



18 July 2017

Bulletin

PSA win! Members in OIA have the right to work flex-time

The PSA has had ongoing discussions with management in OIA following serious concerns raised with us by members about a lack of access to the flexible working hours entitlement that is set out in Clause 23 of the [Crown Employees \(NSW Police Force Administrative Officers and Temporary Employees\) Award 2009](#). We encourage members to read this section of the Award to familiarise themselves with their entitlements.

In particular, concerns had been raised that staff were being directed to seek approval for every instance where they were working more or less than the standard seven hours per day. Management has clarified it merely sought that staff consult with their supervisor/manager when working outside of standard hours to ensure:

1. There is sufficient work within the particular work unit to warrant the additional hours being worked (the requirements of that particular unit in terms of delivery of service).
2. Senior management are aware of the staff working within the Command at any time and that they continue to monitor the well-being of OIA staff in relation to fatigue.

In a recent ruling in the Industrial Relations Commission, it was clarified that under the Award, there was no requirement for a supervisor to be present in order for staff to have access to the flexible

working hours entitlements covered in Clause 23 of the Award.

"It is not open to individual supervisors to impose additional arbitrary limitations on an employee's right to accrue flex leave."

Fleming v Commissioner of Police [2017] NSWIRComm 1023 (paragraph 59)

Through the PSA's discussions with management, we have defended and confirmed the rights of members in OIA to access flex-time per the Award. Of course, members should exercise the entitlement in a responsible manner.

Any member who is denied flex-time should seek written clarification from their manager stating the reasoning. If they have concerns about the response, or are unable to obtain a written response, they should contact the PSA immediately on 1300 772 679. Your union will continue to fight for and defend the conditions and entitlements of members in NSW Police.

What can you do?

Not a member? Get involved by signing up!

Give a copy of this bulletin to your colleagues or put it on a noticeboard.

Ask a colleague to join the PSA.

Get involved by becoming a local union delegate

