

Mr Greg Shaw
Senior Industrial Officer
Public Service Association of NSW

Via email to gshaw@psa.asn.au

29 January 2026

Your Ref: GS:cr:C10011702

Dear Mr Shaw

In response to your letter dated 18 December 2025 regarding the proposed award changes, here are the Commission's responses, starting with those largely in agreement:

- Issue 2:** The Commission will consult on the specific wording with respect to sick leave evidence, as part of the revised Leave Policy, which is on our list to put through CCG in the near future.
- Issue 3:** The Commission prefers to go with our proposed wording, which is more aligned with our operations.
- Issue 4:** The Commission notes this.
- Issue 5:** The Commission notes this.
- Issue 6:** The Commission will leave this section in.
- Issue 8:** The Commission notes this.

Those with alternative positions/proposals are:

- Issue 1:** The Commission holds serious equity concerns about the allowance. Other roles receive the in-lieu overtime allowance because they routinely perform overtime whereas Forensic Accountants do not. Paying the allowance without the underlying condition being met is inequitable and undermines those who do perform overtime. Under what we are proposing, Forensic Accountants will increase in remuneration and will still receive overtime payments if and when overtime is worked, consistent with other officers in the Award.
- Issue 7:** The Commission does not agree to replacing the *Managing Excess Employees Policy 2011* with the *NSW Government Workforce Mobility Placement and Employee Transition Policy (November 2025)*. Instead, the Commission proposes to develop its own internal policy for managing excess employees. Subject to agreement with NSW Government Mobility, this policy would include the option for employees who have been declared excess to participate in the Mobility process if they choose. The Commission's position is based on the following considerations:

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1. Specialist workforce - Most roles within the Commission are highly specialised and not readily transferable across the broader NSW public sector. Requiring every vacancy to be processed through the Mobility system would create unreasonable administrative burden for a small agency such as ours and would limit our ability for internal opportunities, which are limited at the best of times.
2. Enhanced choice for excess employees - In circumstances where an employee is identified as excess, providing them with the option to either proceed directly to a voluntary redundancy or engage in the Mobility process offers greater flexibility. This approach ensures that staff can choose the pathway that best aligns with their personal circumstances and career preferences, which is in their best interests.

Point 3: The Commission notes this but will continue with alignment to the Crown Employees Award in the areas outlined.

Point 4: The Commission notes this.

Please re-consider issues 1 and 7 and we can meet to discuss and finalise these.

Yours Sincerely,



Matt Asquith
Executive Director, Corporate Services