

5 February 2018

## Compulsory IRC conciliation between DFSI and the PSA produces good result for members

At last Thursday's IRC conciliation conference, the PSA presented to Commissioner Newall the same argument which it had been making consistently to the Department for a long time – that the work of current Clerk Grade 1/2 staff is work that should be classified as Clerk Grade 3/4.

The argument outlined by the PSA highlighted a number of key points on why the dispute can only be resolved by way of convening a panel.

### Key points:

- » The Department's failure to comply with the NSW Public Sector Capability Framework and Job Evaluation Provisions for a number of reasons
- » The Department did not "furnish the PSA with the consultation material used with respect to the roles" evaluated in 2015, nor did it "provide a detailed response to the PSA's submissions" from mid-2016, as required by the Commission at our December 2016 IRC conciliation
- » Affected PSA members will not accept the views of a consultant who is lacking essential qualifications
- » The 2017 evaluation process was flawed: the Department locked out PSA officials (if it was genuine it would have included them), and the revision of the 29 tasks was not properly or transparently agreed to by PSA representatives
- » Revenue NSW had failed to follow even its own policy regarding Job Evaluations
- » The PSC library role descriptions used by the Department do not reflect the complexity of work being done
- » The briefing note prepared by former Assistant Director, Operations, Fines Management Division, Susan Walton, in 2015 which recommended that grade 1/2s be upgraded, was comprehensively ignored by the Department.

The PSA's written submission sought for a recommendation from the Commission that PSA and the Department convene a panel which includes representatives from both parties as well as an independent Mercer trained evaluator, and that they undertake a transparent assessment of the work currently performed by affected Clerk Grade 1/2s, and that their roles be assessed against the NSW Capability Framework.

The Commissioner acknowledged the ongoing disquiet within the membership about the issue and gave recommendations which will hopefully address the union's concerns.

In the end Commissioner Newall recommended something slightly different but akin to what the PSA sought.

### The recommendation

As part of the soon-to-be-released Fees and Fines Restructure Management Plan Commissioner Newall recommended to both parties that there needs to be "an examination of a table of comparisons of the roles of Grade 1/2 and Grade 3/4". And that "the comparison of the roles be carried out by an official or officials of the PSA, whom it is a matter of the PSA, as well as perhaps a delegate, and that it involve a Mercer accredited member of staff". The Commissioner also noted, importantly, that he would expect that restructure not be implemented until the parties report back to the Commission.

The PSA and the Department are currently in the process of agreeing to a suitable Mercer-trained evaluator and a timetable for the process. At least one of the PSA officials will be also Mercer-trained.

Big win! First step!

