

# COMMUNITY AND PUBLIC SECTOR UNION

STATE PUBLIC SERVICES FEDERATION (SPSF) GROUP - NEW SOUTH WALES STATE BRANCH

## UNIVERSITY OF NEWCASTLE

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THE  
**PROFESSIONAL  
STAFF UNION**

15 July 2013

## EB BULLETIN # 5

We wish to thank members who attended the recent CPSU General Meeting (sessions at Callaghan and Ourimbah). We incorporated your feedback into our response to clauses under Part B (Performance and Conduct). The University acknowledged our comments and understood that you consider the package of clauses as inter-related. They undertook to develop a series of flowcharts to illustrate the linkages.

The University's draft Misconduct/Serious Misconduct clause will not be tabled until the July 16 meeting. Until all the Part B (Performance and Conduct) clauses (including the Misconduct/Serious Misconduct clause) are available to be considered, the CPSU will not offer a comprehensive response. That was the main point you asked us to make – you want us to see the whole package of performance-related clauses.

The University acknowledged that their preference for renaming the PDF process (“Optimizing Performance”) may be ambiguous and they are open to suggestions for a new title that represents the intent of the process.

As requested by the University at a previous meeting, the Unions provided examples of contemporary Family Violence clauses incorporated in enterprise agreements by a range of organisations. There were constructive presentations by the Unions and the University will now draft a clause for the next meeting.

Lengthy discussion took place around the Classification Structure and Review, Performance and Conduct, Disciplinary Action, and Managing Staff Workload clauses. The CPSU requested further clarification from the University regarding, among other issues:

- ⊕ definition of “supervisor” and explanation of the responsibilities;
- ⊕ initial position classification, and processes for review and appeal (Inquiry Officer vs Committee);
- ⊕ concern that determinations for classification review will be budget driven if they are made by the Chief Operating Officer;
- ⊕ definition of “performance” and “underperformance” – what is the standard for measuring this?;
- ⊕ relationship to the Code of Conduct, and what standard defines “behaviour”;
- ⊕ concern that “performance” and “conduct” issues are proposed to be dealt with in the same process; and
- ⊕ where staff development fits.

Bargaining representatives are continuing the consultation process regarding the Aboriginal and Torres Strait Islander clause.

A review of the meeting schedule will take place on July 16 to consider if some meetings could be extended by an additional hour to move the bargaining process along more productively. The CPSU is developing a rolling plan for the next three EB meetings of what clauses we wish to discuss. This will become an ongoing feature of our preparation and guide our drafting schedule.

Yours in Union

Sue Freeman  
CPSU Branch President and EB Lead Negotiator