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Mr Jorge Navas
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Commissioner for Public
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Dear Mr Navas

SOUTH AUSTRALIAN PUBLIC SECTOR WAGES PARITY ENTERPRISE AGREEMENT: SALARIED

There are numerous references to “association”, “party/parties”, “employee association” and “union” in the proposed agreement. Obviously, the legal effect and meaning to be ascribed to each of these references needs to be determined in context. However, I can confirm that the employer does not intend to take a legal or technical approach to how the proposed agreement will be implemented. By this, I mean that it is not the Government’s intention to exclude an organisation such as the Health Services Union (HSU) from having a proper role to play on behalf of its members in relation to matters such as:

- consultation with employees;
- a review of the operation of certain terms of the agreement;
- dispute resolution under clause 35;
- modernisation of the agreement as contemplated by clause 6;
- negotiation of a new clause concerning hours of work, as contemplated by clause 7 in the agreement;
- consultation in relation to the review of transition arrangements referred to in Appendix 1 of the agreement (see page 119);
- consultation in relation to the review of transition arrangements referred to in Appendix 10 (see page 179).

I anticipate that members of the HSU would wish to have the HSU represent them in relation to these matters. In such circumstances, the HSU will have the right to represent its members in relation to any industrial matter in which they require representation.

I trust that this provides the clarifications that you have requested.

Yours sincerely

Erma Ranieri

COMMISSIONER FOR PUBLIC SECTOR EMPLOYMENT

Under delegated authority on behalf of the Chief Executive, Department of the Premier and Cabinet as the declared employer of the public employees pursuant to the *Fair Work (General) Regulations 2009*) and for and on behalf of the Chief Executive, Lotteries Commission of South Australia