

SafeWork Inspectors recruitment dispute

The PSA and your VG President appeared on 10 October 2018 in the Industrial Relations Commission for a compulsory conference with the Department of Finance, Services and Innovation regarding a dispute over the current recruitment to SafeWork NSW Inspector roles including Assistant State Inspector and State Inspector.

The concerns raised by the PSA in the dispute were:

- » That SafeWork NSW will appoint staff to the role of Assistant State and State Inspector without the required competencies for the role as per clause 16.1 the award
- » In particular, it is possible that under the current position, that Assistant State Inspectors and State Inspectors will not have the required competencies for their roles for a period of up to 24 months
- » The PSA believes that appointing Inspectors who do not have the required competencies as specified by the award and the Memorandum of Understanding damages the standing of SafeWork NSW as the regulator and potentially places unfair demands on the existing Inspectors who will be required to cover the knowledge/skill gap.

Despite numerous amounts of correspondence and meetings between the PSA to the Department over a year on this issue, the Department still claims that it does not understand the PSA's position or concerns.

Our position is simple and straightforward: we believe that to be a SafeWork NSW Inspector, particularly an Assistant State Inspector or State Inspector, you need to be qualified to do the job, i.e. hold the relevant competencies as stipulated by the

award and MOU. The Commissioner did not find our issue too hard to understand.

The Department continues to argue that this is not an inherent requirement and that they cannot meet their regulatory commitments under such constraints.

No side was able to progress much beyond their current position and to assist the parties after a lengthy conference Commissioner Murphy has made the following directions:

1. The PSA is to articulate in writing to the Department its position in relation to its concerns about the current recruitment and the manner in which it understands the Department intends to proceed by 26 October 2018
2. The Department is to respond in writing after consideration of the issues raised by the PSA; setting out its position in support of its argument by 19 November 2018
3. The parties are to meet before close of business on 23 November with a view to negotiating a resolution to the dispute that will include a review of the current award and MOU provisions with a view to updating the terms - hopefully by consent
4. The compulsory conference is to be relisted for Tuesday 27 November at 10.00 am for report back.

The Commission has urged both sides to make real efforts in resolving the dispute and made it clear that an arbitrated outcome would most likely not be to the benefit of either party.

