

MEETING WITH DSA AND COPIED STATE AWARD

Graydon Welsh, A/Industrial Officer CPSU NSW, and Ray Nash, CPSU NSW Delegate to DSA, met with senior management of Disability Services Australia on Friday 8 March 2019 to introduce themselves and open up communication channels. Further information on consultative committee meetings will be confirmed in the near future.

We discussed the issues that have plagued the other NGOs since transfer and suggested ways to avoid the problems. Communication has been the main issue and DSA has demonstrated a desire to have the communication channels open between your union and senior management.

The acquisition of ISP CJP into DSA has been a big step. DSA took time to confirm it is in a position to make it work.

DSA acknowledged there will be some issues with the transfer and the learning curve but it has said it is prepared to work with you and your union towards the best outcome for the client, you and DSA.

Operation of "Copied State award"

ISP and CJP staff who transferred to Disability Services Australia on 13 December 2018 are covered by two awards. They are the:

1. Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009. Download a copy [HERE](#)
2. Crown Employees Ageing, Disability and Home Care – Department of Human Services NSW (Community Living Award) 2015 (CLA) with the variation dated 30 August 2017. Download a copy [HERE](#).

These Awards are known as "copied State Award" under Fair Work Amendment (Transfer of Business) Act 2012.

The "copied State award" applies during the two-year employment guarantee period from the date of transfer to a non-government organisation. However, this does not mean that after the employment guarantee period, the Awards will no longer apply.

Section 768AO of the Fair Work Amendment (Transfer of Business) Act 2012 states that the **default period** of a "copied State award" is five years.

It further states the copied state agreement will cease/terminate if an enterprise agreement is made that covers the employee and the new employer.

This simply means that if a new Enterprise Agreement is not made before or after the employment guarantee period of two years, then the copied State award can exist for a further period of three years.

Want to arrange for an Organiser to attend your team meeting?

Send your request to:
DisabilityCPSUNSW@psa.asn.au

What can I do in the meantime?

You can support the work of the PSA/CPSU NSW 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.

