



7 April 2020

Thane Pearce  
Senior Industrial Officer, National System  
Community and Public Sector Union  
(SPSF Group) NSW Branch  
Public Service Association of NSW  
160 Clarence St  
Sydney NSW 2000

**New South Wales  
Aboriginal Land Council**  
ABN 82 726 507 500  
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Sent via email: [tpearce@psa.asn.au](mailto:tpearce@psa.asn.au)

Dear Thane,

I am writing to you to clarify the view of NSWALC about the initiation of negotiations for a new EA in lieu of our teleconference today.

Just as we felt NSWALC was getting on top of the disruptions from the bushfire crisis, the COVID-19 situation has forced further and more radical changes in all workplaces, with NSWALC being called upon to deal with additional demanding challenges arising from a vastly decentralised scope of our services across all areas of NSW. Meeting these challenges is still unfinished business, including making arrangements for all our employees to work from home. It is likely these arrangements will be in place for at least another 3-6 months.

NSWALC is currently working on how to best implement its new 'TEAMS' employee interface during this highly disrupted period, and as you are aware, the new platform is not fully embedded. Given the recent and ongoing disruptions from the COVID-19 situation, we anticipate our staff will be needing to take some time to build familiarity with the capabilities of the interface, including its ability to provide a reliable communications platform.

I am sure the CPSU would agree that the above circumstances, while not planned or desired, have resulted in the situation where our ability to sit down and enter into discussions about a new Enterprise Agreement has been somewhat inhibited. I am also sure the CPSU would be aware of the strict time limits placed upon this organisation by the Fair Work Act, particularly those triggered by the initiation of the bargaining process. Most important of these strict time limits is the 14-day period for the distribution of Notice of Employee Representational Rights to all our employees.

As such, it is considered reasonable under the current very unique circumstances to ensure NSWALC is resourced, ready and able to fully comply with the very strict process requirements provided in the Fair Work Act – which if not met, would mean the entire bargaining process would need to go all the way back to its initiation in order to be validly approved.

**ALWAYS WAS ALWAYS WILL BE ABORIGINAL LAND**

Head office	Western Zone	Northern Zone	Northern Zone (Tamworth)	Eastern Zone	Southern Zone	Far Western Zone
Level 5, 33 Argyle Street Parramatta NSW 2150	2/36 Darling Street Dubbo NSW 2830	Suite 5, Level 1 66-90 Harbour Drive Coffs Harbour NSW 2450	2/158 Marius Street Tamworth NSW 2340	Suite 23, 207 Albany Street North Gosford NSW 2250	Unit 22, 2 Yallourn Street Fyshwick ACT 2609	Ground Floor Suite 49 Oxide Street Broken Hill NSW 2880
PO Box 1125 Parramatta NSW 2124	PO Box 1196 Dubbo NSW 2830	PO Box 1912 Coffs Harbour NSW 2450	PO Box 890 Tamworth NSW 2340	PO Box 670 Gosford NSW 2250	PO Box 619 Queanbeyan NSW 2620	Ph: 08 8087 7909 Fax: 08 8087 3851
Ph: 02 9689 4444 Fax: 02 9687 1234	Ph: 02 6885 7000 Fax: 02 6881 6268	Ph: 02 6659 1200 Fax: 02 6650 0420	Ph: 02 6766 4468 Fax: 02 6766 4469	Ph: 02 4337 4700 Fax: 02 4337 4710	Ph: 02 6124 3555 Fax: 02 6280 5650	

When making the decision to notify a preparedness to commence bargaining, the reality is that the NSWALC's capacity to communicate effectively with employees is currently quite limited and far from guaranteed. Further compounding this situation is the impending NSW school holidays period which runs from Thursday 9 April 2020 to Friday 24 April 2020, and there continues to be speculation that this school holiday period may be extended.

Accordingly, the NSWALC believes it will not be in the position to communicate a decision on the initiation of bargaining until the week beginning 11 May 2020 at the earliest. This period will allow us to:

- Implement the new TEAM platform across our entire workplace; and
- Fully test the new TEAM platform to ensure it provides a reliable mode of two-way communication between NSWALC and our staff.

I appreciate that this later date may be disappointing for some employees in the organisation who expected the negotiations to commence earlier than this date. However, if NSWALC adopts this time frame, it will allow the workplace environment to hopefully stabilise, and to ensure the meaningful engagement of all employees in the bargaining process.

Once the notification to commence negotiation is provided to CPSU, then the parties can confirm on bargaining arrangements going forward.

Yours Sincerely,



Lisa Brown  
Manager People & Workplace