes

The following changes will also be made:

Superannuation account based income streams will be subject to deeming in the same way as assets in the accumulation phase. Grandfathering will apply to products held by income stream recipients ahead of 1 January, 2015.

Deferred lifetime annuities will have the same tax treatment available to them that is presently available to superannuation assets supporting income streams. This will apply from 1 July 2014.

The Government will establish a Council of Superannuation Custodians which will develop a charter of superannuation

adequacy and sustainability, and will be required to assess future changes to superannuation law against this charter as well as provide periodic reports to Parliament.

### May 2013 Budget

The May Federal Budget only raised a few minor amendments as the main reforms were announced in April. The additional announcements were:

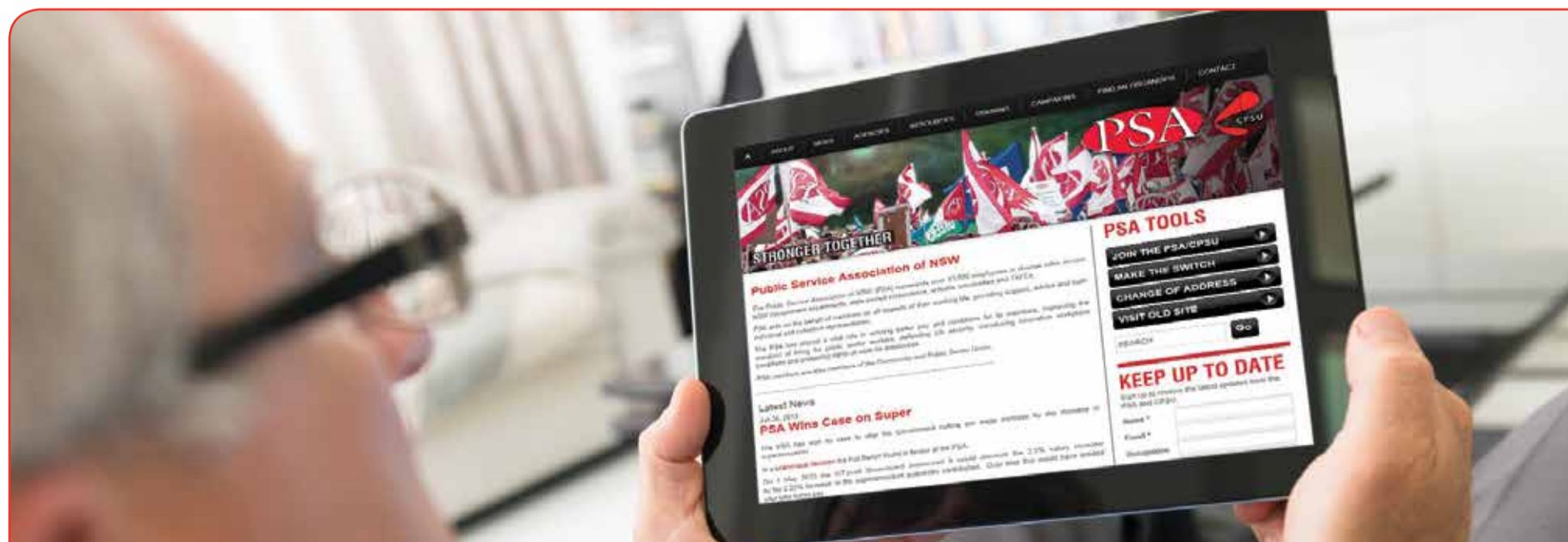
### • Reduction of higher tax concession for contributions of very high income earners

The Federal Government has made a slight change to the reduced higher tax concession for those with incomes above \$300,000. These amendments include exemptions for Federal judges in certain circumstances and refunds for some former temporary residents for tax paid as a result of the operation of other rules.

### • Trio Levy

As outlined in the Mid-Year Economic and Fiscal Outlook 2012-13, a further \$16.7 million in assistance grants were provided to members who invested in Trio Capital, a financial planning group that went bust due to fraud and the members lost their money. These grants will be recovered by the regulator APRA by putting a levy on all super funds.

**Ron Davis**  
Full-time Trustee Board Member  
SAS Trustee Corporation



The PSA has a new website. Check it out at [www.psa.asn.au](http://www.psa.asn.au)



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## PSA Training Program

August – December 2013

5 August	Role of the Delegate – Day 1 of 2	Sydney
6 August	Role of the Delegate – Day 2 of 2	Sydney
16 August	Regional Workshop	Coffs Harbour
21 August	Negotiation Skills	Sydney
22 August	Meeting Skills	Sydney
27 August	Speaking in Public	Sydney
4 September	Delegate Case Studies	Sydney
17 September	Pilot: Orientation for New Members (NFP)	Sydney
11 October	Pilot: Campaigning to Win (NFP)	Sydney
14 October	Role of the Delegate – Day 1 of 2	Sydney
15 October	Role of the Delegate – Day 2 of 2	Sydney
18 October	Regional Workshop	Newcastle
23 October	Speaking in Public	Sydney
24 October	Dealing with Bullying in the Workplace	Sydney
4 November	Women in the Union – Day 1 of 2	Sydney
5 November	Women in the Union – Day 2 of 2	Sydney
14 November	Negotiation Skills	Sydney
15 November	Meeting Skills	Sydney
26 November	Delegate Case Studies	Sydney
3 December	Dealing with Bullying in the Workplace	Sydney
11 December	Speaking in Public	Sydney

Applications and updates are on the PSA website:  
[psa.asn.au/training/general-training-courses/](http://psa.asn.au/training/general-training-courses/)  
 or email: [training@psa.asn.au](mailto:training@psa.asn.au)

### ONLINE COURSES

To register and for further details, please go to: [training.psa.asn.au](http://training.psa.asn.au).

#### Welcome to Your Union

This course is designed to help new members understand how the PSA/CPSU can assist them and what they can do to help the union and themselves. Members are encouraged to complete this course prior to attending face to face training.

#### Achieving Psychological Safety in NSW Workplaces

This course looks at psychological hazards you might be exposed to in the workplace, the effect these can have, and what you can do.

#### WHS Awareness Course

An overview and reference for the NSW WHS legislation which came in effect on 1st January 2012.

## RedTape

Editorial Production:.....PSA Communications Unit  
 Design:.....Go Media Design, phone (02) 9319 6066  
 Printer:.....Rotary Offset Press, phone (02) 9764 0222  
 Enquiries:.....PSA Communication Unit, (02) 9220 0908  
 Managing Editor:.....Anne Gardiner, General Secretary  
 Issue Editor:.....Murray Engleheart  
 Writer:.....Murray Engleheart

– with significant input from members

Copy deadline for next issue of *Red Tape* is 19 July 2013.

### Contact the PSA

Phone (02) 9220 0900 | Toll free 1800 467 932  
 Fax (02) 9262 1623 | Email [psa@psa.asn.au](mailto:psa@psa.asn.au)  
 or [redtape@psa.asn.au](mailto:redtape@psa.asn.au) | Visit [www.psa.asn.au](http://www.psa.asn.au)

## Departmental Committee elections 2013 Attorney General's

Nominations are called for positions of delegate on the Attorney General's Departmental Committee.

The following number of delegates are to be elected from all PSA members employed in Attorney General's.

<b>Metropolitan Area</b>	<b>7 delegates</b>
<b>Parramatta/Blue Mountains Region</b>	<b>6 delegates</b>
<b>South West Metropolitan Region</b>	<b>1 delegate</b>
<b>Newcastle/Hunter Valley/Central Coast Region</b>	<b>2 delegates</b>
<b>Central West Region</b>	<b>1 delegate</b>
<b>North Coast Region</b>	<b>1 delegate</b>
<b>North West Region</b>	<b>1 delegate</b>
<b>South East Region</b>	<b>2 delegates</b>
<b>South West Region</b>	<b>1 delegate</b>

## Schools Departmental Committee 2013

Nominations are called for positions of delegate on the Schools Departmental Committee. The following number of delegates are to be elected from all PSA members employed in schools. The regions are based on a combination of School Education and PSA regions.

<b>Metropolitan North (DEC – Northern Sydney)</b>	<b>2 delegates</b>
<b>Metropolitan South (DEC – South West Sydney)</b>	<b>4 delegates</b>
<b>Metropolitan East (DEC – Sydney)</b>	<b>2 delegates</b>
<b>Metropolitan West (DEC – Western Sydney)</b>	<b>3 delegates</b>
<b>South West Region (DEC – Riverina)</b>	<b>2 delegates</b>
<b>North West Region (DEC – New England)</b>	<b>1 delegate</b>
<b>South East Region (DEC – Illawarra/South East)</b>	<b>3 delegates</b>
<b>North Coast Region (DEC – North Coast)</b>	<b>3 delegates</b>
<b>Newcastle &amp; Hunter Region (DEC – Hunter)</b>	<b>4 delegates</b>
<b>Central Coast Region (DEC – Central Coast)</b>	<b>2 delegates</b>
<b>Central West Region (DEC – Western NSW)</b>	<b>2 delegates</b>

## General Assistants in Schools (Vocational Branch) Advisory Group 2013

Nominations are invited from the financial members of the above branch for the positions of:

### Committee members - 12

Committee members shall be sub groups established for each PSA Region being: Metropolitan/Newcastle/South Coast/South West/Central West/North West & North Coast.

Persons nominated must be financial members of the PSA.

Nominations must be on the prescribed form available from the 5th Floor Enquiry Counter, PSA House, 160 Clarence Street, Sydney or from regional offices.

The nomination form can be downloaded from the PSA website [www.psa.asn.au/election-nomination-forms](http://www.psa.asn.au/election-nomination-forms).

Candidate information should be completed and supplied with the nomination form.

The nomination must be proposed and seconded by financial members of the branch.

### Closing date for nominations: 5pm Friday 9 August 2013

Nominations must be returned to:

**Deputy Returning Officer,  
 Public Service Association of NSW  
 GPO Box 4767, Sydney NSW 2001.**

They may be hand delivered to the PSA reception desk on the ground floor, or faxed to (02) 9262 1623

Note: The Executive of the PSA reserves the right to vary the electorates in the event of changes in membership.



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