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In reply please quote:

KB:ljm: A14/1269

20 May 2015

Peter Baxter
IR Business Partner
People, Learning & Culture
Forestry Corporation of NSW
121-131 Oratava Avenue
WEST PENNANT HILLS NSW 2125

Dear Mr Baxter,

Re: Forestry Corporation Agreement

I refer to the email sent by James Shaw, Manager Strategic Industrial and Bargaining on 18 May 2015 and your reply dated 20 May 2015. An assurance was sought that bargaining would not take place regarding staff who are either office based and / or level 4 and above. No response was received from you to this request prior to these discussions, and it appears that matters relating to office based and/or level 4s were discussed at your meeting.

The aforementioned discussions are taken to be capricious or unfair conduct that undermines freedom of association or collective bargaining. I submit that this is a breach of the good faith bargaining requirements as per s228 (e) of the Fair Work Act 2009.

Further actions from management that the PSA deems to be a breach of good faith bargaining are:

1. Mr Steve Sullivan, being a delegate of the PSA, being warned not to communicate with levels 7 and 8.
2. Separate meetings than with other bargaining agents.
3. Ignoring verbal requests to supply a list to bargaining agents
4. Ignoring written requests to advise level 7 and 8s about the intention to bargain.

The PSA seeks an assurance within 24 hours that no further discussions will take place in the negotiation of the Enterprise Agreement without the presence of the PSA.

Furthermore the PSA insists that a withdrawal of any suggestion that PSA delegates cannot communicate with members is withdrawn as a matter of urgency.

Yours sincerely,


Kerrie Butson

Senior Industrial Advocate