

ISP and CJP bulletin – Copied State Award

ISP and CJP staff who are about to transfer to Disability Services Australia on 13 December 2018 are covered by two awards. They are the:

Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009”. Download copy [HERE](#); and

Crown Employees Ageing, Disability and Home Care – Department of Human Services NSW (Community Living Award) 2015 (CLA) with the variation dated 30 August 2017. Download copy [HERE](#).

These Awards are known as “copied State Award” under Fair Work 2009 as amended in 2012

Operation of “copied State award”

The “copied State award” applies throughout and beyond the 2-year employment guarantee period from the date of transfer to a non-government organisation. However, this does not mean that after the employment guarantee period, the Awards will no longer apply.

Section 768AO of the Fair Work Amendment Act 2009 states that the **default period** of a “copied State award” is 5 years.

It further states the copied State agreement will cease to exist or will terminate, if an enterprise agreement is made that covers the employee and the new employer.

This simply means that if a new Enterprise Agreement is not made before or after the employment guarantee period of 2 years, then the copied State award can exist for up to 5 years from the date of transfer 13 December 2018 -12 December 2023.

Do you have any more queries? Want to arrange for an Organiser to attend your team meeting?

Send your request to:

DisabilityCPSUNSW@psa.asn.au

What can I do in the meantime?

You can support the work of the PSA/CPSU by asking your colleagues to JOIN their union.

Having your union and its collective strength behind you in the workplace is the only way to make sure you get fair outcomes.

