



Public Service Association of NSW
General Secretary Stewart Little **President** Nicole Jess

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In reply, please quote: SL:vv

11 August 2026

Mr Graham Kelly
General Secretary
United Services Union (USU)
Level 7, 321 Pitt Street
Sydney NSW 2000

Dear Mr Kelly

I write in respect to your letter dated 7th August 2026.

I am extremely concerned that your union is seeking to recruit members in a sector that you do not possess the constitutional coverage to represent before an industrial tribunal or superior court.

The PSA has a long and proud history of representing members across the NSW Parliament, who have historically been engaged via the *Public Service Act 1979*, and its successor legislation; and directly by the Presiding Officers of the Parliament under delegation from the Governor of New South Wales via the *Constitution Act 1902*.

Rule 2 Part IV (b) of the ASU rules formally excludes you from representing people employed under the "*Public Service Act 1997* or any Act replacing that Act", as well as specifically naming ministerial employees or people employed in the offices of Ministers of the Crown as not eligible for membership of your union.

Employees of the NSW Parliament, and ministerial advisers, are currently employed under the *Members of Parliament Staff Act* (MoPS) Act, which is a direct descendant of the *Public Service Act 1979*, and therefore fall exclusively under the coverage of the Public Service Association of NSW.

I am further concerned that your union's actions are creating division and an unsafe workplace. Given that your union does not possess the ability to represent these employees before the Industrial Relations Commission of NSW or any other superior courts, you should refrain from actively recruiting these employees.

I advise that I am now considering taking legal action against your union before the Industrial Relations Commission of NSW. I therefore seek your written confirmation within 7 days of this letter that your union will cease actively recruiting the employees of the NSW Legislature and that you shall transfer over those members that you have recruited to the Public Service Association of NSW.

Should you wish to meet regarding this matter, please contact my office on (02)9220 0982 or via email to secretariat@psa.asn.au

Yours faithfully

Stewart Little
General Secretary