

Sheriff Operations Centre (SOC) bulletin

In the last SOC bulletin sent out to members on 31 October 2017, the PSA advised it would provide updates on the progress of the SOC roster as further information came to hand.

Your union filed a dispute at the Industrial Relations Commission (IRC) on 4 November 2017. The basis of our dispute was the NSW Sheriff on 16 October 2017 removed working conditions of SOC Sheriff's Officers. The NSW Sheriff removed the shift roster that has been operating since around 1991. That resulted in you working seven-hour shifts with a compulsory one-hour meal break and losing a monthly RDO. We sought that the IRC make directions that the longstanding roster be reinstated. The roster is not covered fully by any award other than the Public Service Conditions award for meal breaks and some shift provisions. We contend the roster became part of SOC Sheriff's employment contract by custom and practice.

The hearings

On 7 November 2017 compulsory conciliation occurred before Chief Commissioner Kite.

The Department:

- » Presented a 1993 enterprise agreement that Sheriff's Officers work a 38-hour week. That agreement was rescinded by the 2001 Sheriff's award. That award incorporated flexible working hours by a local arrangement that Sheriff's Officers work a 35-hour week but are deemed 38-hour-week workers. The SOC Sheriffs were excluded from that arrangement being shift workers and hence work a 38-hour week.

- » Submitted all Sheriff's Officers by a formalised agreement will work a 35-hour week commencing early December 2017. The SOC Sheriff's being shift workers are again excluded from flexible working hours and will work standard seven-hour days and for WHS reasons will have a one-hour meal break.

Your PSA contended:

- » Custom and practice about the roster using case law and the IRC has jurisdiction to hear it.
- » SOC Sheriff's losing an RDO every 20 days and having a one-hour meal break is a WHS risk (especially during 10.30pm-6.30am shift), and sick leave will dramatically increase.

Chief Commissioner Kite held:

- » SOC Sheriffs work a 35-hour week, the Public Service Conditions award is committed to flexible working hours, and both the Conditions award and Sheriffs award have limited application to SOC.

Chief Commissioner Kite directed:

- » The parties come up with options that are cost-neutral (no overtime impact when relieving SOC Sheriffs on RDOs), SOC Sheriffs to get RDOs (may not be 13 a year), and not be in breach of the awards.

On 22 November a report back was listed. However, the NSW Sheriff sought an adjournment to further consider its options.

On 30 November the department provided the PSA with a draft Sheriffs Operation Centre Shift Agreement 2017 (the agreement).



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We are to report back to the IRC on Friday 15 December on progress of negotiations on the agreement. The draft agreement can be found [HERE](#).

Negotiations on the agreement

We seek comment from SOC members on the agreement. The PSA, SOC members and a SOVBAG delegate will meet with the department to negotiate your amendments to the agreement. Given, Christmas is not far away, we would be seeking a meeting with the department soon as possible.

If you are a non-member and have concerns around this or other issues we encourage:

What can you do?

- » Give a copy of this bulletin to your colleagues.
- » Print this bulletin and put it up on your notice board.
- » Ask a colleague to join the PSA.
- » Get involved as your Area Contact
- » Not a member join online - <https://membership.psa.asn.au/register>

Your PSA SOVBAG Delegates:

Eddie Lia – Campbelltown Court

Daniel De La Paz – Penrith Court

Stephen Hancock – Burwood Court

Tony Morawsky – Mt Druitt

Andrew Pierce – Parramatta

Glen Elliot-Rudder – Wagga Wagga

Jason Woollett – Liverpool Court

