



Public Service Association of NSW

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23 July 2021

Julian Oliveux
Head of Workplace Relations
TAFE NSW

Via email: julian.oliveux1@tafensw.edu.au

Dear Mr. Oliveux,

Re: TAFE NSW and COVID-19 Restrictions

I write in reference to the above and in response to your correspondence dated 21 July 2021 concerning the same.

I would like to express my disappointment at the lax approach taken by TAFE NSW toward the current threat posed by the pandemic. As you would be aware, the delta variant poses a far greater risk than previous variants. The controls listed in your correspondence lack fortitude, and some are wholly inadequate. We know, for example, that masks are far less effective against the delta variant, with the exception of individually fitted N-95 masks. Fleeting contact is all that is required to transmit the virus, and studies have shown that the virus can linger in aerosolised form for up to 16 hours. In other words, the increased transmissibility of the virus poses an even greater risk to those employees who are required to work inside for hours at a time. TAFE has recognised the dangers of this variant of the virus when they have instructed teachers not to meet face-to-face with students and yet support staff are expected to engage with students, creating one group of staff whose safety is preserved and another group whose safety is not valued.

It is for this reason that the 'controls' in place at TAFE NSW such as social distancing, the supply of face masks, hand sanitisation, and counter screens, are insufficient. A positive step in the right direction, to be clear, but most certainly insufficient. This, coupled with the inability to either compel employees to get vaccinated and to demand evidence from students demonstrating that they have been vaccinated, puts TAFE NSW in a precarious position insofar as shielding their employees from the risk of infection is concerned. We know this, given that a contractor who was COVID-19 positive recently visited four campuses within the Greater Sydney Region (**GSR**). It is frustrating to note that multiple COVID-19 cases in the GSR lockdown areas has not resulted in a change of approach by TAFE. TAFE NSW are quite evidently doing less to protect their employees now than they were in March 2020, when cases were lower and the variant was less infectious.

Consequently, the CPSU NSW is requesting that TAFE NSW implement the following measures. It is our view that TAFE NSW should be aspiring to do more than the bare minimum, and as such we have composed a list of reasonable measures that we believe would also facilitate the comfort of our members, such that they would feel safe in going to work on site:

1. Conduct a risk assessment of every TAFE NSW campus in order to understand whether the current measures in place are adequate.
2. Close libraries, customer service centres, and all common areas, to all students, teachers, and visitors, and to all but one staff member in each contiguous space. Staff members are coming from different parts of the GSR and other affected zones, working next to each other and breathing the same air; these are major safety risks. Masks do not stop infections in enclosed spaces. Libraries, customer service centres, and all common areas on TAFE campuses in the GSR and all stay-at-home order localities must close.
3. TAFE NSW should give explicit permission to staff currently working from home to take home their TAFE computer and accessories in order to enable these working arrangements.
4. TAFE NSW should issue a directive to all management advising them that if their staff can work from home then they *must* work from home. We have received multiple reports from members that other members are working on site because they want to, and not because they are required to.

We would appreciate it if TAFE NSW gives due consideration to the above, and responds to the CPSU by Wednesday 28 July 2021 at 5pm. We would like to take this opportunity to let TAFE NSW know that we intend on advising members as to their rights under s 84 the *Work Health and Safety Act 2011* (NSW). A bulletin to this effect will be distributed to all members, which we will provide to you in due course. Of course, if you have any questions or concerns regarding this advice to CPSU members, you are more than welcome to contact me directly.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Jessica Epps', with a long horizontal line extending to the right.

Jessica Epps
Industrial Officer
CPSU NSW