

CPSU NSW secures critical win on redundancy payments and superannuation

During the Organisational Review – Phase 1 round of voluntary redundancies it came to the attention of the Charles Sturt University (CSU) Delegates that there seemed to be an anomaly around the application of clause 33.9 in the *CSU Enterprise Agreement 2018-21*.

Why is this important? Because the superannuation payable is calculated on the in lieu component of the separation payment.

Clause 33.9 says *in calculating the separation payment that point (1) be applied, 16 weeks in lieu of notice, then point (2) 3 weeks for each year of service up to a maximum of 60 weeks.*

It appears that when calculating the separation payment, the years of service, point (2) was being taken into consideration first. So if an employee has 20 years of service they have the maximum 60 weeks on years of service and the 16 weeks in lieu of notice is not taken into consideration. There is also the additional eight weeks in lieu available making the total 24 weeks (120 days). The impacted staff will be those who have 15 years or more of full-time service. Thus the longer-serving employee is considerably disadvantaged in regards to the superannuation payable.

This was first raised with the university on 8 September and has now been rectified, with staff who had missed out of the in lieu of notice period superannuation now being paid and the clause is being applied in the right sequence. The Delegates have identified members who are impacted by as little as \$200 up to more than \$5,500, with unpaid superannuation. This is a significant win for impacted staff.

CSU has agreed with the union's request, both retrospectively and going forward, to apply the calculation point 1 before point 2 of the clause.

This reinforces the importance of being a member of the CPSU NSW. It demonstrates the value of being able to seek advice and representation from our delegates, industrial and legal staff to ensure you are remunerated appropriately.

If this oversight had not been identified, current staff leaving employment through redundancy would have stood to miss out on more than \$250,000 in superannuation payments.

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