

## FWC mapping dispute conciliation, CPSU NSW v TAFENSW

In April we outlined that the union was in the process of escalating our unresolved mapping/matching and consultation dispute with TAFE NSW to the Fair Work Commission, in relation to its reorganization of the SSB and FML. ([see bulletin](#)).

CPSU NSW lawyers' argument was based on whether TAFE is required to provide to the CPSU NSW information relevant to the methodology used to match/map roles affected by the Restructures, and whether the position descriptions used to match/map employees needed to be accurate and up-to-date.

CPSU NSW sought the following orders from the Commission:

- (a) TAFE NSW is to provide to the CPSU NSW the mapping methodology information it intends to rely on to match/map roles affected by the Restructure;
- (b) TAFE NSW is to ensure the information about each employee's role affected by the Restructure is accurate and up to date;
- (c) Until such time as the information referred to in (a) and (b) above has been provided by TAFE NSW to the CPSU, TAFE NSW is take no further action likely to exacerbate this dispute, including no further action in relation to the Restructure, in accordance with clause 8.11.3 of the Enterprise Agreement.

The parties appeared before Commissioner Johns on Thursday 10 June.

The Commissioner accepted that TAFE had provided all the mapping methodology information it had. Although the Commissioner remarked with words to the effect that some PDs from TAFE NSW were "not current" or "present", he accepted that TAFE NSW staff had been given the opportunity to have their roles reviewed by way of a PD Addendum.

Importantly, the CPSU NSW was able to enter into separate conciliation with Commissioner Johns before the hearing concluded, in which our lawyers stepped him through the background and substance of the dispute. The Commissioner offered hypothetical suggestions to the CPSU NSW Industrial Officer regarding where future disputes may lie – i.e. with individuals or classes of staff who have had specific issues – including mapping - which have failed to resolve via a consultation process.

Commissioner Johns then raised three issues with TAFE which we came back into a joint conciliation discussion session for:

1. Security officers who were not mapped to any position are concerned about their futures and the safety of the campuses. These staff say they are likely to end up as excess employees but there has been a concerning lack of communication about that. A greater level of communication by TAFE with its security officers would assist. TAFE replied stating it would commit to more communications with the security officers regarding their situations. This will be followed up by CPSU NSW Industrial officer.



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2. Delegates Council – Commissioner Johns asked for the people who actually perform the mapping tasks to meet with the Delegates Council to explain the process. TAFE said they will undertake to do that and put a presentation together for it. CPSU NSW officer will follow this up.
3. Could the agreed process of updating the PDs for the six Librarian classifications be adopted for all areas? TAFE responded by indicating it would be happy to explore this with respect to the Tranche 2 restructure later this year involving library position. TAFE said however, it is not sure whether it could apply this method of reviewing all PDs across the board and always consistently into the future because “all changes are different and we aren’t in a position to jettison the PD Addendum approach in the future.” Certainly where it is manageable it could be considered. This will be followed up by CPSU NSW Industrial Officer.

The lawyers representing the CPSU NSW members advise that this was a good outcome in the end, and were satisfied Commissioner Johns now understood the lay of the land with this dispute.

Further, he articulated that he understood the CPSU NSW was using the Fair Work Commission in order to achieve a more transparent and equitable restructure process, generally.

Not a member of the CPSU? Join the union [HERE](#).

Join the Rebuild Our TAFE campaign [HERE](#).

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