



Public Service Association of NSW

General Secretary Stewart Little
President Nicole Jess

Community and Public Sector Union, NSW Branch

Branch Secretary Stewart Little

4 August 2023

Debbie Frazer
Human Resources & Industrial Relations Director
MTC Australia
PO Box 4396
Springfield Central QLD 4300

Dear Debbie,

RE: Parklea Correctional Centre Enterprise Agreement

Thank you for your response by email which was received after business hours on 2 August 2023 to our questions raised more than a week earlier with respect to a casual employees and the aforementioned agreement.

Unfortunately due to the lack of clarity in the language therein, whether by design or by accident, we are none the clearer from that response as to what the Company's position is on either of these matters. The irony that a corporation that apparently specialises in providing education including literacy could be so befuddling in its communication is not lost on the CPSU NSW.

To repeat, we had previously been advised that four employees whose names we provided had been categorised by the company as "non-custodial escort officers" and were consequently outside the scope of the agreement. We questioned whether this classification was properly made based on the duties performed and other evidence that supported that there were in fact correctional officers, and in fact whether that classification existed. The company's response was ambiguous, potentially contradictory and confusing;

"we will consider the escort officers eligible for the sign-on payment and will make the payment the same way all other casuals are paid, once this is agreed"

Further, we communicated our opposition to the proposal to make the sign-on basis payable only on a pro rata basis consistent with our concerns that were aired at the last appearance, now particularly as we have members who will receive a lesser bonus than they had anticipated, and had been previously promised by the company, as a result. In light of this predicament we inquired whether it was mutually understood that we would return to the Commission having reviewed these numbers. Your correspondence did not address this issue, instead implying that somehow our rejection of two equally detrimental proposals by the company was petulant and we should provide evidence of other arrangements which we consider irrelevant.

Consequently we will reword our inquiries in the hope of elucidating more straight-forward responses:

- Can we confirm, in simple yes or no terms, that an 'escort officer' is a correctional officer for the purposes of the proposed agreement and therefore covered by it and all its provisions, not just the sign-on bonus?
- If no to the first question, do they require a separate classification in the said agreement?
- If no to the first question, is CSNSW aware that MTC is employing persons for correctional officer duties but not as correctional officers?
- If yes to the first question, how many hours have each of the four officers worked in the last calendar year and how much of the sign-on bonus would they be entitled to on a pro rata basis?
- What is the agreement, that their classification as correctional officers is subject to when you say "*once this is agreed*"?
- You have previously asked for our thoughts on the pro-rata position, and we have provided them, namely it leaves us in an unenviable position where we may be able to neither oppose or support the agreement. Will the company still proceed to a vote by employees as stated in your email dated 17 July 2023 in these circumstances?
- If so, when does it intend to do so?
- If not, do we require another appearance before Cross DP for conciliation?
- Finally, in your draft agreement provided on 17 July 2023, you include in the agreement the names of the casual correctional officers receiving the sign on bonus and the respective amounts. This is, in the experience of the CPSU NSW, most unusual and a breach of confidentiality for these individuals, given the agreement will be a matter of public record for eternity. Would it not be better to provide just the method of calculation for the determination of the bonus in the agreement and then provide the details to the individuals concerned separately at the time of the ballot?

These are all matters that have been under consideration by the company for some time, so we would appreciate a response to these questions by COB Tuesday 8 August 2023.

Please do not hesitate to call me on 0488 373 209 if you require clarification in regard to any of these questions.

Yours sincerely



Troy Wright
Branch Assistant Secretary