

ODPP bulletin

Flexible Working Hours Agreement

The Office of The Director Public Prosecutions (ODPP) has provided the PSA with notice under the Award to withdraw from the current Flexible Working Hours Agreement (FWHA). The PSA and the ODPP reached an 'in principle' agreement on a new FWHA.

The Draft FWHA provides:

- a settlement period of 8 weeks
- a maximum carry-forward of 50 hours
- a maximum of 5 days taken in a settlement period (maximum of 31 in a flex year)
- flextime credit to be reduced in line with the new FWHA by 31 January 2016

This 'in principle' agreement was made after extensive consultation with PSA members and delegates, who shared the union's bargaining position. PSA delegates argued their case at the Joint Consultative Committee meeting and an 'in principle' agreement was reached with ODPP. This was incorporated in the Draft FWHA and endorsed by PSA members.

ODPP submitted the case in support of the Draft FWHA to the Wages Policy Taskforce who advised ODPP the agreement was outside the NSW Treasury bargaining

parameters. That is, the settlement period of 8 weeks was outside the 6 weeks permissible. Further, the maximum number of flex days in a flex year is 30 days not 31. . ODPP want to revise the draft however, the PSA want to negotiate the 8 week settlement period.

The PSA is concerned that without the ability to bank flex leave, a 6 week settlement period is not sufficient to take flex leave in a settlement period. In particular, lawyers doing long or back to back trials and country circuits accumulate excessive flex leave where overtime is not approved.

PSA members say with current workloads and staffing it is increasingly difficult to take leave. The PSA wants ODPP to submit a further formal request to the Expenditure Review Committee for approval of the Draft and request a joint meeting with NSW Treasury. The PSA believes there are good operational reasons why the Draft should be approved.

To have your say, please complete **[THIS SHORT SURVEY.](#)**

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