

DELEGATES' HANDBOOK





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The Delegate's Handbook can be accessed
on our website: psa.asn.au/delegates-handbook/
or cpsunsw.org.au/delegates-handbook/

SECTION 1: INTRODUCTION

FOREWORD FROM THE GENERAL SECRETARY

A MESSAGE FROM THE PRESIDENT

ABOUT THIS HANDBOOK

PSA STRUCTURE





FOREWORD FROM THE GENERAL SECRETARY

Welcome to the PSA and CPSU NSW's Delegate's Handbook.

As a former delegate myself, I know the enormously important role you play at the front line of industrial relations and thank you for taking on the job.

Before my election as General Secretary, I was a PSA member for about 25 years, working in a variety of public sector roles, including the Parliament House library and disability services. For much of that time, I was happy to serve my fellow members as a delegate.

Delegates are often the first union members new employees meet. As an senior industrial officer with the PSA, I appreciated their vital role. Without your face-to-face contact,

recruitment would be that much more difficult.

It is delegates, members come to with workplace issues, and it is delegates who reassure workers the union has their back. Using this handbook, you can get a greater understanding of your role and the industrial relations environment you work in.

As a delegate, you have taken on an important role and your union will do its utmost to support you.



Stewart Little – General Secretary

A MESSAGE FROM THE PRESIDENT

We are always here for you.

Since I began as a Correctives Officer about 30 years ago, the union has been there for me. I learned early on it is the organisation I know will take my side and look after my rights at work. It is the organisation that will ensure our members are employed in safe working conditions. It is the organisation that will push for the best possible wages and conditions for its members.

It is the union I am now happy to lead as President.

Looking out for each other is the heart of unionism. Our employers know taking on one member means taking on nearly 40,000 other workers. It means taking on our union's considerable legal and industrial resources.

As a delegate, you are at the frontline of this fight. You are often a member's first contact of the union and the person people usually turn to when they need help in the workplace.

This handbook is designed to help you in your role as a delegate. You will have, at your fingertips, the resources you need to best represent members in your workplace.

In recent years, our members have worked under trying conditions, with natural disasters and a pandemic. All this time, their union has been by their side

No matter what the issue: our members know their union has their back.



Nicole Jess— President

ABOUT THIS HANDBOOK

WHAT IS THE PSA?

The Public Service Association of NSW (PSA)/ CPSU NSW is an active, member-driven union that asserts its members' interests and advances the value of public services for the people of NSW.

The PSA represents staff all over the NSW public sector whose wages and conditions are determined by the Industrial Relations Commission of NSW.

Established in 1899, the PSA has a proud history of advocating on behalf of its members, and acting in the public interest.

WHAT IS THE CPSU NSW?

CPSU stands for the Community Public Sector Union. This union is registered under Federal industrial law, unlike the PSA which is registered under NSW industrial law.

At no extra cost to the member, all PSA members are automatically members of the CPSU (SPSF Branch). SPSF stands for State Public Sector Federation, a subset of the CPSU.

The CPSU-SPSF is the body that represents our members who happen to work under the Fair Work Act 2013 (Commonwealth). These are members whose industrial rights are

presented by *Fair Work ACT 2009 (Cth)*.

These groups of members are organised along similar lines to other groups within the PSA. Workplace groups, delegates, delegate committees and representatives meet with the management of their enterprise to negotiate pay and conditions.

These member structures are established under the PSA Rules and By-laws, available through the PSA/CPSU NSW websites.

WHO DOES THE UNION COVER?

The PSA is the leading voice for public service in NSW. It represents members in diverse roles across NSW Government departments, state-owned corporations, schools, universities, and TAFE, as well as in specific sectors in the service of the people of NSW such as the disability sector.

Members work under both State and Federal instruments. All members of the PSA are also members of the Community and Public Sector Union – CPSU NSW.

COLLECTIVE POWER

A powerful union is one in which members recognise that they, as a collective group, are the union's real source of strength.

Organising members as a group and encouraging them to become active in the union.

Whether you are a workplace delegate, or part of some other kind of PSA delegate committee, this handbook is here to help you along the way.

PSA DELEGATES

Delegates are the backbone of the union. They can make a huge difference in resolving workplace and individual issues at the local level.

This handbook will help you effectively represent members in your workplace, recruit new members, establish and maintain a workplace group, organise around key issues to strengthen the union, and play a role in successful campaigns.

It gives you the pointers you need to represent your colleagues in the workplace and fully embrace your role.

The PSA/CPSU NSW has 120 years of proud history and you stand on the shoulders of more than 36,000 members who believe we are stronger together.

1899

ESTABLISHED IN 1899,
THE PSA HAS 120 YEARS
OF PROUD HISTORY



THE PSA HAS THE
STRENGTH OF MORE
THAN 38,000 MEMBERS

PSA STRUCTURE

CENTRAL COUNCIL

Central Council is the PSA’s decision-making body. It consists of at least 39 delegates directly elected by members, plus the elected six-person Executive.

Central Council meets twice per quarter.

The system for election is set out in the PSA Rules.

EXECUTIVE

- The Executive consists of:
- » General Secretary
 - » Assistant General Secretary
 - » President
 - » Senior Vice President
 - » Vice Presidents (two)

The Executive reports to Central Council and meets on the fourth Monday of each month and other times as required.



PSA STAFF

Organisers

Organisers work with delegates and activists to build union power.

They do so by establishing PSA structures such as workplace groups, departmental committees, local campaign action groups and advisory groups.

They support delegates to organise, grow the union, and develop the skills delegates need to respond effectively to members.

Industrial officers

Industrial Officers provide expert industrial advice and support to delegates and members, negotiate around changes to awards and agreements, and provide representation in industrial tribunals such as the NSW Industrial Relations Commission or Fair Work Commission.

Industrial officers cover collective and individual matters.

Regional officers

The union has six regional offices located in Newcastle (Central Coast-Hunter Region), Lismore (Northern), Tamworth (North-West), Bathurst (Central West), Wagga (South-West), and Wollongong (South-East). Regional organisers provide organiser and industrial officer functions to members in the regions. Support staff are also located in the regional offices.

The head office industrial teams also work to grow the union and provide support to delegates and members located in regional areas, according to the kind of issue and the support required.

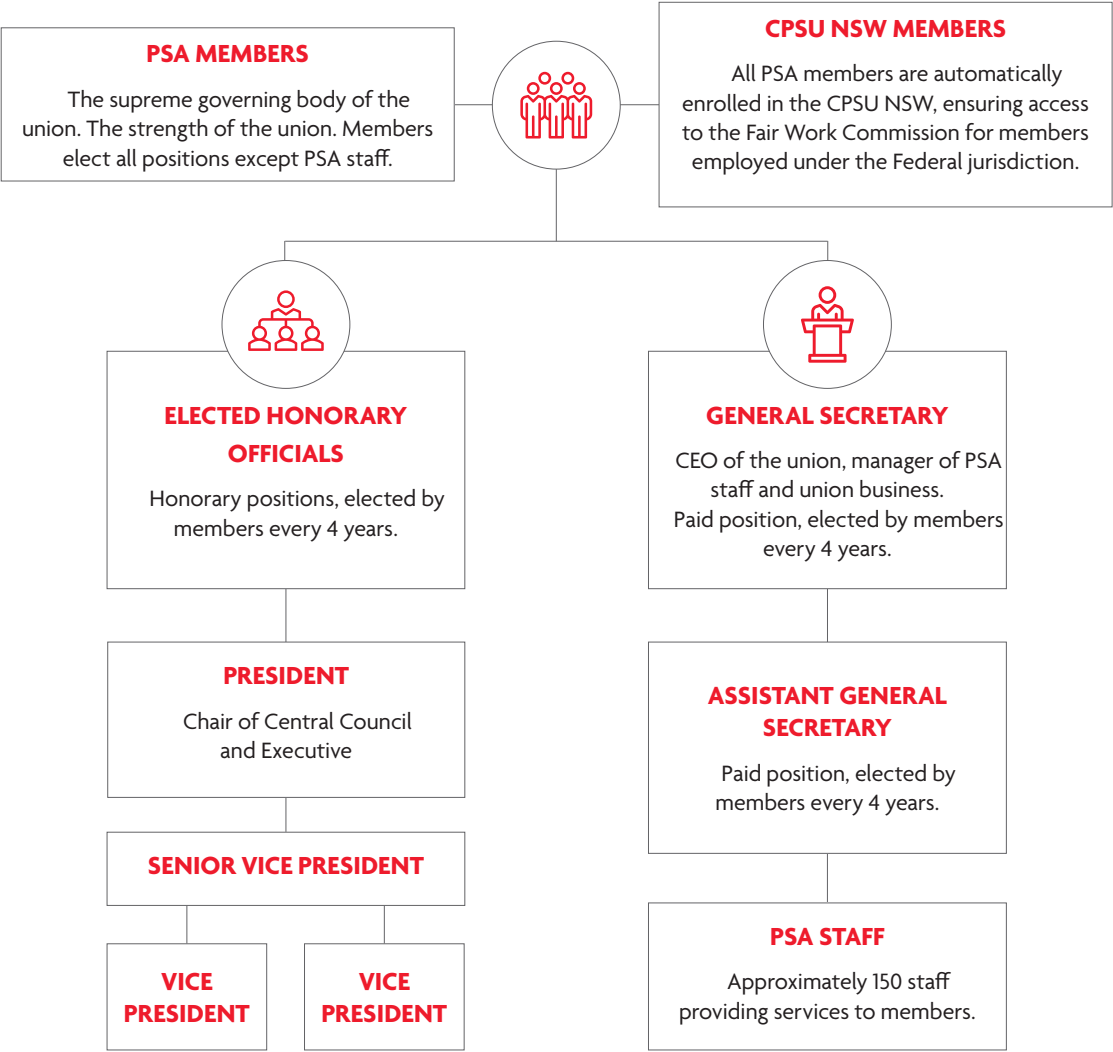
Other staff

The PSA employs a range of other specialised and administrative staff to meet member needs. This includes accounts, building management and IT staff. PSA Communications includes a journalist, campaign coordinator, graphic designer, social media specialist, web developer, and other communication officers.

The Industrial Specialists team includes: library staff, database coordinators, analytics officer, educators, WHS specialists, researchers, and the Aboriginal liaison officer.

PSA STRUCTURE

MAY 2021



SECTION 2:
YOUR ROLE AS A DELEGATE

YOUR ROLE

YOUR RIGHTS

YOUR ROLE

THE ROLE OF THE DELEGATE

As a delegate, you have one of the most important roles in the union.

Delegates are the day-to-day face of the union in the workplace. You have a crucial role within the union because of your connections with other workers. Members look to delegates as workplace leaders on issues that matter to them.

There are many different types of elected Delegates: Workplace Delegates, Departmental Committee Delegates, Advisory Group Delegates, Central Councillors, Vocational Branch Delegates, Women's Councillors and Aboriginal Councillors.

Union staff understand the views and needs of members who, in turn come to understand the importance of participating in collective decision-making processes and actions. Delegates are key to ensuring this dynamic relation. Without you, the union would not be able to function effectively. Delegates can make a startling difference to the world of their colleagues.

COLLECTIVE STRENGTH – A BASIC PRINCIPLE

The basic principle of unionism can be summed up in the slogan “united we bargain, divided we beg”. The more members we have, and the more active and united we are, the better placed we are to make a difference at work and beyond.

DELEGATES, POWER, RESPECT

This is where you as a delegate come in. You organise your colleagues to make sure they are active and united. Workplace delegates assist in protecting, and wherever possible, advancing, the interests and rights of members at the local level. As the face of the union in the workplace, the way you work as a delegate, your manner and actions, should reflect positively on the standing of the union.

The members who make up the union come from diverse backgrounds and hold a variety of views and expectations. Delegates should ensure their rights are observed and that the diversity of views is taken into consideration. Involve members in union matters whenever possible.

Maintain open and honest communication and treat all members in a respectful manner. Be calm, considered, respectful and professional at all times. Trust, credibility, and respect with members, work colleagues, union staff and your employer are powerful tools and essential to being able to function successfully as a delegate.

REPRESENTING MEMBERS' VIEWS

As an elected union delegate you are entitled to represent the views of the members who have elected you, or members for whom you have been authorised to speak by the union.

With management you need to be careful to only express views that are a fair representation of your members' views.

Stay in close touch with your members so you know how they think and feel. Within union meetings and delegate forums you are free to express your own views, as long as these are not wrongly represented as the views of a wider group of members. Your Organiser and/or Regional Organiser can support you in your role as delegate.

PRODUCING AND DISTRIBUTING UNION MATERIALS

Elected delegates are entitled to distribute official PSA/CPSU NSW publications and discuss the union's official position with members.

Under most awards covering PSA members, you are entitled to a union notice board or designated section of a general notice board.

CPSU NSW delegates should check their enterprise agreements.

USE OF EMAIL

Delegates are entitled to use work email to communicate with union members. Remember to change your email signature to clearly articulate your email correspondence is in the capacity of a delegate and not your employed role.

Management can access work emails, so consider using a private email address.

SOME LIMITS TO COMMUNICATING

Delegates do need to be careful about expressing a point of view that hasn't been endorsed by the General Secretary of the PSA. Delegates are protected when passing on official information or the position of the PSA.

An official PSA publication will state that it has been “Authorised by the General Secretary”.

PROVIDING ADVICE

Delegates can provide industrial advice based on matters such as acts, awards and policies. But this advice does not obligate the union to take any action, as industrial staff will need to be consulted before a decision is made.

CONFLICTS OF INTEREST

Delegates may find themselves in a difficult position when the union position is contrary to an employer’s policy or action. You are obliged to act in the interests of your members but also obliged to meet the code of conduct of your agency. Conflicts of interest can occur when delegates supervise or manage staff and are themselves directed by their employer to carry out an action.

This is a potential conflict of interest and the delegate should always follow the management directive as delegates have a duty of service to their employer, whether they agree with the direction or not. If a delegate believes the direction is illegal or against policy, they should contact the union for advice. See also the Statement of Ethics in the resource section of this handbook.

SOCIAL MEDIA

The union’s social media are a great way for members to get to know more about the union, our activities and campaigns.

You will find us on Facebook at www.facebook.com/psansw and www.facebook.com/cpsunsw and on Twitter at @psansw and @cpsunsw.

Delegates are encouraged to Like and Follow the union’s social media pages, to Comment on the union’s posts and to promote the union’s social media in the workplace.

Social media can play a very effective role in campaigning and drawing attention to the things members care about.

We are always looking for content for our social media so if you have anything that you’d like to share with the broader membership, email communication@psa.asn.au or send via Facebook Messenger or Twitter Direct Message. We love photos of members in the workplace or stories about how the union has had a win in your workplace. If there is an issue that might gain broader support on social media, please let us have it. We can’t promise to post everything, but we encourage all members

to send in good content about members' achievements or issues, accompanied by a photo. Take a look at www.facebook.com/psansw to get an idea of the type of thing we're after.

It is important that delegates and members take care when using social media and avoid making any negative comments about their employer. Delegates should at no time breach their employer's Code of Conduct or leave themselves open to disciplinary action.

MEDIA REQUESTS

If approached by the media, delegates should refer the journalist to the union for official comment.

There have been cases where members have been disciplined or sacked for speaking to the media and allegedly bringing their employer into disrepute. Be wary of being told your comments are "off the record", as this cannot be guaranteed.

All media requests should be referred to PSA industrial staff as the General Secretary is the official spokesperson for the PSA.

The General Secretary can authorise PSA staff or delegates to speak on his or her behalf on certain matters.

WHAT YOU CAN DO AS A DELEGATE

- » Represent the members in your area in negotiations with management
- » Sign up new members and maintain membership records for your area
- » Pass information to and from members and the union
- » Keep in contact with your organiser and industrial officer
- » Help members with individual and collective matters in your area
- » Promote the union and benefits of membership
- » Attend union training courses
- » Encourage union members to be active
- » Act as a support person for members
- » Attend local Consultative Committee meetings and Joint Consultative Committee meetings as required.

YOUR RIGHTS

Delegates have a legal right to carry out their union responsibilities in the workplace. Depending on the workplace, these duties and rights include:

- » Distributing official union material or attending induction sessions for new employees
- » Time to attend and prepare for meetings in the workplace
- » Access to facilities such as notice boards, telephones and email in the workplace
- » Leave to attend union training, participate in committees or to attend industrial proceedings.

Delegates are encouraged to familiarise themselves with the full details of their rights in their award or enterprise agreement. For delegates in the majority of NSW public service agencies these rights are set out in clauses 53-64 of the Crown Employees (Public Service Conditions of Employment) Award 2009. Your awards and enterprise agreements are available on the PSA/CPSU NSW websites.

Always inform your manager when you are taking part in union activity.

“UNDER MOST AWARDS COVERING PSA MEMBERS, YOU ARE ENTITLED TO A UNION NOTICE BOARD OR DESIGNATED SECTION OF A GENERAL NOTICE BOARD”.

SUPPORT FROM THE UNION OFFICE AND DELEGATES TRAINING COURSES

Union staff support delegates in arranging meetings with members, recruiting new members and providing the resources and material that will enable the building of union strength in the workplace. Delegates also have access to a range of training provided by the union. You are strongly encouraged to enroll in union training courses.

THESE COURSES INCLUDE

- » The Role of the Delegate
- » Negotiating skills
- » Dealing with bullying in the workplace.
- » Dealing with member issues.

The full list of training courses and an online registration form is available on the PSA and CPSU NSW websites. If assistance is required with an industrial matter, call the union's Member Support Centre on 1800 772 679

The most effective protection for delegates against victimisation or harassment is a strong and active union presence in the workplace. However, there are also legal protections enshrined in legislation.

NSW PUBLIC SECTOR AGENCIES

Under Section 210 of the NSW Industrial Relations Act 1996, it is unlawful for an employer to victimise an employee because they:

- » Are a member or official of a union (under industrial law, a delegate is deemed to be an official of the union)
- » Claim a benefit to which they are entitled under an act, award or agreement

- » Lodge a complaint about a breach of an award
- » Appear in proceedings regarding an industrial matter (the Industrial Relations Commission and w Fair Work Commission)
- » Engage in a public or political activity (unless it interferes with their work).

The Crown Employees (Public Service Conditions of Employment) Award 2009 also includes the provisions of the Industrial Relations Act and reiterates the rights of union members to take lawful industrial action and not be victimised. Copies of this award are available on the PSA's website.

THE MOST EFFECTIVE PROTECTION FOR DELEGATES AGAINST VICTIMISATION OR HARASSMENT IS A STRONG AND ACTIVE UNION PRESENCE IN THE WORKPLACE.

HARASSMENT OR THREATS

Any delegate being harassed or threatened in relation to their duties, should contact the union immediately. Any matter that cannot be resolved through negotiation with management, can be taken to the NSW Industrial Relations Commission or Fair Work Commission.

For all union members employed under a federal employment instrument, sections 342, 346 and 347 of the Fair Work Act 2009 combine to provide delegates protection from any “adverse action” by their employer.

The protections cover delegates representing or advancing the views of the union or encouraging other employees to participate in lawful activities organised by the union.

Prohibited action by the employer includes:

- » Dismissal of the employee
- » Altering a position to the employee’s detriment
- » Discriminating against the employee
- » Any action that “injures” the employee in their employment.

ALL MEMBERS

Protections are also available to all members under Sections 104-109 of the Work Health and Safety Act (2011). These measures prevent an employer from discriminating against a worker in response to them exercising any function, power or responsibility under the Act.

Fines of up to \$500,000 can apply in relation to such conduct.



SECTION 3: GETTING OTHERS INVOLVED

GETTING OTHERS INVOLVED

ORGANISING YOUR WORKPLACE

IDENTIFYING WORKPLACE ISSUES

DEVELOPING ACTIVIST NETWORKS

WORKPLACE AND ADVISORY GROUPS

WORKPLACE MEETINGS

ORGANISING WOMEN

ORGANISING INDIGENOUS WORKERS



GETTING OTHERS INVOLVED

Getting people involved with the union builds strength in the workplace.

The willingness of workers to stand up and be counted, even in small ways, is vitally important.

It is critical they understand that they as a group wield considerable power.

Collective action sends a very clear message: the union is a united group of individuals who share common concerns and are prepared to stand up for their rights.

To that end, seek out issues that will mobilise members and engage potential members.

These issues may not always be industrial. They may include professional, social justice, environmental and other matters of concern.

Your overarching task as a delegate is to:

- » Create that sense of collective strength and build upon it
- » Recruit new members and provide encouragement and avenues to play an active role
- » Support members at the workplace.

The most effective way to recruit new members is through one-on-one contact along with union campaigns that are successfully conducted at a local level.

That way, the benefits of being part of the union are clear for all to see.

There is no better recruiting tool than success.

THERE IS NO BETTER RECRUITING TOOL THAN SUCCESS.

REASONS TO JOIN THE UNION

Different people join unions for different reasons:

- » The industrial protection union membership provides
- » They feel a commitment to their workmates and believe in fairness at work
- » They are frustrated or angry about an issue and the union provides an avenue for action
- » To improve pay and conditions or other benefits.

The fact is most people join for a combination of reasons. When talking to members and potential members, remember to mention what the union movement has achieved through members working together:

- » Annual pay rises
- » Long service leave
- » Paid public holidays and parental leave
- » Permanent part-time work and other flexible work arrangements
- » Annual leave and leave loading
- » Improved health and safety
- » Domestic violence leave
- » Breastfeeding facilities and paid lactation breaks

- » Compensation and rehabilitation for work injuries
- » Superannuation
- » Pay equity principles
- » Fair treatment in dismissal and retrenchment situations
- » Minimum award conditions for all workers
- » Protection against discrimination, harassment and victimisation.

HOW TO START

To be an effective delegate, you need to build an active and inclusive environment in your workplace. Workers need to be aware about the union and know you are its central point of contact.

Workers will occasionally come to you for assistance, but it is important you approach them in the first instance and make yourself known.

Keep a supply of new member's kits on hand as well as membership forms and other union information. This material is available from your organiser or call the Member Support Centre.

The ultimate aim is to get everyone in the workplace to join, so making a good first impression is vital.

New starters should be introduced to how the union works, the importance of the public sector and why their involvement will help defend and improve their own wages and conditions.

Arrange with your human resources area or local management to give a talk about the union at induction training and hand out union material and membership forms.

If you are able to do such a presentation, remember to follow up by approaching the new starters individually.

Before approaching a potential member, you should:

- » Know the cost of membership and how payment is made
- » Inform them the membership fee is tax-deductible
- » Be able to fill in an online membership form correctly
- » Have material about PSA benefits on hand.

All employees, whether full-time, part-time, casual, temporary trainees or people employed in the public service via labour hire are eligible to join the union.

Those employed on short-term programs and on ministerial staff are also eligible.

APPROACHING POTENTIAL MEMBERS

Talking to potential members is not always easy. Try a relaxed and informal approach; if your colleagues respect you as a co-worker, it will be easier.

It is best to approach potential members on a one-on-one basis. You need to be open and genuine in your manner and conversation.

Listening – and being seen to listen – is vital to building a relationship. Make an effort to understand the point of view of the other person and the issues that are of concern to them.

When planning to talk to a potential member, have a think before, ask yourself:

- » What work do they do?
- » If they are a new employee, where did they work previously? Have they ever been a union member?
- » Why aren't they in the union? Have they ever been asked to join?
- » Are their colleagues members?
- » Are they friendly with other members?

YOUR APPROACH

- » Choose a good time and place – this may be during a tea or coffee break. Tailor your methods to the working environment
- » Use open ended questions such as – “How are things going here?”
- » Respect what they have to say and wait until they have finished speaking before you respond
- » Demonstrate that you are listening by repeating back what they have said
- » Have open and attentive body language
- » Face them and stay relaxed
- » Don't feel obliged to defend the union on every issue – step back, acknowledge their concerns and concentrate on common ground
- » Promote the idea of working together to solve problems. Tell some positive “hope” stories where workers have done well by working collectively
- » If they agree to join, help them complete the form and take it away with you. Or encourage them to join online at membership.psa.asn.au or membership.cpsunsw.org.au. Stick around and help
- » Collect the completed form and return it to

your organiser or the union's Membership Section. They may prefer to send it themselves in a replied-paid envelope or fax the form

- » Check with the Membership section that the form has been received and processed.
- » If they want to think about it, leave some material with them but make sure you follow-up
- » If you don't succeed the first time – leave the door open
- » If you don't have an answer to a particular question, say so and undertake to get back to them
- » If you can't get back to the person yourself, organise for someone else to do so and make a note of what you agreed to do on a report back sheet.

See page 102 for a sample member report back sheet. And encourage other members to recruit as well. It's not only up to you.

OBJECTIONS TO JOINING THE UNION

There are several standard arguments people give for not joining a union. Here are some examples with suggested responses.

However, always begin by acknowledging the person's objections.

I don't know enough about the PSA/ CPSU NSW or what a union does

Give the person some examples of what the union has achieved that have benefited them.

Ask them open questions to find about what issues and conditions they care about.

For example, do they rely on their flex days? If so, talk to them about the role the union plays in ensuring flex agreements remain in place.

Talk to them about issues which may impact upon them such as privatisation, job cuts or workplace flexibility.

Explain how the union operates at a workplace level and that in addition to industrial leverage, the union also offers an opportunity to connect with other members and social justice groups through community campaigning.

It is useful to have the "Achievements of the

PSA/CPSU NSW” document on hand.

Union fees are too high

Union fees pay for themselves through higher wages, job protection, better working conditions, and more.

Fees are also based on salary level with a lower rate for low-paid or part-time workers, and are tax-deductible.

I’m temporary/part-time

Temporary employees often need more protection than permanent staff due to the nature of their employment.

This group of workers receives the same benefits as everyone else, benefits which have been fought for and won by the union.

Part-time members will usually pay a lower fee level.

I can get all the benefits anyway, so why join a union?

If everyone acted on this theory there would be no union and conditions would be worse.

Appeal to their conscience and sense of fair play.

Many non-members probably don’t feel that they have “ridden on the backs” of union members to gain better conditions and services.

But the fact is by accepting those gains without contributing in any way that’s exactly what they are doing and if they want to support further improvements, they should join the union.

Only members have access to the services of skilled industrial relations practitioners and advocates for non-industrial value-added services such as:

- » Journey Protection Scheme
- » Union Shopper/Member Advantage
- » PSA/CPSU NSW Provident Fund
- » Group Accident Insurance Scheme
- » Group Accident Insurance Scheme Family Cover (additional cost)
- » Student scholarships
- » One free legal consultation for non-work-related matters
- » Will-writing service at no cost.

I don't need the union, I can look after myself

Being part of a democratic union, where decisions are made by members, increases the power of the voice of each individual. An organised group has a much stronger voice than one person on their own.

If an issue at work became a legal situation, would a lone individual still be able to “look after” themselves?

What if I am promoted into a managerial position?

Managers are still employees.

The PSA/CPSU welcomes all workers entitled to membership. Members in managerial positions are still able to contribute to the strength of their union and enjoy its benefits.

The following is recommended:

1. If your union fees are paid by payroll deduction, update your details to direct debit and utilise a private email address, so your discussions with the union remain private.
2. Managers can use union support and expertise more than ever as they deal with multiple policy, legislative and people management concerns. The union prefers managers to ask

for clarity when they have concerns with issues such as performance management.

3. Quite often management positions are in danger of deletion or have significant workload problems due to flattening of management structures and realignments. If managers choose to stay or become members, the union can address these concerns, often not by identifying individuals, but by linking issues and highlighting them collectively. The union still looks after all members' Health and Safety and Workers Compensation needs.
4. Managers can utilise union resources such as the library, which gives access to a wide range of professional journals useful at work and for further education.
5. The Statement of Ethics (see resources at end of handbook) is available to clarify any conflicts of interest that may arise.

If you encounter objections:

1. Listen to the member carefully and try to understand their objections



2. Acknowledge that the objection is real and others may feel the same way
3. Propose a way around the objection; for example, if the objection is about the expense of membership, focus on the financial achievements of the union gained through collective power or services and discounts only available to members.

Remember:

- » Don't argue with your colleagues, it is better to leave a good impression
- » Trust, genuineness and good humour are all assets – it's about relationships and timing
- » Come back another day – people do change their minds.

ORGANISING YOUR WORKPLACE

FIRST, ASK YOURSELF A FEW QUESTIONS

- » How many members are active?
- » Are they organised in a manner that strengthens the union's presence and position?
- » Do you know the top issues of concern for members and potential members?
- » Do you have enough power and resolve in your workplace to win a fight for a particular issue?
- » How will you find out?

START BY ASSESSING YOUR WORKPLACE

- » What percentage of workers are members?
- » Who are the non-members? Are they a particular group in the same area? Are they in the same age bracket?
- » What other factors might affect the level of membership and union organisation in the workplace?

MAPPING YOUR WORKPLACE

To organise your workplace you need to plan.

A good place to start is to develop a picture or "map" including information about members and non-members. From this, you can develop a recruitment strategy, plan campaigns and organise.

There are a variety of ways you can "map" your workplace.

A FLOOR PLAN MAP

Simply draw a plan of the work area showing each worker and their location.

You can identify members and non-members, as well as note the delegates/activists, the attitude of each to the union or a particular issue, their gender, age and languages spoken.

In a large workplace, you may need more than one map. Add information as you receive it to build up an accurate picture of your workplace.

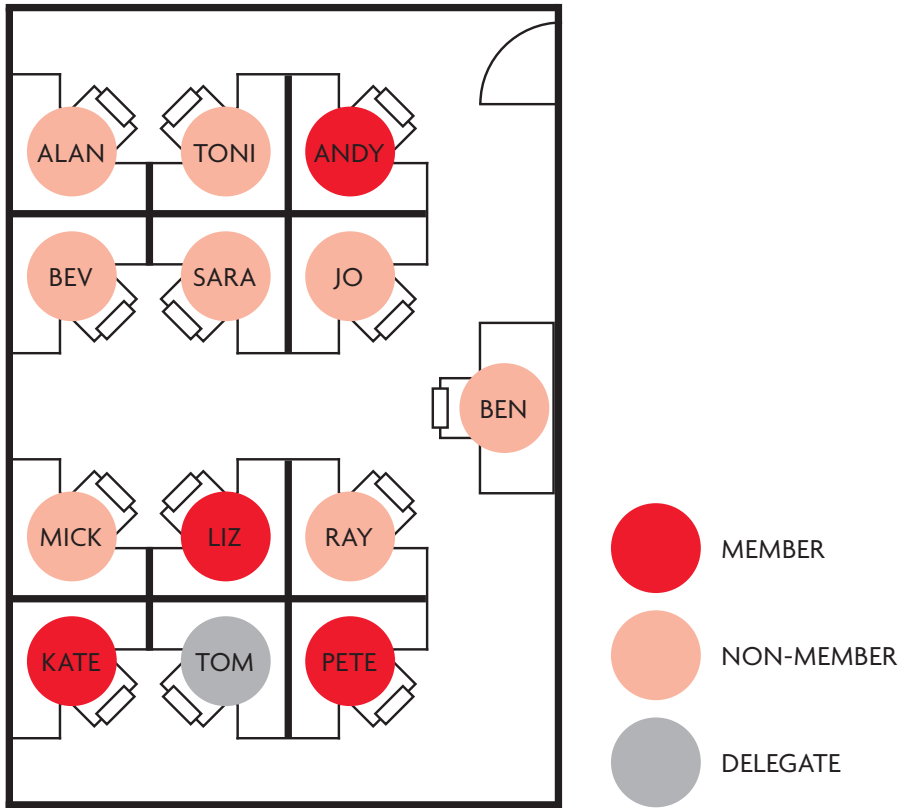


Figure 1 – Floorplan map

A PROFILE OR MATRIX
– TABLE OF MEMBER
INFORMATION

You can make a table of information on a whole workplace or sections within it.

For example, you can record the names, number of workers/ members, whether they are a contact/delegate, full time/ part time, casual/ permanent, their gender, cultural or linguistically diverse groups, and issues that concern them.

	NUMBER OF WORKERS	NUMBER OF MEMBERS	P – PART TIME F – FULL TIME C – CASUAL	ISSUES	D – DELEGATE C – CONTACT	OTHER
SECTION A	10	9	F – 8			
			P – 1	A, B, C, D	D – TONY	
			C – 1			
SECTION B	10	9	F – 8			
			P – 1	A, B, C, D		
			C – 1			
DEPARTMENT A	10	6	F – 9			
			P – 1	A, B		
			C – 0			
FLOOR 4	10	1	F – 1			
			P – 1	?		
			C – 8			
OCCUPATION 1	10	2	F – 3			
			P – 7	B		
			C – 0			
OCCUPATION 2	10	7	F – 10			
			P – 0	B, C, D	C – MARIA	
			C – 0			

Figure 2 – Profile map

A RELATIONSHIP MAP – SOCIAL AND WORK RELATIONSHIPS

A Relationship diagram (see next page) identifies the people you interact with at work. Connections can be based on issues such as work, social clubs, shifts and sporting interests.

Use your map to find:

- » Areas where the union is already strong and where there are weaknesses
- » Who might be the best people to approach first
- » Who might be able to assist you by influencing others.

At a basic level, you need to know who belongs to the union and who does not. The secretary of your workplace group can give you a list of members and from there you can keep your own records.

It's a good idea to set up regular informal meetings with more active and involved members and those in whom you see potential.

The maps can also be used to:

- » Build networks, committees
- » Identify weaknesses in the organising network
- » Note particular issues

- » Establish the pathways used by management
- » Improve union communication.

If you are in a dispute or conducting a campaign, a map is extremely useful for ensuring rapid information flow and developing collective action.

By keeping it up to date, it is much easier to keep track of your progress, determine new priorities and keep one step ahead of the issues.

COLLECTING INFORMATION IS A GOOD IDEA

But do not give your workmates the impression you are keeping a dossier on them.

Trust is everything.

Keep all information confidential and never use anything of a personal nature such as details of private lives, family or domestic situations.

Work with your organiser to develop your mapping. They can support you through this process.

TIP – USE YOUR INTERNAL PHONE LIST AS A STARTING POINT.

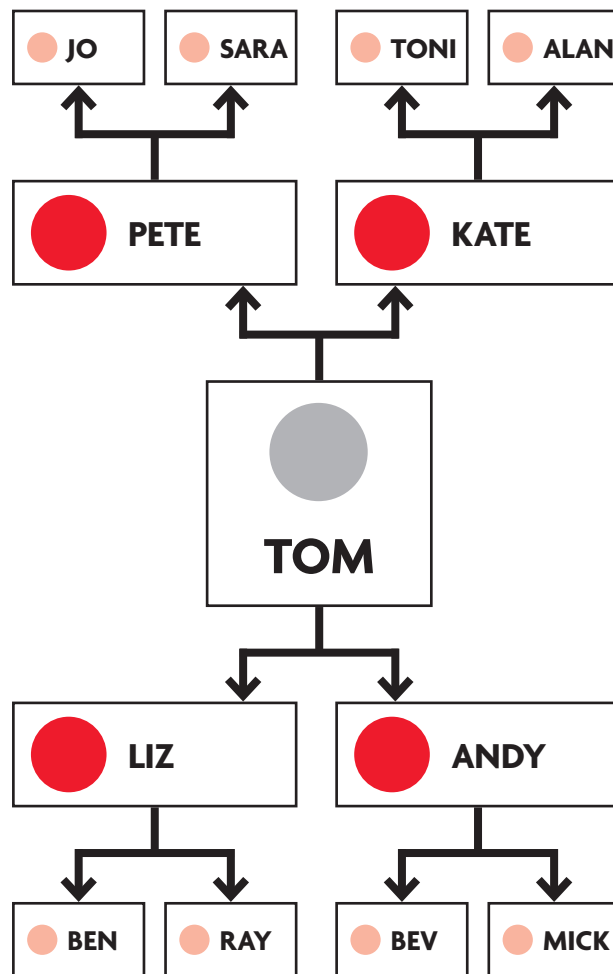


Figure 3 – Relationship map

IDENTIFYING WORKPLACE ISSUES

ORGANISING = ISSUES + ACTIVISTS

To organise your workplace to successfully strengthen the union, you must first determine the issues that workers consider important.

ORGANISING AROUND ISSUES

Every issue, negotiation and dispute can be used to:

- » Involve members
- » Develop the skills of activists
- » And build and strengthen the union's membership base and position.

WHICH ISSUES?

For example, a colleague might be concerned about an underpayment, not receiving correct leave entitlements, or discrimination.

The best way to ascertain issues of concern is to ask members and to keep your ear to the ground.

Everyone has a right to privacy. Some individual issues may be sensitive and should be treated as such. It is not appropriate to discuss a member's issue with others without first seeking their permission.

Respect is the key.

Some issues will concern many workers in the workplace and can form the basis for collective action.

To assess the importance and scope of a problem, you need to determine:

- » How many workers are affected
- » The strength of feeling surrounding the matter
- » Whether the issue is winnable, totally or in part.

If the issue is widely and deeply felt and believed to be winnable, even to some degree, you can and should organise around it.

Your organiser can give you advice on how to do this and provide support when needed.

Remember: Collective issues are always the best ones for involving members and building union power.

ONE-ON-ONE

Nothing beats a one-on-one conversation, so an effective way to determining which issues are important in your workplace is to talk to the workers themselves. That way you can assess the concerns of workers who may not want to attend meetings.

It is also more informal and non-threatening and you can tailor your approach to the individual's particular interests, personality, knowledge and availability.

See Section 5 for some common workplace issues, and how to handle and organise around them.

MEETINGS

Regular workplace group meetings are a good forum in which to raise issues of concern to members and workshop ways to resolve the matters in a united way (See page 32 on Organising your workplace group).

USING SURVEYS

Surveys are useful for a number of reasons as they can:

- » Gather information about issues workers believe the union should be involved in
- » Demonstrate you are seeking everyone's views
- » Provide information that will help you recruit more members
- » Help you decide the best issues to organise around
- » Provide the basis for a strong definitive statement to management: "our survey showed 99 per cent of staff believe..."

Surveys should be kept fairly brief. Multiple-choice questions are easier to collate and should make up the bulk of the survey, with space allocated for any additional comments.

Try conducting a workplace walk around with a survey or questionnaire; your organiser can help you plan this.

It is important to show the issues raised are being taken seriously, so remember to report back to members once the survey data has been collated.

Understanding workers' issues is a great

DEVELOPING ACTIVIST NETWORKS

place to start, but it is hard to make progress without an active membership.

The number of members in a workplace is important, but you can only make a real difference on their behalf by harnessing their collective strength through organising and activating.

ORGANISING = ISSUES + ACTIVISTS

Remember your organiser is there to help you develop union activity. You are not expected to do this without some support and guidance.

DEVELOPING ACTIVISTS

Every workplace needs as many activists and contacts as possible. Ideally, you should have a contact in each work area. Use your map of the workplace to identify areas where activists are needed and where existing activists are located. Aim for about one activist for every five workers.

Some activists may wish to only pass on information, collect views and keep in touch with you. Anyone who commits to any task in support of the union is a resource to be valued and nurtured. An informal committee can be formed out of your group of activists and contacts.

POTENTIAL ACTIVISTS

Set up a checklist for potential activists. Are they someone who:

- » Is already a member?
- » Is a leader in their work area, their community?
- » Is well respected in the workplace?
- » Questions rather than passively accepts?
- » Is interested in general issues not just personal matters?
- » Puts forward views respected by others?
- » Believes in union values?

INVOLVING POTENTIAL ACTIVISTS

The best way to get members involved is to ask them to do something.

Things potential activists could be asked to do include:

- » Be a contact in their work area
- » Talk to non-members about joining
- » Hand out union flyers or other information
- » Explore others' views in their work area
- »

- » Attend meetings and encourage colleagues to do so
- » Be part of a workplace committee of members.

Every activity by a member strengthens your workplace organisation and lightens your load.

INFORMAL NETWORKS AND COMMITTEES

A good way to structure union activity and increase involvement in the workplace is to establish a committee or an organising network.

Your local workplace committee should comprise, if possible:

- » Sufficient members so that it is representative of all workers
- » Someone from each classification, shift, section or work area
- » Members who reflect the diversity of the workplace
- » Workplace leaders others turn to for advice.

In many workplaces, workers are located together physically and it is easier to hold regular committee meetings. In others, it is more difficult to set up a face-to-face meeting due to the location and roles of

some members. In these cases, telephone or teleconferencing could be used.

Email is a frequently used method of sharing ideas and info but remember not everyone always reads their emails and management are able, and have the right, to access all work email files.

Phone calls or face-to-face conversations are always best for sensitive communications.

Where there are a number of members scattered across different workplaces or it is difficult to organise face-to-face meetings, a phone tree is an excellent tool to pass on information, collect views, attitudes and ideas.

The phone tree operates like a chain letter. Each person in the “tree” undertakes to make a small number of phone calls which means say, 25 or more people can be contacted by making five phone calls. Many delegates and union staff also use video conferencing for multiple workplace meetings.

The more active contacts there are in your network the easier it is to get the message out.

An intranet in your agency is also a way to disseminate meeting notices and updates to members. But remember, management has access to any material on a network system.

Don't forget to use your notice boards and tea rooms as places to leave union information. If your workplace does not have a notice board, talk with your Human Resources/Industrial Relations Unit about getting one set up.

How can you use your network or committee?

- » Ring around the network to collect experiences of a new problem
- » Spread the word about a successful outcome
- » Share thoughts on organising ideas
- » Distribute flyers, ensure survey forms are completed and returned.

If communication between network members is restricted to telephone contact, occasional face-to-face meetings should be arranged. This will encourage those in weakly organised areas and help build unity.

Make sure your workplace map records network members and other key contacts.

Remember: you don't have to do all of this alone! Your organiser is there to work with you.

INFORMAL COMMITTEE AND NETWORK MEETINGS

There are official meeting procedures for formal workplace meetings of members and committees. However, it is also a good idea to follow a few rules for informal get-togethers of members.

BEFORE THE MEETING

- » Make sure everyone knows when, where and why the meeting is being held
- » Assign someone to facilitate the meeting and to take notes
- » Invite others to contribute to agenda and put this together.

DURING THE MEETING

- » Don't let it get bogged down or side-tracked by unimportant matters or repetition
- » Don't allow one person or group to dominate, encourage everyone to contribute
- » Ensure a clear decision is reached on every agenda item, that everyone is aware of the decision and who will carry it out.

AFTER THE MEETING

Type up brief notes including decisions and actions to be taken and distribute them to the members quickly. Remember to respect privacy issues in the notes.

Try this short sharp agenda for efficient meetings of delegates/activists/contacts:

- » What's new?
- » Last tasks and recognition
- » Next tasks
- » Walk through new skills needed for this task
- » Allocate tasks
- » Set up next meeting.

SOME GENERAL GUIDELINES FOR COMMUNICATING WITH MEMBERS

Think strategically about the best way to communicate with members and workers in a given situation.

Methods might include:

- » Face-to-face, one-on-one conversations
- » Small impromptu group conversations
- » Informal arranged meetings with activists, or a group of workers
- » Formal meetings, pre-arranged, agenda sent out, following prescribed union rules
- » Member emails or emails across a group of workers including non-members
- » Phone calls (including phone trees)
- » Notice boards
- » Desk-to-desk distribution of information such as union member bulletins
- » Specific purpose meetings where special conditions apply, such as Work Health and Safety meetings and the election of union positions.

CONSIDER

- » Who am I communicating with?
- » Why? What do I hope to achieve? What is the purpose of this communication?
- » How is the member or non-member going to react?
- » Are there any foreseeable risks or pitfalls, such as management's response or your rights and protections, that I need to consider?
- » Think ahead. What is the best possible outcome and what is the worst? What might be my next step after this communication?
- » What support might I need?
- » Over time put together a kit bag of resources to help you in your role as union advocate and communicator. Your organisers and union training courses can assist you in putting this together.

THIS KIT BAG SHOULD INCLUDE

- » Your own story of how you got involved in the union and why being union is important to you
- » A network of delegates/members, along with your organiser, whose skills and experience you can draw upon when stuck
- » A "hope" story or two about when members working collectively have come up with a winning result
- » The resilience to come back and talk to workers another day.

WORKPLACE AND ADVISORY GROUPS

The PSA Rules, available on our websites, allow for the establishment of a wide range of member groups that have various decision-making and advisory powers.

Any members that are granted advisory or decision making powers via the PSA rules are elected democratically into those positions of power.

The PSA Executive and Central Council are the highest decision-making bodies in the union.

Then there are various elected groups that advise these two decision-making bodies. These are:

- » Departmental committees
- » Vocational groups or branches
- » District groups
- » Women's Council Committee.
- » Aboriginal Advisory Committee.

These reflect the interests of various groups of members and advise the Executive and Central Council so decision-making is well informed and aligned with the best interests of the full range of members.

Delegates may be elected and these important bodies are described in more detail below.

Please note, not all elected delegates belong to one or more of these groups which generally require a Charter and approval by Central Council. Many delegates are elected by members in worksites that have not been set up as formal workplace groups.

These delegates, who are sometimes called workplace contacts, may start helping out members without yet being formally elected. If you are one of these delegates, you are playing your part in building a strong union alongside advisory group and workplace group delegates. Let's now take a look at workplace groups and advisory groups.

WORKPLACE GROUPS

The workplace group (WPG) is the basic unit of the union's workplace organisation. It consists of members in a workplace or group of small workplaces (which can include members from more than one agency).

The workplace group should meet at least every quarter and all important issues affecting the workplace should be raised at these meetings.

THE WORKPLACE GROUP COMMITTEE

A workplace group can elect a committee to represent it. This makes sense if the workgroup is large. The role of the workplace group committee (WPC) is to recruit new members to the union and look after the interests of local members.

It initiates, plans and implements campaigns around local issues.

The workplace group committee consists of elected members – a Chair, Secretary, Women's Contact and delegates from all sections of the workplace.

At the very least, workplaces should try to have at least two delegates. Delegates are usually elected at an Annual General Meeting (AGM) of the workplace group.

The WPC should meet at least once every two months.

THE ROLES OF THE MEMBERS OF THE WORKPLACE COMMITTEE

CHAIR

As well as conducting meetings of the WPG and WPC, the Chair of the WPC is a leading union spokesperson in the workplace.

They lead and encourage other delegates and members, will usually be the union contact for management and assign work to other WPC members.

SECRETARY

The Secretary takes minutes of all WPG and WPC meetings and ensures they are distributed. They are the central repository of all the paperwork generated by union activities and should maintain an up-to-date contact list of all WPC delegates for members.

WOMEN'S CONTACT

The Women's Contact distributes union material regarding women's issues and ensures that women's interests are promoted in the workplace.

The Women's Contact encourages union activity amongst women members, particularly encouraging them to nominate as delegates.

VICE CHAIR

The Vice Chair stands in when the Chair is not available and can also share duties with the Chair such as rotating the handling of meetings.

ASSISTANT SECRETARY

The Assistant Secretary supports and assists the Secretary, for example, rotating the taking of minutes.

Details of elections, composition and functions of the various workplace bodies and decision making structures are included in the PSA Rules and By-laws which are available from the PSA Communications Section, and on the union websites.

See also PSA Instruction 5/2014 which describes important administrative arrangements for delegates including release letters, travel

arrangements, expense claims, elections, attendance sheets, minutes etc. enquiries can be made to advisorygroups@psa.asn.au.

ADVISORY GROUPS

There are various advisory groups that formulate recommendations and policies on matters affecting wider groups of members. Advisory groups can include:

DEPARTMENTAL COMMITTEES

Where a workplace group usually covers only part of an agency, a Departmental Committee (DC), as the name suggests, covers the whole department or agency.

The Departmental Committee generally deals with issues affecting all, or a large section of the department/agency such as restructures, relocations or staffing issues.

The DC members decide on the overall policy and industrial strategy for the union in that agency and like the WPC, the DC can initiate campaigns.

The DC also makes recommendations to the union's Executive and Central Council on various matters, in particular, whether industrial action should be taken in relation to a certain issue.

Decisions made at the WPC or WPG level may be referred to the DC for approval, since the DC represents the interests of all members concerned.

The DC consists of delegates elected from members in that agency – the agency is divided into electorates so that all areas are properly represented.

Members are elected onto the DC every two years.

The DC consists of a Chair, Vice Chair, Secretary, Assistant Secretary and a number of delegates.

The union's industrial officer or organiser for your agency will normally attend DC meetings.

While there is no formal relationship between the WPC and the DC, in practice WPC members and especially the Chair of the WPC, will often be on the Departmental Committee for the agency.

VOCATIONAL BRANCHES

A vocational group consists of members across a vocational area which may extend across departments/ agencies.

The vocational group elects a committee similar to a Departmental Committee to work on award and other vocational matters.

The Prison Officers Vocational Branch is an example. In some agencies the representative of a Vocational Branch will also have a place on the Departmental Committee of the agency.

WOMEN'S COUNCIL

All women members of the union make up Women's Council. Women members elect a Committee from agency-based electorates.

Women's Council Committee deals with issues of concern to women members and may make recommendations to Central Council.

ABORIGINAL COUNCIL

All Aboriginal members make up Aboriginal Council. Aboriginal members elect a Committee from agency-based electorates. This Aboriginal Council Committee deals with issues of concern to Aboriginal members and makes recommendations to Central Council.

See Resources section for more information about delegate committee meetings, admin, travel arrangements

OTHER GROUPS

Union delegates can be involved on other committees such as Joint Consultative Committees and Health and Safety Committees.

These are not internal union committees, set up by your union, but union members can sit on them and play a key role in their functioning.

JOINT CONSULTATIVE COMMITTEES

Consultative arrangements between the PSA and the NSW Government provide for joint consultative committees (JCC) in agencies.

These arrangements are generally ratified in the relevant Award. Note that JCCs are not union structures.

With non-government employees such as universities, TAFE and disability, the obligation to consult may be found in the relevant enterprise agreement.

The JCC consists of the head of department (or nominee) and the PSA General Secretary (or nominee) and a number of other members (ideally, equal numbers of management and union delegates).

The PSA industrial officer covering the agency will normally attend as PSA nominee, as well as DC and WPG delegates.

The JCC union representatives should caucus (meet) before every JCC meeting and decide in advance their strategy and who will argue it.

A 'whip' should also be elected to set caucus dates and ensure availability.

There should be a report back to the DC and the membership on the outcomes of each JCC meeting.

NOTE: A JCC is not a PSA structure but a joint arrangement under NSW government guidelines, or in an enterprise agreement.

HEALTH & SAFETY COMMITTEES

Work Health and Safety legislation provides for joint employer-employee health and safety committees.



WORKPLACE MEETINGS

As well as regular informal meetings of delegates and members in your workplace, you will occasionally also be required to call general union meetings to deal with particular issues such as a restructure.

These meetings are important opportunities to:

- » engage and inform workers
- » report back on negotiations, campaigns
- » seek information and volunteers to assist with an issue
- » enable workers to participate and be involved in decision making
- » secure support or endorsement
- » develop unity and a sense of union community
- » organise a campaign around an issue.

RUNNING A FORMAL WORKPLACE MEETING

PREPARATION – BEFORE THE MEETING:

- » arrange for those involved to meet and discuss the conduct of the meeting
- » clarify the purpose and type of meeting
- » book the venue
- » promptly notify members and promote the meeting (where and when) via posters, email or leaflets – remind members the day before or on the morning of the meeting
- » invite non-members to come along
- » arrange for any equipment or material that may be needed
- » decide how you wish to conduct the meeting. If it is formal, be familiar with the union's formal meeting procedures
- » decide on a chairperson, who will take the minutes, and who will make any reports or put motions
- » prepare an agenda and a rough time limit for each item
- » have copies of the last meeting's minutes ready (if appropriate).

THE MEETING AGENDA SHOULD INCLUDE:

- » opening and approval of agenda
- » apologies
- » minutes of previous meeting
- » business arising from those minutes
- » correspondence
- » business arising from that correspondence
- » reports
- » general business
- » closing.

BEGIN THE MEETING

Chairperson should open the meeting, welcome everyone and acknowledge country. Then outline the:

- » purpose of the meeting
- » procedure that will be followed
- » agenda, including time frames
- » ask for disclosures.

If you think you will have the time, ask for any additional items or deal with extra matters under “any other business”.

DURING THE MEETING

- » introduce the person to give the report
- » invite questions
- » clarify issues, options through discussion
- » seek a motion to resolve the issue
- » take a vote and explain what will be next
- » explain how the result will be conveyed to members
- » close the meeting.

THE CHAIR

An informal meeting may have a facilitator instead of a chair to help keep track of time for each item.

Formal meetings must have a chair.

The chair should also:

- » ensure everyone has an opportunity to participate
- » anticipate concerns and make sure they are channelled constructively
- » canvass views and test support for various options
- » summarise regularly
- » identify areas of agreement and disagreement
- » keep the meeting to the declared time limit – this avoids members leaving before a resolution is voted on.

REPORTS

Those giving reports should be advised of the time allocated for the task.

A report which is “received” does not commit the meeting to action.

However, a report that is “adopted” indicates general approval of the course of action recommended or taken.

MOTIONS AND AMENDMENTS

The business of the meeting is conducted through debate, shaping and determining a motion and then by voting on motions or resolutions.

RESOLUTIONS/MOTIONS

These must be clear statements of intent or concern.

- » Motions should be in a positive form that calls for action (rather than a statement) – it should be clear who is to take the action and what is required
- » Motions should preferably be in writing to avoid misunderstanding
- » Motions must be seconded before they are debated
- » If there is no seconder, the motion lapses.

AMENDMENTS

- » An amendment to a motion must be clear and relevant to the original motion
- » An amendment that is carried becomes the motion and is then voted on.

FORESHADOWED MOTIONS

- » To put a motion in a different form to that before the meeting, another motion can be foreshadowed
- » The foreshadowed motion should be read to the meeting
- » If the original motion is lost, the foreshadowed motion may be moved
- » If the original motion is carried, the foreshadowed motion lapses if it is incompatible.

DEBATE

- » The mover of a motion has the opportunity to speak to it – if they don't, they can't speak again until the end of the debate when the mover has a second right to speak
- » Usually speakers should be “one for” then “one against” the motion
- » No more than two speakers from either side should speak in a row – if there are no speakers for the other side, the motion should be put (voted upon)
- » At any time during the debate a member can ask for the motion to be put, a vote is then taken and if it has the majority,

the motion is put to the meeting

- » The chair of the meeting should ensure debate doesn't get bogged down or repetitious – if this occurs they should, with the support of the meeting, end debate and put the motion.

SUSPENDING STANDING ORDERS AND MOVING “INTO COMMITTEE”

Standing orders can be suspended to:

- » consider an item of importance not on the agenda
- » allow a visiting speaker to be heard
- » move “into committee” so matters can be discussed less formally and members can speak several times.

VOTING ON A MOTION

When a motion is moved:

- » the chair calls for a seconder
- » seconder seconds the motion
- » mover states the reasons for the motion and why it should be supported (optional)
- » seconder speaks in support of the motion (optional)
- » the Chair asks if there is any opposition to the motion (if not, the vote should be taken immediately)
- » speaker against speaks against motion
- » the chair calls for further speakers for or against
- » mover can exercise “right of reply”
- » the Chair takes the vote on the motion and declares the result
- » where “tellers” (vote counters) are used they should be people who have not spoken in the debate and are acceptable to the meeting.

Onus on all members is to disclose if they have a conflict of interest. (For more details about potential conflicts of interest see PSA Statement of ethics page 84)

AFTER THE MEETING

- » Ensure the minutes or updates properly represent what took place
- » Arrange for the decisions of the meeting to be carried out and identify by whom
- » Set a date, time and place for the next meeting and publicise the details.

Formal meetings can be confusing at first and probably will not occur that frequently.

But they are important from time to time when a group of members needs to make a formal decision.

For example, to accept a pay rise, a change in conditions or around a restructure.

Remember, you can always call the union’s Member Support Centre for advice.

The union runs training on formal meeting procedures.

See the PSA Rules and By-laws, available on the PSA website, for more details about formal meeting procedures.

ORGANISING WOMEN

Women make up more than 60% of our membership.

WOMEN WORKERS

The PSA/CPSU NSW has particular structures to promote women's issues and encourage women to be actively involved in the union.

WOMEN'S CONTACT

The Women's Contact is a major point of contact for union information on issues of relevance to women members. The WC brings women's issues to the workplace group meeting. They are elected by their workplace group and can set up women's networks in the workplace.

WOMEN'S COUNCIL

Women's Council consists of all the women members of the union.

The Women's Council then elects a committee of management every two years.

This committee is a forum for discussing issues of concern to women across the membership and developing policies and campaigns around these issues.

You are encouraged to raise issues of concern to your Women's Council Committee member or contact the PSA's Women's Industrial Officer women@psa.asn.au.

WOMEN'S CONFERENCE

The PSA/CPSU NSW Women's Conference is held in the first half of September each year. It is a forum that provides an opportunity for women members to hear expert speakers on topics of interest and to improve their knowledge and skills in particular areas.

It is also an excellent networking arena. The conference is advertised in *Red Tape* and on the union's websites. All women members are eligible to attend. Some places are reserved for first-time attendees.

WOMEN'S INDUSTRIAL OFFICER

The Women's Industrial Officer undertakes research on gender and equity issues, develops policy on women's industrial matters in conjunction with Women's Council Committee; and promotes women's issues in the workplace as well as the broader community through submissions and working collaboratively with other organisations.

The unit also encourages women's activism, organises the annual Women's Conference in consultation with the Women's Council Committee and campaigns on women's issues.

The unit also advises other industrial staff on issues such as discrimination and harassment and represents the interests of women members within the broader union movement.

Individual matters are normally managed by industrial officers with specialist advice and support from the gender and equity analyst who, if requested, will visit workplaces and talk to women workers.

WOMEN'S TRAINING

The union runs specific training for women members. This provides an excellent entry point for those who wish to find out more about the union and become more active in the workplace.

For more information contact the union on 1800 772 679. For more information on course, visit psa.asn.au/training.



ORGANISING INDIGENOUS WORKERS

The PSA/CPSU fights to ensure all First Nations People's rights are protected.

The PSA/CPSU recognises Aboriginal members have unique issues in the workplace including racism, discrimination, and concerns around sensitive cultural issues. The union has a long history of supporting and advocating for Aboriginal members.

THE ABORIGINAL LIAISON OFFICER

The union's Aboriginal Liaison Officer (ALO):

- » Assists and supports Aboriginal members
- » helps organise networks among Aboriginal members in the workplace
- » provides strategic advice to the union on broader Aboriginal employment and policy issues
- » provides advice on specific problems arising for individuals or agency wide
- » develops materials and activities to promote awareness of Aboriginal issues
- » supports and guides the recently formed Aboriginal Council Committee
- » acts as a resource for delegates working with Aboriginal members.

THE ABORIGINAL COUNCIL

- » The Aboriginal Council was set up in 2017 and is made up of all the Aboriginal and Torres Strait members in the union. It is the peak body for Aboriginal members.
- » The object of the Aboriginal Council is to “watch the interests of Aboriginal members of the Association and to consider any question affecting Aboriginal members”. The Aboriginal Council advises the decision making bodies of the union—the Executive and Central Council.
- » Every four years, Aboriginal members elect 15 members of an Aboriginal Council Committee that manages the affairs of the Aboriginal Council.
- » There are three electorates that give a fair representation on this Committee to different agencies and regional members.

GUIDANCE FOR DELEGATES

- » Talk to the workers about the union.
- » Ensure the workers are aware of the assistance available through the ALO, the existence and role of the Aboriginal Council.
- » Explain that the ALO is not working alone for Aboriginal members. Local delegates can help and organisers, industrial officers, union educators and other specialised officers such as Work Health and Safety staff are all there to bring their expertise to members' situations.
- » As a delegate, you should always be sensitive to issues arising for Aboriginal members when organising in the workplace and include these in your workplace mapping and planning. Seek advice from the ALO if in doubt.
- » The PSA Library has a document “Extracts from Red Tape on Aboriginal Issues” that indicates the union’s history of commitment to First Nation Peoples. This and other resources are available from the ALO or Communication Team.





SECTION 4: SKILLS FOR HANDLING PROBLEMS

DEALING WITH ISSUES IN THE WORKPLACE

NATURAL JUSTICE

KEY DELEGATE SKILLS

NEGOTIATING WITH MANAGEMENT

DISPUTE NOTIFICATIONS

DELEGATE SUPPORT IN INVESTIGATION

DEALING WITH ISSUES IN THE WORKPLACE

Is it an individual or collective problem?

It is important to determine whether you should tackle any given problem or issue by assisting the worker individually, or if the matter would best be dealt with by involving the wider membership in the workplace.

You can work your way through the following steps.

- » Identify the problem
- » Collect information and seek advice/consult
- » Review the problem in the light of this material
- » Consider all possible options and outcomes
- » Decide on a course of action.

REPRESENTING INDIVIDUAL WORKERS

Ask yourself, why is an issue being raised by a member:

- » Is it just a passing interest?
- » Is it an important problem for the individual?
- » Could it affect other workers?

If you are unsure or need more information or advice, undertake to investigate and get back to the person as soon as possible.

Keep notes – having a record of what occurred, when and why could prove to be invaluable at some future date. This applies to all instances of representation not just for individual issues.

Over time, your notes may also show a pattern of activity in your workplace in relation to certain issues.

They will soon see the difference in management's response when you all work together.

DEALING WITH INDIVIDUAL PROBLEMS

STEP 1 – INTERVIEW THE MEMBER

Be sympathetic but ask the necessary questions to get the full picture – it is crucial to obtain facts from the outset. Has the member attempted to resolve their own issue locally?

Check all details and obtain relevant documents. A diary of events and dates is useful. This information will be valuable if the matter is later taken before an industrial tribunal such as the Industrial Relations Commission or Fair Work Commission.

STEP 2 – ASSESS THE SITUATION

- » Do you need more information – who can supply it?
- » Is it an issue you have dealt with previously?
- » If you need to talk to management – who is the right person – or do you require advice from your organiser or the union office?
- » Is it an issue that could/does affect other workers?

STEP 3 – DECIDE ON A COURSE OF ACTION

Once all the relevant information has been gathered, you will be in a position to make an informed decision as to a course of action.

It is important the member concerned be consulted on the manner in which you intend to handle the situation and that their agreement is secured in the first instance. Obtain their input so the member is involved in the solution.

STEP 4 – IF IN DOUBT...

If you wish to get a second opinion on what you propose, please contact the Member Support Centre or your industrial officer for advice. They are there to help you.

Be aware of the agreed grievance procedure in your workplace and ensure it is followed. The document *Dealing with Employee Work-related Concerns and Grievances* states what should be in your workplace policy. This is on the Premier and Cabinet website – dpc.nsw.gov.au – or check your enterprise agreement.

STEP 5 – FOLLOW UP

It is good practice to follow up with members to make sure they felt their problem was successfully resolved, and if not, what further action could be taken.

REMEMBER

Everyone believes their problem is urgent. Don't be rushed into a hasty response. Make sure you have all the facts and understand all the options before you respond.

Never breach a member's confidentiality.

Try to involve the member so they feel they have ownership of the solution.

HANDLING PERSONAL ISSUES

Members may have problems that are not specifically work-related but which nevertheless have an impact on their employment.

Issues such as alcohol and drug abuse, domestic violence, gambling or financial stress can all affect a member's attendance, performance and behaviour at work.

It may be the case that in the course of assisting a member with a workplace matter, personal issues are revealed.

If this occurs, it is important that delegates encourage members to seek professional assistance whilst also being aware of the resources that may assist in the workplace.

Delegates should ensure that they treat any personal matters with empathy, respect and confidentiality.

But remember, it is not the role of a delegate to act as a counsellor. You can refer members to their agency's resource program.

NATURAL JUSTICE

Natural Justice is the most fundamental principle in any instance where accusations or allegations are made.

Essentially, any accused party is entitled to:

- » be told the nature of the alleged offence
- » be advised what evidence is to be produced to support the charge against them
- » a right of reply to the allegations.

These are basic entitlements if a worker's behaviour or work performance is deemed unsatisfactory.

Where management confronts a worker with a serious workplace issue, the worker should:

- » be informed of the allegations in a confidential, private environment
- » be informed of the evidence against them on which the charge is based
- » be given a chance to put their side of the story
- » have the opportunity for a union representative or workmate to be present at meetings/ counselling sessions with management.
- » a right of reply to the allegations.

KEY DELEGATE SKILLS

There are a number of essential skills that make a good delegate, including simply exercising common sense.

LISTENING

A core role of a delegate is to recruit new members to the union. Member numbers are the key to union power. Delegates need to be able to persuade people to either join the union, or persuade them to take action when required.

Listening is a key tool in effective persuasion. Ensure you listen to what you are being told by a member. Indicate that you have understood what you have heard by paraphrasing the conversation back to them.

For example, "So you feel that..."
This is active listening.

Other tips for active listening are:

- » Notice the body language and facial expressions of the person
- » Look interested in what is being said
- » Do not jump to conclusions and do not cut people off.

It is vital the member feels they have your full attention.

NOTE TAKING

Carry a notebook with you and take and maintain notes of meetings and discussions.

Make sure your notes are accurate, legible and concise. Use point form where appropriate and always date your notes.

Keep all your notes as they may need to be used in future meetings.

RECORD KEEPING

If possible, keep union material somewhere safe so you can access a document when you need it.

Keep records of any industrial matters in which you have been involved.

INTERVIEWING

Find a quiet place for interviews where you will not be disturbed and where the member feels comfortable.

Try to ensure the member is as relaxed as possible. High emotion comes with the territory but it muddies the communication process. Take notes and listen carefully. Remember that under Clause 53 of the Crown Employees Award or your enterprise agreement, you may be able to interview members in work time.

Ask questions to get the facts of the matter and clarify any confusion. Discuss options and agree on the next steps to be taken. After the interview, check your notes and record what you need to do on your action list. Report back to the member regarding any action taken.

SPEAKING TO A GROUP

You will be able to speak more clearly and communicate more effectively if you:

- » organise your ideas before speaking
- » have brief notes if necessary
- » decide beforehand if you want to take questions while you are talking or at the end of your speech. Advise your audience of this
- » only begin when people are ready
- » engage your audience with eye contact
- » speak more clearly and slowly than usual and make sure everyone can hear you
- » keep it short
- » check how you are being received – pay attention to audience reactions and body language
- » repeat your main message in conclusion.

REPORTING

- » Reports should be concise and to the point. Stress key facts and issues
- » Start with the most recent events and then give some background
- » Do not be dramatic, just state the facts and what you did, when and why
- » Be accurate, don't say anything you cannot substantiate and make sure you don't omit anything important.

Remember, reports can be tabled in proceedings before the Industrial Relations Commission as part of the official record of a dispute.

KEEPING UP TO DATE

A flow of information back to union staff is important. Keep your organiser and/or industrial officer up to date with developments of concern to your members or decisions made at meetings.

Stay in touch with the union and ensure staff are aware of any changes in the branch or workplace group, such as new members or officials and the details of those who change their home or work addresses and employment status.

Keep your union notice board up to date with current bulletins, newsletters, posters, brochures and contacts.

Remember: Clause 58 of the Crown Employees Award states delegates shall have access to notice boards for union material authorised by the General Secretary.

Also, check enterprise agreements for advice on notice board access.

WHAT YOU NEED TO KNOW

As a delegate, you will be called upon to offer advice to members on a range of workplace issues. To do this effectively you need to be well informed and well equipped. Be familiar with the provisions of the awards, agreements and determinations that govern the conditions of employment of your members.

The more familiar you are with these documents, the easier it will be to answer questions and realise when management is breaching award provisions or procedures.

You should have on hand:

- » Awards and agreements
- » Union records (minutes, policy decisions)
- » Membership forms
- » A copy of the branch or workplace group rules.

Awards and enterprise agreements covering your workplace can be obtained from the PSA and CPSU NSW websites. They can also be downloaded from the NSW Industrial Relations Commission and the Fair Work Commission. Keep your union material in a central location and make sure members know where they can find you and these resources.

Be familiar with the role and functions of the PSA/CPSU NSW's Central Council and Executive as well as peak coordinating bodies such as Unions NSW (www.unionsnsw.org.au) and the Australian Council of Trade Unions (www.actu.org.au). See cl.9 of the Award – Grievance and Dispute Settling Procedures.

You need to know the procedures regarding industrial disputes and who to contact for support and advice. You should also broadly know what to do if a member needs assistance with a workers' compensation claim, promotion appeal or grievance. It is important to be sensitive about issues involving particular groups such as women, members of diverse ethnic and cultural backgrounds, and Indigenous members.

Be aware of the union's current training program and have copies of the program on hand. The program is printed in *Red Tape* and published on the union websites.

INFORMATION RESOURCES

PUBLICATIONS

The union's library keeps resource materials such as your awards, workplace policies and guidelines and *Red Tape*.

It is also useful to information on benefits, such as the PSA's Journey Insurance, the PSA Provident Fund, Group Accident Insurance Scheme (including a family option), Union Shopper and legal service.

The union's communications team holds many of these items. For supplies, email communication@psa.asn.au.

If you require resources from the union, contact your organiser.

ELECTRONIC INFORMATION

The PSA's Communications team issues a regular email bulletin of news items as well as bulletins for specific groups of members. These can be distributed around the workplace. To join the general email list, send an email request to communication@psa.asn.au or subscribe on the PSA website.

The union websites (psa.asn.au and cpsunsw.org.au) have news items, campaign bulletins, media releases or media articles of interest, membership and general information about the PSA and its history as well as many PSA publications.

The team also produces a quarterly magazine *Red Tape*.



NEGOTIATING WITH MANAGEMENT

NEGOTIATION AND POWER

There are two critical aspects to a successful claim:

- i. the strength and merits of the argument or case
1. the level of workplace support around the issue.

Your position will be much more powerful if you can demonstrate strong workplace support for the issue.

- » Develop your claims through direct member engagement. This could include surveys, listenings or member meetings
- » Have your workplace committee or other activists discuss and explain the claim in the workplace
- » Show solidarity and support by wearing badges
- » Have workers (or where appropriate, the general public) sign petitions
- » Highlight the issue at a protest picnic or BBQ
- » Use placards, posters, flyers to promote the issue for the lunch room or notice board.

NEGOTIATION TIPS

- » Ensure you have the support of the workplace – this is critical
- » Present your case clearly and logically. Be forthright without being too forceful. The facts will speak for themselves
- » Never negotiate on your own. Always have someone with you to corroborate what took place
- » Never make an unauthorised deal
- » Maintain unity at all times.

PREPARE

- » Collect all the relevant facts and information about the issue(s)
- » Have a clear objective, know the outcome you want to achieve and what that win will look like
- » Consult with the member or members concerned before the meeting so you can fully represent their position
- » Manage member expectations
- » Have the main issues you wish to raise in point form
- » Plan your tactics – such as who will attend,

who will speak and who will take notes

- » Anticipate management's response and have counter arguments prepared
- » Have a fall-back position in mind.

AT THE NEGOTIATION

- » The chief spokesperson must control the team
- » State clearly what you want and why
- » Ask management to explain their position (ask questions, check for clarity)
- » Be polite but firm
- » Check management offers carefully – be sure you understand what they are offering.

NEVER

- » Allow yourself to be side-tracked – stick to the issues. Take time out whenever needed
- » Discuss, debate or disagree with your colleagues or other unions at the table – seek an adjournment
- » Lose your temper, make personal attacks or force management to lose face
- » Make a deal without the express knowledge and authority of members or members concerned.

REMEMBER, YOU HAVE ACCESS TO YOUR ORGANISER AND INDUSTRIAL OFFICER FOR SUPPORT. IF THE ISSUE REQUIRES EXTRA HELP, YOU MUST CONTACT THE UNION.



AT THE END OF THE MEETING

- » Summarise so that everyone is agreed and understands the final position
- » Secure any agreement in writing and have both sides sign it
- » If it looks likely your claim will be rejected, or no acceptable offer will be forthcoming, indicate that you have to consult with members and seek their views.

AFTER THE MEETING

- » Debrief – discuss what happened and capture the key points
- » Maintain accurate records of what was discussed and agreed to
- » Keep members fully informed – prepare reports and recommendations
- » Develop a clear message for one-on-one conversations
- » Take follow up action as needed
- » Correspondence with management should come from the PSA. Consult your union organiser or industrial officer in the first instance.

IF YOU WIN

- » In individual cases, make sure the member is aware of the outcome and treat such matters in confidence
- » In collective matters, communicate the outcome of the meeting to members with a recommendation they accept the offer
- » Report back to your industrial officer or organiser the results of the negotiation and the decision of the member(s)
- » Inform management of the outcome
- » Check that any agreement or undertaking is acted on by both parties
- » Celebrate the success in the workplace and with the negotiating team.

IF YOU ARE UNSUCCESSFUL

- » Review your objectives and expectations
- » Report back to members and the union on the meeting's outcome. Advise them of what you did and why
- » Consult members as to what the next step should be and the strategy to be adopted.

DISPUTE NOTIFICATIONS

All awards and enterprise agreements must contain a dispute resolution procedure to resolve industrial disputes.

These procedures will invariably involve a process of consultation/ negotiation at the workplace level.

If all attempts at resolving a dispute at the workplace fail and the relevant dispute resolution process under the award or enterprise agreement has been exhausted, a dispute can be lodged:

2. with the NSW Industrial Commission (IRC) for members covered by state awards or agreements. Disputes in the IRC can be lodged on most employment matters.
- ii. with the Fair Work Commission (FWC) for members covered by federal agreements or awards. Disputes in the FWC are limited to matters in the Enterprise Agreement or Award.

Taking a matter to the IRC or FWC can force a reluctant employer to negotiate.

It is also an opportunity to air the union's concerns and at the same time highlight the shortcomings in the employer's position.

Employers can also lodge a dispute in order, for example, to have any industrial action by the union halted and normal work resumed.

Delegates cannot authorise the lodgement of disputes with the Industrial Relations Commission or Fair Work Commission.

This must be done by a union industrial officer with approval from management. If you believe you have an issue that should be referred to the Industrial Relations Commission or Fair Work Commission please discuss this with your organiser or industrial officer.

IN THE COMMISSION

Once the matter is listed, the parties are called before the Commission for a conciliation conference. Sometimes matters discussed and agreements reached in conciliation must be treated as confidential and not discussed outside of the hearing.

Industrial officers handle the appearances before the Commission.

The Commissioner may make recommendations or orders about how the matter is to proceed and may direct the parties to discuss the issue further and report back to the Commission at a later date.

It is a good idea for delegates to attend the hearings so that they can assist the industrial officer and report back to members. Delegates can sometimes actively



PSA Staff at the Industrial Relations Commission

participate in a conciliation conference.

Members, if necessary, can then determine a future course of action.

Decisions of the Commission are legally binding and must be complied with by employers, unions and members.

If conciliation is unsuccessful the case may progress to arbitration after discussion with delegates, members and with the approval of the General Secretary.

Matters of broader concern such as working hours, maternity leave and other service wide conditions are usually heard by what is termed a Full Bench of the Commission.

DELEGATE SUPPORT IN INVESTIGATIONS

The delegate's support role can include:

- » Advising the member
- » Attending meetings
- » Engaging with the Agency on the member's behalf
- » Discuss time frames for meetings and/or replies and request an extension of time if required.
- » Seeking assistance from the union.

Delegates can be asked by members to support them during investigations. There are various types of investigations that can be initiated by the agency.

Investigations may arise as a result of alleged misconduct, bullying, performance management, breaches of code of conduct, disciplinary matters, or for other, and sometimes unspecified, reasons.

The options available to the delegate vary according to the reason given for the investigation and applicable legislation and policy.

This section deals primarily with the delegate's support role, particularly representing the member's best interests in meetings and interviews.

WHEN A MEMBER TELLS YOU THEY ARE BEING INVESTIGATED:

- » Have a meeting with the member, listen and take notes. Allow them to vent some emotion, but draw them back on track. Emphasise the importance of getting all the facts to you as accurately as possible. Determine the nature of the allegation and investigation, and the relevant applicable legislation, policy and guidelines.
- » Ask the member to provide a brief timeline or list of the issues and if they have notes.
- » Check details and obtain any relevant documents, letters, and notifications from the member. Go over with them relevant time frames and the likely course of events, and potential outcomes, referring to applicable legislation, policy and guidelines. Check to see if reasonable notice has been given for the member to reply to the allegations.
- » Explain your role and manage the member's expectations. Your role is primarily to help the member understand the process, put their best case forward given the actual situation, ensure due process and procedural fairness is observed and intervene when this does not occur. Explain your role can include supporting the member at investigative interviews called by the agency.

- » The member's responsibility is to carefully consider any guidance provided by the delegate or union staff and comply with reasonable managerial process, act in their own best interests, and take responsibility for their own decisions and actions.
- » When you first speak to the member, don't feel pressured to give advice on the spot. It is more important that the advice be correct. Check with the Member Support Centre or industrial officer and get back to the member if unsure.
- » Keep your own record of the interview, and tell the member that this information will be treated confidentially within the union.

WHEN THE MEMBER HAS BEEN ASKED TO RESPOND TO AN ALLEGATION IN WRITING:

- » Remind the member they have a right to be heard and put their case.
- » If the allegation relates to something that occurred a long time ago, they can question why the matter has not been brought to their attention sooner.
- » Sufficient notice should be given to allow the member to respond to the allegation before any kind of hearing or interview. If not, ask for more time.
- » The member should be given sufficient information and detail about the allegation to enable an adequate response. The employee should be told what rule has been broken, what conduct is inappropriate and the possible consequences of their alleged action. Ask for more detail if needed.
- » Check for unsubstantiated allegations and request these be removed.
- » Look for bias: identify anything in the allegation that indicates a view has already been formed.
- »

- » Check the investigator and decision maker are independent and ensure they are not the same person.
- » Respond to the matters that have been specifically raised: don't guess and don't provide unnecessary information.
- » Check to see if the allegations are factually correct and explain the circumstances or identify where they are not factually correct.
- » The written report should be concise, clear, truthful, tell the member's side of the story, concentrate on what the member has experienced and seen and done themselves, rather than hearsay.
- » Advise the member not to vent feelings, make assumptions or disparage others.
- » Remind them about the importance of including relevant documentation and timelines.
- » Advise the member that delegates and union staff can advise members on how they can respond to allegations. They can suggest improvements if sufficient time is given.
- » Advise the member not to discuss the matter with anyone else, particularly with anyone involved in allegation or investigation.

WHAT DOES PROCEDURAL FAIRNESS MEAN IN REGARD TO INVESTIGATIONS?

Procedural fairness requires an employer and investigator to:

- » inform members under investigation of the substance of any allegations against them
- » provide members with a reasonable opportunity to put their case
- » hear all parties and consider all submissions
- » make reasonable inquiries before making a decision
- » ensure no person decides a case in which they have a direct interest
- » act fairly and without bias
- » conduct the investigation without undue delay.

Examples of investigations where the NSW Industrial Relations Commission found breaches of procedural fairness include:

- » a decision-maker having a pre-determined view of the outcome of the investigation
- » a decision-maker taking irrelevant matters into consideration in making a decision

»

- » an investigator having been involved in one of the alleged incidents
- » an investigator had previous disagreements with the employee under investigation
- » witnesses not being interviewed
- » unreasonable delays in the process – what is reasonable will depend on the circumstances
- » an employee under investigation not being given details of the allegations against them.

BEFORE THE INVESTIGATIVE INTERVIEW:

Ensure the member is able to change the time of the interview if you or another delegate are not able to attend at the nominated time. If the employer does not agree to changing the time please contact the union.

Ensure the agenda for the meeting has been provided in the required time frame and complies with legislation and policy.

Check in advance that the member is prepared and clear about the process, what they can expect, and the case they are putting, and has documentation to hand. Be clear on what the member is hoping to achieve and encourage realistic expectations.

Arrive early. Advise the member to answer only the questions asked, remain respectful, and to think before speaking.

AT THE INVESTIGATIVE INTERVIEW:

Your role is to provide moral support, safeguard against unfair practices and provide witness should a complaint of procedural unfairness need to be made. You can complain in the meeting if you detect procedural unfairness. You should be told the name of the departmental officer to whom complaints can be made. The rules of investigative interviews usually preclude observers from advocating directly on behalf of the member. Exceptions can be made if there is doubt about the member's capacity to understand or speak effectively. Translators can be provided where necessary.

Keep your own record of the meeting. Include body language, which can sometimes support evidence of intimidation.

Watch for partiality, indications that an opinion has already been formed by a departmental officer, questions that are irrelevant to the subject at hand, and signs of previous involvement in the disciplinary matter by departmental officer or investigator.

Questions should be open-ended rather than leading. The tone of questions should not be intimidating or accusatory. The officers conducting the interview should avoid commenting on or interpretations of answers.

The member should be invited to make comment on any relevant issue, or give their version of events.

If you feel the member has gone off track, has forgotten to say something important, or is endangering their case, you can call a brief adjournment to regroup outside the room.

The member should be told at interview how long they can expect to wait for a decision about the allegation and who will make it, and when they will receive a copy of the record of the interview.

The member will be asked to sign transcript when it is made available. If they disagree with the transcript they can sign it stating that fact, and provide a corrected version.

After the investigative interview:

Debrief with the member: what went well, what would you do differently? Check if there is any review process available in the legislation/policy.

Determine whether the member is satisfied with the result and advise on review process, or check out alternative redress and canvass negotiated outcome.

Seek guidance from union staff when needed.

Don't forget that every agency should have an Employee Assistant Program for employees.

Members under investigation can contact the employer's provider for help or advice on how the investigation is affecting them and their family.

SECTION 5: RESOURCES

LEGISLATION, AWARDS AND AGREEMENTS

PSA STATEMENT OF ETHICS

MEMBERS' COMPLAINTS RESOLUTION PROCESS

DELEGATE COMMITTEE MEETINGS -
ARRANGEMENTS, ADMIN, TRAVEL

VALUE-ADDED SERVICES

PSA RESOURCES

TOOLS FOR DELEGATES

PSA CONTACTS

LEGISLATION, AWARDS AND AGREEMENTS

As a delegate, members may ask you questions related to the conditions, pay and a variety of rights and conditions in the workplace. This section outlines some of the key pieces of legislation and other documents that will help you find the answers.

Within the union's areas of coverage, the PSA has coverage of public service departments governed by NSW industrial relations law, while the CPSU NSW covers related entities under Commonwealth legislation, such as universities, disabilities, TAFE, state-owned corporations and some private corporations.

These laws set out important ground rules such as:

- » how unions operate
- » the making of awards and agreements
- » resolving disputes (including unfair dismissals) by the NSW Industrial Relations Commission (IRC) or the Fair Work Commission (FWC).

NSW – New South Wales Industrial Relations Act 1996

Federal – Fair Work Act 2009

CONDITIONS OF EMPLOYMENT

For most employees in NSW public service departments and related entities, conditions are set by:

- » Government Sector Employment Act 2013. (GSE) Regulation 2014 and Rules 2014.
- » Crown Employees (Public Service Conditions of Employment 2009) Award
- » Crown Employees (Transferred Employees Compensation) Award.

SALARIES ARE SET BY

- » Crown Employees (Public Sector – Salaries 2016) Award
- » Some agencies have their own awards that set out salaries and conditions specific to those workplaces.

You can find links to a list of awards and agreements on the PSA and CPSU NSW websites. The salaries and conditions of employees under the federal system are contained within their locally negotiated enterprise agreements.

Links to the agreements that apply to our members are also available on the CPSU NSW website. As a delegate, it is important to remember that awards and agreements are:

- » Negotiated by the union
- » Law and cannot be altered or disregarded by the employer
- » Enforceable through the NSW Industrial Relations Commission or Fair Work Commission.

POLICIES AND GUIDELINES

A number of rights or conditions will be set out in workplace policy or guidelines. They are different to awards and agreements in that they are issued by the employer and as such can be changed by the employer at any time.

However, it is important for delegates to be actively involved when these policies are being developed or altered. Further, it is important that you are aware of the policies that are in place in your workplace and how they apply to members.

Workplace specific policies can be accessed from your HR section or intranet, while those that are public sector wide can be found on the Premier and Cabinet website – www.dpc.nsw.gov.au.

The following Acts apply to all members of the union and may also be useful:

HEALTH AND SAFETY

- » Work Health and Safety Act 2011
- » Workplace Injury Management and Workers Compensation Act 1998
- » Workers Compensation Act 1987

DISCRIMINATION

- » Anti-Discrimination Act 1977 (NSW) including
- » Carer's Responsibilities Amendment 2000
- » Racial Discrimination Act 1975 (Federal)
- » Sex Discrimination Act 1984 (Federal)
- » Disability Discrimination Act 1992 (Federal)
- » Human Rights and Equal Opportunity Commission Act 1986 (Federal)

GOVERNMENT INFORMATION AND PRIVACY

- » Government Information (Public Access) Act 2009 (GIPA)
- » Privacy and Personal Information Protection Act 1998
- » Health Records and Information Privacy Act 2002
- » Freedom of Information Act 1982
- » NSW Carers Recognition Act 2010



PSA STATEMENT OF ETHICS

Members should not stand for an office which will require attendance at meetings or performance of other duties which might give rise to a conflict of interest.

Members in managerial or supervisory positions should never use or appear to use their position to influence any election of PSA/CPSU officials.

The union has many members who are required to perform managerial or supervisory duties or act in other capacities on behalf of their employer.

We recognise that the performance of these duties is a necessary part of the system of management and industrial relations and that members can perform these duties without damaging their standing as members.

We also recognise and appreciate that many members in managerial positions have maintained support for the union's objectives and have acted in a consistent and ethical manner to avoid any conflict of interest.

SUPERVISOR AND SUPERVISED

In cases of disciplinary action, adverse reports and the like against a member, the union's primary duty is to support that member.

In the course of performing that duty, it may be necessary to oppose and criticise the actions and views of the employer as exercised and expressed through managers and supervisors.

Such actions do not necessarily reflect on the integrity of individual supervisors and managers as members of the union.

PARTICIPATION IN MEETINGS

Members who are supervisors or managers should recognise the responsibility of the union to defend other members and should recognise that union meetings are not to be used as a forum for the defence of their actions on behalf of the employer.

Some members may be required in the course of their duties to act as an advocate for the employer where there is, or may be, disagreement between the union and the employer. This can often be the case for the principal manager of a business unit, section, or agency.

In such circumstances, a conflict of interest will arise if such a member also participates in union meetings to discuss our position and tactics on the same or related matters. A manager, finding themselves in such a situation, should stand out of any union meeting, formal or otherwise, where a conflict of interest is reasonably likely

Such a member, however, might well be able to participate fully in the affairs of his or her vocational group without a conflict of interest arising. A small number of members – for example, those who are employed as industrial officers for the employer – will be in a situation where they can attend few meetings without risking a conflict of interest.

There may, of course, be meetings held for particular purposes, where attendance may be quite OK. For example, a workplace group meeting held specifically to discuss a general question, such as superannuation.

When in doubt, the chairperson should be consulted as to the issues likely to be raised in meetings. If further clarification is needed seek advice from the union's organiser or industrial officer.

Members in managerial or supervisory positions who act ethically should not be disadvantaged when seeking assistance in respect of their own rights and interests.

If such a member is bound on ethical grounds not to attend a particular members' meeting to raise the matter and the delegates involved deal or have dealt with the member as an employer's advocate, then the matter should be raised directly with the Member Support Centre.

All supervisors and managers are employees. The union is committed to the protection and advancement of the salaries and conditions of employment of all members regardless of their occupation or position.

MEMBERS' COMPLAINT RESOLUTION PROCESS

The union is committed to quality member service. We have a nominated complaints officer to monitor complaints from members.

In the first instance, delegates are encouraged to attempt to resolve complaints locally. If this is not possible and the complaint relates to the following:

- » A service the union has provided or not provided to the member
- » The conduct of any honorary official, such as a delegate or central councillor. Please note, if an honorary union official is employed by the same organisation as the complainant, and the matter complained about relates to the workplace rather than the performance of a union function, then the complaint should be dealt with through relevant dispute resolution mechanisms internal to that organisation

- » The conduct of any staff member of the union
- » The application of union rules and policies
- » Then an email, setting out the complaint, should be sent to complaints@psa.asn.au

The complainant will receive a response from the relevant manager within 48 hours.

IN THE FIRST INSTANCE, DELEGATES ARE ENCOURAGED TO ATTEMPT TO RESOLVE COMPLAINTS LOCALLY.

MEETINGS OF ELECTED DELEGATES COMMITTEES (DCS)

There are various names for Elected Delegates Committees under the PSA rules including Departmental Committees, Councils, Advisory Groups, Vocational Groups, and Steering Committees. For the purpose of this procedure all will be called DCs.

The purpose of these procedures are to ensure that members have access to clear support in time and resources for attending to delegates meetings. The union has centralised the administration for DCs to ensure that these procedures are consistently applied across the organisation.



SUBJECT	PROCEDURES	WHO IS RESPONSIBLE
MEETING FREQUENCY AND DURATION	DCs should meet: <ul style="list-style-type: none">» not more than once every three months (4 times per year);» for no more than one day, unless the circumstances are exceptional. Approval of the General Secretary (via memo) is required for: <ul style="list-style-type: none">» meetings of more than 1 day;» meetings exceeding 4 times a year.	Industrial Officer Organiser & DC Chair/Secretary
SCHEDULING OF MEETING DATES	Before the close of the year DCs are to provide all meeting dates for the following calendar year to the Support Officer. NB No meetings are to be scheduled for the week of Annual Conference without the authorisation of the General Secretary, however this should not be seen as a discouragement for meeting during this week but just a measure to manage resources.	DC Chair/Secretary Industrial Officer Organiser and support officer
MEETING START TIMES	Meetings shall commence no earlier than 10am. Groups requiring an earlier start are to obtain authorisation to do so from the General Secretary.	DC
MEETING VENUES	For meetings taking place at PSA House, the Support Officer will liaise with Reception to book meeting rooms and forward details on to Organisers and Delegates. For meetings taking place at a workplace or via teleconference dates and times must be provided to the Support Officer. Venues at cost external to PSA should be approved by Manager.	Support Officer
ADVANCE NOTICE	Maximum notice should be given for any one-off meetings, or DC meetings taking place outside of the allocated core meetings, to ensure that adequate meeting notice is given to departments and room bookings are made.	Industrial Officer Organiser & DC Chair/Secretary

SUBJECT	PROCEDURES	WHO IS RESPONSIBLE
RELEASE LETTERS	<p>Release letters will be provided for all DC meetings requiring absence from work including:</p> <ul style="list-style-type: none"> » DC meetings (Special Leave); » Joint Consultative Committee meetings (Detached Duty) and; » One-off meetings with management/PSA members where the individuals involved are representing the Association (Detached Duty). (CI 54 of CE PS COE Award) 	Support Officer
APOLOGIES AND ALTERNATES	When a delegate cannot attend a meeting the details of the apology and any nomination of an alternate to attend in their place should be provided to the Support Officer a minimum of 5 working days before a scheduled meeting date. This is so that the employer can be advised appropriately.	DC Chair & Secretary
CHANGES TO COMMITTEE MEMBERSHIP	Information regarding changes in Group/Committee membership is to be promptly provided to the Support Officer, to ensure membership lists are kept up to date.	Industrial Officer Organiser, DC Chair & Secretary
ELECTIONS	Elections remain the responsibility of the Returning Officer and Deputy Returning Officer and enquiries should be forwarded to them, not the Support Officer.	Deputy Returning Officer & Elections Administrator
EXPENSE CLAIM FORMS	<p>Shortly after a meeting commences claim forms will be collected, along with the sign-in sheet, and taken for recommendation and approval.</p> <p>Claims of \$100 and less can be collected in cash on the day.</p> <p>Claims of \$100 and above will be electronically transferred into the delegate's nominated bank account.</p> <p>External Location training expenses will be only by EFT.</p> <p>NB EFTs will only be transacted on Mondays, Tuesdays and Thursdays.</p>	Delegates & Support Officer

SUBJECT	PROCEDURES	WHO IS RESPONSIBLE
FLIGHT BOOKINGS	<p>Flight bookings are to be made through the Secretariat (Level 12).</p> <p>Delegates will not be permitted to book their own flights and then seek reimbursement from the PSA, unless written prior approval from the PSA Secretariat staff has been obtained.</p>	Secretariat
SUSTENANCE PAYMENTS/EXPENSES	<p>Sustenance payments will only be made when it is considered not reasonable for a delegate to travel to and from a meeting in any one day.</p> <p>Delegates requiring accommodation and sustenance to attend a meeting should contact the PSA prior to their meeting to obtain advanced approval from the General Secretary to incur associated expenses.</p> <p>Each claim shall be assessed on its merits, taking into consideration factors such as journey start/finish times and personal health issues.</p> <p>For some meetings the union reserves the right to pay actuals for components of the sustenance.</p>	Accounts
PRINTING REQUESTS	<p>Documents supporting agenda items which require printing should be forwarded to the Support Officer via email, at least 2 working days prior to the meeting date.</p>	Industrial Officer Organiser, DC Chair & Secretary

SUBJECT	PROCEDURES	WHO IS RESPONSIBLE
AGENDA	A copy of the DC meeting agenda is to be made available to the Support Officer prior to the meeting.	DC Chair & Secretary
ATTENDANCE SHEETS	Meetings at PSA House: The Support Officer will collect attendance sheets shortly after the meeting commences, along with claim forms. Meetings outside of PSA House: A copy of the attendance sheet is to be provided to the Support Officer (Level 7) at the conclusion of the DC meeting or as soon as possible thereafter via email, fax or post.	Industrial Officer Organiser, DC Chair & Secretary
MINUTES	A copy of the DC minutes is to be made available to the Support Officer within two weeks of the meeting via email, fax or post.	DC Chair & Secretary

PLEASE FORWARD ANY ENQUIRIES TO:

Support Officer

Industrial Specialists
PSA House, Level 7, 160 Clarence Street, Sydney NSW 2000
advisorygroups@psa.asn.au
Tel: (02) 9220 0906 Fax: (02) 9262 1623

VALUE-ADDED SERVICES

Members have access to a number of valuable non-industrial services. The union provides Journey Insurance, Group Accident Insurance, a Provident Fund and a scholarship while some others are provided by associated organisations.

JOURNEY INSURANCE

The NSW Government removed workers' compensation for injuries suffered while travelling to or from work, except in very limited circumstances. The unions journey insurance covers members if they are injured travelling to or from work.

Full financial members of the union at the time of the incident are covered automatically in NSW. No extra costs to your membership fees are required.

PERSONAL INJURY INSURANCE

Members are insured against accidents which result in permanent injury or death.

The scheme aims to supply all benefits as quickly as possible. Members can also cover their immediate family for an extra \$11.00.

UNION SHOPPER

Discounts on a wide range of products and services from cars, whitegoods, computers, travel, wine, restaurants, and five per cent discounts when purchasing gift cards.

PROVIDENT FUND

By joining the PSA/CPSU NSW, you are automatically entitled to the benefits of Provident Fund membership. The fund provides payment of up to \$3,500 to nominated beneficiaries in the event of a financial member's death.

Conditions apply.

PSA/CPSU NSW SCHOLARSHIP

Those members who have had five years' continuous PSA/CPSU NSW membership are eligible to apply for a Scholarship.

The union awards this scholarship each year to a member's child who is entering the first year of a full-time tertiary education course. The scholarship is \$850 per year, and is renewable annually. Applications close on the last working day of February each year and it is advertised in *Red Tape*.

LEGAL SERVICE

Members have access to lawyers for any non-work related personal matter. The first consultation is free of charge. This includes a free will-writing service.

Referrals are not required; Simply call McNally Jones Staff on (02) 9233 4744 and quote your membership number.

ACTU MEMBER CONNECT

ACTU Member Connect, in conjunction with various businesses, has set up a number of beneficial services for union members.

Refer to their website for a list of detailed benefits: www.memberconnect.com.au.

SYDNEY CREDIT UNION

The SCU offers members discount rates on mortgages, loans, credit cards and insurances.

WORKERS' HEALTH CENTRE (WHC)

The Workers' Health Centre offers injury management and occupational rehabilitation services. If you have been injured at work, Workers' Health Centre can help you through the injury management and return to work process.

WHC also has a number of useful fact sheets on a range of health and safety topics, available on their website www.workershealth.com.au. WHC is a union preferred provider and can be contacted on (02) 9749 7666.

WELFARE RIGHTS CENTRE

Members can obtain assistance from the Welfare Rights Centre on all social services.

This includes family allowances, sickness, births and deaths, child maintenance payments, childcare, Youth Allowance, sole parenting, relatives coming from overseas, unemployment, and more.

For more information call WRC on (02) 9211 5300 or 1800 226 028.

PSA/CPSU NSW WEBSITES

The union websites contain a wide range of useful resource material and publications.

Visit psa.asn.au and cpsunsw.org.au.

TRAINING

The PSA runs a wide range of general training courses for members and delegates. Attending union training is an excellent way to learn skills, deal with challenges at work and improve the quality of your workplace life.

Courses include:

- » Role of the Delegate
- » Dealing with Member Issues
- » Negotiation
- » Speaking in Public
- » Women in the Union
- » Dealing with Bullying in the Workplace
- » Dealing with Restructures
- » Achieving Workplace Flexibility.

The course dates and updates are available on the websites or you can email training@psa.asn.au.

Regional training is provided for members outside the Sydney area. To be part of a “Regional Workshop”, contact your regional organiser. The content can be tailored for each group’s needs.

Courses are available at no charge to members.

SPECIAL LEAVE FOR TRADE UNION TRAINING

Most NSW public sector members are entitled to paid trade union training leave.

Your organiser can provide details.

LIBRARY

The union has a well-resourced library open to all delegates and members. The main focus of the library is industrial relations, particularly, industrial law, trade unionism, political science, and public administration.

However, the library also holds material in other subject areas such as, women’s studies, WHS, organisational studies and economics.

The library catalogue contains more than 7000 items. More than half of the catalogued items are full-text digital resources. The Library also provides full-text databases, both current and historical of industrial instruments, cases, judgments, industrial topics, Red Tape, newspaper clippings, legal opinions, images and history.

The library’s trained staff provide specialist topical, industrial and legal research and information services to individual delegates, and members. The library also provides a lending

service and maintains an historical collection for the benefit of present and future members.

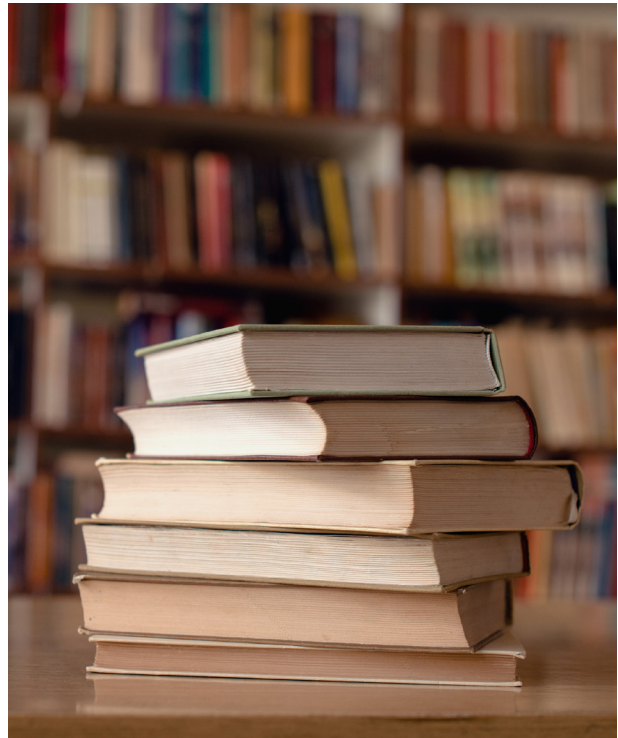
The library is open 9.00am to 5.00pm Monday to Friday at Level 9 PSA House. For more information phone: (02) 9220 0962 or email: psalibrary@psa.asn.au.

COMMUNICATIONS

The Communications Directorate publishes the union journal, *Red Tape*, maintains the union's websites and social media presence as well as driving media and publicity for the union. It designs posters, brochures, merchandise and more.

The unit also produces a general email news bulletin as well as agency or issue-specific emails.

For more information, email communication@psa.asn.au.



PSA/CPSU NSW RESOURCES

WOMEN'S INDUSTRIAL OFFICER

The women's industrial officer has resources available to assist you to organise in the workplace.

These include fact sheets on domestic violence, carers' leave, Family and Community Services leave, purchased leave, lactation breaks and maternity leave.

Posters are available. Most of the facts sheets and other resources, including submissions on behalf of women members are available on the union websites.

For more information contact the Industrial Support Team on 1800 772 679 or email membersupport@psa.asn.au.

ABORIGINAL LIAISON OFFICER

The Aboriginal Liaison Officer can assist Indigenous members in the workplace. For more information contact call 1800 772 679.

The PSA/CPSU NSW has been at the forefront of getting more First Nations people into the public service and other job markets, and getting more Aboriginal and Torres Strait Island employees into senior roles.

INDUSTRIAL OFFICERS/ORGANISERS

Industrial officers and organisers cover each workplace in the state.

Delegates are the main PSA/CPSU NSW presence at work. The union's industrial staff provide information, support and help set up structures such as workplace groups and departmental committees.

Industrial officers work with members to negotiate agreements and awards, take cases to the Industrial Relations Commission, the Fair Work Commission and other tribunals as well as provide detailed industrial advice.

MEMBER SUPPORT CENTRE

The union's Member Support Centre (MSC) provides advice to members and delegates with regard to industrial matters.

Member support officers are trained to assist members and delegates by empowering them to identify solutions and actions they can take to resolve issues at the local level.

For example, does a member enquiry require an individual response or is it a collective issue?

The MSC aims to provide members and delegates with high-quality and timely industrial advice and guidance.

All issues are triaged whereby the more complex matters, including all disciplinary matters and those requiring continued industrial representation, will be referred to the appropriate industrial team and allocated to a dedicated industrial officer.

Contact the MSC on 1800 772 679 or at membersupport@psa.asn.au.



TOOLS FOR DELEGATES

TELECONFERENCING FACILITIES

Where your workplace is spread over different geographic sites, or you are a regional delegate, teleconferencing can assist you in conducting workplace group meetings.

The union has a teleconferencing facility that allows a meeting at PSA House to be conferenced into a number of other phone lines. It will also enable you to use your own phone to conference with a number of other members.

PSA/CPSU NSW staff will be able to provide more information on using these facilities.

DOCUMENTS AND FACT SHEETS

The union has produced a number of fact sheets and guidelines for the use of delegates. These are available from the Communications Team in hard-copy or electronic format.

Phone 1800 772 679, email communication@psa.asn.au, or downloads can be found at the PSA/CPSU NSW websites.

RESOURCES AND LINKS FOR USEFUL WEBSITES

UNION

www.psa.asn.au (PSA)

www.cpsunsw.org.au (CPSU)

www.unionsnsw.org.au (Unions NSW)

www.actu.org.au (ACTU)

UNION INTERNATIONAL

www.ituc-csi.org

(International Trade Union Confederation)

www.labourstart.org

(round up of international union activities)

www.ilo.org (International Labour Organisation – ILO)

www.world-psi.org

GOVERNMENT

www.nsw.gov.au (NSW Government gateway)
www.dpc.nsw.gov.au (Premier's Department)
www.ombo.nsw.gov.au (Ombudsman's Office)
www.gov.au (Federal Government gateway)
www.women.nsw.gov.au (Department for Women)
www.icac.nsw.gov.au (ICAC)
www.parliament.nsw.gov.au
 (Parliament of NSW home page)

INDUSTRIAL RELATIONS/ AWARDS/ LEGISLATION

www.irc.justice.nsw.gov.au
 (NSW Industrial Relation
 Commission, NSW legislation)
www.legislation.nsw.gov.au (NSW legislation)
www.fwc.gov.au

FAIR WORK COMMISSION

www.industrialrelations.nsw.gov.au
 (NSW Office of Industrial Relations)
www.irc.justice.nsw.gov.au

EEO

www.humanrights.gov.au
 (Australian Human Rights Commission)
www.antidiscrimination.justice.nsw.gov.au
 (Anti-Discrimination Board)

WH&S AND WORKERS COMPENSATION

www.safeworkaustralia.gov.au
 (Safe Work Australia)
www.workershealth.com.au
 (Workers Health Centre)
www.wiro.nsw.gov.au
 (WorkCover Independent Review Office)
icare.nsw.gov.au (ICARE)
www.sira.nsw.gov.au
 (State Insurance Regulatory Authority)

WOMEN

www.wwc.org.au (Working Women's Centres)

www.wgea.gov.au (Workplace Gender Equality Agency– Federal Government)

www.facs.nsw.gov.au (Department of Family and Community Services)

www.humanrights.gov.au (Australian Human Rights Commission for Federal Sex Discrimination)

www.education.gov.au

www.employment.gov.au

ABORIGINAL AND TORRES STRAIT ISLANDER

www.aboriginalaffairs.nsw.gov.au (Office of Communities Aboriginal Affairs)

www.facs.nsw.gov.au (Department of Family and Community Services)

www.alc.org.au (NSW Aboriginal Lands Council)

www.koorimail.com (Koori Mail newspaper)

www.humanrights.gov.au (for Federal Aboriginal and Torres Strait Islander Social Justice)

MULTICULTURAL

www.multicultural.nsw.gov.au (Multicultural NSW)

www.speakout.org.au
(Immigrant Women Speakout Association)

www.humanrights.gov.au (for Australian Human Rights Commission)

DISABILITY

www.humanrights.gov.au (for Federal Disability Rights)

WELFARE RIGHTS

www.welfarerights.org.au
(National welfare Rights Network)

www.ncoss.org.au (NSW Council of Social Services)

SUPERANNUATION

www.firststatesuper.com.au (First State Super)

www.statesuper.nsw.gov.au (other State super schemes e.g. SASS, SSS and PSS)

www.cpsa.org.au (Combined Pensioners and Superannuants Association)

GENERAL RESEARCH

www.sl.nsw.gov.au (State Library)

www.nla.gov.au (National Library of Australia)

PSA/CPSU NSW CONTACTS

GENERAL INQUIRIES

Public Service Association
160 Clarence Street Sydney NSW 2000
GPO Box 3365, Sydney NSW 2001
Phone 1800 772 679
Email psa@psa.asn.au
Fax (02) 9262 1623

WEBSITES

www.psa.asn.au
www.cpsunsw.org.au

MEMBER SUPPORT CENTRE

membersupport@psa.asn.au
For all workplace issues, general enquiries

TRAINING UNIT

training@psa.asn.au if you wish to enroll
in a PSA training course. Or you can do so
directly via the PSA/CPSU NSW websites.

MEMBERSHIP SECTION

memberpayment@psa.asn.au

COMMUNICATIONS

communication@psa.asn.au

RED TAPE

redtape@psa.asn.au

REGIONAL OFFICES

- » Bathurst
- » Newcastle
- » Lismore
- » Tamworth
- » Wagga Wagga
- » Wollongong

Phone 1800 772 679

NOTES

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.



160 Clarence Street, Sydney NSW 2000 GPO Box 3365, Sydney NSW 2001

☎ 1800 772 679

✉ psa@psa.asn.au

🌐 www.psa.asn.au

📺 [psansw](#)

📠 (02) 9262 1623

✉ cpsu.nsw@psa.asn.au

🌐 www.cpsunsw.org.au

📺 [cpsunsw](#)

Authorised by Stewart Little, General Secretary, Public Service Association of NSW and Branch Secretary,
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