

NSW State Library dispute outcome

On 22 March the Industrial Relations Commission (IRC) heard the dispute lodged by the PSA against NSW State Library in relation to the employer not consulting with the union prior to the implementation of its Change Management Plan.

Prior to lodging the matter in the IRC, the PSA wrote to the Library and also met with management in an effort to resolve the matter. But this was to no avail.

The PSA stated in the IRC that the employer was in breach of the Crown Employees (Public Service Conditions of Employment) Award 2009 and the Consultative Arrangement Policy and Guidelines. Under the Award and Policy the employer is required to consult with the union.

The employer's representative in the IRC acknowledged that the employer would have acted differently with hindsight but referred to the lack of consultation with the union as being a minor technical

error. The union objected to this reference; this matter is a serious one.

The Commissioner concurred with the PSA's view, advising it was an obligation that the consultative guidelines be adhered to; that this is not to be just in spirit but in actual practice; and that it should be done prior to a decision to approve the Change Management Plan.

The Commissioner stopped short of ordering that the process of change move back to square one but directed the parties to meet to discuss the impacts of the change in a consultative manner. This fits in with the PSA's contention that the restructure also impacts on those who remain who then have to pick up the work.

The Commissioner has directed the parties to report back to him on 13 April.

The PSA requests members to advise their delegates of their concerns and queries as soon as possible so we can put those issues to management and seek a reasonable outcome.

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Authorised by Steve Turner, Assistant General Secretary
Public Service Association of NSW, 160 Clarence Street Sydney



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