



**CORPORATE SERVICES
INDUSTRIAL RELATIONS DIRECTORATE**

Mr John Cahill
State Branch Secretary
Community and Public Sector Union
SPSF Group NSW Branch
160 Clarence Street
SYDNEY NSW 2000

DOC12/352609

Attention: Andrew Holland

Dear Mr Cahill

Re: Participation by TAFE NSW Employees in Industrial Action on 8 October 2012

I refer to your letters dated 24 September and 4 October 2012

The impetus for the issuing of IR circular 12/18 on 17 September 2012 was a request from TAFE institutes to clarify information provided in an email from the PSA dated 11 September 2012, titled "South East Region Stop Work Meeting 8 October 2012" (copy attached). While the email states that "Members covered by the federal industrial system are invited but are not being directed to stop work" it also states "This is a protected action and members cannot be disciplined for attending". This email caused considerable confusion.

In relation to the directions in the circular regarding leave approvals I have sought advice and agree that they are inappropriate. The circular has been rescinded.

On the morning of 4 October 2012 Industrial Relations staff contacted all TAFE institutes and central support units to seek information as to whether any employees had been denied leave and to advise that leave and flextime applications for 8 October 2012 should be dealt with in the normal manner.

Yesterday evening all TAFE institutes and central support units were advised by email that:

The circular has been rescinded. The circular is to have no application to the determination of leave applications made by TAFE employees for 8 October 2012.

Rather, the following should apply:

- only unauthorised absences may potentially be treated as unprotected industrial action;
- applications for leave and flextime should be processed in the normal fashion, having regard to operational requirements and without regard to

- the fact that the employee may be intending to utilise their leave to attend the stop work; and applications for sick and carer's leave should be processed in the normal way.

If you are aware of any specific cases where employees may have been denied leave please raise them with Industrial Relations or the relevant TAFE area.

Yours sincerely



Mark Philip
Director, Industrial Relations

5 October 2012

Philip, Mark

Subject: FW: SOUTH EAST REGION STOP WORK MEETING 8 OCTOBER 2012

Importance: High

From: Wollongong [<mailto:wollongong@psa.asn.au>]

Sent: Tuesday, 11 September 2012 4:27 PM

To: Wollongong

Subject: SOUTH EAST REGION STOP WORK MEETING 8 OCTOBER 2012

Dear Members,

The PSA Executive has authorised a stop work meeting of members to brief members on the attacks on wages, jobs and conditions by the O'Farrell Government, on what the PSA is doing and what more we plan to do.

The authorised stop work on October 8 will be from 9.00 am to 1.00 pm, and for longer where travel time necessitates.

The main meeting will be at Sydney Town Hall, in the lower town hall, and the address from officials will be **web-cast to 30-40 other meeting venues around the state.**

Your PSA North Western Regional office has been given a list of regional locations and we are in the process of securing those locations (subject to specific requirements) to enable members to attend this stop work meeting.

Members who attend these meetings will be able to vote on a resolution concerning future actions designed to protect jobs, conditions and wage-setting practices.

These locations are:

Wollongong (The Steelers Club) - Batemans Bay (Batemans Bay Soldiers Club) - Merimbula (Pambula/Merimbula Golf Club) - Goulburn (Goulburn Soldiers Club)

- Narooma (Narooma Golf Club) - Nowra/Bomaderry (Bomaderry Bowling Club) - Queanbeyan (The Roos Club) - Mittagong (Mittagong RSL)

To assist with planning could all members that will attend these meetings R.S.V.P. our office as soon as possible please.

You can contact the PSA Regional Office – by completing the accompany sheet and faxing direct to the Wollongong office (02) 4226 4667

or email you intentions to attend to wollongong@psa.asn.au

We also require members/delegates to assist holding these meetings.

Information packs will be available and we may require laptop assistance from you if we are unable to secure them at venues.

If able to assist please complete the attached form and contact our office.

The PSA Executive has authorised all members covered by State Awards and Agreements to Stop Work on October 8 and attend a Stop Work Meeting.

(Members covered by the federal industrial system are invited but are not being directed to stop work.)

This is a protected action and members cannot be disciplined for attending.

**Tony Heathwood
for John Cahill
General Secretary.**

***PSA South East
Regional Office***

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To join the PSA/CPSU or switch payments to direct debit, go to <https://membership.psa.asn.au>

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