



22 December 2015

## Department of Finance Services and Innovation FWHA dispute update

On 23 June 2015 the DFSI announced its intention to implement a single flexible working hours (FWHA) agreement for all divisions across the Department. As a result of the announcement, members within the former Safety Return to Work (SRWS) expressed their concerns in relation to the uncertainty felt around matters such as the possible impact that a new agreement could have on child care arrangements and the like.

In November the PSA brought the matter before the NSW Industrial Relations Commission to challenge the Department over its lack of consultation with the PSA in regard to the proposed 'significant workplace change', and the employer's failure to comply with its consultative obligations under the *Work Health and Safety Act 2011*.

As members may be aware, the DFSI has refused to release its draft single FWHA because it says that the industrial matter (as above) in dispute must be resolved first.

On 18 December the PSA and DFSI reported back to the Commission. Both parties engaged in

informal conciliation conferencing with the sitting member Commissioner Newell.

The outcome of the conciliation represents a win for the PSA. The Commissioner recommended that:

- The DFSI release its draft proposal on 4 Jan 2016 for the PSA and other unions to consider
- The FWHA sub-committee set down for 21 January should go ahead
- PSA address whatever issues it may have with the draft proposal – "based on factual considerations"
- The dispute is still "live" insofar as either party can bring the matter back before the Commission if required
- The matter be listed for 'report back' on 16 February 2016 at 9.00am.

We will keep members updated as the matter progresses.

**JOIN the PSA**  
[membership.psa.asn.au/join](http://membership.psa.asn.au/join)

