

RedTape



Public Service Association of NSW
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Public servants – not public serfs

PSA launches new ad to stop “secret sell off”

The PSA is launching a second advertisement to highlight to the community the Baird Government’s “secret sell off” of public services.

The campaign will begin in August on radio and online.

It comes as the NSW Government really show its hand in relation to privatisation.

But then it has never been too ‘smart or skilled’ when it comes to disguising its agenda.

The Government’s bulldozing strategy reached a zenith with a new Regulation under the Government Sector Employment Act (GSE) which was passed on Friday, 17 June 2016 without consultation or advance notice to the PSA or any NSW public sector union.

The Regulation is an extreme and far-reaching attack that extinguishes the right of public sector workers to redundancy or severance payments where privatisations occur and so called “comparable employment” is available.

It is also an unambiguous attempt to clear the way for the mass privatisation of public services in NSW, over ruling the rights of the workers involved by law so the transactions are as simple and as cheap as possible.

As PSA General Secretary, Anne Gardiner said in *The Sydney Morning Herald*, “It’s appalling that the biggest employer in the country would treat their workers

like they are property and hand them over to the private sector without the employee having any say in the matter. These people are public servants, not public serfs.”

In response to the Regulation, the PSA wrote to the Secretary of Unions NSW calling for an urgent meeting of all public sector unions.

The PSA and Unions NSW began lobbying Parliamentary cross bench politicians for support of a disallowance motion and are seeking that all legal, political and industrial avenues are pursued to overturn the Regulation.

The PSA has also started to telephone members around the state to ensure that the PSA is ready to act if the Parliamentary lobbying does not succeed.

A week prior to the Regulation being introduced in the lead-up to the State Budget, the NSW Government announced the establishment of a new Commissioning and Contestability Unit (CCU) to “improve government services by exploring delivery models that include a mix of government, NGO and private sector providers”.

You don’t need to be a rocket scientist to work out that this is nothing more and nothing less than a Privatisation Unit, the sole purpose of which will be to earmark Government services to sell off to the highest bidder who will then provide the service for the least possible cost.

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TAFE action wins improved agreement



Eighty-four percent of members at TAFE have voted yes to accept a new agreement.

The agreement, a vast improvement on TAFE’s original proposal, came about as a direct result of members taking industrial action.

PSA General Secretary Anne Gardiner is pictured addressing striking staff at Ultimo TAFE in April.

[Read more on page 6.](#)

Billboards highlight the dangers to Correctional staff

Two billboards have been set up to alert the people of NSW about the importance of a public-run prison system and the risks staff face.

The billboards will sit on the M4 Motorway near Parramatta and on the Mitchell Highway at Wongarbron, between Dubbo and Wellington.

Prison Officers
WE FACE WHAT YOU FEAR!
Keep our Prisons Public

PSA www.psa.asn.au



Steve Turner

From the Acting General Secretary

Privatising everything all the time has to stop

The Baird Government has never been too keen on delivering public services to the people of NSW.

LPI, ADHC, TAFE, TAG, ServiceFirst, Justice, National Parks, Prisons, child protection, Sport and Recreation, public housing, RMS and Health are all areas where the Government is working to transfer public dollars to private interests and reduce its own accountability.

In the past few months, the Baird Government have taken more radical new steps toward their goal of privatising our great public service.

In the lead up to the State Budget, the NSW Government announced the establishment of a new Commissioning and Contestability Unit (CCU) to "improve government services by exploring delivery models that include a mix of government, NGO and private sector providers".

On Friday, 17 June 2016, the Government passed a new Regulation under the Government Sector Employment Act (GSE).

This Regulation, passed without consultation or advance notice, is an attempt to clear the way for mass privatisation.

It extinguishes the right of public sector workers to redundancy or severance payments where privatisations occur and so called "comparable employment" is available.

Under the Regulation, public servants would be forcibly transferred to the private provider.

Around the same time, a cut to the ICAC was announced which would reduce staffing by 15 percent, undermining the capacity of the Commission to investigate allegations of corruption and is a further clearing of the path for privatisation without scrutiny.

Now consider this; in 2015, the Sydney Morning Herald reported that "the true cost to taxpayers of the new privatised Northern Beaches Hospital has been revealed as \$2.14 billion [to be paid to] a

private consortium, which includes Healthscope, Leighton Holdings and Theiss, ... over the life of the contract."

Also in 2015, the Auditor-General's report on Family and Community Services (FACS) told us that \$2.5 billion is handed to the non-government sector (NGOs) to deliver services normally handled by the Department.

That's a lot of tax payer dollars in just two instances of privatisation.

Meanwhile, there are no performance measures, no benchmarking, no accountability.

The Auditor General Report also makes the point that other Australian states have "follow the money" powers.

This is where Auditor Generals have the power to ensure financial accountability and provide service delivery assurances.

If every other state in Australia has this accountability, we say so should NSW.

By any reasonable measure, why should it not?

What we have instead is a Government hell bent on privatising NSW, throwing billions at the private sector while simultaneously cutting public sector jobs and grabbing at its own employees' entitlements and pay.

Over the last few years, the PSA has taken giant leaps forward in building the capacity and organising ability of this great union of ours in preparation for this fight.

A quick glimpse at our Facebook page and our website shows the high-visibility campaigns being run and the high profile media we are now securing in our fight to defend public services in NSW.

We are continually building and escalating our efforts towards this important fight.

At Annual Conference, delegates voted on their preferred media campaign to highlight what the Baird and Berejiklian Government is up to and in past weeks many of you would have received a call from PSA staff about taking action in response to the Regulation I mentioned above.

The PSA has escalated its fight against privatisation and will very soon escalate our fight with "The Secret Sell-off" Campaign. I urge members to get involved in this as we roll out the activities which will include a campaign website.

All members should regularly visit the PSA website and like the PSA NSW Facebook page so that you are regularly updated and get yourself involved in actions in our ongoing fight defending public services. Together we can and will hold Mike accountable.

Steve Turner
Acting General Secretary

PSA takes reins in flex agreement push

PSA General Secretary Anne Gardiner has demanded the Government do more for flexible work in light of comments by Premier Mike Baird on International Women's Day.

Anne Gardiner has written to Vicki Telfer, Executive Director of NSW Industrial Relations, calling for the "Wages Police Taskforce (WPT) to impose an immediate moratorium on the implementation of changed flexible working hours arrangements in those agencies where notice has been given to terminate agreements".

Flexible working is a prized condition for PSA members.

"The Premier, in his comments on International Women's Day, highlighted flexible work as a key priority for the sector," Anne Gardiner wrote in the letter.

These remarks were inconsistent with the flexible working

parameters imposed by the Wages Policy Taskforce.

The PSA has convinced the Department of Finance, Services and Innovation (DFSI) to keep reasonable flexible conditions in place for its employees.

Following a request from Anne Gardiner, DFSI Secretary Martin Hoffman, submitted an application to the WPT to seek an exemption from some of the bargaining parameters.

Anne Gardiner originally wrote to Martin Hoffman requesting an immediate freeze on the 12-month notice period DFSI provided the PSA under Clause 10.4 of the Crown Employees Public Service

(Conditions of Employment) Award 2009 to terminate various flexible working hours agreements (FWHA) within DFSI and implement a single FWHA to apply to all department employees.

DFSI now has a flexible work agreement that is a significant improvement on what was offered previously.

PSA staff and delegates are negotiating with the Department of Justice for a similar agreement.

Additionally, the PSA's letter to Martin Hoffman called for mandatory independent gender, carers' responsibility and WHS impact assessments before changes to flex agreements are made,

and requested a new approach be adopted by the Department giving consideration to a greater diversity of views when it comes to consulting on changes to flexible working agreements.

A white paper by technology firm Citrix, State of the Flexible Nation, found "flexible work life has not yet been fully embraced by businesses of all sizes and that the majority of office workers are, in reality, faced with an hour commute and full day tied to the desk".

"While 67 percent of government workers say they are offered flexible hours (as long as they complete 35 hours a week), only 19 percent say they occasionally work from home."

The paper blames the lack of flexibility in the workplace for a rise in "so-called 'presenteeism', described by Harvard Business Review as workers being at the office despite not fully functioning due to illness and cutting productivity considerably".

Presenteeism was blamed for problems such as poorly motivated workers and employees showing up to work while ill, potentially infecting their colleagues.

Writing in *PS News* about the survey, management executive Rosemarie Dentesano said workplaces dragging the chain on flexibility had not adjusted to changing work environments.

"While technology, business and society have changed markedly since the advent of the 9am-to-5pm work day, many business leaders still have an old-school 'bums on seats' mentality when it comes to evaluating a worker's productivity," she wrote.

"One-third of workers at organisations that don't offer flexible working said they believe the reason was the inability to monitor work done at home."

Continued from page 1

Around the same time – and make no mistake there are no accidents in any of this here but a clear hardened strategy - a cut to the ICAC was announced which would reduce staffing by 15 percent.

But this was much more than yet another batch of cuts.

The slashing of the Government watchdog would effectively cripple the capacity of the Commission to properly investigate corruption thus allowing for the sell off of services without proper scrutiny of process or the actions of the increasingly secretive Baird administration.

The PSA called for the State Budget to restore funding to the

ICAC in order for it to properly maintain its watchdog role.

That push came in the wake of the Auditor-General's report on Family and Community Services (FACS) which stated that \$2.5 billion is paid to the non-government sector (NGOs) to deliver services usually handled by the Department with no direct accountability to Government for the management of this funding. According to the Auditor General, the contracts with NGOs do not include outcome focused performance measures or measurable targets to benchmark performance against the Department.

In other words, service standards and performance, in this case, chillingly in relation to the state's

most vulnerable children, simply don't matter.

Unlike other states, NSW has not given the Auditor General legislative powers to follow that \$2.5 billion in funding.

The PSA wants to change that, and with members' involvement, we will.

"Some services simply must remain statutory responsibilities of the crown. Passing off critical areas such as child protection, disability services and prisons to the private and community sector and reducing disadvantaged individuals to "units" is nothing short of an abdication of duty of care," said Anne Gardiner.

An issue for everyone

The Australian Human Rights Commission found there was a perception among many people that flexibility in the workplace, particularly part-time employment, was seen as a 'women's issue'. However, flexible workplaces can benefit all employees.

A 2015 report by Bain and Company on flexibility found "increasingly, men are demanding the ability to work flexibly, often to play more active roles as caregivers".

"If Australian society really aspires to equal workforce participation by men and women at every level of leadership, then there is a clear imperative to ensure that both genders are equally enabled to share the caregiving role."

The report found 50 percent of the men seeking flexible working conditions were looking for "work-life balance".

LPI data lease must go to ICAC



The proposed 35-year lease of the Titling and Registry wing of the Land and Property Information Service (LPI) must be referred to the Independent Commission Against Corruption (ICAC) says the PSA.

The demand follows revelations electronic conveyancing will soon be mandatory for all future property transactions through PEXA (Property Exchange Australia Ltd) where the NSW Government and the four major banks are among the key stakeholders.

LPI's Titling and Registry component – which generates up to \$70 million annually for NSW – is to be fully privatised.

Workers at LPI stopped work for the third time in recent weeks on Thursday 30 June and rallied at the front of the LPI Building at Queen's Square, Sydney at 12pm to further their protest against the lease of the critical service and its sensitive property data.

The workers' action took place on the busiest day of the year for LPI, as it was the last opportunity

to lodge mortgage registrations or discharges under the 2015/16 year fee schedule.

"When the ICAC's funding was cut in the budget, the PSA warned that the Commission would have reduced capacity to scrutinise Government and its mass privatisation of public services," said PSA Assistant General Secretary, Steve Turner.

"The channelling of electronic conveyancing into a company in which the Baird Government has an interest is a glowing example of our concerns and comes just weeks after the budget cuts." When the PSA met with the Minister, he added the move to electronic titling arose from an agreement at the Council of Australian Governments and that two other states had already implemented the changes.

The PSA has concerns there should be checks and balances to ensure this is done appropriately. "As far as the sale of the Titling and Registry wing of LPI is

concerned, the PSA has again not seen a business case or cost benefit analysis that explains why such a well run and profitable Government service should be privatised," said Steve Turner.

"In fact, the details of the scoping study have not been released on the basis it is a confidential cabinet document."

"This Government continually seems to have something to hide." Steve Turner said apart from the impact on jobs and job security there is also the critical issue of personal data security once the Titling and Registry Services unit is no longer operated by the Government.

"Land Titles records underpin the security of the financial system of the state of NSW."

"Surely the security of that information should be paramount and remain in the hands of the Government not the private sector," said Steve Turner.

Cuts to ICAC threaten fight against corruption

Appeals such as these to the ICAC will become less effective thanks to planned cuts to the corruption-fighting body.

Interviewed in *The Sydney Morning Herald*, PSA General Secretary Anne Gardiner said: "There are numerous privatisations proposed where, without an adequate ICAC, it will be open slather for big business because we don't see business cases.

"Things are being done behind closed doors with the excuse that the contracts with the private sector are commercial in confidence."

PSA wants a stable Pillar

The PSA is pushing for an agreement to protect Pillar workers' entitlements for the coming four years.

Despite the PSA's objections, the Baird Government passed a bill privatising the profitable Wollongong-based body.

The PSA campaigned against an agreement that would protect conditions for one year. Pillar management has offered two years protection.

The PSA is also determined to keep Pillar in the Illawarra region, a part of NSW that has a youth unemployment rate of more than 15 percent.

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Sue Walsh

From the President

Low budget blow hardly unexpected

After all the NSW public sector has been through over the last few years, the recent State Budget should have come as no great surprise.

It showed once again just how little Premier Baird and his Government care about the services you provide, your job, your family and your community.

The seemingly endless belt-tightening is set to continue as it has done each year which disguises the level and impact of the ongoing cuts over time.

The NSW public sector has been continually in the firing line from the Baird Government and the result of the Federal election was never going to have much of an impact on the Premier's attitude

towards the largest workforce in the state, if not the country.

This Government persists with the notion that the public sector should be more with less or worse, should be much better with fewer staff and resources.

It's a nonsense that has been perpetuated and driven by conservative Governments all over the world for some time.

And it's a blanket ideology that we need to counter just as the Baird Government's "sell sell" strategy must be confronted and called out what it is: blindly putting a for

sale sign on every public service it believes it can make money from.

At some point they will simply run out of assets to sell. Then what?

What a way to run a state – by fire sale.

What's needed is the collective of the union where we stand together as one.

We cannot successfully fight back alone.

There really is something in the old saying; united we bargain, divided we beg.

This Government needs to reassess, not just its attitude to the public sector, but its priorities.

Infrastructure projects might be the Government's number one ticket item and yes, transport is a key issue for us all, but surely having some sort of moral compass is just as significant.

**Sue Walsh
President**

Awards get 2.5 percent boost

As members are aware, the State Liberal Government passed a series of legislative changes to prevent the independence of the Industrial Relations Commission (IRC) in determining fair pay for public sector workers.

Specifically, they introduced a new section 146C, which mandates that "the Commission must... give effect to any government policy on conditions of employment of public sector employees". The PSA took its challenge to this legislation all the way to the High Court. However, the legislation was found to be valid.

The NSW Public Sector Wages Policy prevents all public sector unions obtaining salary increases above the 2.5 percent restriction without the trade-off of conditions.

Savings must be proven and costed prior to an increase being considered.

In order to ensure the pay rise was paid from the first full pay period on or after 1 July 2016, the PSA lodged award applications in

the IRC for the Salaries Award and 12 related Awards (SAS Trustee Corporation, Landcom, Local Land Services, ITSr, Skilled Trades, Wages Staff, ICAC, IPART, RMS, Transport for NSW, Audit Office and Service NSW).

The only outstanding award at the time of press is the RMS Consolidated Salaried Award.

This has not been resolved, as the PSA believes employees are being forced to cede conditions in exchange for the 2.5 percent pay increase.

'Beautiful set of numbers' not so pretty up close

Handing down her second budget, NSW Treasurer Gladys Berejiklian won praise from *The Daily Telegraph* for "the beautiful set of numbers" announced over the dispatch box.

However, a more careful look at the figures reveal a less-than-pretty picture.

In 2016-17 savings are to come from the 'efficiency dividend', removing duplication and procurement savings, all of which impact on jobs.

Worryingly, however, in its forward estimates, the NSW Government has included ambitious efficiency dividends from 2017-18 – as high as \$846 million in all for 2019-20.

At the moment, these numbers look like an accounting trick to massage data into more sellable figures without the specifics being apparent.

Yet these savings are projected to be made from cutting the jobs of PSA members.

These cuts may well have links to privatisations and outsourcing not yet announced.

At the same time, the NSW Government has announced its Commissioning and Contestability Unit and amended the GSE to make it easier to push employees to the private sector.

Ms Berejiklian's "beautiful" numbers will be just more pain for public sector employees.

There may be a small amount of good news for members.

Increased expenditure on schools could see more SAS staff hired if the PSA's Assistant General Secretary Steve Turner gets his way and workload concerns from LMBR are addressed.

And despite their privatisation obsession, the Baird Government can't flog off everything. Political pressure will be pivotal.



Casino changes put NSW at risk, says PSA

Photo credit: James Horan; Destination NSW

The PSA has used the ABC to spread its message warning the people of NSW that changes to casino monitoring increases the risk of the gaming venues being used to launder money.

Nineteen of the 20 specialist government inspectors and auditors permanently based at The Star casino in Pyrmont have taken voluntary redundancy from their positions.

The resignations follow Minister Troy Grant taking administrative

control of gambling regulation under his own direction.

Specialist Casino Inspectors formerly based at The Star were to join roving teams carrying out random spot checks.

The changes will also affect the new casino planned for Barangaroo.

PSA General Secretary Anne Gardiner highlighted the risks on ABC TV news.

Member profile

John Jones

Production manager, Charles Sturt University



What is your role at the university?

I am a production manager and Senior Technical Officer for Theatre Performance programmes at Charles Sturt University in Wagga, where I've been for over 36 years. I've been a union member for that whole time.

As a delegate for the union, I represent members in bargaining, employee representative committees and in disputes and negotiations. I'm an executive member of HERC (Higher Education Representative Council) at state level.

I've represented members in three rounds of bargaining

and about to enter my fourth. I believe the agreements we've negotiated are particularly good by industry standards.

I've seen firsthand how never-ending calls for increased efficiencies reduce quality employment and service delivery and impacts the health and well-being of employees.

We need to clearly establish our identity in the workplace; aggressively and actively fight against bullying and work overload; and ensure that more senior members are protected in their transition to retirement - not bullied out of the workplace.

What do you like about your job?

I don't have a typical day.

Contact with students is a large part of my job, and I enjoy helping them achieve their outcomes.

Unlike much of the trends with universities, performing arts is still very labour-intensive – they are still required to do a lot of hours.

About 50 percent of my job is technical solution solving, which I enjoy.

Getting away from the desk is always quite good.

Fighting for equality

The PSA's fight for pay equality for schools staff continues.

Your union has been gathering information from members in order to correctly identify the work undertaken by SAS staff.

While the statement of duties is a good starting point for this information, we developed a template for members to identify any additional and/or changed duties.

As a result of this work, three large lever arch files containing these completed templates and other important information has been submitted to external lawyers for a review expected to take approximately six to nine weeks.

When this is completed, the PSA staff will meet with the lawyers to ascertain whether there is anything further they need from us before they give us comprehensive advice on the likely success of a pay equity case for each of the female-dominated SAS staff classifications.

The term 'pay equity' can often be mixed up with the terms 'equal pay' or 'gender pay gap'.

Historical campaigns for equal pay were about winning the right for women to be paid the same amount as men where they did the same job as men.

The gender pay gap is the difference in the full-time average weekly earnings of women and men expressed as a percentage of men's earnings.

For example, the Australian national gender pay gap is 17.3 percent, which is better than the NSW gender pay gap of 17.9 percent.

The gender pay gap is impacted by a wide and complicated variety of issues, including the lack of women in senior roles; differences in job-security; direct and/or indirect discrimination and women and men choosing different industries or job-types.

The PSA has been a world leader in pay equity.

Pay Equity is about fighting to ensure women are paid equally to men for work of equal value.

It is about examining whether the work performed by a particular female-dominated workforce or industry has been systemically undervalued because of the gender of the people undertaking the work. Addressing pay equity in female-dominated industries or workforces would go a large way towards closing the gender pay gap.

The PSA has been a world leader in pay equity.

The Librarians' pay equity case, as it has become known, started in 1996 with a meeting of PSA members working

as librarians, library technicians and archivists at the State Library of NSW

It ended in 2002 with an historic decision handed down by the Full Bench of the NSW Industrial Relations Commission – the first test case under the "NSW Equal Remuneration Principle of 2000" adopted by the NSW Industrial Relations Commission two years earlier.

On the day that the historic decision was made, then PSA Senior Industrial Officer for the case – current Assistant General Secretary Steve Turner – said: "the decision sets a precedent for how women can say they are underpaid because they are women...this breaks the barrier and allows women to be assessed for equal pay for work of equal value..."

The PSA case has played an important part in pay-equity wins in Queensland and Federal jurisdictions. It will also be drawn on in any pay-equity case in schools.

PSA welcomes child protection inquiry

The PSA has welcomed a move by the NSW Legislative Council (Upper House) to establish an inquiry into the NSW child-protection system.

PSA Assistant General Secretary Steve Turner began the push for the inquiry back in mid-2015 after a number of tragic incidents.

According to a Legislative Council media release, the inquiry will "look at the role of the Department of Family and Community Services (FACS) and non-government organisations in protecting children and young people at risk of harm" and consider the:

- adequacy of funding to employ specialist caseworkers and other frontline personnel, as well as funding for prevention and early intervention
- efficacy of the tools used to assess risk of harm reports
- training and monitoring of foster carers
- oversight by the Office of the Children's Guardian
- initiatives to protect indigenous children.

The PSA, in consultation with members in Community Services, has prepared a detailed submission for the inquiry.

This can be found on the PSA website.

The PSA acknowledges the DC Executive for their contributions towards the submission.



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TAFE action wins improved agreement

After a long period of negotiations, the PSA (CPSU) has won a new agreement for the coming few years.



Eighty-four percent of PSA (CPSU) members voted in favour of the new agreement, which includes a number of concessions from TAFE's original hard-line offer.

- Working hours. TAFE's original proposal had 80 percent of staff increasing their weekly hours to 37, for no extra pay. This was then revised to 36.25, before the PSA (CPSU) secured a 35-hour week for all staff. Current 38-hour-a-week staff will move to 35 hours from January 2017, without a reduction in their weekly wage, and the ability to continue receiving their RDOs.
- Automatic transition to contemporary classification structure. TAFE's original proposal had staff transitioning to the new classification structure via "restructure", resulting in hundreds of extra restructures throughout TAFE. The PSA (CPSU)

secured automatic transition in January of 2017.

- Salary maintenance. Throughout bargaining, TAFE consistently refused to maintain the salary of staff facing a pay cut in the transition to the new classification structure. This meant staff faced real cuts to their wages in excess of thousands of dollars. The PSA (CPSU) was able to force TAFE to agree to "red circle" or "maintain the salary" of anyone whose position transfers over at a lower rate.
- An immediate 2.5 percent pay rise for all staff, followed by a further two years of 2.5 percent pay rises for the majority of staff. In addition, staff moving to a higher pay rate in the new classification structure will have their salary increased in January 2017, as well as any

applicable increments every 12 months thereafter.

- Broken shifts. TAFE wanted to extend broken shifts from the current long-standing restrictions (available only for security officers) to all staff.
- Permanent Part Year Employment (PPYE). TAFE's original proposal allowed for an unrestricted number of permanent part year positions, potentially allowing TAFE to convert current full year positions to part year positions via restructure. The PSA (CPSU) won a restriction to the current amount of staff (650) working part year. Part Year Employment will also be limited to certain circumstances where 'there is genuinely no work across the whole year'. This will be closely monitored at each Institute by the PSA (CPSU) and at the Peak Consultative Committee. The PSA (CPSU) will also closely monitor the use of part year employment to ensure TAFE does not go above the 650 and can justify each PPYE position.

The vote ended a 12-month process, with a lot of negotiations on minor issues over the final six months of talks.

The most contentious issues were negotiated last, over the final few weeks.

Due to the industrial action and campaigning by members, the PSA/CPSU won most of what it was after.

PSA members in TAFE colleges throughout NSW had walked off

the job in April to protest the education body's intransigence at the time over negotiations.

Members went on a three-hour strike to highlight TAFE's refusal to negotiate over issues such as adding extra unpaid hours to employees' schedules and withholding the 2.5 percent wage increase given to other employees in NSW.

Strikers in Sydney assembled at Ultimo TAFE, where they heard speeches from PSA General Secretary Anne Gardiner, PSA TAFE delegate Leon Parissi, Greens MP David Shoebridge, Labor's Shadow Minister for Skills Prue Car, Teachers Federation representative Rob Long and TAFE student Matthew Ng.

In addition to the cuts in workers' conditions, the speakers discussed cuts in funding to the TAFE sector at the expense of an inferior, and frequently corrupt, private vocational-education system.

Other events were held throughout the state.

At the Gosford TAFE campus, only one support staff member remained at work.

Northern lights: where TAFE has backed down

PSA pressure forced TAFE to withdraw two positions to be created across multiple classifications in a restructure at the North Coast Institute.

The PSA met regularly with delegates by teleconference during the dispute process and had a delegate attend the Commission Hearing.

Being involved in the Work Level Standards during TAFE Bargaining allowed our delegates to have an understanding of why we were able to dispute the positions.

Members on fixed-term contracts whose positions were affected in the restructures had their contracts extended until the end of June 2016.

Members on fixed-term contracts were concerned about severance payments and we reached an agreement with the Institute that each member's case would be treated as a special consideration and looked at individually.

PSA members unite at Baird rally

PSA workers angry at the Baird Government's privatisation agenda were among the estimated 3000 people protesting the increasingly unpopular regime.

The protest began as a rally in Sydney's Town Hall, before marching to State Parliament.

Protesters joined other groups from NSW angry at a government described at the rally as "out of control".

Wearing surgical masks, Disability Services employees protested over the loss of voice for some of the state's most vulnerable people. They also pointed out the double standards of giving them inferior packages to those in male-dominated sectors, such as ferries, that have been privatised.

Other PSA members voiced their opposition to privately run prisons-for-profit.

LPI employees were on hand to publicise the parcelling out of their services to the public sector.

PSA members from TAFE protested against the dismantling of the state's vocational education system in favour of dodgy private operators.



Baird condemned at conference

Mike Baird's increasingly authoritarian rule over NSW was raised at this year's Annual Conference.

Changes to the Law Enforcement (powers and responsibilities) Act serve to stifle dissent in NSW, giving police greater powers to shut down protests, processions, assemblies and industrial action.

The Law Enforcement (Powers and Responsibility) Act (LEPRA) has long empowered police to issue orders to people in public places.

However, section 200 of the Act places important limits on that power, stipulating that police cannot exercise this power in:

- an industrial dispute
- an apparently genuine demonstration or protest
- a procession
- an organised assembly.

The Baird Government, with support from Christian Democrats and the Shooters and Fishers, has restricted section 200.

Public Works employees keep serving public



The PSA has succeeded in getting 'job swaps' for Public Works employees who want to remain in the public sector.

Delegates and PSA staff along with representatives from other unions attended a scheduled meeting with Public Works management on 17 February to discuss the draft Restructure Management Plan for the Government Architect's Office (GAO) and the Sydney Region Project Management (SPRM) released on 10 February.

Also discussed was the creation of a new entity, Public Works Advisory (PWA).

NSW Public Works was responsible for construction of some of NSW iconic heritage landmarks, including the State Library, Gladesville Hospital, Sydney Hospital, RPA Hospital and Parramatta Park.

The GAO predates NSW Public Works, turning 200 in the same year the Baird administration is throwing it out to the private sector.

The PSA discussed the vulnerability of GAO and SRPM staff, who were interested in applying for roles within the PWA would be severely disadvantaged by the uncertainty of not knowing when these roles are to become available.

In particular, the PSA is concerned its members may be declared excess beforehand.

The PSA successfully sought a commitment from Public Works it would retain all staff who lodge an application for the combined Stage 1 and Stage 2 until those employees know the outcome of their applications.

The PSA recognises there are many people in GAO and SRPM

who do want to maximise their opportunities for remaining in employment within Public Works.

The PSA also discussed and submitted the various questions and feedback comments we had received from our members regarding the structure and role descriptions for the PWA.

The PSA was assured management would be willing to entertain potential job swaps where they were deemed appropriate.

If members want to remain in the public sector, the PSA urges them to speak with their direct manager about identifying another public sector agency employee who wishes to access a voluntary redundancy to enable a job swap to occur.

This will assist in determining whether your employment circumstances meet the conditions for a potential job swap.

PSA welcomes new Aboriginal liaison officer

PSA members at the 2016 PSA Annual Conference were welcomed to country by the union's new Aboriginal Liaison Officer, Ann Weldon.

Ms Weldon is filling in for Mal Cochrane for six months.

"The issues I would be like to address would be to increase the links and the profile of PSA in matters of concern with Aboriginal and Torres Strait Islander community in NSW," she says.

A member of the Kalar River people, in the Wiradjuri nation, Ms Weldon has worked at AHDC Burwood, in the Community Support Team – Sydney Local District, since 2015.

Before then, she was at the Metro North Region – Parramatta Local Office and the Rosebery ADHC Office for Metro South Region.

She is also an elder and board member of the NSW Aboriginal Land Council.



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DEFENDING PUBLIC SERVICES

by protecting jobs and workplace rights

A council of war against an unrelenting government.

Responding to the ever-present threat of privatisation was a key issue discussed at this year's PSA Annual Conference, held in May at the Wesley Centre, Sydney.

After a welcome to country by incoming PSA Aboriginal Liaison Officer Ann Weldon, PSA General Secretary Anne Gardiner spoke about the "enormous, multi-pronged attack from this government" to privatise public services.

She explained the Government's use of "language to confuse the community", such as labelling cuts to TAFE 'Smart and Skilled'.

Job losses hit regional areas particularly hard, and Anne Gardiner talked about the importance of getting media coverage in country towns, which is now a focus for the PSA.

A nine-minute edited video of the conference address can be seen at psa.asn.au.

Later, Associate Professor Jane Andrew spoke about the accounting sleights of hand governments use to justify flogging off state assets.

An edited version of her address is on the following page.

Attendees split into smaller groups to come up with strategies for issues such as dealing with restructures, the impact of the Wages Policy on members' working lives and getting younger people involved in the PSA.

Members of the work groups later reported their findings to the conference.

After being briefed on the PSA's members-reward plan, the performance management toolkit

and a proposed advertising campaign, the conference was served up light relief from stand-up comic Alice Fraser.

The following day, the conference opened with songs from the Sydney Trade Union Choir, before a former member of that troupe, political economist Kerry Barlow, talked about "the frog boiling in the water" – the slow move towards privatisation. An edited extract of her presentation is below.

The final two presentations for the day came from Professor David Peetz and the ACTU's Kristyn Crossfield, who both addressed the changes Australia's trade union movement faces.

Some areas where privatisations are occurring.



Annual Conference 2016



How the Government put the state in hot water

This is an edited extract from an address to the conference by political economist Kerry Barlow

The initiative called the boiling frog came from the FACS branch in Penrith, who worked on it. They asked me, as a political economist, if I would work with them on the restructure of work.

They called it the boiling frog, because it starts off in cool water, and does not realise the temperature is rising very, very slowly, sometimes faster, then slower, until suddenly the water is so hot, the frog is dead.

We wanted to remind people that with the temperature rising slowly, it can be too late before you get out.

It is quite clear that constant need to carve out areas of profitability is what drives the capitalist system.

That need goes on and it relentless. If one area cannot offer that level of profitability, then capital will move to another country or another industry. Capital is pretty mobile.

Another main cause of restructure is the concentration of wealth in fewer hands, especially in the

hands in large multinational companies. As we know, many multinational companies' assets are greater than some small countries' gross domestic product.

This gives them the power to avoid tax, and when they avoid paying tax, the nation states have problems financing their required services. We are seeing this in Australia.

Also, high-income earners avoid paying tax. We know that 56 of the highest income earners – more than a \$1 million a year – paid no tax in the 2014-15 tax year, according to a Monash University report.

In 2014-15, in Australian private companies paid \$2 billion tax on \$145 billion income; even though, on the surface, company tax is 28.5 percent for small companies and 30 percent for bigger companies.

Another cause of the constant restructuring of the public sector is the short political cycle, and that includes constant changes of ministers and ministerial staff.

There is also an ideological push to break the back of unionism, because public sector unions have traditionally been stronger unions, particularly in English-speaking countries.

The deliberate strategy to break the public sector unions began with Margaret Thatcher in the UK, knowing that would see the demise of unions in the rest of the country.

There has been corporatisation of public services, as we have experienced, and privatisation of public provision. We know there has been a lot of cost adjustment in the form of wages freezes, wage capping, downsizing and the outsourcing of a lot of functions, which began with IT.

Some members have been long enough to have experienced the first wave of reform; the divesting of commercial activities that were part of government, but were then seen to be not central to a government's role. So we privatised the Commonwealth Bank, Qantas, the GIO, Telstra, and the list goes on.

The second wave, once the first wave was fairly completed, was redefining public infrastructure's role. You saw utilities then starting to be privatised: electricity, rail, water, the post. That was saying there was no need for these to be in the public

service's hands, the private sector is just as good at doing these.

The third wave, which is the one we are living through at the moment, is the extension of the models that were used to carry out the second wave, but to social services, such as health, welfare and education.

We have seen management so called reforms brought in from the private sector, such as recruitment practices that focus on generic managerial skills rather than content knowledge. We have seen such a loss of organisational knowledge right across the public sector.

In TAFE NSW, we saw generic project managers brought in as consultants, and they did not have a clue about education.

The use of performance indicators and benchmarks borrowed from the private sector, and personnel management techniques that focus on high performance, having a senior executive service (SES) in every part of the public sector, so you moved ordinary managers up and out of the pay and salary awards and put them into the SES award, so they were not union members.

That is a real divide-and-conquer strategy, because then the SES are on performance bands, and they only get their contract renewed if they met performance criteria, so it set workers against managers: a really clever tactic.

We have also seen legal entities up with their own budgetary constraints.

With privatisation of public entities, we have seen the transfer of public ownership to the private sector, which removes control and responsibility from the public sector as we know, and the profit motive becomes the driving force.

The economy becomes more private and less public. And the size of the union movement shrinks.

If it is done to social infrastructure, such as welfare, education, health, it results in a huge fallout burden carried by those without the economic and social means of support.

Unions were at the forefront of pushing for that social infrastructure, now we are seeing a lot of that lost through corporatisation and privatisation.



Accounting for change

This is an edited version of the speech to the 2016 PSA Annual Conference by Associate Professor Jane Andrew, of the University of Sydney.

Accounting is incredibly powerful, it is central technology to how all decisions are made, whether in organisations, households or governments.

I saw just how powerful it is in selling public policy to the community and ourselves. If it sounds smart fiscally, it sounds sensible and reasonable financially.

We talk a lot about value for money. We've become quite comfortable with the idea that all the things we deliver to each other as a community should be judged by this seemingly clear assessment of 'value for money'.

"Does it deliver value for money for the community?" is a question that is posed regularly.

It is not an invalid question, but all the assumptions that underpin it are problematic.

Last year I wrote an article for *The Conversation* about prison costs. In it I say, "Much of this data [around prisons, the costs of prisons, and the arguments for privatisation] appears compelling and accurate. The figures are based on accounting numbers. But many don't realise the cost calculations produced by accountants are quite crude approximations, which are *always* the result of judgement, assumptions and estimations. These can also be highly politicised."

When I was talking about the cost of prison privatisation in Australia, as opposed to the cost that we would traditionally have though

it would have been for the public sector, I was arguing that the way the cost have been crafted produces a particular image that suggests it could be solved by a private sector operator.

It is not just a prisons story. It is a story that could be really anywhere.

I do genuinely believe the delivery of prison services is a core government responsibility. When we are starting to fudge and flex around that, we are really confused as a society.

Some of the earlier work I did was with a political economy colleague from the University of Sydney. In this 2005 report, we talked about the value for money that Correctional Services in NSW were delivering to the community.

We wrote an article about value for money in NSW prisons; effectively about the neoliberalisation of prisons in our state.

The first page of the document had the average costs per inmate, per day, with two comparisons that completely framed the debate.

It does not take an accountant to recognise when you aggregate all the costs of the Department of Corrective Services, which provides a variety of prisons, in a variety of contexts, to a variety of prisoners, as one figure, and you compare it to a discrete prison that provides a particular type of service, that you are not comparing the same things.

Figures like this, when circulated in public debate, are incredibly powerful. If you can say a private provider costs \$91 per prisoner, and a public provider costs

\$187, it completely discredits an argument that the public service should be providing these services to the state.

It is entirely inaccurate; a complete crafting of the numbers to tell a particular political story. So we really interrogated this, and one of the things we said in our work at this time is you are not telling us what goes into that figure you are talking about with the private provider.

There is a postscript to that, at the bottom of the page, in tiny writing, is something that effectively says, "We have made this figure up anyway." The \$91 they were talking about was a figure they had decided on, rather than one the auditor-general had discovered.

They don't have the information. We put pressure on the Government to say you cannot make claims in the public domain about the cost-effectiveness of the private providers if you don't have the data.

More recent work we have done is in Western Australia. Before NSW proposed the Better Prisons model, they were talking about reforms to this sector.

They had an inquiry by a body called the Economic Regulation Authority (ERA) and I had a number of meetings with them. I was shocked by their framework.

We made submissions to this inquiry, and they referred to us throughout their final report, which made us feel pleased.

And we did make their conclusions less comfortable. Ultimately, they are going to do what they want to do, but what is good about the

work they do is that they can't do that claiming that it is factual and evidence-based.

In the end, we said don't talk to us about costs per prisoner per day, as we know it is a bogus figure.

At the end of their report, they acknowledge this entirely. Western Australia will not be able to proceed with their reforms to the sector on the basis it is going to be cost-effective. We have made it difficult for them to put in the public domain that this is going to save people money.

Finally the ERA notes there is little to no transparency about the way most costs allocated by the department to specific prisons. They have no idea about the oversight costs associated with privatisation.

Our findings in NSW are tragic. The story of prison privatisation in NSW is poor.

We say NSW is really underperforming in terms of public accountability. Contracts have traditionally not been in the public domain. Monitors are onsite, but do not report to the public, just to the Government, so there is no external form of accountability.

The Ombudsman takes prisoners' complaints and has clearly indicated the number of complaints coming out of private prisons is higher than public prisons.

There is a lot of evidence to say this is problematic.

Our research ended in 2015. Checking back, I found there were links to contracts for NSW prisons we were originally told were not available online. So I clicked on them but there was nothing there.

So I called the Department and said you clearly have a link to the contracts, but it is not working. Then I was under interrogation about who I was and what I wanted them for.

When I asked if they were supposed to be in the public domain, the Department would not answer. So the week the announcement was made for Better Prisons in NSW, these contracts were suddenly made available. But most of the interesting data, which related to performance, expectations and fees, was redacted. It was completely useless.

But symbolically, NSW can now say its prison contracts are now in the public domain.

This is where researchers need to be more active.

In costs, it is also problematic as there is not enough information in the public domain.

The actual costs are unknown to the state, as far as I know: they do not know how much it costs to deliver private prisons as opposed to public prisons.

One of the things we saw was performance-linked fees are paid to private contractors irrespective of performance. That is partly due to the fact performance requirements are not transparent.

There have been reports in the press about incidents you would think affect their fee; but there has been no effect on their fee.





Letter to the editor

I have been an active member of the PSA for more than 15 years. It has been an honour and privilege to be a member of such a dedicated and professional organisation.

I will continue to be grateful for all the success and hard work this association accomplishes and would like to thank you for your ongoing support.

I recently had a WorkCover claim that was denied, but fortunately with the help of the PSA and W.G. McNally Lawyers, we won my case. Once again, thank you to the PSA.

Kim Maher
PSA member



Members protest against test centre closure

PSA members came out in force to protest the closure of an RMS driver-testing unit in the Sydney suburb of Mount Druitt. While the RMS office will be replaced by a Service NSW

branch, there will be no licence testing facility at the site. The existing 17 employees of the Motor Registry had to reapply for their jobs, with most not moving over to the new centre.

Residents of the suburb, many from low-income and non-English-speaking backgrounds, will be forced to travel further afield to obtain licences. This will increase the amount they will need to pay driving

schools whose vehicles they take the tests in. About 50 people attended the rally, which received positive coverage from *The Daily Telegraph*.

“Nice” letter triggers angry response

A letter from the Secretary of the NSW Department of Family and Community Services, Michael Coutts-Trotter, in celebration of International Women’s Day has triggered an angry response from a PSA member, FACS triage and assessment caseworker Katie Duff. The letter included two contentious paragraphs:

For most people in our department and our related agencies, this isn’t just a job, it’s a vocation.

The motivation isn’t money, status or accolades, it’s a deep desire to serve.

“I think while he probably meant this to sound nice,” wrote Katie Duff in response, “it speaks to a deeper gender bias that is damaging to women.

“This is not a statement that any employer/head of a department would ever even think of saying to a male-dominated workforce.

“While we may come to work for many and varied reasons, we also come to work for the money. I am not a ‘kept woman’ who passes my time based on whatever I fancy at the time, free from the care of managing my finances, happy to let someone else worry about that for me. I am passionate about my work; yes. Do I think it is important work? Yes. Do I think I do it from a ‘desire to serve’? No!

“I have a mortgage, I have dreams to travel, I have everyday bills; I have a desire to have a good superannuation balance so that

when I retire I don’t have to live in poverty.

“When I come to work, like all of my colleagues, I work hard. I am valuable and I should be remunerated accordingly.

“I deserve better, as do the rest of my female colleagues, than to receive an email from the secretary any day, let alone on International Women’s Day, telling me that I come to work out a desire to serve, rather than for money. It is antiquated views like these that uphold that status quo where women are paid less than men.

“I think the secretary should be more considered in his emails in relation to gender issues every day, obviously including International Women’s Day.”

Political support for Primary Industries staff

Discussing the Water NSW Amendment (Staff Transfers) bill in the upper house Legislative Council, Labor member and Shadow Minister for Regional Infrastructure and Services, Mick Veitch, pointed out “from the Opposition’s discussions with union representatives, it is obvious that this legislation does not represent what the workers want.” “The PSA has also raised issues about transferring employees to the Federal employment system.”

The amendment, introduced by the opposition, aims to ensure staff transferred from the Department of Primary Industries to WaterNSW, a state-owned corporation,

keep superannuation, leave and continuity of service entitlements. Another upper house member, Greens MP Jeremy Buckingham, praised Water NSW employees under threat from the changes.

“The Department of Primary Industries and Water NSW are not machines; they are organisations made up of people who work to deliver services.

“They are losing good jobs there simply to underwrite the Government’s bottom line, and that is of enormous concern to the people of Deniliquin.”



PSA feet hit the streets

The PSA was among dozens of unions and community organisations marching in Sydney’s parade for May Day, the international celebration of workers’ rights.

Under the union’s red and white banner, PSA members and staff walked the 1.5km route down Broadway to Camperdown’s Victoria Park.

At Victoria Park, a PSA stall presented information on the Baird Government’s attack on PSA members in NSW.

Speakers at the event discussed a number of issues, including workers’ rights overseas and the Federal Government’s attack on Gonski funding for schools.

The family-friendly event included children’s amusement rides and food stalls.

Assistant General Secretary Steve Turner, General Secretary Anne Gardiner and school administrator Mary Court were among the marchers at the 2016 May Day parade.

PSA shifts thinking on relocation allowance

Compensation for staff affected by the Office of State Revenue's move to Gosford has been expanded to include staff from Newcastle and Maitland.

Initially only available to Parramatta-based staff, the \$15,000 assistance package has now been extended to Maitland and Newcastle staff thanks to work from the PSA.

Members should note they can apply for assistance under either the Transferred Employment Compensation Award (TECA) or the \$15,000 package.

If you choose to move to Gosford when the role is relocated, you may be better off applying for assistance under TECA.



Members march on IRC

ADHC members marched with staff to the Industrial Relations Commission in May to take a stand with PSA General Secretary Anne Gardiner to protest against FACS refusing to talk about their transfer package.

Commissioner Newell noted the large attendance of PSA members and said it demonstrated a genuine interest and concern in the matter.

During the proceedings, the PSA argued ADHC staff deserved a say on their future and the transfer package.

However, Government representatives confirmed plans to rob ADHC staff of public sector rights to consultation and to a transfer package equal to previous male-dominated industry privatisations, contrary to Premier Mike Baird's statements on International Women's Day recognising unequal pay is a problem.

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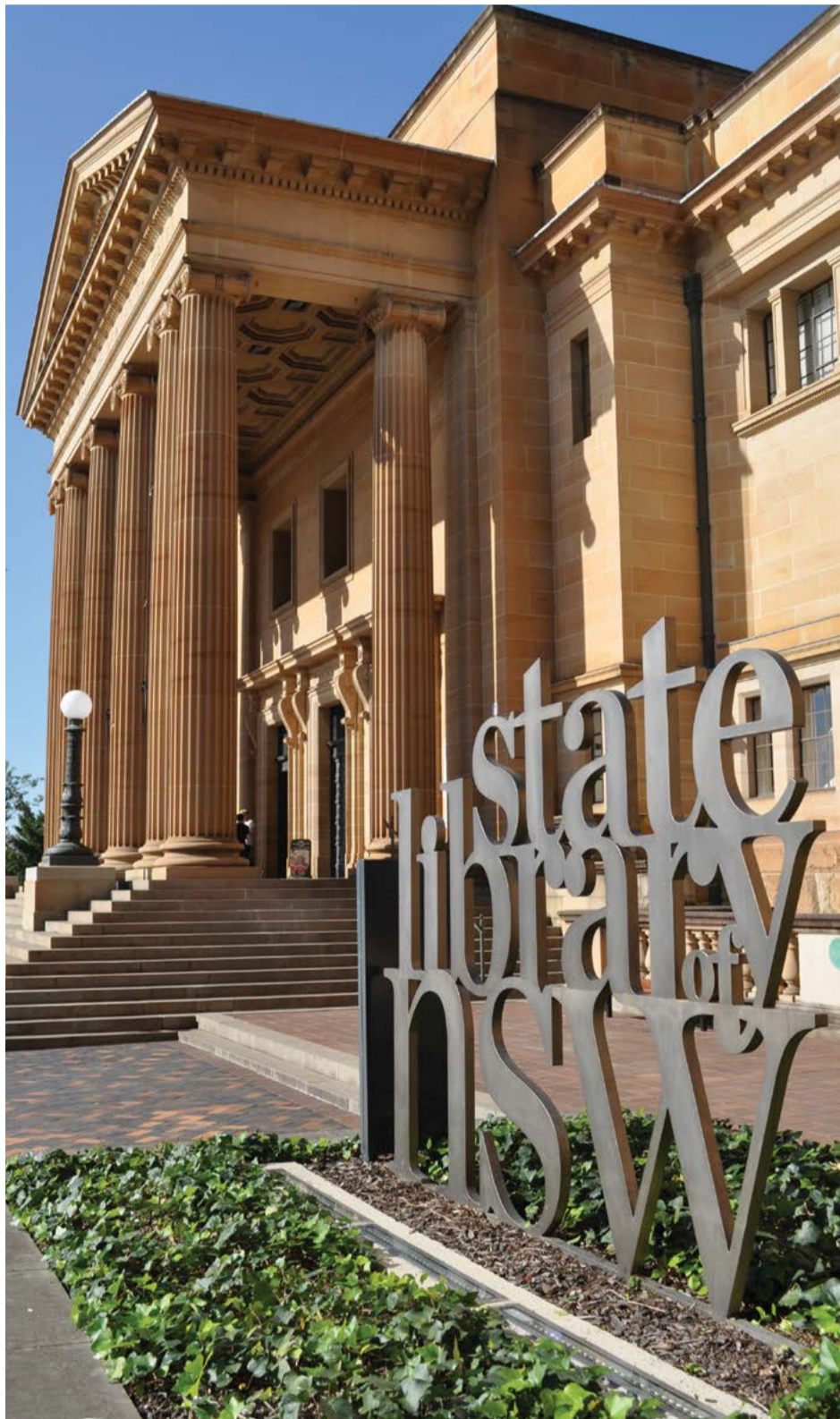


The Public Service Association is an active, member driven union that successfully asserts members' interests and advances the value of public services for the people of NSW.



State Library found to be too quiet on consultation

In a dispute involving the PSA, the Industrial Relations Commission (IRC) has found crown employers are obliged to consult prior to workplace change.



The decision came from Commissioner Murphy ruling on a case between the PSA and The Office of the State Librarian. Commissioner Murphy cited the Crown Employees (Public Service Conditions of Employment) Award: namely “there shall be effective means of consultation, as set out in the Consultative Arrangements Policy and Guidelines document, on matters of mutual interest and concern, both formal and informal, between management and Association” and “the Departmental management shall consult with the Association prior to the introduction of any technological change”. The Policy and Guidelines referred to in the Award are The Consultative Arrangement Policy and Guidelines 1997. The PSA successfully defended this policy in 2014 in the Industrial Relations Court when an attempt had been made to replace it with a weaker document.

The 1997 Policy and Guidelines were clearly recognised by the Commission in our dispute with The Office of the State Librarian, which came about when they commenced a restructure with no intent at all to include the PSA in consultative processes. The employer argued that the need for change had arisen after the last JCC on November 2015 and that the planned alterations to conditions were insignificant. The Commissioner disagreed, stating “clearly it’s not an insignificant change. It’s not just for those directly affected, the 16 positions, but also, as the union points out, those that are, as it were, left behind to presumably pick up the work that these employees outgoing will no longer be doing. “They’re the sorts of things that should have been the subject of consultation, genuine consultation, prior to any decision being made.”

PSA lodges claim for top up pay for injured workers

Traditionally, injured workers have been allowed to top up their workers’ compensation payments with sick leave entitlements. The Government has refused to fulfil this entitlement, maintaining that the entitlement is inconsistent with its 2012 Workers’ Compensations changes (which made significant cuts to the Worker’s Compensation scheme). The PSA does not agree with this, and has highlighted to the Government, on several occasions, that the Government’s position is in breach of its industrial obligations to its employees under various awards.

On 4 May 2016 the PSA filed an application in relation to this matter. The application lists a number of industrial awards the PSA is party to where provision is made for injured employees to access accrued sick leave in circumstances where the Workers Compensation Act 1987 (NSW) (“the WC Act”) is not paying an employee’s full wage.

For example, the Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009 (“the Conditions Award”), at clause 82.7, provides:

“A staff member who continues to receive compensation after the completion of the period of 26 weeks referred to in section 36 of the Workers Compensation Act 1987 may use any accrued and untaken sick leave to make up the difference between the amount of compensation payable under that Act and the staff member’s ordinary rate of pay. Sick leave utilised in this way shall be debited against the staff member.”

PSA members should note there are minor variances in wording which relate to topping up workers compensation payments with sick leave entitlements between awards.

The PSA application also provides background to the 2012 amendments to the Workers Compensation Act 1987 (NSW) (“the WC Act”).

In particular, the application notes the changes to section 36 of the Act. Subsequently, the application outlines the differing interpretations the Government and the PSA have over the impact these amendments engender in relation to the various “top up” pay clauses contained in the abovementioned awards.

The Government contends:

- the awards refer to section 36 of the WC Act, which provides for injured

workers to be paid a full wage for a period of 26 weeks

- the “top up” provisions of the Award are inconsistent with the 2012 amendments to the WC Act
- in 2012, section 36 was amended, resulting in the Awards relying on a “repealed section” of the WC Act, rendering the “top up” clauses of the Awards as having “no effect”.

The PSA’s position is section 36 of the WC Act was not “repealed”, rather it was amended, and such amendment does not render “top up” clauses of the Awards to be of “no effect”.

As such, the PSA asserts provisions providing top-up pay have been included in awards of the Commission, by consent, since 1998 and the Government should continue to provide employees access to their accrued paid sick leave to “top up” workers’ compensation payments.

The PSA will also make application that the “top up” clauses in the Awards listed in the Schedule to this Notification be varied so that they consist of the following wording:

“A staff member who receives compensation may use any accrued and untaken sick leave to make up the difference between the amount of compensation payable under that Act and the staff member’s pre-injury average weekly earnings as defined in section 44 of the Workers Compensation Act 1987. Sick leave used in this way shall be debited against the staff member.”

Going to the Industrial Relations Court is the last resort for the PSA.

The Application notes the PSA’s previous attempts to resolve the issue, including meetings with the Government and five letters about the matter.

On 1 June there was a failed conciliation between the Government and your union.

The Government submitted a new argument that paying sick leave for top up workers compensation would increase employee-related costs – despite sick leave being an existing entitlement.

Your union maintains employees should be entitled to top up workers compensation payments in sick leave, as stated in the Crown Employees (Conditions) Award 2009.

The PSA will keep members informed about the case’s outcome.

Home Care employees stick with PSA

The PSA and CPSU (SPSF) will continue to represent Home Care employees transferred to Australian Unity.

While working for Family and Community Services, Home Care employees were covered by state awards and represented by the PSA in negotiations.

However, since moving to Australian Unity, the employees are now under a federal award, which meant the CPSU (SPSF) needed to amend its rules to allow the PSA to represent the employees.

At the FWC, Senior Deputy President Hamburger mentioned the role played by PSA Assistant General Secretary Steve Turner, who “gave evidence about

the way that the PSA/CPSU engages generally with its members”.

“[Steve Turner] described the PSA/CPSU as ‘a full service union, capable of representing a diverse range of members across multiple industries and classifications of employment.’

“[Steve Turner] said that while members in Home Care had been badged as PSA members, there would be a seamless transition to CPSU representation, given that all the PSA and CPSU services are managed as a single entity with staff expert in both the NSW and Federal Industrial Relations Systems.”

How to make the proposed super changes work for you

by Andrew Vogt

There has been lots of discussion lately about proposed changes to superannuation, but they're actually easier to navigate than you might think.

Regardless of who formed Government this month, it's likely there'll be changes to how super works. Let's start by looking at some of the bigger changes announced in the Budget that have created a lot of interest.

One significant announcement was the new lifetime cap of \$500,000 on after-tax contributions for those aged up to 75. Unlike other proposed changes, if this change becomes law, it will be effective from 7.30pm on Budget night 3 May 2016 and covers after tax contributions made since 1 July 2007.

Currently there are annual caps on how much you can contribute. You can put in up to \$180,000 per year in after-tax, or \$540,000 over three years if you're under age 65 ('bring-forward' option). Members 65 or over must also meet a work test. The Government announced in the budget that it plans to remove this rule, which is great news if you're planning retirement and making a last minute dash to the super goal post.

The new cap means you'll only be able to make after-tax contributions totalling up to \$500,000 in your lifetime – and that takes into account whatever money you've already put in after tax over the past decade. (The proposal is for this to be indexed in \$50,000 increments to average weekly time earnings.) Of course \$500,000 is still a lot of money and even though many people won't come close to reaching the cap any extra you contribute can only help improve your retirement lifestyle.

What about before-tax contribution caps?

There were important changes proposed here too. From 1 July 2017, the before-tax cap, which includes salary sacrifice contributions, is planned to be lowered to \$25,000 per year for everyone. Currently it's \$30,000 for those under age 50 and \$35,000 for those aged 50 and over.

The key here is to monitor how much you're contributing in total before tax, remembering that your employer superannuation guarantee contributions also count towards the before-tax cap.

A clever 'catch-up' option will be allowed if you salary sacrifice but don't reach your before tax contribution cap in any one year. The option will let you carry forward unused amounts to future years on a rolling basis for up to five years, providing your super balance is under \$500,000. It's a good option if you've been out of work for a time (as a parent, carer or on sabbatical) as it will let you top up your super when you're earning money again.

It's also helpful to know that one of the proposals aims to allow you to salary sacrifice to super without going through an employer's payroll system. This lets you do what self-employed people do at the moment which is to make personal contributions to super, give the fund a notice of your intent to claim your tax deduction when you file your tax returns.

Also, from 1 July 2017, some high income earners will pay more tax on their super contributions. Currently, those on \$300,000 or over pay an extra 15% tax on their before-tax contributions (30% in total) over this threshold, but this

threshold will be lowered to those on \$250,000 per year or more.

And people in retirement?

From 1 July 2017, there'll be a \$1.6m cap on the total amount of super you can transfer from your super account to a tax free retirement income stream account. If you exceed the cap, you'll need to either transfer the money back into your super account (where earnings will attract 15% tax) or withdraw the excess from your income stream account. (The cap is planned to be indexed in \$100,000 increments linked to the Consumer Price Index. The amount of the unused cap you have left will be calculated based on the proportion of the cap you've already used.) Again, most people won't be impacted but it pays to be aware.

Another significant announcement was the proposed changes to transition to retirement income streams.

Transition to retirement is an arrangement that lets you use some of your super from a certain age, to top up your take-home pay as you reduce your work hours. You can keep growing your retirement nest egg while using it and, because you're working less, the chances are your tax bill will be less.

Under the proposed changes, the Government plans to make the earnings for transition to retirement pensions taxable at a rate of 15%. Currently, these earnings are tax free.

Some smaller changes have been announced too, including a replacement low income super tax offset scheme and the ability for anyone under age 75 to claim a tax offset for personal super contributions.

There's also a proposed extension of the spouse tax offset, removal of anti-detriment payments on death benefits and an extension of the tax exemption on retirement phase earnings to additional annuity products. Importantly, most of these smaller measures also take effect from 1 July 2017.

As you can see, there's plenty in the proposed rule changes to spark discussion among super savers, pre-retirees planning their retirement and those already drawing down on their super.

Our view is that despite all the changes, the fundamentals of the super system haven't really changed. Super remains an effective vehicle for building your retirement savings at a lower tax rate so you can retire well. Of course, there are variables at play so it may be a good idea to seek personal advice.

That said, there are at least three key questions you should ask yourself in light of the changes.

First, how am I impacted if these changes go ahead?

Second, how much should I contribute to super, both before and after tax?

Third, does any of this change my retirement plan?

If you don't have a retirement plan, ask yourself if you need one and if so, who can help you design and adjust it for any future changes.

If you have questions about saving and planning for retirement, First State Super can help. Simply phone 1300 650 873.

In future articles, we'll delve into retirement planning a little further. We'll also keep you updated on super developments. In the meantime if you have questions, contact your super fund.

*This is general information only. *Financial planning advice is provided by First State Super Financial Services Pty Ltd ABN 37 096 452 318, AFSL 240019.*



Andrew Vogt is First State Super's General Manager of Financial Planning.

General Training Courses

SYDNEY METRO

Dealing with member issues – Wed 3 Aug

Role of the Delegate – Tue 30 + Wed 31 Aug

Dealing with restructures – Tue 6 Sep

Dealing with bullying – Tue 20 Sep

Dealing with member issues – Wed 19 Oct

Achieving workplace flexibility – Wed 26 Oct
NEW (see below)

Role of the Delegate – Tue 1 + Wed 2 Nov

Dealing with restructures – Tue 15 Nov

Dealing with member issues – Wed 7 Dec

REGIONAL TRAINING

Role of the Delegate Wagga
– Tue 26 Jul

Role of the Delegate Tamworth
– Tue 16 Aug

Role of the Delegate Wollongong
– Tue 18 Oct

COURSE OUTLINES:

Role of the Delegate

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. Any member can learn from this course and is welcome to apply.

Dealing with Member Issues

ONE-DAY COURSE: for delegates who want to develop their ability to assist members with individual workplace issues. The course will look at how to deal with individual issues by using the problem solving framework, and by developing advocacy skills.

Dealing with Bullying in the Workplace

ONE-DAY COURSE: designed to assist members and delegates in dealing with bullying and harassment at work.

Achieving workplace flexibility

ONE-DAY COURSE: this course looks at the benefits of workplace flexibility and what flexible work practices exist in the NSW public sector. It will examine what you can do to access and implement these flexible work practices, by providing negotiation and organising strategies.

Dealing with restructures

This one-day workshop outlines the PSA's whole-of-union approach to supporting members through restructures, and provides resources and strategies for members undergoing workplace change. It utilises case studies, discusses the role of members, delegates and staff, and can be targeted to specific agency situations.

INFORMATION

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

Non-members wishing to attend our training will 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 St, Sydney – unless otherwise stated.

NB: Lunch is not provided. Tearoom facilities available with tea, coffee, fridge and microwave.

Special needs

If you have a disability and/or special needs, please contact the PSA training staff when you enrol.

Special leave for trade union training

Most state public sector members are entitled to paid Trade Union Training Leave. Your delegate/organiser will be able to provide the details.

CONTACT BY EMAIL: training@psa.asn.au

Historic agreement reached

In an historic first, management has reached agreement on a single enterprise agreement for all PSA staff.

Under the Fair Work Act 2009, all private sector employees, including PSA staff, were moved from the state industrial relations system to the federal system. Since that time, industrial staff in the PSA have not had a legally enforceable agreement covering their wages and conditions. In order to ensure that all PSA staff had equal industrial protections, negotiations were commenced with the three internal unions to work on a single agreement. After some difficulties bringing all parties to agreement, good will from both PSA staff and management resulted in 95 percent of staff voting for the PSA's first agreement.



Left to right; staff representatives Martin Stott (United Voice), Blake Stephens, Marianne Ledic (both ISU) and John McLoughlin (USU) and PSA General Secretary Anne Gardiner celebrate the signing of the agreement.

Public Service Association of NSW 2016 Election of Executive Officers and Delegates to Central Council Election Notice

The Electoral Commissioner for New South Wales is the Returning Officer for this election.

NOMINATIONS

Nominations are hereby invited on and from **Tuesday, 26 July 2016** for the following positions:

- General Secretary
- Assistant General Secretary
- President
- 3 Vice-Presidents
- 45 Delegates to Central Council

QUALIFICATIONS

Candidates must be financial members of the Association as at 7 clear days prior to the opening of nominations; or be on the Executive of the NSW Branch of the State Public Services Federation; or for the positions of General Secretary and Assistant General Secretary may be employees of the PSA or the SPSF; and must be nominated by at least two members (other than the candidate) of the PSA and who are financial as at 7 clear days prior to the opening of nominations. No person may nominate more candidates than the number to be elected for each position.

Nomination forms, Candidate Information Sheets, Grouping forms and Scrutineer Appointment forms are available from:

- NSW Electoral Commission's website at www.elections.nsw.gov.au; or
- NSW Electoral Commission, Level 25, 201 Kent Street, Sydney, telephone (02) 9290 5924; or
- The Public Service Association of NSW, telephone 1300 772 679.

LODGEMENT OF NOMINATIONS

Lodgement of a correctly completed nomination form, by the specified time, is the responsibility of the candidate. Completed Nomination Forms must be received by the Returning Officer, NSW Electoral Commission by no later than **12.00 noon, Monday 22 August 2016**. A candidate may only withdraw his/her nomination in writing so as to

be received by the Returning Officer prior to the close of nominations. Any defect in a Nomination form must be rectified by the candidate prior to the close of nominations.

Nomination forms can only be lodged with the Returning Officer:

- by hand: NSW Electoral Commission, Level 25, 201 Kent Street, Sydney; or
- by post: PO Box 693, Grosvenor Place NSW 1220; or
- by fax: (02) 9290 5939; or
- by email: ballots@elections.nsw.gov.au

Should more than the required number of nominations be received a draw will be conducted to determine the order of candidates' names on the ballot paper at the NSW Electoral Commission at **3.00pm, Monday 22 August 2016**. Candidates or their representatives are invited to witness the draw.

CANDIDATE INFORMATION SHEET

A candidate may complete a Candidate Information Sheet, details from which will be included in a booklet which will be posted to members with the ballot papers.

GROUPING OF CANDIDATES

Two or more candidates nominated for an election in which more than one person is to be elected may, by notice in writing to the Returning Officer before the close of nominations, request:

- (i) to have their names included in a group in the ballot papers to be used in that election; and
- (ii) to have their names included in that group in the order specified in that request.

Candidates wishing to have their names included in a group must lodge a Grouping form with the Returning Officer at the NSW Electoral Commission by no later

than **12.00noon, Monday 22 August 2016**.

LODGING OF GROUP VOTING TICKETS

Candidates included in a group may lodge one or two group voting tickets so as to be received by the Returning Officer at the NSW Electoral Commission by no later than **12.00noon, Tuesday 23 August 2016**.

ROLL OF MEMBERS

Candidates may request a copy of the certified roll. Requests must be made in writing to the Returning Officer, so as to be received by no later than the close of nominations **12.00noon, Monday 22 August 2016**. Conditions apply.

SCRUTINEERS

Candidates may be represented at the mailing out of the ballot papers and the counting of the votes by a scrutineer, nominated by the candidate in writing to the Returning Officer so as to be received by no later than the close of nominations **12.00noon, Monday 22 August 2016**. A scrutineer shall not be a candidate in any of the ballots being contested.

VOTING

All members of the PSA of NSW financial as at **12.00noon, Monday 22 August 2016** and entitled to vote will be sent ballot papers and a candidate information booklet on **Monday 12 September 2016**. The poll will close **12.00noon, Monday 17 October 2016**.

As voting material will be posted to each member's residential address, members should ensure that the PSA has their current residential address.

Enquiries should be directed to Diana Kosseifi at the NSW Electoral Commission on telephone (02) 9290 5924.

Linda Franklin
Returning Officer and Acting NSW Electoral Commissioner

PSA forces another rewind on workers compensation

After years of campaigning by unions such as the PSA, the shocking changes to workers compensation introduced in 2012 have been again partially wound back.

A \$1000 new employment assistance benefit is available to all injured workers starting with a new employer.

In addition, up to \$8000 is available under the education or training assistance benefit for workers with less than 20 percent impairment who have been receiving benefits for at least 78 weeks.

The changes come after other concessions from the State Government on workers compensation following union pressure, particularly from the Prison Officers Vocational Branch, whose members face significant risk.

Backtracks include an increase in minimum weekly payments for injured workers with highest needs and an extension to the maximum time workers were paid medical expenses.

There is no longer a limitation for the expense of crutches, artificial aids, home or vehicle modification or secondary surgery, while no action can be taken by an insurer against a worker if a worker requests a review of a work capacity decision.

In addition, reforms reduced the level of permanent impairment from 30 percent to 20 percent

for a worker to be classified as seriously impaired.

But there is still work to do.

The PSA will continue to press the Baird Government for more improvements to the state's workers compensation set-up.

For example, a worker who is assessed as having less than 30 percent total impairment is still required to undertake a work capacity assessment in order to go back to work.

This has resulted in injured workers being dismissed or medically retired when suitable duties have not been found by the employer.

Employers also have a statutory protection against an unfair dismissal claims if they wish to dismiss an injured worker after six months.

The legislation still imposes a high bar on workers in relation to compensation for disease injuries, requiring that employment be a main contributing factor, while journey claims are still not covered under workers compensation.

PSA members should note their membership covers them for journeys to and from the workplace.

PSA Women's Conference 2016
Connecting the Generations
Tuesday 13 September and Wednesday 14 September
PSA House, 160 Clarence Street, Sydney

Any female PSA member can nominate to attend.

Preference will be given to those who have not attended before.

The PSA Women's Conference gives you an opportunity to meet fellow members and share information.

Go to psa.asn.au/psa-annual-womens-conference-2016 for more information and to register.

Nominations close by COB 15 August.

If your application is successful, the PSA will write to your department requesting two days' special leave to attend.

**INDEPENDENT AUDITOR'S REPORT
TO THE MEMBERS OF PUBLIC SERVICE ASSOCIATION OF NSW**

We have audited the accompanying concise financial report of Public Service Association of NSW ('the Association'), which comprises the statement of financial position as at 31 December 2015, and the statement of profit or loss and other comprehensive income, statement of changes in equity and statement of cash flows for the year ended on that date, and related notes and statement of executive committee, derived from the audited financial statements of the Association for the year ended 31 December 2015.

Central Council's responsibility for the concise financial report

The Central Council of the Association are responsible for the preparation and fair presentation of the concise financial report in accordance with Australian Accounting Standard AASB 1039: Concise Financial Reports, the Industrial Relations Act 1996, the provisions of the Industrial Relations Act 1991 and the Industrial Relations Regulation 1992 and for such internal control as the Central Council determine is necessary to enable the preparation of the concise financial report.

Auditor's responsibility

Our responsibility is to express an opinion on the concise financial report based on our audit procedures which were conducted with Auditing Standard ASA 810 Engagements to Report on Summary Financial Statements. We conducted an independent audit in accordance with Australian Auditing Standards of the financial report of the Association for the year ended 31 December 2015. Those standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance about whether the financial report for the year is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the concise financial report. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the concise financial report, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the Association's preparation of the concise financial report in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Association's internal control. Our procedures included testing that the information in the concise financial report is derived from, and is consistent with, the financial report for the year. These procedures have been undertaken to form an opinion whether, in all material respects, the concise financial report complies with AASB 1039: Concise Financial Reports.

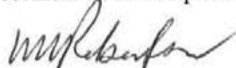
We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Independence

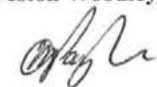
In conducting our audit, we have complied with the independence requirements of Australian professional ethical pronouncements.

Opinion

In our opinion the concise financial report of Public Service Association of NSW for the year ended 31 December 2015 complies with Accounting Standard AASB 1039: Concise Financial Reports.



Weston Woodley & Robertson



Michael Payne

Date: 11th of April 2016

Sydney

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**COMMUNITY & PUBLIC
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website: www.cpsu-spsf.asn.au

PUBLIC SERVICE ASSOCIATION OF NSW

STATEMENT OF FINANCIAL POSITION

As at 31 December 2015

	2015 \$	2014 \$
ASSETS		
CURRENT ASSETS		
Cash and cash equivalents	3,122,295	2,486,517
Trade and other receivables	534,908	411,883
Financial assets	29,346,200	27,412,754
Other assets	672,081	695,681
TOTAL CURRENT ASSETS	33,675,484	31,006,835
NON-CURRENT ASSETS		
Trade and other receivables	21,729	44,671
Property, plant and equipment	30,005,551	24,578,660
TOTAL NON-CURRENT ASSETS	30,027,280	24,623,331
TOTAL ASSETS	63,702,764	55,630,166
LIABILITIES		
CURRENT LIABILITIES		
Trade and other payables	1,980,574	2,132,724
Provisions	4,301,400	4,302,400
Retirement benefit obligations	14,348,452	13,836,023
Other liabilities	399,766	88,368
TOTAL CURRENT LIABILITIES	21,030,192	20,359,515
NON-CURRENT LIABILITIES		
Provisions	456,000	225,100
TOTAL NON-CURRENT LIABILITIES	456,000	225,100
TOTAL LIABILITIES	21,486,192	20,584,615
NET ASSETS	42,216,572	35,045,551
EQUITY		
Reserves	25,202,281	19,444,858
Retained earnings	17,014,291	15,600,693
TOTAL EQUITY	42,216,572	35,045,551

PUBLIC SERVICE ASSOCIATION OF NSW

STATEMENT OF PROFIT OR LOSS AND OTHER COMPREHENSIVE INCOME

For the Year Ended 31 December 2015

	2015 \$	2014 \$
Revenue	22,501,847	22,879,103
Other income	32,818	23,072
Employee benefits expense	(14,057,748)	(14,308,817)
Depreciation and amortisation expense	(589,870)	(570,518)
Finance costs	(391,559)	(310,263)
Other expenses	(6,422,559)	(6,987,438)
Profit before income tax	1,072,929	725,139
Income tax expense	-	-
Profit for the year	1,072,929	725,139

Other comprehensive income:

Items that will not be reclassified to profit or loss:

Gain on revaluation of land and buildings	5,757,423	-
Actuarial gain/(loss) on defined benefit pension plans	340,669	(5,763,541)
Income tax relating to these items	-	-
Other comprehensive income/(loss) for the year, net of tax	6,098,092	(5,763,541)

Total comprehensive income/(loss) for the year

7,171,021 (5,038,402)

Red Tape

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Issue Editors: Murray Engleheart & Jason Mountney

Writers: Jason Mountney & Murray Engleheart

- with significant input from members

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Email redtape@psa.asn.au Visit www.psa.asn.au

Thank you for
everything you
guys at the PSA +
unions are doing.
Keep up the
fight! We are
depending on
you!

This letter was left under the windscreen wiper of a PSA vehicle during a visit to Bathurst.

The PSA is not only fighting for its members' interests, but for the NSW public services that are so vital in regional centres just like Bathurst.

To join the PSA, call **1300 772 679**
or go to **www.psa.asn.au**

(Feel free to cut out this page and display it where it can be seen by your colleagues.)



Are you receiving emails from the PSA? If not, you may need to update your details. Go to www.psa.asn.au or call 1300 772 679 and make sure we can contact you.