

28 September 2017

Government and Corporate Services Procurement restructure – PSA action in the Industrial Relations Commission

Thank you to all Procurement and Workplace staff who filled out the PSA survey relating to various aspects of the roll-out of the Procurement restructure.

The survey results reveal what was already apparent to the union – that work health and safety issues associated with relocation of roles to Parramatta were not the subject of consultation, much less, addressed in accordance with provisions of the WHS Act.

These issues remained unresolved so the PSA notified the Industrial Relations Commission (IRC) of an industrial dispute. We had the matter listed for compulsory conference on 15 September and appeared in front of IRC Commissioner Seymour.

FWHA

At the compulsory conference, the PSA submitted its opposition to and rejection of the hours of work being set down in the new Role Descriptions, as it restricts the bandwidth hours set out in the Flexible Working Hours Agreement 2016 (FWHA) and attempts to circumvent the principles of flexibility found in the FWHA.

The bandwidth hours currently available under the FWHA are 7.00am to 7.00pm, Monday to Friday.

The PSA argued that there was no plausible reason for changing the arrangements that currently operate throughout the organisation that have been managed successfully by supervising staff for many years. We argued the need for DFSI to provide the PSA with the business justification for any such changes to allow the union to provide a full and proper response.

Without this information, members are effectively being denied the right to natural justice.

DFSI responded by stating that the FWHA allows them to make changes to the bandwidth.

Commissioner Seymour made the point that consultation is not simply the provision of information, it is about considering responses and being open to changing your position.

Essentially this unfortunately went nowhere.

Relocation of staff: WHS issues

The PSA argued that the Department's failure to carry out a risk assessment constituted a breach of the Work Health and Safety Act 2011. Further, its failure to consult with workers directly with matters which "may affect" their work health and safety amounts to a breach of the *Work Health and Safety Act 2011*.

We argued that consultation, prior to the announcement of the restructure would have highlighted the risks to the psychosocial health and welfare of staff, and provided a management strategy.

We used the survey results to demonstrate our point.

Where are we now

The PSA would like to hear from members who have been adversely affected by the RMP. Please contact the PSA at WHS@psa.asn.au or call Ian Tuit on **0402 057 418**.



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Recommendations made by the Commissioner

- » DFSI to provide a document to the PSA by Friday 29 September that shows how it manages WHS risks arising from an RMP
- » PSA to respond, showing why we view the DFSI document as being inadequate, or inconsistent, and show how it ought to be improved to meet legislative requirements
- » a meeting to take place between the PSA and DFSI and any affected members who still continue to have concerns in relation to the restructure
- » report back to the IRC on Tuesday 17 October.

