

# RESOLUTION

## PSA SHARED SERVICES MEETING WEDNESDAY 5 NOVEMBER 2008 AT 12.30 PM

This meeting of members notes:-

1. That the PSA has been raising issues with the Government arising from the affect that the introduction of Shared Services is having and will have upon its members for some 18 months or so.
2. In May 2008 the Government states that it announced to its employees (but not to the PSA) that it had obtained an Australian Tax Office Ruling that health employees who had the benefit of salary sacrificing would have that benefit maintained for a 12 month transitional period subject to any restructure causing any individual employee to become a redeployee. In other words, this was a commitment given to employees with a 'get out' clause for the Government as the employer.
3. Meetings between the PSA and the Government as late as August 2008 gave rise to no progress and no movement on the Government's side in addressing any of the PSA's concerns.
4. The PSA wrote to the Under Treasurer on 11.9.2008 further detailing and confirming its various concerns for PSA members transferring to Shared Services. The Under Treasurer's response was a 'Clayton's offer'. That is, no offer other than to maintain already existing conditions (e.g. the Commissioner's currently existing inadequate standards).
5. The Government's response left the PSA members with no alternative but to initiate industrial action. Bans were therefore imposed on Friday 19 September 2008 same having been authorised by a meeting of PSA members held on that date.
6. On Wednesday 1 October 2008 the Government notified the Industrial Commission of a dispute and sought a voluntary conference which was convened before Commissioner McMahon of the IRC on Friday, 3.10.2008. Commissioner McMahon recommended that the PSA members lift their bans to facilitate negotiations given that the Government indicated that it would not negotiate whilst the bans were on.
7. At a meeting of members on Friday, 10.10.2008 it was resolved to accept the Commissioner's recommendation. The bans were therefore lifted, in the expectation that the Government would genuinely negotiate.
8. A negotiation meeting occurred presided by Commissioner McMahon at the IRC on Friday, 17.10.2008. The Government negotiators indicated at the conclusion of that meeting that they needed to consult management before putting any formal offer. A

further negotiation was therefore scheduled under the Chairpersonship of Commissioner McMahon set for Monday, 20.10.2008.

9. When the Commission reconvened on Monday, 20.10.2008 the Government negotiators indicated that they needed until close of business on Tuesday, 4.11.2008 to obtain instructions/authorisation.
10. This was in breach of the understanding conveyed on 17.10.2008 that once management was consulted, an offer would be put on 20.10.2008.
11. The meeting of PSA members held 24.10.2008 expressed its great disappointment at the Government's failure to genuinely negotiate/put any offer and accordingly, resolved to reimpose bans.
12. The position now put by the Government as of yesterday (Tuesday, 4.11.2008) remains inadequate.

And in the result of this history, this meeting further notes:-

13. That since the dispute has been in the Commission the Government's offer has been marginal (i.e. in addition to what preceded the 'Clayton's offer' set out above).
14. PSA members lifted bans in good faith, on the understanding that real progress would be made in negotiations but what in fact happened when the bans were lifted was that no further offer was made at that time.
15. That the Government is obviously expecting to make savings out of Shared Services on the backs of PSA members who are expected to accept a take-home pay cut in relation to which the Government's only offer has been to delay that pay cut by a period of up to 36 months.
16. The Government has not given an undertaking not to restructure within the 3 year period so that it still has a "get out" option as per its original 12 month transitional period.

And this meeting also notes that:-

17. The concept of Shared Services as put to the PSA by the Government prior to the certification of the current Enterprise Agreement was that for the health sector it was to be within the Department of Health only, which would not have resulted in any problem with the indefinite continuation of salary sacrifice arrangements as already then existed.
18. Accordingly, the 'status quo' requirement contained in Clause 23.2 of the current Enterprise Agreement should apply.

19. The Government has not respected the status quo and has not fairly and adequately addressed the concerns of PSA members, leaving the PSA members with no alternative but to resolve as follows:

1. To reimpose all existing bans within the Health Department as follows:

- (a) Pay Officers will only be able to be contacted by email or fax. No direct contact;
- (b) All late data will be processed in the next available pay run;
- (c) Any errors by Payroll will be corrected as soon as possible. All other errors will be corrected in the next available pay run;
- (d) Where no authorised leave form is received, time will be recorded as leave without pay until an authorised leave form is received;
- (e) Not participate in the transfer of any equipment, files, etc.;
- (f) Not provide any information to assist in the transfer;
- (g) Not attend any pre-transition meetings;
- (h) Not process overpayments;
- (i) Work according to rule including –
  - do not work in excess of 7.5 hours per day
  - work additional hours only as authorised overtime
  - will not take TOIL, insist on overtime payments
  - common lunch breaks

2. And impose additional bans as follows:

- (1) Not relocate
- (2) No checking of reports or records
- (3) Take OHS&W breaks 10 minutes per hour
- (4) Not processing Sick Leave forms
- (5) Not accepting money or processing accounts for accounts receivable together with other actions as determined by work sites.

- (6) Will not participate or cooperate in the training of Shared Services SA payroll trainees until this matter is resolved
  - (7) There will be no release of any files or equipment from existing work sites to Shared Services SA.
3. Plus further industrial action as necessary to achieve a more adequate offer.