

CPSU NSW all but stonewalled on ICT dispute

Firstly, we thank members for preparing material/evidence to demonstrate you should be matched to a higher grade in the new structure.

We ask members to hold off on providing that material for now, although it may become useful at a later stage as you will read below.

Secondly, since our last communication on the ICT dispute, the CPSU NSW met on 3 September with TAFE representatives, including one of the organisational change architects Peter Ford. This was an escalation of the dispute under Clause 8.7 of the Enterprise Agreement.

Essentially, at that meeting TAFE NSW did not move on issue of matching staff to higher grades, despite it being demonstrated s/he had been performing more than 60 per cent of duties at said higher grade.

The CPSU NSW thinks this is totally unfair for the not insignificant handful of members who have over years demonstrated their skills and knowledge by performing more complex, higher-graded work. They should rightly be matched to those higher graded roles (TW5, TW7) in the new structure.

It is grossly unfair that TAFE is basing its matching purely on what an old out-of-date PD says. In many cases it doesn't properly reflect how one's role has developed over the years. It is inequitable for TAFE to make TW4s and TW6s compete with everyone at Step 3 rather than simply recognise the higher-graded work those staff are currently doing and slot them into TW5s and TW7s respectively.

We made this point strongly and repeatedly to TAFE, which failed to recognise it.

On the location issue, TAFE claimed one gets merit selected at step 2, becomes successful, then the conversation occurs around location. Peter Ford reiterated "under no circumstances will management direct any successful applicant in merit selection to a particular location".

For a full written response see TAFENSW's letter (4 Sept) [HERE](#).

Dispute escalation

Where a dispute does not settle at the local/organisational level it is open to the union to escalate it to the Fair Work Commission. Your TAFE Delegates Council resolved to escalate the dispute to the Commission seeking Deputy President Booth's assistance in resolving the outstanding issues.

In response TAFE asserted that the outstanding matters (mapping/matching and location) where neither matters under the Enterprise Agreement nor matters under the National Employment Standards which could enliven the Dispute Settlement Procedure at Clause 8 of the Enterprise Agreement.



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Despite TAFE NSW asserting this, the union was able to force the discussion of the outstanding industrial matters onto the agenda at the Interest-based Bargaining Committee (IBCC), with Deputy President Booth, in effect, facilitating.

Matching/mapping: final outcome

Your union expressed the fact that the impact of not being matched/mapped to positions which members are actually currently undertaking (and which TAFE has actually agreed with) is extremely stressful and unfair. Your delegates expressed that it is the failure on the part of TAFE that it has not evaluated these positions over the years, and that it was within the power of TAFE NSW to directly appoint these employees (TW4s, TW6s). The employees have the skills and experience to do the work – they are currently doing the work.

We proposed an option of a 'Step 2b' which would allow impacted members to be considered for positions of one grade above before it was recruited to the wider organisation.

TAFE again, unfortunately, did not move. However, it has committed to meet with any employee who hasn't secured a role at steps 1, 2 or 3 to see what the issues are and assist in finding a solution. A union rep will, of course, be present. We ask members to keep this in mind as the placement process proceeds.

Location: final outcome

Regarding the absence of a specific location in the proposed positions, TAFE agreed that employees could propose a location when they applied or negotiate one after they are successful. If there is an issue for any individual in these negotiations, the Union could raise this with TAFE NSW Industrial Relations.

Not a member of the CPSU NSW?

Join the union [HERE](#).

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