



30 May 2017

# DFSI - Safety Return to Work **member bulletin**

## Consultation arrangements in DFSI

Delegates are driving action from the PSA regarding the unwillingness of the DFSI to undertake meaningful consultation with its employees.

The PSA wrote to Martin Hoffman on 3 May outlining the requirements to consult and the lack thereof in the Department. The letter requested an urgent and comprehensive review of the consultation policies and practices currently in place within DFSI in full consultation with the PSA.

Read the letter [HERE](#).

[http://psa.asn.au/wp-content/uploads/2017/05/2017.05.03\\_ltr-HoffmanM-clause-65-crown-condition-award.pdf](http://psa.asn.au/wp-content/uploads/2017/05/2017.05.03_ltr-HoffmanM-clause-65-crown-condition-award.pdf)

Specific examples we included were the single flex agreement and activity-based working.

Darren Bickham, Director People Relations has responded on behalf of the Department 'respectfully disagreeing' with the PSA contention that consultation had not occurred on these occasions.

However, he has offered to meet to discuss the issue of consultation and we will meet with Darren Bickham this Thursday 1 June to argue the pressing need for genuine consultation with the union.

Delegates have passed a motion requesting the PSA lodge industrial disputes during workplace change, where proper consultation has not occurred. The PSA commits to lodging such disputes.

## Pre-employment service checks

As members may be aware, pre-employment service checks are conducted on current public servants where they are selected for an advertised role. This has to be 'satisfactory' prior to an appointment being made.

The information on background checks can be found on the HUGO intranet page under the recruitment section.

Information has come to hand which suggests that sick leave and workers compensation histories are included in the information assessed by your employer.

This has caused alarm among staff, and will be contested, for two main reasons:

- Discrimination – the process would appear to be in contravention of anti-discrimination legislation, as this

type of information could easily lead to discrimination, intentional or otherwise, against those with disability, or carers' responsibilities, those who have had to use greater-than-usual amounts of sick leave for recovery from illness, or other groups.

- Fairness – as this information is not available for non-public sector candidates, it means that all applicants are not on an equal footing during the process.

This matter has been raised with A/Chief Executive, SIRA, Carmel Donnelly who represents SIRA & BRD on DFSI's new Diversity Council and is also the executive sponsor for the Disability Employee Reference Group. Carmel has discussed this matter with People and Culture representatives and an informal meeting will be organised to discuss this matter further.

The union would like to acknowledge and thank Carmel Donnelly, who has advised that she will personally advocate for and ensure the issue of barriers to employment, including design of recruitment methods that may create a risk of discrimination, will be strongly addressed in the DFSI diversity and inclusion strategy.


Carmel has advised she is progressing advice from People and Culture on the rationale for these checks, why staff need a satisfactory workers compensation check, whether this practice is consistent across DFSI agencies, what the criteria is for a satisfactory sick leave/workers compensation check, whether any employees have been rejected for a role based on unsatisfactory sick leave or workers compensation checks and any appeal process currently in place in regards to rejection decisions based on sick leave or workers compensation service check.

The PSA is writing to the Department requesting the exact details of these service checks, when they were instituted and if the process had recently changed.

If you have been advised you were rejected for a role based on an unsatisfactory services check involving sick leave or workers compensation, please contact one of the delegates listed below to discuss this further.

## Procurement restructure

A restructure was recently announced for the Procurement Group in DFSI Shared Services. Your colleagues were invited



into a room, presented with a document that removed many roles and transferred almost all Gosford-based positions to Parramatta.

No questions were answered and the document was presented as a *fait accompli*, with two weeks for staff to digest and respond, and no undertaking to address any response prior to implementing the structure.

### WHS notifications and PINs

Your delegates work closely with your Health and Safety Representatives to ensure health and safety issues are dealt with appropriately.

A Provisional Improvement Notice has been issued in relation to the process undertaken in the restructure of Procurement Group. This is the second PIN issued to the Department in as many years.

The Department has disputed the contents of the PIN so it will be mediated, in the first instance, by a Department of Primary Industries Inspector in accordance with the MOU.

### Hostile treatment of staff representatives

It is increasingly clear the Department does not look kindly on having its deficiencies pointed out. We have seen increasing incidences of excessive hostility toward staff supporting others or raising issues, including elected representatives such as HSRs and Delegates.

Your DC delegates have passed a motion noting that we have lost confidence in the management of the Department, and seeking PSA industrial intervention in instances where DFSI management intimidate, threaten or bully staff who:

1. raise complaints of managerial bullying
2. seek to support their fellow members as HSRs and/or union delegates.

The PSA has committed to lodging such disputes where we become aware of such behaviours.

### Pay rise negotiations

The Crown Employees (Public Service – Salaries 2016) Award expires on 30 June 2017, along with Awards covering the Salaries of members in Local Land Services, IPART, ICAC, Audit Office and Urban Growth.

In February, the PSA submitted a formal request to the Government for a 2.5 per cent salary increase each year for the next two years.

As you know, 2.5 per cent is all we are legally allowed to seek without trading off conditions. The Government responded with a one-year offer of 2.5 per cent.

At the Industrial Relations Commission on Wednesday 17 May 2017 the PSA was successful in securing the one-year offer of 2.5 per cent. The only question which remains is whether we can secure 2.5 per cent for two years.

The Government has, thus far, not moved from its one-year offer, however, following discussions at the Commission, the Government will continue to consider its position.

### Your delegates

Howard Bell – Chair

[howard.bell@srwsd.nsw.gov.au](mailto:howard.bell@srwsd.nsw.gov.au)

Megan May – Secretary

[megan.may@safework.nsw.gov.au](mailto:megan.may@safework.nsw.gov.au) 8867 2758

Colin Fraser	4222 7340
Matthew Francis	4321 5065
Toni McKay	4921 2917
Mark Stothard	4222 7343
Mark Smith	6841 7902
Steven Jones	4724 4981
Paula Dyer	4321 5223
Wayne Butler	0411 850 677
Kay Baker	0434 374 084

### PSA Contacts

Matthew Drake-Brockman - Industrial Officer

[mdrake-brockman@psa.asn.au](mailto:mdrake-brockman@psa.asn.au) 0408 029 925

Dave McKeough - Organiser

[dmckeough@psa.asn.au](mailto:dmckeough@psa.asn.au)

