

FORM 4
**Notification to Industrial Registrar of Industrial dispute pursuant to
section 130 of the Industrial Relations Act**

1. **Name:** Public Service Association and Professional Officers' Association
Amalgamated Union of New South Wales
2. **Address:** 160 Clarence Street, Sydney, NSW, 2000.
3. **Capacity of Notifier:** Industrial Organisation of Employees
4. **The question, dispute or difficulty concerns the following industrial matters:**
 - i. The Department of Family and Community Services (the Department) is undergoing a major organisational restructure, referred to by the agency as "OneFACS".
 - ii. The purpose of the restructure is, in part, to integrate the central parts of the Department (currently organised along divisional specific lines, ie Community Services, Ageing, Disability and Home Care and Housing NSW) and reorganise corporate services to identify certain employee related cost savings.
 - iii. The Association has for some time been involved in consultation with the Department in relation to the restructure and its change management strategies. More recently this consultation has focussed on the change management process for non-executive staff.
 - iv. As part of the consultative process the Association was invited to make written submission in relation to a draft change management plan prepared by the Department.
 - v. On 25 June the Association wrote to the Department requesting:
 - a freeze on external advertisements;
 - a voluntary redundancy program;
 - priority placement of ongoing (permanent) employees in roles (jobs) in the new structure;
 - a closed (internal) recruitment process for residual roles including eligible temporary staff;
 - Job/voluntary redundancy swaps between equivalent employees; and
 - other additional information including current and proposed staffing establishment data, new role (job) descriptions and other matters relevant to the change proposal.

- vi. Despite several assurances from the Department we are yet to receive a response to our submissions.
- vii. On 14 July the Secretary wrote to staff to advise them that new structural arrangements would commence implementation from 21 July, including the direct appointment of an unknown number of employees to an unknown number of roles in the new structure.
- viii. The Association submits that:
 - by virtue of its actions, the Department has not consulted in a manner consistent its industrial obligations; and
 - it would not be in the public interest for the Department proceed on the basis of its proposed change management process.
- ix. The Association seeks the following recommendations:
 - a. that no changes occur in relation to non-executive staffing arrangements until further consultation has occurred with affected staff and the Association;
 - b. that the Department implement a freeze on the external advertisement of non-executive, non-front line roles until completion of an internal placement process;
 - c. that the Department undertake a general program of voluntary redundancy prior to other organisational changes;
 - d. that the Department prioritise, wherever possible, the assignment of affected ongoing staff in ongoing roles at grade in the new structure; and/or
 - e. any other recommendations the Commission deems appropriate.

5. The award, agreement or determination which applies to the employees is:

Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009

6. The person to contact on behalf of the notifier is:

Mr Thane Pearce
Senior Industrial Advocate
Public Service Association of New South Wales
160 Clarence Street,
SYDNEY NSW 2000

Phone: 0408 223 276 Fax: (02) 9262 1623
Email: tpearce@psa.asn.au

7. The other persons affected by or involved in this question, dispute or difficulty are:

Mr John Bailey
Director, Employee Relations
Department of Family and Community Services
Level 2, 320 Liverpool Road
ASHFIELD NSW 2131

Phone: (02) 8879 9082 Email: john.bailey@facs.nsw.gov.au

Date:

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16/7/15

Signed:

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STEVE TURNER
A/GENERAL SECRETARY

To:

The Industrial Registrar
50 Phillip Street
SYDNEY NSW 2000