



COMMUNITY AND PUBLIC
SECTOR UNION

SPSF GROUP NSW BRANCH
ABN 11 681 811 732

In Reply Please Quote BS:ndef A16/0803

10 August 2017

Mr David Harris
Chief Executive Officer
Water NSW
PO Box 398
PARRAMATTA NSW 2124

By email: david.harris@watersw.com.au

Attn: Rod Smith

Dear Mr Harris

Re: Enterprise Bargaining

The Community and Public Sector Union (CPSU NSW) has advocated since the second half of 2016 to commence bargaining for the next Water NSW Enterprise Agreement. The purpose of starting early was that the CPSU NSW knew it would take considerable time and resources to amalgamate and 'harmonise' the more than half a dozen instruments currently applying to former State Water Corporation, Sydney Catchment Authority and DPI Water employees.

In spite of the Union pointing this out to Water NSW on a number of occasions, negotiations did not commence until April 2017. More recently, Water NSW has withdrawn from negotiation meetings completely, citing the need to ask a third party, who will not be covered by the proposed Enterprise Agreement, to review the cost of the proposed updated claims Water NSW has developed. Negotiations are between Water NSW, the Unions and employees. **Third parties should not be involved.**

In spite of this, there are many elements of enterprise agreements that are relevantly cost neutral. Issues such as consultation, grievance resolution, performance and misconduct management that could be negotiated if Water NSW persists with having a third party giving approval for cost related bargaining claims.

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The CPSU NSW is the Federal Counterpart of the Public Service Association of NSW. CPSU NSW members are also members of the PSA.

The second issue referred to by Water NSW in causing delays is the Annual Wage Review by the Fair Work Commission and its impact on the State Copied Instruments.

The Annual Wage Review has been expressly extended to State Copied Instruments since 2013, some four years ago. If Water NSW had heeded the CPSU NSW's demands to negotiate from the second half of 2016, the enterprise agreement may have been finalised prior to June 2017 with pay rises provided to ALL employees.

Due to Water NSW's failure to take into account the impact of the AWR, hundreds of employees of Water NSW now have no pay rises that were due in July 2017. These CPSU NSW members last received a 2.5% pay rise in July 2016, and without any further increases provided or scheduled, **their take home pay is effectively going backwards**. The increases to cost of living, CPI and more importantly housing and electricity prices are eating into CPSU NSW members' incomes.

The Fair Work Act 2009 (the Act) requires that the employer to actually meet to negotiate the enterprise agreement. CPSU NSW asserts that failure of Water NSW to meet and continue negotiations is a contravening of this section of the Act.

Hundreds of CPSU NSW members continue to work without any pay rise since July 2016. The longer the negotiations continue, the longer hundreds of our members go without a pay rise. This is not acceptable and needs to be urgently addressed.

Due to the complexities associated with the amalgamation and 'harmonisation' of the many industrial instruments, the CPSU NSW continues to assert that the negotiations are likely to take **up to another 12 months to finalise**. This means another 12 months without a pay rise, and a reduction of take home pay in real terms for hundreds of Water NSW employees. **Our members would not be in this position had Water NSW heeded our advice in 2016.**

To address this, the CPSU NSW requests that the current State Water Corporation Enterprise Agreement be 'rolled over' for another 12 months, with a 2.5% pay rise or the AWR pay increases applying to the rest of Water NSW employees, whichever is the greater. In doing this, Water NSW employees will not be disadvantaged and will not have their take home pay effectively reduced while Water NSW continues to delay (again) the negotiations.

You can contact the CPSU NSW Industrial Manager Blake Stephens on bstephens@psa.asn.au or 02 9220 0976 to discuss this letter and make arrangements to urgently recommence negotiations.

Yours sincerely

Blake Stephens
For Karen Batt
FEDERAL SECRETARY