30 November 2018

POVB - Update on the issues before the Industrial Relations Commission

On the 14 and 15 November 2018 we were before the Industrial Relations Commission (IRC) on several issues. We had delegates from MRRC and Long Bay present at the IRC for Commissioner Murphy to hear directly what was happening in and around the State. These issues are:

- HR recruitment and associated polices – we are still meeting with CSNSW with the assistance of the Commission on these ongoing issues.
- Medical Escort Unit – it is clear that CSNSW is still in the planning phase of the Medical Escort Unit and it will not be functional until late March of next year. When this Unit becomes operational, it will only be for scheduled escorts so it will have no impact on the unscheduled escorts and the difficulties we are having getting staff to fill these escorts.
- MSPC/MRRC staffing resources and allocation – it is apparent that we have a shortage of casuals around the State as they are filling positions on a temporary appointment. Commissioner Murphy was not impressed that staff were doing triple shifts or 14 double shifts. It was agreed that over the Christmas period it is going to be increasingly difficult to get staff to fill vacancies. Commissioner Murphy recommended staff only do no more than seven double shifts in a fortnight due to fatigue management. We all met outside of the IRC at Long Bay and it has been decided that the following steps take place to fill vacancies in centres around the state:

1. Casuals who have not completed five shifts
2. Overtime – permanent/temporarily appointed staff on days off
3. Overtime – permanent/temporarily appointed staff – double shifts – full shifts not 3 hour shifts – no more than 10, to be reviewed at a later stage.
4. Casuals – can do more than the four shifts
5. Staff from other centres
6. Clause 9 invoked – COVB for overtime.

- MSPC – bed numbers – there has been confusion with MSPC's actual inmate state. Area 4 was closed and CSNSW believe that the inmate numbers from Area 4 had to be moved to wings in Areas 1-3. A working party has been formed to look at employment issues for Area 1-3 and to address the concerns that were raised to management at the Long Bay meeting. CSNSW will not move on placing more inmates into those areas until the issues have been resolved and with further consultation
- Lithgow Benchmarking numbers – to be trialled for and outcomes to come back to the report back scheduled on 17 December 2018. Commissioner Murphy did state that if there are any safety concerns the PSA/POVB have the Safe Staffing Award to use if needed.
- Medical Observations – MRRC/Long Bay and other centres – this issue was raised as Justice Health (JH) have been stating that custodial need to do medical observations, however not putting detail into the HPNF. Director Glen

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Scholes has met with JH and this is to cease. Custodial staff are to only do general observations of inmates in camera cells and there will be a memorandum coming out to staff in regards to this issue.

- Police transport matter – Section 33 – the legislation has been changed which allows custodial staff to escort inmates on a section 33 to a facility. We now have the powers to use force if needed and to use restraints when doing the escort. This was always a concern for our members. We discussed that this will have an effect on centres that have AVL and that centres were not benchmarked to conduct these escorts within the staffing profile. Any section 33 escorts will be conducted in the same manner as unscheduled medical escorts are conducted in court locations and in correctional centres. Information on this matter will be distributed by CSNSW in the coming days.
- Memorandum re staff being called in for overtime and being paid for hours worked only. Commissioner Murphy put up a recommendation (see attachment **HERE**) which states that staff have two hours from the time called to get to work. This is not from the time of the shift. Some staff have been called the day before for overtime and then taking two hours to start the shift. We encourage all members to not abuse the recommendation and to make every attempt to get to work at the commencement of the shift.

As stated we have a report back to the IRC on 17 December, 2018 and any issues that come out of the above will put back before Commissioner Murphy for assistance in the matters.

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