

NSW Department of Education and Flex: Your rights under the agreement

The PSA has been advised of persistent issues with Department of Education employees accessing their entitlements to Flexible Working hours.

Further to our [bulletin](#) sent on 2 October, your Flexible Working Hours Agreement is an industrial instrument that sets out your entitlements and it has not been altered due to COVID-19. Recent communication sent to EDConnect employees contains information that is not compliant with the Agreement:

The PSA advises all members that:

1. Staff must ensure they keep accurate records of actual hours worked, which is a legal, auditable record and any erring from this is a serious issue
2. Transition of staff to the office from home has nothing to do with access to flex time
3. The direction that daily flex accrual should be 30 minutes is not compliant with the Flexible Working Agreement. Management do not get to unilaterally direct employees that they can only access half an hour a day of flex accrual/day
4. Incorrect messaging to EdConnect staff about flex accrual has been denying employees access to flex time for some months now. The PSA has raised these issues with Industrial Relations and it was agreed that there should be BAU application of the flexible start and finish times and accrual of flex
5. "Operational needs" do not excuse the imposition of unnecessary restrictions, which denies employees access to full Crown Award benefits under which they are employed. Operational needs can be met without imposing a flex time restriction of a 30 minutes; and it is a managerial responsibility to manage teams to facilitate this.

The Association has made numerous attempts through both formal and informal consultation with the department over a number of months, to give management the opportunity to correct its messaging to staff about flexible start and finish times and flex accrual and keeping records of actual hours worked.

The PSA will continue to remind our members of their entitlement to access flex start and finish times and accrue flex leave in accordance with the Flexible Working Agreement.

If you have been advised you are not allowed to accrue flex time, please contact the PSA for assistance.

How to contact the PSA

You can stay connected with the PSA through your local workplace delegates and your Organisers.

You can also raise individual and collective issues with the PSA by contacting our Member Support Centre on 1300 772 679.





2 December 2020

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Your PSA Organisers

If you would like to arrange for a teleconference or Zoom meeting with your PSA representatives, please contact us at:

Simone Scalmer sscalmer@psa.asn.au

Vivette Horrex vhorrex@psa.asn.au

Your PSA Industrial Officer

Katy Ambler kambler@psa.asn.au

