

COMMUNITY & PUBLIC SECTOR UNION ♦ SPSF GROUP NSW BRANCH

160 Clarence Street, Sydney NSW
Email: psa@psa.asn.au
State Branch Secretary: John Cahill

GPO Box 3365, Sydney NSW 2001
Internet: <http://www.psa.labor.net.au>

Phone: (02) 9220 0900 Fax: (02) 9262 1623
ABN: 11 681 811 732
State Branch President: Sue Walsh

AH:fs: A12/0346

IN REPLY
PLEASE QUOTE
FILE NUMBER:

17 August 2012

Mr Mark Philip
Director, Industrial Relations
NSW Department of Education and Training
GPO Box 33
SYDNEY NSW 2001

By Email

Dear Mark,

I refer to your letter of 18 August 2012 in which you state, among other things, that TAFE now has decided to conduct a ballot for the Enterprise Agreement.

The CPSU is very concerned that TAFE has decided to take the Agreement to ballot.

Our concerns include the following:

1. The draft agreement that was forwarded to the Unions on 10 August 2012 (which I assume is the agreement that TAFE now intends to put to ballot) does not accurately reflect agreements that had been reached in principle at the bargaining table.

For example, at the last bargaining meeting on 31 July 2012 TAFE agreed to remove from the draft Local Arrangements clause the reference to "employees". The latest draft document retains these words in that clause.

Further, in your letter of 10 August 2012 you agreed to include words that would maintain the library shift allowances provision. However the draft document does not include the proposed words.

As the last draft that was provided to the unions was not tracked, as had previously been agreed, I am unable to provide a detailed assessment of other agreed provisions that may have been omitted.

2. In your letter of 10 August 2012 you offered to meet the unions at short notice. Before the Unions had been able to provide you with an informed response and request another meeting you have put the agreement out to ballot.

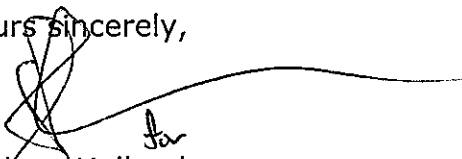
I am concerned that this is contrary to the good faith bargaining requirements of the Act.

The CPSU requests that TAFE honour the commitment made to meet the TAFE bargaining unions "at short notice". The CPSU will be available next week at any time that is convenient to TAFE to meet. I am sure the other unions will also make themselves available.

Furthermore I seek a commitment from TAFE that it will not seek to ballot the draft agreement pending the parties holding another meeting.

I seek an urgent response no later than 5pm Monday 20 August 2012.

Yours sincerely,



Andrew Holland
FOR JOHN CAHILL
STATE BRANCH SECRETARY