

Subsuming RMS Functions into TfNSW – Consultation Dispute - Member Update 23 April

The PSA and combined unions attended compulsory conciliation as part of the dispute over the lack of consultation on the subsuming of RMS functions into TfNSW on Thursday 18 April. This is part of an oversighted conciliation process by the NSW IRC that operates in tandem with the current TfNSW obligations to consult over the proposed workplace changes.

A List of the Current Concerns

- » Transport are progressing to implement a Divisional Structure in TfNSW which unions have had no involvement in developing and have not been consulted on. The appointment of Deputy Secretaries last week effectively solidifies this structure.
- » Transport is still unable to provide a list of functions that will exist in each Division of TfNSW. Without this information, unions are unable to meaningfully consult on the proposed changes, as there is no understanding of where RMS functions are going. There are a number of business units within the RMS and TfNSW that could substantially be located across a number of divisions. There have been no discussions on what makes up those divisions and whether certain business units of the RMS would be better located in other divisions.
- » Unions have previously requested a halt to all current workplace reforms, and a list of all reforms currently underway within both RMS and TfNSW. This has not as yet been received. Whilst Transport has provided some proposed business rules for current reforms, unions have no clarity on which reforms will cease, be placed on hold, or proceed.
- » The current proposed consultative mechanisms and framework place limited opportunities on having meaningful contact with unions members located across NSW in very short timeframes. Many of these regional area locations contain numerous business functions that cut across divisional structures and cannot be readily lifted and shifted.
- » Unions have concerns about the first tranche of Lift and Shift, specifically about moving Transport Coordination into Urban and Freight Strategy & Planning into the Customer Strategy and Technology Division. There has been no consultation about the divisional structure and these changes have been proposed without proper discussion and consultation about where the most appropriate place for these functions are. Unions are being asked to agree to the new divisional structure and the movement of functions into that new structure without proper consultation. Initially, Transport wanted these divisional structures in place by 6 May. This is an unrealistic timeframe that curtails meaningful consultation, and is inconsistent with previous commitments that there would be no changes to structures before 30 June. Unions are concerned that further re-alignment will need to take place in future as the RMS functions proposed to be moved do not readily fit within the defined divisions, or have functions that could be located in different divisions.



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Unions NSW Correspondence to TfNSW

Correspondence from Unions NSW to TfNSW on 17 April provided a list of items/agreements sought.

1. Transport to provide detailed organisational charts for both RMS and TfNSW which show current numbers by function and location (previously requested in compulsory conference on Monday 8 April and in the meeting on Monday 15 April). Unions have previously requested proposed future organisational charts for the merged agency with future numbers by function and location, and note that in the meeting on Monday 15 April Transport advised they cannot provide this.
2. Transport to provide details on which functions are mirrored/duplicated in RMS and TfNSW.
3. A list of all reforms currently underway within both RMS and TfNSW (previously requested via email dated 12 April and in the meeting on Monday 15 April) and the status of those reforms
4. Clarity on which current workplace reforms will cease or continue under the proposed business rules. The proposed rules give no answers about individual reforms.
5. Transport to identify which functions of the RMS fit into the list of functions contained in Schedule 1 of the *Transport Administration Act 1988* (NSW) and how they can be transitioned into TfNSW divisional structures. Transport to provide a consolidated list of proposed

functions that will exist in each Division of TfNSW (using Schedule 1 as the template).

6. Transport to review the Divisional structure to deal with the apparent lack of resourcing for Transport Co-ordination and Freight Strategy and Planning functions
7. Transport to provide a map indicating the geographical boundaries for the Metropolitan and Regional Divisions
8. No further activities are initiated until the above information that has been requested is provided.

The PSA and combined unions have also provided TfNSW with a further list of some 50 questions that cover a range of topics related to the transition.

Conciliation Outcomes

After some four hours before the Industrial Relations Commission, TfNSW have committed to:

- » By 30 April, either providing the PSA and combined unions with the mapping or a hard date by which unions will have the mapping. The mapping will be of which functions or business units are proposed to be moved into which divisions.
- » by 30 April, providing the PSA and combined unions with a timeframe for when our list of questions will be answered and that this will be done separately to the staff Q and A's.
- » an acknowledgement that there is scope for changes to be made to the Divisional Structure



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through the consultation process (this likely won't be at the lift and shift stage but further down the track).

At the next meeting (30 April) unions will need to respond to the proposed consultation framework and principles that Transport provided us in the first meeting. This include the following:

- » transition principles
- » consultation principles
- » proposed business rules
- » Consultation Framework (including timeframes)

Where to Now?

The PSA and combined unions have been asked by TfNSW to begin consultation on the internal lift-and-shift processes in TfNSW to align with the newly developed divisional structure. For the time being this is TfNSW functions only.

The rationale for this is because TfNSW wants to have all business units in a reporting line to a Deputy Secretary. The PSA and combined union position is this an attempt to shoe-horn staff into a poorly designed divisional structure that is as robust as cottage cheese. Anyone would think that this structure was devised in two days or something!

The PSA and combined unions have already provided our level of concern namely:

- » How can the PSA and combined unions comment or provide meaningful consultation on where business units should be transferred/transitioned if there is no proper understanding of the proposed functions that will exist in each Division? Put simply how do you know what kind of cake you make if you don't know what ingredients you use?
- » Freight Strategy & Planning does not readily fit within Customer Technology & Services and seems like a stop gap mechanism because of top level personnel decisions;
- » Transport Co-ordination should have always been a standalone Division and;
- » the only lift and shift that would be sufficiently robust would be People & Culture.

Whilst a list-and-shift process will have a minimum or no effect on the current staffing arrangements, it sets a horrible precedence where expedience is favoured over proper workforce/resource/divisional planning.

It is the expectation of the PSA and combined unions that TfNSW should not allow staff to be moved from pillar to post in poorly timed and executed moves to divisions where they don't fit. Put simply, the PSA asks that TfNSW do this right the first time by reviewing the divisional structures with our constructive feedback; feedback that would have been provided in the first instance before the divisional model was promulgated.

That's how consultation works.

