



11 December 2015

## POVB bulletin - Industrial Action

This last week has seen the POVB take industrial action on two separate occasions, although the incidents were at different Sub-Branches, the catalyst for the action was remarkably similar with both directly related to officer safety.

On Saturday, 5 December 2015, Goulburn Sub-Branch of the Prison Officers Vocational Branch voted unanimously for a stoppage of 24 hours.

This action was taken following a decision by management on Friday, 4 December which members felt undermined their safety in the workplace.

In this matter, inmates had refused to muster and management negotiated with them and provided the inmates with new televisions as replacements for televisions removed which had previously been damaged by the inmates.

The members felt that in allowing the inmates to refuse to muster, set a dangerous precedent and provided them with an opportunity to undermine the good order and discipline of the Centre, therefore creating a true risk to the safety of all Prison Officers.

The members met again on Sunday, 6 December following confirmation from management and the Senior Executive of the Department that all issues raised would be addressed to the affirmative and that the breaches of prison discipline would not be tolerated. This included removal of the new televisions.

A number of inmates involved in the previous day's incident would be placed on segregation and such privileges as barbecues and special function days would be withdrawn.

On Sunday, when officers returned to duty, the poor behaviour of these inmates continued and two officers were assaulted by the same inmates while carrying out their duties.

As a consequence, further inmates were segregated and the Centre remained in lockdown for Sunday. Visits were again cancelled.

In the second incident of industrial action, members at Kempsey voted unanimously for a 24-hour stoppage as they also believed decisions by management to negotiate with inmates refusing to comply with direction and then

provide those inmates with items and outcomes that they would not ordinarily be entitled to, undermined the good order and discipline in the Centre and therefore the safety of Prison Officers carrying out their lawful duties.

Corrective Services NSW immediately lodged a dispute in the Industrial Relations Commission and Commissioner Stanton heard the matter at 4.00pm on Tuesday, 8 December 2015.

Comr Stanton made a strong recommendation that our members return to work. He also directed that we adhere strictly to the dispute protocols contained in our award.

Corrective Services NSW petitioned the Commission for orders that would compel members to return to work and Comr Stanton indicated that he would give such orders, if the members failed to return to work at a meeting to be held at 8.00am on Wednesday, 9 December at Kempsey Correctional Centre.

Following that meeting, Corrective Services NSW agreed to address the issues raised by the Sub-Branch and the members subsequently returned to work with no bans or limitations being in place.

Following the industrial action in Goulburn, where the Department did not seek the assistance of the Commission, Peter Severin, Commissioner of Corrective Services, wrote to the Association seeking certain undertakings in relation to adherence to the Dispute Resolution Procedures and requesting that the Association meet with representatives of the Department to discuss this process.

The Association has responded and, as always, we are willing to participate in meaningful discussions.

Comr Stanton further required that the Commission or its officers reiterate to its members the importance of adhering to the Dispute Resolution Procedures.

These procedures are contained in the appropriate awards and can be viewed on the CSNSW website.

Both Sub-Branches are continuing to work through the issues raised and, although some matters are not yet concluded, we are confident that everything will be addressed satisfactorily.

**Steve McMahon, Chairman**

**Prison Officers Vocational Branch**

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