



Public Service Association of NSW

General Secretary Stewart Little **President** Kylie McKelvie

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In reply please quote: **GW:gs CN-164425**

23 September 2021

Ms Pam Brunner
Executive Director
CS Statewide Services
Department of Communities & Justice
Level 4, 223 Liverpool Road
ASHFIELD NSW 2131

By email: pamela.brunner@facs.nsw.gov.au

Dear Ms Brunner,

Helpline and Public Health Order for Areas of Concern

The Public Service Association (PSA) writes to you in regards to the directions given to our members working within the Child Protection Helpline, that they must be vaccinated in line with *Public Health (COVID-19 Additional Restrictions for Delta Outbreak) Order (No 2) 2021* (PHO) and the Risk Assessment undertaken by the Department of Communities and Justice on 2 September 2021 relating to its Child Protection Services and Housing Services.

We appreciate the requirements of the PHO, they are clear in that they emphasise that essential workers should work from home where they are able to. Our members and all other staff working within the Helpline currently work from home, have done so for a considerable amount of time and there is no indication or plan for a return to the office in the foreseeable future.

Further, there have been efforts made by the Department to support and further develop remote working capabilities for Helpline staff including the recent rollout of laptops and the new telephony system that is due to be operational by the end of this year. Both these rollouts were done in a way as to support staff not being required to attend an office.

While we accept that Public Sector Employees can be directed to work from alternative locations as the need arises, Members and staff from the Helpline have confirmed that this has not occurred in a significant period of time. It could also be argued that at the current point in time, such a direction would be in contradiction of the public health orders.

We state that as our members live within an LGA of Concern and do not leave that LGA, there is no need under the PHO for them to be vaccinated in order to continue to work from home. As the Helpline have been and continue to work from home, the enforcement of the PHO relating to LGA's of Concern is inappropriate.

Therefore any actions initiated against a staff member who lives within an LGA of concern and is currently working from home should be withdrawn, and they should be allowed to continue working from home, as there has been no breach of the PHO.

The Risk Assessment undertaken by DCJ looks at the risk of 'COVID-19 Transmission in the workplace' and the risks associated with work being undertaken by all DCJ staff with an implementation date of 25 October 2021. There is no dispute with this Risk Assessment or steps proposed to be taken.

Could you please provide a response by COB Friday 24 September 2021

The PSA's Industrial Officer in this matter is Mr Graydon Welsh who can be contacted on 0409 741 071 and by email gwelsh@psa.asn.au.

Yours sincerely,



Graydon Welsh
for **Stewart Little**
General Secretary

Cc Trevor.Bale@facns.nsw.gov.au