

## CPSU NSW and Benevolent Australia Disability Services Joint Consultative Committee update

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On **Monday 21 May 2018**, your delegates and industrial staff from the CPSU NSW/PSA met with Benevolent Australia Disability Services ('BADS') to discuss collective member issues at the first Joint Consultative Committee ('JCC') meeting in Sydney.

The JCC is an important forum where CPSU NSW industrial staff and delegates are able to consult with management on workplace matters of mutual interest and concern. It is here that consultation between management and the CPSU NSW enables our members, through your union to participate in and influence decisions which directly affects your working conditions.

Consultation is an integral part of your award conditions and the obligations for management to consult with your union are set out at *Clause 65 of the Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009* ('the Conditions Award') and within the framework of the *1997 Consultative Arrangements: Policy and Guidelines* which can be found [HERE](#).

**The Benevolent Society ('TBS') Advisory Group (Delegate Council)** also met at PSA House on Monday 21 May 2018 and was therefore able to caucus member issues for discussion at the first JCC meeting with BADS.

### Attendees

CPSU NSW representatives and delegates: Dean Allen, CPSU NSW/PSA Industrial, Blake Stephens, CPSU Industrial Manager, Jessie Hartley and Kylie Fulton (CPSU NSW/PSA delegates).

Management representatives: Danny Burgess, Director Disability Services, Isabelle Guaran, Employment Relations Business Partner, Kylie White, A/Executive Director PLS, Alice Ward, HR Administrator

### Issues discussed included:

#### 1. Consultative arrangements

As part of the consultation Award obligations the CPSU NSW requested a discussion with BADS to establish the procedures for a meeting and consultation framework between BADS and the CPSU on behalf of members concerning workplace issues and changes or strategic and operational issues.

#### Name for the consultative committee meetings

– BADS opposed the use of the customary name 'Joint Consultative Committee' for the consultative committee meetings and consequently, your Delegate Council and the CPSU NSW proposed that future consultative meetings of this nature could be named the '**Disability Employee Consultation Committee**' meeting (the 'DECC').



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### **Consultative committee meeting framework and parameters**

– The DECC meeting discussed the composition of representatives for future meetings with proposals including that the DECC meeting should comprise at least one CPSU official, 2 delegates, a TBS Director of Operations and a TBS Employment Relations Business Partner.

The CPSU NSW proposed that given the wide geographic region of TBS/BADS operations, the size of the workforce and the broad representation of members that representatives for the DECC meetings should also include 1 delegate per region and facilitate rotating delegates.

BADS stated that agenda items should be furnished no later than 1 week prior to the meeting and that when agenda items have been submitted that these will be reviewed by BADS to determine whether the DECC is the appropriate forum for consultation.

BADS further stated that the DECC meetings will be a 'confidential space' although the CPSU view is that if matters have not previously been resolved and require escalation to the DECC meetings then your union will not be impeded from reporting to members regarding industrial issues if a resolution cannot be achieved through both local and DECC meeting channels.

The CPSU NSW argued in favour of conducting face to face meetings although BADS insist that meetings should generally be conducted by the often technically unreliable Skype format.

BADS has agreed to provide a formal record of the discussions at the DECC meetings.

### **Matters for consultation by the DECC - BADS**

stated that the DECC meeting objectives should be as an escalation point for disability services members with an emphasis on first attempting to resolve issues at the workplace level. The CPSU NSW is not opposed to the proposal providing the parameters of the *1997 Consultative Arrangements: Policy and Guidelines* are followed.

**Meeting frequency** - It was agreed that DECC meetings should be conducted quarterly on the first Monday of each February, May, August and November and will coincide with The Benevolent Society Advisory Group (Delegate Council) meetings in order to streamline delegate release for face to face consultative meetings.

The CPSU NSW will continue discussions with BADS in order to finalise an agreed memorandum of understanding or Terms of Reference for the establishment and conduct of effective consultative arrangements.

### **2. Flex time and flex leave.**

The CPSU NSW raised significant member concerns regarding difficulty accessing flex time and leave entitlements in accordance with the Conditions Award including the following examples:

- » Forfeiting flex time and difficulty obtaining approval to both accrue flex time and also to take flex leave.
- » Inconsistency across regions regarding access to flex time and leave.



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- » Verbal advice by some managers that our members are 'not authorised to accrue flex time without prior email approval for each instance' from their manager.
- » That any request to work outside of core hours would be declined.
- » Reports that members have been 'encouraged' to use sick leave or recreation leave instead of applying for flex leave.
- » Managers instructing members that they would need to ensure 4.5 billable hours per day before approval for flex leave would be granted.
- » A manager advising a member that any request to work outside of core hours would be declined and in each of the above instances a refusal by the managers to confirm the 'directions' in writing.

BADS argued that some managers may have had a 'more liberal interpretation' when flex leave approvals have been made and advised that it wants to analyse flex leave taken by staff in order to ascertain whether this may be a 'resourcing issue'. BADS asserted (incorrectly) that staff had been coinciding flex leave with recreation leave however the CPSU indicated that this is entirely in accordance with the Conditions Award.

BADS agreed to refer the concerns to the weekly Directors' meetings for a response. In a positive development, the CPSU has been advised that BADS has subsequently indicated to delegates that a clarifying bulletin will be circulated to BADS managers to ensure the consistent compliance

with flex time and leave in accordance with the Conditions Award. Members are requested to report any ongoing difficulties in relation to flex time and leave to your CPSU delegates or by contacting the PSA Member Support Centre at [Membersupport@psa.asn.au](mailto:Membersupport@psa.asn.au).

### 3. Glebe Support Centre

The CPSU NSW recently notified a dispute to BADS in relation to its failure to properly consult with the CPSU in accordance with the Conditions Award regarding the Glebe Support Centre and the simultaneous expression of interest ('EOI') for a limited number of Voluntary Redundancies ('VR's'). The CPSU met with BADS representatives on Thursday 17 May 2018 in order to discuss member concerns.

Consequently this issue was also added to the agenda for the consultative committee meeting where the CPSU NSW raised member concerns regarding the lack of prior consultation with members and the CPSU NSW.

The CPSU NSW highlighted member concerns including the impact of the above flex leave difficulties and member perceptions of being 'targeted' by the restructuring. Further that some members remain unclear as to where their positions will sit in the new structure, for example the Service Support Officers ('SSO's').

The BADS EOI for recruitment and VR's has concluded on 31 May 2018.



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The CPSU NSW will write separately to BADS in relation to any outstanding issues in respect of this matter. If members have any further concerns the CPSU NSW recommend that you notify your delegates or contact the PSA Member Support Centre.

### 4. TCM

The CPSU raised member concerns that data in TCM can be edited by 'anyone with no data trail' and this is of concern if the data from disability services is sought by subpoena pursuant to court proceedings. Member concerns included professional ramifications including potential deregistration due to loss of data integrity. Additionally member concerns include the pressures on staff due to high levels of administration work taking away from billable work.

BADS acknowledged that it had received strong feedback from staff regarding this issue through the Q12 survey and therefore advised that a Customer Reference Group and a separate Employees Reference Group will be established to review the issue further.

### 5. Next DECC and Delegates Council meeting dates

The next DECC and Delegates Council meetings are tentatively scheduled for **Monday 6 August 2018**. If you wish to have any collective industrial issues raised by the CPSU please forward details to your CPSU delegate or by writing to [DisabilityCPSUNSW@psa.asn.au](mailto:DisabilityCPSUNSW@psa.asn.au).

### What can I do in the meantime?

You can support the work of the PSA/CPSU by asking your colleagues to **JOIN** their union.

*Having your union and its collective strength behind you in the workplace is the only way to make sure you get fair outcomes.*

