

## PSA secures major win for temporaries

**In a victory for thousands of public sector employees, the Public Service Commissioner has opened the door for temporary staff to be made permanent.**

Last month, the Public Service Commissioner Graeme Head made amendments to the Rules of the Government Sector Employment (GSE) Act in order to streamline the conversion of temporary employees to permanent jobs. The decision comes after a long campaign by the PSA to achieve security for temporary employees.

Under the provisions of the GSE Act – which prevent ongoing temporary employment for a period longer than four years – approximately 2,400\* temporary employees stood to be terminated on 24 February 2015.

Understandably, this was of major concern to the union and its members.

Not only has the Commissioner changed the Rules of the GSE Act to make it easier for existing temporary employees (those employed before 24 February 2014) to be made permanent, but he has allowed agencies until February 2017 to be fully compliant with the new Act.

### Changes to temporary employment arrangements

When the GSE Act was introduced in February 2014, it made a number of changes to how temporary employees can be employed in the public sector (see table on following page). The Public Service Commission instructed agencies to be fully compliant with the new provisions by 24 February 2015.

The new requirements include a four-year limit on the length of temporary employment – an expansion on the previous three-year limit.

In the past, agencies frequently abused this rule, as well as the stipulation that temporary employees undergo merit selection for a permanent position after 12 months.

By failing to convert employees to permanent roles before the end of the three-year period, agencies created a huge build-up in temporary employees. This meant that in February 2015, thousands of long-term temporary employees would have been deemed unable to continue in their jobs.

If long-standing staff had been forced out of the sector, this would have had negative repercussions for everyone. Employees not directly affected would have been left to do the same amount of work with fewer

people, ultimately impacting on service delivery and the community.

### What has the PSA done?

The PSA has written to each agency seeking details on their transitional plan for temporary employees. We have also requested information on how many temporary employees they currently employ.

The union met with the Public Service Commissioner in August to raise our concerns and request that a sector-wide strategy be implemented to prevent this perverse outcome of the new provisions.

On 16 October, PSA General Secretary Anne Gardiner wrote to the Public Service Commissioner outlining the need for urgent action, including that he consider expediting the conversion of existing temporary employees to permanent jobs and extending the 24 February deadline so that agencies could undertake conversion or assess temporary employees for ongoing positions.

On 4 November, the Commissioner confirmed that he would act on both those recommendations.

The PSA had started industrial proceedings against agencies that had sought to interpret the Act in a manner that unfairly impacted upon existing temporary employees. We will continue to take an active role if agencies fail to apply the new amendments in a reasonable manner.

### What can you do?

- Talk to your colleagues about joining the PSA. Temporary employees will need to join the PSA to receive assistance from the union in the conversion process.
- Talk to your delegate about whether your agency has responded to our request for a meeting and what their plan is for temporary employees.
- Talk to your HR area to ensure you and any of your temporary colleagues are included in their transitional plan.

Thank you to all the PSA members who provided us with the information needed to campaign around this issue.

The PSA will continue to fight for members who are temporary employees.

\* Based on information provided by the PSC.



## ADHC privatisation no real choice

The crowd of more than a thousand who rallied outside Parliament House on 13 November were protesting against the privatisation of Ageing, Disability and Home Care (ADHC) because they had no other option.

The Government, however, has a real choice: retain a role in the delivery of ADHC services, afford employees similar rights and protections provided to public servants under previous privatisations and give ADHC clients the right to choose to remain with the Government as provider.

See pages 6 and 7





# 2014: a year of great change & challenge



PSA General Secretary Anne Gardiner presents The Greens' John Kaye with 25,000 signatures against the privatisation of ADHC.

**I think it's fair to say that 2014 has been a big year in the PSA's history – at least as far as the organisation's internal workings are concerned.**

The Member Support Centre was established and completely changed the manner in which we do business with you, our members.

It has been an enormous shift both in work flow and mindset and while we still need to make some improvements, I'm happy with the progress that has been made so far.

Externally, we are fighting the good fight in relation to the privatisation of Ageing, Disability and Home Care, culminating thus far with the recent highly successful rally outside Parliament House in Sydney.

It is essential that we challenge the false notion that privatising a public service equates to an improved service. Otherwise,

the Government may use the privatisation of ADHC as a template for all future sell-offs of public services.

We have had substantial wins along the way in the past year, with the recent victory for temporary employees detailed on the front page of this issue of *Red Tape*, as well as shining a light on bullying at WorkCover and forcing the Government to officially act on the issue.

Plenty of challenges remain ahead, such as the expansion of the Service NSW one-stop shops. The fact is, of course, that they are nothing of the sort and that is in no way a reflection on the hard working staff.

In November, The Greens' John Kaye moved a motion in Parliament calling for the release of all papers referring to, among other things, the nature of service delivery at Service NSW sites and any plans to close Fair Trading, Registry of Births, Deaths and Marriages, Motor Registries or any other NSW Government service site as a consequence of the opening of Service NSW centres. Unfortunately his efforts were in vain, with the Government again intent on hiding its plans from public scrutiny.

## Election a chance to alert community

As this final edition of *Red Tape* for 2014 was going to press, the PSA was looking at ways to alert the public to the Coalition Government's plans for the wholesale privatisation of a range of public services.

A central part of this must be to raise community awareness about what it is public servants do and the importance of the work they perform.

It is also vital that the community gains an understanding of the broad range of tasks undertaken each day right across the public sector by you and your fellow PSA members and the specialised skill involved in each. The addition of the member profile series in *Red Tape* is a further step in this process.

We will continue to make every effort to ensure the community is very well aware of the perils of this Government's relentless agenda of privatisation and the short and long-term consequences it will have on public services and for the people of NSW.

**Anne Gardiner  
General Secretary**

Continued from page 1

## Key changes for temporary employees

### A growing issue

The use of insecure employment arrangements has become increasingly common in the public sector. Whether it takes the form of temporary contracts, casual employment or the use of labour hire, the effect is the same – a loss of job security and entitlements for staff. This in turn has a negative impact on service delivery due to inadequate training, high staff turnover and reduced workforce planning. In the last 10 years, the proportion of NSW public sector workers employed on temporary contracts has increased by 56%. A massive one in five public servants is now employed on a temporary or casual basis.

#### Public Sector Employment and Management Act 2002 (the old Act)

##### Commencement of employment

- 3-year time limit on temporary employment
- No merit selection process required to be employed
- Merit selection required for employment to continue beyond 12 months

##### Conversion to ongoing employment

- Temporary employees eligible for conversion after two years where ongoing work existed and the employee had undertaken a merit selection process when being placed in the position (section 31)

#### Government Sector Employment and Management Act 2013, and Rules 2014 (the new Act)

##### Commencement of employment

- 4-year time limit on temporary employment (with the capacity for a further 12 month extension)
- A suitability assessment or a comparative assessment is required prior to employment for all periods up until 6 months
- A comparative assessment is required for all employment beyond 6 months

##### Conversion to ongoing employment

- Temporary employees are eligible for conversion to ongoing employment after 12 months provided they have undertaken a comparative assessment

#### Transitional arrangements (Schedule 4 of the GSE Act)

##### Temporary employees engaged prior to 24 February 2014

- The previous provisions of the PSEM Act continue to apply until 24 February 2015 for the purpose of conversion (section 31) or extension
- Where an extension to temporary contract is to go beyond 24 February 2015, it must be compliant with the GSE Act

##### Temporary employees engaged after 24 February 2014

- The new provisions of the GSE Act apply for all aspects of temporary employment

#### Amendments to the GSE Rules (made 21 November 2014)

- Agencies can seek an extension to the 24 February 2015 compliance date up until Feb 2017
- An existing temporary employee (pre-24 February 2014) can be converted to ongoing employment provided their agency is satisfied they can perform in the role and that they have the necessary skills and experience. The requirement to use section 31 of the old Act has been removed in these circumstances
- Employees acting in higher graded roles (who commenced pre-24 February 2014) can be appointed to their position on an ongoing basis provided they have been in the position for longer than 12 months and that the agency is satisfied they can perform in the role and have the necessary skills and experience
- A temporary employee may be re-employed by the same agency after 4 years provided they undertake a comparative assessment process

# RMS member back on the road at Service NSW

**A member from Roads and Maritime Services (RMS) has successfully secured a role at Service NSW, thanks to the PSA.**

The Industrial Relations Commission recommended that the member be permitted to sit a second job interview on the grounds that they had been unfairly disadvantaged during the recruitment process. The member had returned from overseas only one day before the interview took place and had not undergone 'Get that Job' training provided by Service NSW.

As the NSW Government converts RMS into Service NSW sites, all employees are being forced to reapply for their positions.

Members applying for a position in their current location are classified as Priority 1A applicants.

If Priority 1A applicants are not successful in securing their job, they are eligible to lodge an Assisted Appointment Review

with the Industrial Relations Commission via the PSA.

In order to be successfully reappointed, the member must be able to provide evidence that they are a meritorious applicant who should have been appointed to the role initially.

In this particular case, the member – with the assistance of the PSA – was able to show that they were disadvantaged by having an inadequate time to prepare for the interview and demonstrate their merit.

The PSA is committed to ensuring that the transition of RMS employees to Service NSW is not used to unfairly exclude members from their jobs.

The union is currently assisting members with this process.

If you require assistance, please contact the Member Support Centre on 1300 772 679.

## MEMBER PROFILE

### Ivan Perkins

Community Protection Planner, Rural Fire Service

#### What do you do?

I look at the best ways of protecting a community from bushfire. I develop community protection plans in conjunction with other agencies and build capacity within the communities themselves to better respond to bushfires. This often means working with existing groups in an area to let them know who may be affected by bushfire and how. We want to make sure that every home in a bushfire prone area has a bushfire survival plan.

There's an operational side to my role as well. During bushfire season I'm an air attack supervisor, so I'm up in a helicopter coordinating fire-fighting aircraft.



#### What is a typical day for you?

In the office, I will send emails and make lots of phone calls as we're in constant contact with community groups. We do a lot of mapping and modelling of potential fire impacts, so we examine different vegetation types and model how a fire may behave in a particular area. That helps us work out strategies to reduce bushfire risk. In the field, we will gather information about community assets like utility infrastructure, halls, schools and day care centres. Then we work with those groups to ensure they have an appropriate plan of action to respond to bushfires. I also engage with residents on a one-on-one basis or facilitate various workshops in the community.

#### What is the most rewarding part of your job?

When I finish working with a particular community and I can see that people are more informed and safer, that's very rewarding. Often, after a fire, we'll get feedback from communities saying, "Thank you for working with us, we don't know what would have happened if we hadn't had that exposure". Communities that are better prepared recover much faster from fire, so it's all about getting people to sit down together and work out what they'll do in an emergency situation and the actions they can take to prepare themselves and their properties.

For more information on bushfire safety and preparedness please go to the RFS website [www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au) or call 1800 NSW RFS (1800 679 737).

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Sue Walsh

From the President

# A tough year must strengthen us for 2015

**On every level it has been another testing year for the NSW public sector and the PSA.**

Some might even call it a character-building exercise and let's face it, there has certainly been plenty of adversity from which to draw strength.

Next year, however, will bring with it a new level of challenge with the state election in March.

The outcome of the election will determine the treatment of the public sector in the coming years.

That's something we as a union and members of the community need to start thinking about very seriously.

While we cannot change the Government as easily as we would like, what we can do is make sure that our neighbours and their friends are very well aware of what the State Government has done to public services and how that agenda will further impact on their daily lives.

The Government's decision to sell off Ageing, Disability and Home Care, the outsourcing of court reporting and transcription duties in the Supreme Court, and the implementation of Learning Management Business Reform (LMBR) and Local Schools Local Decisions in schools is just the tip of the iceberg.

The reasoning is by now clear; it's all about cost savings and downsizing with the old mantra that 'private is better than public' when it comes to the delivery of state services.

That is, of course, rubbish that has been blindly accepted as 'fact' simply because it has been repeated so many times over the years.

Government services need to be properly resourced in order to work efficiently and successfully.

Instead, services are being starved of funds, with the Government then using the resulting shortfall in service as 'evidence' that the private sector needs to step in.

Essentially, the Government is forcing the public sector to operate with one arm tied behind its back then complaining about the outcome.

This has to stop.

I would like to wish all PSA members and their families a happy, safe and restful Christmas.

We all need to be on our toes next year.

**Sue Walsh  
President**

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# Assignment to role out

## PSA members have made their concerns clear regarding the assignment to role process proposed by the Government.

Released on 10 October in draft format, the Assignment to Role Guidelines set out how employees will be assigned and reassigned to roles within an agency given that under the Government Sector Employment (GSE) Act, they no longer hold 'positions' on a permanent basis.

A survey undertaken by the PSA showed that members overwhelmingly agreed with the union's primary concerns that:

- there is no requirement for a manager to consider or mitigate the adverse impacts on an employee when assigning them to a different role
- there is no right of return to an employee's existing role when taking any form of approved leave (apart from parental leave)
- the Guidelines do not refer to the continuing operation of existing transfer policies that have been negotiated with the union in some agencies
- there is nothing within the Guidelines that refers to the appropriate use of the assignment to role process in the context of structural change within agencies.

Of the more than 800 members who took part in the survey:

- 97% said it was important or very important that employees had the right to return to their

previous role when returning from leave

- 94% said it was important or very important that assignment to role decisions took into account employees' caring responsibilities outside of the workplace
- 99% said it was important or very important that agencies consult employees if an assignment to role decision created structural change.

Members also provided extensive qualitative feedback on individual aspects of the guidelines.

The PSA made clear the view of members in our submission to the Public Service Commission.

We are hopeful that the recommendations made in this submission will be adopted by the Commission so that the assignment to role process can be implemented in a manner that does not disadvantage employees.

Key recommendations contained in the PSA submission are:

- that a review mechanism be introduced in relation to assignment to role decisions. This mechanism should reflect the provisions of section 34 of the GSE Rules with respect to the employer initiated transfers between agencies
- the scope clause of the Guidelines state that it is not to be used in place of the Agency

Change Management Guidelines (or any document which replaces it)

- the scope clause of the Guidelines state that existing staff transfer and recruitment policies shall continue to operate
- advice is given to agencies that assignment to role actions are not to be used as a substitute for the recruitment of staff where permanent staffing shortfalls exist
- assignment to a role should not result in an employee being financially disadvantaged with respect to their salary, salary increments or total regular remuneration
- all attempts should be made to continue existing flexible work arrangements
- where employees object to assignment to roles, agencies should consider alternative arrangements to fill the role
- the Guidelines should provide assistance for managers and employees as to what options are available to mitigate the impact of a change of work location including financial compensation
- employees should be guaranteed the right to return to their previous role following secondment or a period of leave.

## Geographical movements

### A clear intention of the GSE Act and the accompanying Assignment to Role Guidelines is to increase the mobility of staff within the public service.

Members have expressed concerns about the impact this will have on current provisions regarding compensation for geographic relocation.

The PSA has made clear in its submission to the Public Service Commission that enhanced mobility is not a green light for agencies to ignore existing entitlements set out in the Crown Employees (Public Service Conditions of Employment) Award and the Crown Employees (Transferred Employees Compensation) (TEC) Award.

Under these awards, members are entitled to a range of allowances and financial assistance when they are required to travel for a temporary work assignment and when a change of work location necessitates a change in residence (you can access the awards on the PSA's website).

The PSA successfully fought to uphold the application of the TEC Award in the Rural Fire Service following the agency's attempt to exclude employees in certain roles from receiving compensation through an internal staff mobility policy.

In our submission to the Public Service Commission, the PSA highlighted that 97% of respondents to our survey said it was important or very important that assignment to role decisions take into account the impact a change of location would have on an employee.

The submission argued that this consideration should go beyond eligibility to allowances and compensation and also take into account the effect of relocation on an employee's family life, caring responsibilities and physical safety.

The PSA also recommended that there be an appeal mechanism included in the assignment to role process by which employees' claims for refusing a geographical 'reassignment' can be independently assessed. This would ensure workers are not unfairly dismissed for refusing to perform their duties.

# Clued up kids court Premier's Award

## PSA member Catherine Piper has been honoured with a Public Service Award for her creative kids' program.

Catherine, a Deputy Registrar at Belmont Local Court, won the 2014 Premier's Award for Individual Excellence and Achievement. She received the award for her 'Clued Up Kids' program, in which primary school children learn about the legal system by taking part in a mock criminal investigation and trial – complete with police statements of fact, forensic evidence and witness statements.

"I have four children of my own, so I realise how much kids enjoy interactive projects," says Catherine, who hopes that the program goes some way to filling the gap in competitions for kids

who are more intellectually than athletically inclined.

What began as a Law Week project in 2009 quickly spread and Catherine began running a correspondence version of the project that allowed students from all across NSW to take part, as well as an interstate challenge.

"Clued Up Kids has reached so many – from elite private schools to tiny rural communities with just seven students," says Catherine.

The program also provides an opportunity for kids to explore issues they've encountered in the media, with Catherine writing a topical new 'case' each year.

"In 2014 we addressed 'coward punches'. Previous years' teams have investigated bullying which led to a serious assault, party gate crashers and graffiti vandalism."

Though Clued Up Kids is now entering its seventh year, each case brings a new surprise.

"The children use exceptional creativity when presenting their case to the judges," says Catherine. "In the past, presentations have included everything from re-enactments to mock episodes of TV crime shows, news reports, Lego scenes and even plasticine models."



Catherine Piper, Deputy Registrar, Belmont Local Court, accepts her award from Sonja Stewart, Deputy Commissioner of the Public Service Commission Performance Group.





# 13 November 2014

## The day we stood up against privatisation

**The PSA's General Secretary spelled out the significance of the day just an hour before the rally against the privatisation of Ageing, Disability and Home Care services (ADHC).**

"You will look back on today in the years to come as the day you stood up for what was right," Anne Gardiner told a conference room at PSA House packed with delegates from several Departmental Committees.

That they will.

ADHC clients and their families, along with union delegates, members and PSA staff, then marched through the city streets towards Parliament House, making their presence felt as they went.

By the time they arrived in Macquarie Street, they were more than one thousand strong but all of one voice.

For the next hour a loud and very clear message was sent directly to the State Government: selling

off ADHC is morally and ethically wrong. NSW will not sit back and watch while those in the greatest need are left at the mercy of market forces and shareholder demands.

Once privatised, the care of current ADHC clients will be dictated by cost, not need. That is, if the private sector is able to provide any proper level of care at all.

Speakers at the rally included PSA General Secretary Anne Gardiner, Assistant General Secretary Steve Turner, Lisa Kremmer from the NSW Nurses and Midwives' Association and ADHC client Dana Eirosius.

Anne Gardiner later presented a petition containing close to 25,000 signatures against the privatisation of ADHC to The Greens' John Kaye on the steps of

Parliament – to loud cheers from the crowd.

The rally closed with the chant that went up several times during proceedings: "This is what the people say, stop the asset give away. This is what the people say, privatisation – no way!"

No one in the area could have been in any doubt about what was at stake, while television, radio and newspaper coverage ensured our voice was heard around the state.

Thank you to all the members who came from far and wide to make the day such a success.

### Your right to rally

On 31 October FACS head office issued a directive to managers that no further leave or extended breaks were to be granted for the rally, effectively blocking staff from attending. The PSA lodged a dispute in the Industrial Relations Commission and the matter was heard by Justice Boland. FACS confirmed shortly afterward that it would lift the blanket ban and normal leave practices would apply.







PSA General Secretary Anne Gardiner addressed the crowd: "Today we are here to remind the Baird Government that we live in a society, in wonderful communities, not in economies, and we don't want this taken away from us. The private sector is already lining up to take over the disability sector. Serco, Moran, Bupa are just some of the big names waiting in the wings to take over this public service for profit purposes. This is being done without any debate, and without any transparency. Well, in NSW, the people are here today to say it's not okay... We say NO to privatisation."



Dana Eirosius, a Home Care client, told the rally about her negative experience with private service providers and her desire to stay with ADHC. She told *The Sydney Morning Herald* privatisation would mean a "possible deterioration in our care, including possible abuse and loss of civil rights – the loss of the ability to be a free and individual person".



"We are here today to fight for 3,500 PSA members and 14,500 staff of ADHC delivering disability services to 90,000 clients," said PSA Assistant General Secretary Steve Turner. "The NDIS is a wonderful concept. It is Medicare for people with disability. The problem is the NSW Government is using the NDIS as an excuse to privatise ADHC. ADHC provides 40% of the disability services in this state, among them the most high-level need and more complex services. Removing ADHC means a loss of choice for those people accessing these services, and a loss of choice of employment for the staff dedicated to their clients. Let's fight to protect ADHC, its staff and our members. Let's fight to protect choice in NSW."





# Prison Officers

## – the view from inside



The Management Committee of the Prison Officers Vocational Branch.

**Members in Corrective Services NSW (CSNSW) are faced with a range of industrial issues. The following report provides an update on some of the matters currently being dealt with by the Prison Officers Vocational Branch (POVB).**

### Workers compensation

A recent POVB newsletter covered the status of discussions and the campaign to bring about positive changes to workers compensation legislation for prison officers.

In short, the campaign strategy remains on track with the initial processes of media awareness and contact with members of the Government taking place.

Discussions with a number of Ministers including the Attorney General, Brad Hazzard, have provided the opportunity to hone the focus of the overall campaign.

In doing so, some negative aspects to pursuing and achieving a straight exemption under the current legislation were uncovered.

Among these possible negative outcomes is the fact that under the previous legislation, a member would drop to a statutory rate after 26 weeks on compensation, this rate being around \$470 weekly.

By way of comparison, a First Class Correctional Officer under the new workers comp legislation with total earnings of \$81,831 (this includes penalties and overtime) will be eligible to receive a payment of \$1258.94 per week. That is, 80% of their pre-injury average earnings.

From this example, it is clear that securing a straight out exemption would leave correctional officers worse off.

While there are problems with the calculation of payment expressly in relation to one or two days' workers compensation and other aspects of the legislation, we must be very clear about what we are seeking in this campaign and only

pursue changes that have long-term benefits for prison officers.

A survey of members will be undertaken to ensure all views and expectations are taken into consideration in the structuring of our log of claims.

The PSA has funded a detailed legal analysis by an external law firm with a proven history in workers compensation matters.

This advice was sought in order to look at all options and guard against inadvertent oversights that may further reduce benefits to members.

With the total support of the PSA, the POVB will continue to campaign for a better workers compensation deal for prison officers.

### Casuals case

This matter is about the provision of an 8-hour break between shifts for Casual Correctional Officers. The POVB contends that where a Casual Correctional Officer is not afforded the break then overtime is payable.

The Industrial Relations Commission found in favour of the PSA, however CSNSW appealed the decision. In November, the appeal was heard in the Supreme Court which reserved its decision. The decision will be handed down at a later date.

### Uniform limit

Several enquiries from members have been received with regard to CSNSW imposing a limit of \$250 per officer for uniform replacement.

The POVB took up this matter with the Department and was informed

that this figure is for budget purposes only and that uniform replacement remains unchanged. Unserviceable uniforms will continue to be replaced on a 'one-for-one' basis.

Personal Protective Equipment (PPE) must always be provided, regardless of the expenditure per individual officer, and although it is included in the uniform catalogue it is to be considered a separate item.

Some members have had their order capped at \$250. It's best to order disposable items such as socks separately to shirts and pants.

Any member finding it difficult to get replacement uniforms should contact their local delegate and/or a member of the POVB State Executive.

### Savings

Again, the Department is gearing up to make savings. The 'rumoured' \$24 million figure is no rumour; these savings are required under the Government's wages policy.

Little is known about where CSNSW may make the savings, although a meeting with the Department and representatives of each Vocational Group and Union (including the Teachers Federation) has taken place.

### Metropolitan Reception and Remand Centre (MRRC) efficiency review

This process has dramatically changed and is now captured in the overall savings strategies.

The Assistant Commissioner has indicated to the MRRC

delegates that he intends to visit the Centre in the near future to commence discussions on potential savings strategies.

### Chiefs and Principals

This matter is yet again delayed. In November the POVB was back before the Industrial Relations Commission with regard to the payment of rostered days off for Chiefs and Principals. However, the union was informed that due to the retirement of some members of the Commission the matter would be reallocated. Unfortunately, it is now stood over until the new year.

### Risk Intervention Team (RIT) protocol review

Members in court cell locations are painfully aware that a review of this process is underway.

The POVB became aware of the review when Security and Intelligence (S&I) senior management indicated that they wanted to change the way inmates in court cell locations and 24-hour cell complexes were managed.

The indications were that they wanted to introduce something called the 'least restrictive care model'.

Simply put, this means fewer officers to supervise individuals identified as being at risk.

In the absence of the policy (S&I were unable to provide one) no real outcomes yet exist.

S&I have, however, commenced installing technology to assist in the management of 'at risk' inmates, which essentially is a computer system with touchscreen technology that

records the checking process and associated notes.

The POVB has requested the draft policy, clear methodology for assessment, guidelines for management of 'at risk' inmates and training on any changes prior to implementation.

There seems to be very little change to the process used in correctional centres, with the primary focus being on reducing the costs in court and 24-hour cell locations.

### Ebola

The issue of how CSNSW is dealing with the threat of Ebola was put to senior managers of the Department in the Consultative Forum.

CSNSW advised that it works with the health and other public sector agencies and that well-established pandemic plans are in place.

Pandemic plans are not developed for specific diseases but processes previously implemented will be amended to address any new issues.

CSNSW further indicated their intention to manage the potential risk through the same proven methodology as was used during the swine flu pandemic.

As the first point of custody, NSW Police will have primary responsibility for screening those at risk, however protocols are being developed to identify any cases that may be missed in the initial step of police custody.

Further information on Ebola can be found at [www.health.nsw.gov.au](http://www.health.nsw.gov.au).



# NEW SOUTH WALES: State of privatisation

## The NSW Enabling Act – the uncomfortable truth for all public sector workers

The National Disability Insurance Scheme (NSW Enabling) Act has enormous implications beyond the future of staff in Ageing, Disability and Home Care (ADHC), with the Baird Government set to use the precedent it sets for all future privatisations.

For the first time, State Parliament has passed a law that facilitates not only the forced transfer of disability and home care staff and services to the private sector but also billions of dollars in NSW assets.

According to data prepared by FACS, disability support workers in the public sector earn approximately 25% more than their non-government equivalents.

The privatisation of ADHC sees the NSW Government pushing the envelope further than ever before by refusing to offer employees the same base protections it has offered to workers involved in past privatisations.

This sets a dangerous precedent for ALL public servants, denying:

- a right to choose not to transfer to a private employer
- redundancy payments
- transfer package

- a guaranteed minimum employment period.

Under the Enabling Act, staff have no immediate entitlement to transfer compensation and a transfer “does not constitute a retrenchment, redundancy or termination of employment at the initiative of the Crown”.

While the Act allows the Minister to enter into ‘transfer agreements’ with new providers which may provide an ‘employment guarantee period’, the scope of these agreements is limited to the terms and conditions of the transferred employees under their existing ‘industrial instrument’. This means accrued entitlements may be forfeited on transfer.

Long service leave may also be cashed out at the discretion of the Minister.

Further, any ‘transfer agreement’ is not deemed to be an industrial agreement. This means it is not obliged to meet the provisions of the Fair Work Act 2009 or any instrument under that Act.

Instead, the terms of a transfer agreement may only be enforced by a party to the agreement. That is, presumably, the NSW Government



DOCS caseworkers and supporters protesting Government plans to outsource key child protection services in March 2012.

and new private provider – not an employee or union.

Accordingly, a federal agreement made after the transfer may override the terms of the transfer agreement.

If the new employer re-negotiates industrial arrangements with its workforce after the transfer, this agreement may replace the transfer agreement.

The Act also prevents any legal

action to protect redundancy entitlements – for example via an award application.

Additionally, Part 2 of the Act allows for the establishment of implementation companies, the effect of which, presumably, is to break up the sector into neat and operational packages ready for the tendering process.

Under this model, staff entitlements may be forfeited if

the company goes bust.

The PSA has been working hard to secure the best possible deal for ADHC workers and will continue to do so.

**The union is all too aware of just how serious the consequences will be for all public sector workers if the Government gets its way with the privatisation of ADHC.**

## SNAPSHOT Just some of the public services delivered by PSA members that have gone under the hammer since the Liberal state government came into power in March 2011.

MARCH 2011

### Out of Home Care

Then Opposition Community Services Spokesperson Pru Goward reveals plans to outsource Out of Home Care (OOHC) services, which care for the most vulnerable children in the state, to the non-government sector. 700 job losses expected.

NOVEMBER 2011

### Brighter Futures

NSW begins complete outsourcing of Brighter Futures, an early intervention service to support vulnerable children and families.

MAY 2012

### Power

The Electricity Generator Assets Bill passes through the Upper House, enabling the Government to sell off Eraring, Delta and Macquarie generators.

OCTOBER 2012

### TAFE

Smart and Skilled reforms announced. From 2015 TAFE NSW institutes will be forced to compete against private providers for students and funding.

NOVEMBER 2012

### Land and Property Information

Minister for Finance and Services announces that the Government will examine the potential for private sector investment in Land and Property Information, which provides land title registration, surveying, property information and more.

DECEMBER 2013

### NSW Supreme Court

Court reporters from the NSW Attorney General's Department stop work over plans to outsource court reporting. Court reporters provide fast, accurate transcripts of court proceedings which are essential to a timely and efficient justice system.

OCTOBER 2013

### State Library of NSW

The Security Officer role is deleted. The 21 positions lost are replaced by private security guards.

### Ageing, Disability and Home Care

Minister Ajaka announces plans to completely outsource Ageing, Disability and Home Care by 2018 – a move that affects 14,500 experienced carers and thousands of families across the state who rely on these services.

FEBRUARY 2013

### Art Gallery of NSW

The Gallery Officer role is deleted in a restructure. The 45 positions lost are replaced by private security guards.

JANUARY 2013

### Roads and Maritime Services

Roads Minister Duncan Gay proposes privatising nearly all road maintenance work, affecting roughly 500 RMS employees and reducing public safety.

APRIL 2014

### Service First

Private providers are invited to tender for Service First, which provides finance, human resource and IT services to other government agencies.

JUNE 2014

### Powerhouse Museum

Security Officer role is deleted from the Museum structure and the 26 positions lost are replaced by private security guards.

### Power

Premier Mike Baird wins cabinet support to lease 49 per cent of NSW's poles and wires on a 99 year lease. If implemented, NSW can expect higher electricity costs, more blackouts and massive local job losses.

SEPTEMBER 2014

### Housing NSW

Legislative Council report recommends expediting the transfer of public housing properties to the non-government sector via long term leases and reviewing the target that the community housing sector (NGOs) comprise at least 35% of all social housing.

OCTOBER 2014

### State Fleet

Minister for Finance and Services, Dominic Perrottet, is reported to be trialling car-sharing services across the public service to replace State Fleet.



# Delegates are diamonds



## As the day-to-day face of the union in the workplace, delegates have a crucial role to play in the PSA.

Members look to delegates as workplace leaders on issues that matter to them.

Without delegates, the PSA would not be able to function.

### Role

- To be available to assist members and hear their views
- actively protect and advance the interests of members
- be active in the workplace and promote the work of the PSA.

It is essential that delegates are not seen as having an axe to grind with management or a fellow member.

Delegates must be calm, considered, respectful and professional in all their dealings. Credibility with both colleagues and management is an enormously powerful tool and is essential to being able to function effectively on behalf of the PSA.

In essence, delegates are responsible for protecting, and wherever possible, advancing, the interests and rights of members at the local level and for the effective functioning of the departmental committee, branch or workplace group.

### Collective strength

United we bargain, divided we beg. The more members the PSA has, the greater its bargaining position. The greater our bargaining power, the greater our ability to protect and improve conditions.

This is where delegates come in – to organise their fellow workers and make sure they are active, united and strong.

### Effective communication

Our strength depends on union officials being across the wishes and needs of members and members, in turn, understanding and participating in the collective decision-making processes.

Delegates are responsible for ensuring that communication flow.

### Duties and responsibilities include:

- representing the interests and pursuing the needs of members in the work area
- actively recruiting – making sure that all eligible co-workers are members of the PSA
- workplace organising by encouraging members to be actively involved in the union
- building the skills and confidence of members to assist in that activity
- holding meetings of members to inform and involve them
- making sure that management complies with relevant policies, agreements, acts and awards
- helping to resolve individual grievances of members in the workplace wherever possible
- negotiating with management about matters of concern to members
- developing policies and priority workplace issues within the agency
- maintaining records of membership for the workplace and letting the PSA organiser and the PSA Membership Section know of any changes
- ensuring union bulletins and other information are distributed and displayed at all times
- keeping in touch with union officials, especially PSA organisers
- attending PSA union training.

Delegates can be treated as having the same legal standing as an official of the union.

For that reason, it is important that delegates carry out their duties in a manner that in no way reflects adversely or may damage the union. If ever in doubt, PSA organisers can be contacted.

### Rights

Delegates have a legal right to carry out union responsibilities in the workplace.

Depending on the workplace, these duties include:

- a range of activities that can be considered being on duty, such as distributing official PSA material or attending induction sessions for new employees
- time to attend and prepare for meetings in the workplace

- access to facilities such as notice boards, telephones and email in the workplace
- leave to attend union training, participate in committees or to attend industrial proceedings.

Delegates are encouraged to familiarise themselves with the full details of their rights in their award or enterprise agreement.

For delegates in the bulk of NSW public service agencies these rights are set out in clauses 53–64 of the Crown Employees (Public Service Conditions of Employment) Award 2009.

### Support from the union office

PSA organisers are able to assist in arranging meetings with members, recruiting new members and providing the resources and material that will enable the building of union strength in the workplace.

Delegates have access to a range of trade union training provided by the PSA. These courses include 'understanding the role of the delegate', 'improving negotiating skills' and 'dealing with bullying in the workplace'. The full list of training courses available is on the PSA website.

If assistance is required with an industrial matter, please call the PSA's dedicated Member Support Centre on 1300 772 679.

### Protections

The most effective protection for delegates against victimisation or harassment by their employer is a strong and active union presence in the workplace.

However, there are also legal protections enshrined in legislation.

### NSW public sector agencies

Under section 210 of the NSW Industrial Relations Act 1996, it is unlawful for an employer to victimise an employee because they:

- are a member or official of a union (under industrial law, a delegate is deemed to be an official of the union, i.e. they are an elected representative)
- claim a benefit to which they are entitled under an act, award or agreement
- lodge a complaint about a breach of an award

- appear in proceedings regarding an industrial matter (the Industrial Relations Commission)
- engage in a public or political activity (unless it interferes with their work).

The Crown Employees (Public Service Conditions of Employment) Award 2009 also includes the provisions of the Industrial Relations Act and reiterates the rights of union members to take lawful industrial action and not be victimised.

Copies of this award are available on the PSA website.

### Universities, TAFE, State Owned Corporations or any other federal system employer

Sections 342, 346 and 347 of the Fair Work Act 2009 combine to provide protection for delegates from any 'adverse action' by their employer.

This includes delegates representing or advancing the views of the union or encouraging other employees to participate in lawful activities organised by the union.

Prohibited action by the employer includes:

- dismissal of the employee
- altering a position to the employee's detriment
- discriminating against the employee
- any action that 'injures' the employee in their employment.

Protections are also available to all members under Sections 104–109 of the Work Health and Safety Act (2011).

These measures prevent an employer from discriminating against a worker in response to them exercising any function, power or responsibility under the Act.

Fines of up to \$500,000 can apply in relation to such conduct.

### Harassment or threats

Any delegate being harassed or threatened in relation to their duties should contact the PSA immediately.

If the matter cannot be resolved through negotiation with management, it will be taken to the NSW Industrial Relations Commission or Fair Work Commission.

If you're interested in becoming a delegate, please contact your organiser.

## Laurel Drylie

Police Force,  
Radio Operations Group  
Delegate for 4 years



### What inspired you to become a delegate?

I wanted to continue the work of previous delegates who fought against the constant pressure and change in work practices being forced on staff.

### What has given you the greatest sense of achievement?

Assisting members with individual issues, learning, and being able to help members by giving them advice on the entitlements contained in their various awards and attending meetings with them.

### Most memorable victory?

One memorable victory was having a survey withdrawn which had been created by management with the answer boxes already ticked. We have also had a number of local wins in relation to special sick leave, penalty rates and rostering issues.

### What skills have you gained?

I have learned the importance of keeping statistics and logs of events that occur on a daily basis, how to speak out and how to address meetings. Do whatever training packages you can to gain knowledge, study your awards and go into meetings armed with that knowledge.

## Paul Townsend

Office of the Children's  
Guardian, Working with  
Children Check  
Delegate for 15 years



### What inspired you to become a delegate?

When I was fairly new to the public service, I was falsely accused of a serious matter and bullied by one individual. A delegate contacted the union on my behalf and I received a lot of advice and guidance from a PSA industrial advocate that helped resolve the issue. This experience made me want to assist other members who might be in similar situations.

### What has given you the greatest sense of achievement?

I would have to say standing up for those who are not able to stand up for themselves. Usually I have done this on member-specific issues, for example someone not being paid their full allowances or being bullied. A successful outcome is always a special moment.

### Most memorable victory?

On one occasion management tried to pare back travel allowances where staff had to travel long distances between country courts. Following negotiations, not only did management back right off from attempting to remove allowances, but they congratulated the Petty Sessions Officers' Association on a well-researched and presented response!

## David Keys

Meadowbank College of TAFE,  
Operations Department  
Delegate for 5 years



### What inspired you to become a delegate?

When I left school in the mid-70s and started work, many of the union delegates I dealt with told staff what to do instead of listening to their concerns. It wasn't the best first impression of unions, but it did make me want to create an environment where staff had genuine input.

### What has given you the greatest sense of achievement?

Every time a staff member has the confidence to approach me when they have any sort of problem in the workplace. That's a great feeling.

### Most memorable victory?

Recently, as part of a restructure, management attempted to reduce the number of security guard positions, leaving only one security guard on duty at each campus at any given time. This posed a threat to the health and safety of guards, staff and students. We had further risk assessment undertaken and management agreed to include the Chairs of the Work Health and Safety Committees in future risk assessments.



# Police: from the thin blue line

## LAC amalgamation review win

Having made a submission to the review of the 2013 Local Area Command (LAC) amalgamations with eight folding into four, the PSA was pleased that one of our recommendations was adopted with temporary second General Administrative Officer (GAO) positions made permanent. This is a great outcome for members in Police who hold those positions.

Further, NSW Police has advised the PSA that there is no intention to proceed with any further amalgamations in the foreseeable future.

We certainly don't expect anything to happen before next year's state election.

The staffing issues at the St George LAC (Hurstville & Kogarah) are, however, still under discussion.

## Proper recognition for civilian forensic experts

Since 2012, Police Officers qualified as Forensic Experts have received additional recognition and remuneration in the form of an allowance.

Due to an exemption from the 2.5% wages cap, only Police Officers are able to apply to the Industrial Relations Commission to have their work value recognised in this way.

Since then, civilian Crime Scene Officers (CSOs), who have the same expert qualifications, have been supported by the PSA in their attempts to achieve the same recognition of their work value. This includes addressing the pay disparity between CSOs and their sworn colleagues. Earlier this year, CSO members began lobbying their state MPs on this issue and the PSA wrote to the Police Minister asking for a meeting with CSO delegates and PSA advocates.

A response was recently received from the Minister's office which contained factual errors.

The PSA has again written to the Minister requesting a meeting and will continue to lobby on behalf of CSOs for proper recognition.

## Commissioner's Safety Awards

The PSA was delighted that PSA members, including Peter Blinman, Stuart Davies and Amy Davies, were recognised at the recent Commissioner's Safety Awards ceremony.

With innovations such as a safer device to use in water rescues, and a trauma kit suitable for treating gun shot wounds to replace the old-fashioned first-aid kits in police cars, PSA members are making their colleagues and the community safer.

The PSA congratulates these members on their achievements.



PSA member Amy Davies accepts her Commissioner's Safety Award.

# Social media

## Think before you post



Facebook and Twitter are excellent communication tools that allow the PSA and its members to share information, promote campaigns and reach audiences outside the union movement.

Social media is about building a strong community and fostering awareness of the kinds of issues facing the NSW public sector and you, its workforce.

Expressing views and opinions are an integral part of that process, however, there are strict guidelines that must apply to that commentary:

- any posts that contain sexist, racist or bigoted views or language will be removed. No correspondence will be entered into
- any personal attacks will be removed. That includes harsh words at the end of a bad week about your boss, no matter

how veiled you think you've been. Posts of this nature have prompted defamation proceedings and led to the termination of employment. They will be deleted in your interest

- remember, Facebook is not a whiteboard that can simply be erased. If you couldn't publish your allegations in a newspaper, don't write them online
- double check posts for grammar and spelling. This will ensure you communicate your point effectively
- make sure that your comment is relevant to the post or discussion

- PLEASE DON'T TYPE IN CAPSLOCK. IT LOOKS LIKE YOU ARE YELLING
- liking, or better still, sharing content to your own Facebook page, will help us reach people we otherwise wouldn't. If 100 people share a post with their 200 friends, that's a potential reach of 20,000 people. This is especially important for rallies, where a bigger turnout sends a stronger message. If you support a campaign, please help spread the word. Facebook sharing is a simple and effective way to draw attention to an issue and show support.

Follow the PSA on Facebook and Twitter for timely campaign updates, relevant media coverage and to find out what your fellow members have been up to.

 [PublicServiceAssociationOfNSW](https://www.facebook.com/PublicServiceAssociationOfNSW)

 [@psansw](https://twitter.com/psansw)



# Coniston DOCS walks out in staffing protest

Staff at the Coniston office of the Department of Community Services walked off the job for an hour on November 5 to protest critically low staffing levels that are endangering vulnerable children in the Illawarra.

The action was covered by local media including ABC Illawarra, *The Illawarra Mercury* and Prime.

Shattered staff took similar action in 2013 following a tragic and avoidable incident in Wollongong after the office lost an entire team – the equivalent of six full-time caseworkers.

**The plight of the most vulnerable and helpless in our society needs to be properly addressed.**

Their action began a domino effect, with Community Services offices across the state walking off the job to highlight their own concerns about staffing levels.

At Coniston, the situation has since declined further, with up to 10 child protection positions lost in the last two years.

“For all the talk from the Government, the fact is the staffing situation has not improved,” said PSA Assistant General Secretary, Steve Turner.

“The plight of these at-risk children weighs heavily on the minds of these workers but they are so overwhelmed by the number of children who require their attention it is simply not possible to visit every child.

“That’s an enormous burden to carry and absolutely soul destroying for these people, many of whom have young families of their own.

“The plight of the most vulnerable and helpless in our society needs to be properly addressed once and for all with the proper resourcing of expert Government services.

“Our members have had enough. They don’t take the decision to walk off the job lightly, but they are extremely concerned that another tragedy is just around the corner,” said Steve Turner.



## ServiceFirst to be shared around

PSA members in ServiceFirst are now on the increasingly long list of areas to be outsourced by the NSW Government.

The functions of ServiceFirst, which include Finance, Human Resources and ICT services provided to other Government agencies, were opened up to a tender process in April 2014, with private companies invited to bid to take over delivery.

While Government privatisation of prisons, disability care and child protection services attract headlines, and rightly so, the outsourcing of so-called ‘corporate’ or ‘shared services’ speaks to the same underlying concern – a reduction in services along with increased profits for the private provider.

In the case of ServiceFirst, the services at risk are relied upon daily by PSA members for the accurate and timely payment of wages and entitlements, the reimbursement of costs and ICT maintenance and support.

Examples from around the world have shown that the forecast savings of outsourcing often fail to materialise.

Meanwhile, considerable in-house costs are incurred in order to

make up for service shortfalls and to oversee the private providers.

The reason the Government created ‘shared service’ centres like ServiceFirst was to make savings by having functions performed by a single entity rather than replicated independently at each agency.

The outsourcing of these functions to multiple private companies through short-term contracts would undermine this very purpose.

Alternatively, if the process results in the Government handing over all functions to a single provider on a long-term contract, it risks creating a private monopoly embedded within the sector.

The PSA has written to the Office of Finance and Services outlining our concerns for members’ jobs and entitlements as well as the integrity of the tendering process.

We have asked for details regarding:

- the length and terms of the contracts being considered

- the selection criteria upon which successful bidders are to be determined

- what savings are viewed as sufficient in order to proceed with outsourcing

- what levels of service will be stipulated in contracts.

We have also requested that issues pertaining to the impact on employees (including transfers and guaranteed conditions of employment) be included in the criteria for assessing bidders.

### State Fleet next to go?

ServiceFirst isn’t the only area the Office of Finance and Services is looking to outsource. State Fleet, which manages a fleet of 25,000 cars, is undertaking its own process of ‘market-testing’ in which a number of outsourced models are being considered to take over the management of the Government’s car stock.

### W.G. McNally Jones Staff LAWYERS



**Proud to be lawyers for the PSA**

Tattersalls Building,  
Level 10, 179 Elizabeth Street  
Sydney NSW 2000



Phone: 02 9233 4744 Fax: 02 9223 7859

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02 9233 4744

We have accredited specialists in Personal Injury, Employment and Industrial Law. We can also provide legal advice and representation to all PSA members on:

**Litigation | Wills**

**Family law including De Facto Relationships**

**Police matters | Discrimination | Conveyancing**

**Deceased estates**

**Superannuation & disability claims**

**General legal advice**

As members of the PSA you are entitled to the first consultation free of charge upon presentation of a letter of referral from the PSA.

*Note: Work related matters must be referred to PSA industrial staff in the first instance. They will advise if a lawyer is required.*



# Greens bill to save TAFE defeated by Baird Government

The Greens' bid to bring TAFE back from the brink in NSW has been blocked by a coalition of MPs hell-bent on handing over public money to private for-profit training providers at the public provider's expense.

A bill introduced by Greens NSW MP John Kaye and passed by the NSW Upper House in June was defeated in the Legislative Assembly on Thursday 13 November.

The legislation sought to stop the introduction of the Baird Government's Smart and Skilled training market, restore TAFE funding and freeze TAFE fees and the flow of money going to private providers at 2010/11 levels.

"The Baird Government has refused to acknowledge the destructive impact their policies are already having on NSW's world-class public provider of vocational education and training," Dr Kaye said.

"This bill would have saved TAFE from the very worst of the damage consecutive Labor and Coalition governments have inflicted on it.

"By voting against this legislation the Nationals have condemned students all over rural and regional NSW to poor quality education, lost opportunities and increased fees.

"The Liberals' Matt Kean and the Nationals' Kevin Anderson disputed figures of job losses in TAFE that were provided to the Greens by the Education Minister himself.

"The same MPs conveniently glossed over the fact that they signed a pre-election pledge to increase TAFE funding, keep it affordable for all, and stop

further privatisation of VET. Those Coalition promises are now a distant memory.

"Each of the Liberal and Nationals MPs who spoke against the bill displayed utter contempt for all those who are campaigning in support of a secure future for TAFE.

"They repeatedly belittled the Upper House's support for the bill, ignoring the fact that the proportionally-elected Legislative Council more closely represents the views of the people of NSW.

"It is the Liberal and Nationals MPs who will stand condemned by their decision to support the slashing of TAFE's budget, the loss of over 1200 jobs, massive fee increases for students and the privatisation of the VET sector.

"Education Minister Adrian Piccoli was in the House to vote against the legislation but never spoke on the bill, despite being the Minister responsible.

"The campaign to stop Smart and Skilled from savaging TAFE is far from over.

"Smart and Skilled has already delivered training contracts for huge multi-national corporations including McDonalds, Serco and Echo, the owner of the Star casino, all funded by the NSW taxpayer.

"While TAFE Institutes have survived this round, nothing can stop a re-elected Coalition

government from cutting its slice of the funding pie even thinner.

"The Greens will continue to work for a funding system that preserves TAFE as the dominant provider of vocational education and training and gives it the resources it needs to deliver high quality public education," Dr Kaye said.

Members of the Legislative Assembly who spoke against the bill included Hornsby MP Matt Kean (Liberal), Cronulla MP Mark Speakman (Liberal), Tamworth MP Kevin Anderson (Nationals), Myall Lakes MP Stephen Bromhead (Nationals) and Riverstone MP Kevin Connolly (Liberal).

Members of the Legislative Council who spoke in favour of the bill included Keira MP Ryan Park (Labor), Sydney MP Alex Greenwich (Independent) & Lake Macquarie MP Greg Piper (Independent).

**UPDATE:** The fight isn't over yet. On 22 November the Greens announced that they will move legislation to limit the damage of Smart and Skilled in the new Parliament.

## How your MP voted

TAFE CHANGES MORATORIUM (SECURE FUTURE FOR PUBLIC PROVISION OF VOCATIONAL EDUCATION AND TRAINING) BILL 2014

### Ayes, 21

Mr Barr  
Ms Burton  
Mr Collier  
Mr Crakanthorp  
Mr Daley  
Mr Furolo  
Mr Greenwich  
Ms Harrison  
Mr Hoenig  
Ms Hornery  
Mr Lynch  
Dr McDonald  
Ms Mihailuk  
Mr Park  
Mr Parker  
Mr Robertson  
Ms Tebbutt  
Ms Watson  
Mr Zangari  
**Tellers**  
Mr Amery  
Ms Hay

### Noes, 42

Mr Anderson  
Mr Aplin  
Mr Barilaro  
Mr Baumann  
Ms Berejiklian  
Mr Bromhead  
Mr Brookes  
Mr Conolly  
Mr Constance  
Mr Coure  
Mr Doyle  
Mr Evans  
Mr Flowers  
Mr Gee  
Mr George  
Ms Goward  
Mr Grant  
Mr Gulaptis  
Mr Hartcher  
Mr Hazzard  
Mr Issa  
Dr Lee

Mr Marshall  
Mr Notley-Smith  
Mr O'Dea  
Mr Page  
Ms Parker  
Mr Perrottet  
Mr Piccoli  
Mr Provest  
Mr Rohan  
Mr Rowell  
Mr Sidoti  
Mr Smith  
Mr Speakman  
Mr Stoner  
Ms Upton  
Mr Ward  
Mr R C Williams  
Mrs Williams  
**Tellers**  
Mr Patterson  
Mr J D Williams

### Pairs

Ms Burney Mr Baird  
Mr Lalich Mr Dominello  
Mrs Perry Mr O'Farrell  
Mr Rees Mrs Skinner

## UNIVERSITIES

# New, feature-packed UWS Professional Staff agreement

The University of Western Sydney (UWS) Professional Staff Enterprise Agreement 2014 has been finalised and endorsed by PSA members.

The new enterprise agreement for UWS professional staff will provide pay rises of 3% in April 2014, 3% in April 2015, 3.25% in April 2016 and 3.75% in 2017.

The University will also ensure that any future wage increases will be provided by January 2018, or be back-dated to that date.

The agreement includes a range of improvements in addition to those secured over the last 6-7 rounds of negotiations.

The latest inclusions are:

- improved sick leave, substantive commitments to professional staff training,

improved on-call allowance for Information Technology Staff with protected provisions, new provisions for staff undergoing family violence, improved Indigenous clause and union representation/consultation

- superannuation payments for women on unpaid maternity leave for up to 3 months. This important development goes a long way towards helping adjust the gender imbalance in the lifelong accumulation of superannuation
- improvements for casual staff including recognition of service for long service leave, superannuation and maternity leave.

Members voted unanimously on 20 October 2014 to endorse the in-principle agreement, which the

PSA bargaining team negotiated based on their input and feedback during the process.

Kathy Kyle, the Branch President for the University of Western Sydney Branch of the PSA, has been a lead negotiator for every enterprise agreement since the University commenced bargaining. Kathy was supported by fellow delegates, Lorraine Fordham, Scott Pendlebury, Tanya Rubin, Huy Tran and PSA Industrial Officer Dorothy Molyneux (now Manager, Industrial Services).

This, however, was Kathy's final agreement negotiation as she has now retired.

The PSA would like to thank Kathy for her conviction and years of dedication to both the PSA and the University.

# Common sense prevails in native vegetation debate

A controversial Shooters and Fishers Party bill that sought to water down native vegetation laws and slash the penalties for illegal land clearing has been blocked in the Upper House.

If passed, the bill would have eased restrictions on land clearing as well as reduced the fine for obstructing the work of environmental compliance officers from \$11,000 to just \$1000. This reduction in fines was particularly insensitive given the tragic shooting of environmental compliance officer Glen Turner in July. The man charged with Glen's murder had been involved in an ongoing dispute with the Office of Environment and

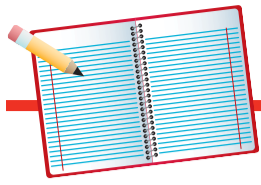
Heritage over massive illegal land clearing.

Greens MLC David Shoebridge said his party could not support any reduction of penalties after the state lost one of its public servants in the line of work. Glen's family also condemned the proposal.

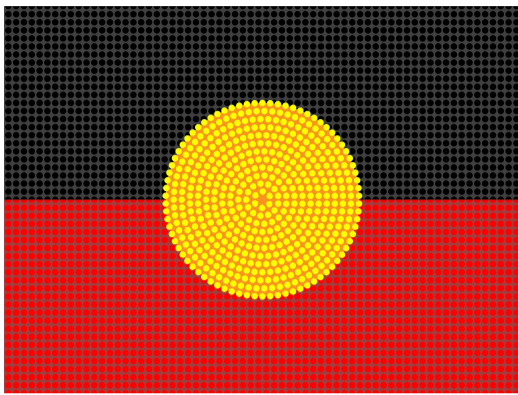
The bill lost a vote on the floor of the Upper House (3 votes to 35).

The Native Vegetation Act is currently under review by the Government, with a report expected later this year.





# In Brief



## Attention Aboriginal & Torres Strait Islander members

The PSA is updating its database in relation to our Aboriginal and Torres Strait Islander members. Having your name, work location, email address (home and work) and phone number (work and mobile) on file allows your union to better communicate with you.

Most importantly, we encourage you to identify as being an Aboriginal or Torres Strait Islander member. Please send these details to Daniel Willis at [dwillis@psa.asn.au](mailto:dwillis@psa.asn.au).

## ILGA and OLGR relocation update

On 27 November, staff delegates from the Independent Liquor and Gaming Authority (ILGA) and Office of Liquor Gaming and Racing (OLGR) attended the Industrial Relations Commission to further the matter of seeking 'swap' transfers between ILGA and OLGR staff affected by relocation. Staff from OLGR have been moved from Level 7, 10 Valentine Avenue, Parramatta back to Level 6, 323 Castlereagh Street, Haymarket – the exact same address they were forced to leave for Parramatta only last year. At the same time, staff

from ILGA have been relocated from Castlereagh Street to the Parramatta address. OLGR and ILGA management agreed to meet with the PSA and staff delegates to discuss the potential for swap transfers. When *Red Tape* went to print, this meeting was scheduled for 9 December 2014. The Commissioner determined that the PSA must provide as much detail as possible regarding staff wishing to be considered for a swap between the two agencies. Requests will be dealt with on a case-by-case basis.

## PUBLIC SERVICE ASSOCIATION OF NSW Forestry Corporation of NSW Departmental Committee 2015–2017

Nominations are called from the financial members employed by the Forestry Corporation of NSW for the position of delegate in the following electorates.

Eight (8) delegates to be elected:

- Northern Hardwoods ..... (1) delegate
- Mid Northern Hardwoods ..... (1) delegate
- Southern Hardwoods ..... (1) delegate
- Western Hardwoods ..... (1) delegate
- Northern – Softwood Plantation Division ..... (1) delegate
- Snowy Mountains - Softwood Planted Division ..... (1) delegate
- Land Management Forestry Services ..... (1) delegate
- Head Office ..... (1) delegate

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

Candidate information should be completed and supplied with the nomination form. The nomination must be proposed and seconded by financial members employed by the Forestry Corporation of NSW and forwarded to:

The Deputy Returning Officer Public Service Association of NSW Nominations may be submitted:

**BY POST** GPO Box 3365, Sydney NSW 2001

**BY EMAIL** [elections@psa.asn.au](mailto:elections@psa.asn.au)

**BY HAND** PSA Inquiry counter, Level 5, 160 Clarence Street, Sydney

**BY FAX** (02) 9262 1623

Nominations must be received at PSA Head Office no later than 5pm Friday, 30 January 2015.

## PSA TRAINING

# Metropolitan program: January – June 2015

- Role of the delegate** ..... February 3–4
  - Dealing with member issues** ..... February 17
  - Women in the union** ..... March 10
  - Role of the delegate** ..... April 21–22
  - Advanced delegates workshop** ..... April 28
  - Dealing with workplace bullying** ..... May 22
  - Role of the delegate** ..... June 16–17
  - Dealing with member issues** ..... June 23
- Regional training to be arranged separately.*

## The courses

### Role of the delegate

This two-day course discusses the role of the delegate and active members: what delegates do, delegate protections, organising skills, recruitment, working with issues, union values and involvement. All members can learn from this course and are welcome to apply.

### Dealing with member issues

This one-day course is for delegates who want to develop their ability to assist members with individual workplace issues. The course looks at how to deal with individual issues by using the problem-solving framework and developing advocacy skills.

### Advanced delegates

This one-day course is for delegates who have completed the role of the delegate course and wish to further develop their skills. It looks at advanced recruitment techniques, analysing issues, campaign skills and dealing with member issues.

### Campaign skills

This one-day course focuses on the skills and tools necessary for successful union campaigning. It looks at how to build support for a workplace campaign and the importance of campaign strategy and planning.

### Dealing with bullying in the workplace

This one-day course is designed to assist members and delegates in dealing with bullying and harassment at work.

### Women in the union

Topics included in this one-day course are the history of women's participation in the workforce, your rights & entitlements, union structures, assertiveness, EEO and anti-discrimination.

## Information

These courses are available at no charge to PSA/CPSU members.

Non-members wishing to attend need to submit a membership application first.

Participants are responsible for their own travel and other costs incurred in attending training.

## Venues

All training courses are held at PSA House, 160 Clarence Street, Sydney unless otherwise stated.

*NB: Lunch is not provided. Tearoom facilities available (tea, coffee, fridge, microwave).*

## Special needs

People with disability and/or special needs, please contact the PSA training staff at the time of your enrolment.

## Special leave for trade union training

Most members are entitled to paid trade union training leave.

Your delegate/organiser will be able to provide details.

For further information email: [training@psa.asn.au](mailto:training@psa.asn.au).

## PSA/CPSU DIRECTORY

### PSA EXECUTIVE

- Sue Walsh, President
- Anne Gardiner, General Secretary
- Steve Turner, Assistant General Secretary
- Cassandra Coleman, Senior Vice President
- Wendy Hurry, Vice President
- Nicole Jess, Vice President

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- Suite 2, Level 3 Devonshire House, 406–408 King Street NEWCASTLE WEST 2302
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### NORTHERN REGION

- 2/133 Keen Street, LISMORE 2480
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- Facsimile: (02) 6621 4690
- Email: [lismore@psa.asn.au](mailto:lismore@psa.asn.au)

### NORTH WESTERN REGION

- Shop 14 The Atrium Shopping Centre 345 Peel Street, TAMWORTH
- PO Box 682, TAMWORTH 2340
- Phone: 1300 772 679
- Facsimile: (02) 6766 3352
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### SOUTH EASTERN REGION

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- PO Box 986
- WOLLONGONG 2520
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- Facsimile: (02) 4226 4667
- Email: [wollongong@psa.asn.au](mailto:wollongong@psa.asn.au)

### SOUTH WESTERN REGION

- Suite 2, 27 Forsyth Street
- PO Box 649
- WAGGA WAGGA NSW 2650
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- Email: [wagga@psa.asn.au](mailto:wagga@psa.asn.au)

### COMMUNITY & PUBLIC SECTOR UNION (SPSF GROUP)

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### COMMUNITY & PUBLIC SECTOR UNION (SPSF GROUP NSW BRANCH)

- Sue Walsh, Branch President
- John Cahill, Branch Secretary
- Steve Turner, Branch Assistant Secretary
- Kirsten Cameron, Branch Assistant Secretary
- Ron Davis, Branch Assistant Secretary for 'POA' Sub-Branch
- Wendy Hurry, Branch Vice President
- Boyd Kellner, Branch Vice President
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– with significant input from members

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\* Policy coverage is subject to the policy schedule and the terms/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 policy can provide salary compensation with weekly injury benefits - 85% of salary up to \$1,500 for up to 104 weeks (up to 26 weeks for members 66 to 70 years of age).

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