

SafeWork NSW Inspectors Bulletin

Competencies Dispute, s.19 Review and s.17 Award Variation

At the request of the Department, the current s.130 dispute over the appointment of inspectors and competencies and the s.19 Award review were listed for directions before Commissioner Webster on 27 March 2019. Commissioner Webster has been allocated the matters which was previously heard in conciliation by Commissioner Murphy.

The Department has foreshadowed its intention to make an s.17 (3) (d) application to vary the Award. It has given an undertaking to the parties to file by 26 April 2019.

In line with the recent disputes and differences with the Department we can expect the Department will seek to vary clause 12 'After Hours Response Service' and clause 16 'Competency Assessment'.

The PSA will challenge the Department in accordance with members' wishes and will vigorously fight to defend your conditions as they currently stand.

It has been further agreed both the PSA and the Department outside of the Commission enter into discussions as to where there may be areas of consent for the s.19 review.

The Commissioner has vacated the 12 June 2019 hearing date for the s.130 dispute and the matter has been relisted for a report back on 2 May 2019.

