

5 December 2017

## The Benevolent Society coverage dispute update regarding Fair Work Commission hearing

As members are aware, the CPSU NSW recently lodged an application with the Fair Work Commission (FWC) for coverage as an employee organisation on behalf of members. The matter has been listed for hearing before Commissioner Johns at Sydney on 15 December 2017.

The CPSU NSW is the federal counterpart of the PSA for the purpose of *the Fair Work Act 2009* and your industrial rights and obligations are now determined under that legislation and jurisdiction following your transition from employment with ADHC. In NSW, members of the PSA are also members of CPSU NSW and therefore you are now represented in the name of CPSU NSW.

CPSU NSW recently reported to members (Bulletin dated 16 October 2017) that The Benevolent Society (TBS) has refused to recognise the CPSU's right to enrol and represent the ADHC Clinical Services employees transferred to the employment of TBS on 1 August 2017. TBS was joined in its opposition by the Health Services Union (HSU).

The hearing of the matter was originally meant to have proceeded on 27 October 2017 although that date was delayed due to combined objections by TBS and the HSU.

CPSU NSW can now advise **the HSU has formally withdrawn its objection** to our right to cover our members employed at TBS.

### What happens next?

CPSU NSW and our lawyers will attend the hearing on 15 December 2017 and a number of witnesses from both TBS and CPSU NSW will be cross-examined in relation to their affidavit evidence filed in these proceedings. It is possible Commissioner Johns might then reserve his decision until the New Year. CPSU NSW will update members once the FWC has delivered its judgment.

### Your award conditions

Members are reminded that your industrial conditions remain in force in accordance with your existing entitlements pursuant to the awards listed below and will do so until replaced by an enterprise agreement:

- » [Crown Employees \(Public Service Conditions of Employment\) Reviewed Award 2009](#)
- » [Crown Employees \(Administrative and Clerical Officers - Salaries\) Award 2007](#)
- » [Crown Employees \(Psychologists\) Award](#)
- » Crown Employees (Public Sector - Salaries 2017) Award - not currently available on the NSW IRC website. See NSW Treasury website for link to Salaries Award (2017) [HERE](#).

We will continue to be your union and to fight for your rights and entitlements. Now more than ever it is important to make sure all staff in your branch are members of the CPSU NSW/PSA.





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### **Your CST Advisory Group delegates are:**

Bronwyn Couch	Susan Lappan
Cheryl Jones	Itaru Yamamoto
Helen Goltzoff	Kim Ainsworth
Kathy Nash	Jessie Hartley
Kylie Fulton	Craig Maynard
Tomas Buratovich	Wynette Sheather

If you're interested in becoming a delegate let your organiser know or email us at [DisabilityCPSUNSW@psa.asn.au](mailto:DisabilityCPSUNSW@psa.asn.au).

### **Your PSA/CPSU staff are:**

**Dean Allen** - Industrial Officer

**Siobhan Callinan** - Senior Organiser

Contact us at [DisabilityCPSUNSW@psa.asn.au](mailto:DisabilityCPSUNSW@psa.asn.au).

Encourage your colleagues to join the PSA online at [www.psa.asn.au](http://www.psa.asn.au), or see your delegates for membership forms.

