

ADHC - IRC recommends minimum six-month moratorium on transfers to the private sector

The NSW Industrial Relations Commission (IRC) has adopted PSA submissions and recommended a minimum six-month moratorium on directed (or forced) transfers. It has also recommended the establishment of a "specific purpose" committee to deal with transfer arrangements for Disability Services staff impacted by the Baird Government's privatisation plans.

The favourable recommendations were made in front of a packed court, with PSA members turning out in strong numbers for the conciliation proceedings on Thursday, 31 March 2016.

In issuing the recommendations the IRC was critical of the Government's apparent unilateralism and cited the agency's obligation to consult in a manner that enabled staff, through their union, to 'influence decisions' affecting their employment. This obligation would be best addressed through a dedicated forum, with the commissioner noting:

"I expect the forum to operate for as long as required and at least six months... Information is vitally important... It is incumbent on the department to share with the PSA information that it is able to share."

The IRC further recommended the parties develop terms of reference for the forum and that meetings commence prior to a further report to the IRC on 3 May 2016.

PSA Delegates Committee vote to lift ADHC work bans

Executive delegates of the PSA's Ageing, Disability and Home Care Departmental Committee met

briefly last Friday to consider the IRC's "strong recommendation" the PSA lift its ADHC work bans as a condition of the IRC's other recommendations having effect.

While there was some reluctance among delegates, the overwhelming consensus was in favour of lifting the bans, with delegates noting the IRC's recommendations were intended to support genuine consultation, and provide the PSA with a platform to negotiate for the employment interests of ADHC staff.

Out of respect for the IRC, PSA delegates resolved to lift current work bans in ADHC, a move endorsed by the General Secretary, Anne Gardiner.

As a result all PSA work bans in ADHC are now lifted.

Note: the decision to lift work bans is not retrospective. Members are not expected to complete tasks covered during the period in which the bans were in effect (such as back-dating vehicle log books etc.)

Click [HERE](#) for a copy of the PSA's dispute application and click [HERE](#) for a full list of the IRC's recommendations.

<http://psa.asn.au/wp-content/uploads/2016/04/FORM-4-Industrial-Dispute-section-1303.pdf>

<http://psa.asn.au/wp-content/uploads/2016/04/Directions-IRC-91735.pdf>

For further advice or assistance email us at facsoorganising@psa.asn.au or call our member support centre on 1300 772 679

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