

**From:** Ian Robertson

**Sent:** Thursday, 15 June 2017 11:42 AM

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**Subject:** 2017 LG State Award - depa accepts the offer made on 2 June 2017

Hi all

It remains a matter of deep regret that the historic consensus between the parties to cooperate in the building of a flexible and innovative State Award, and to maintain it where required, was rarely evident during the negotiations which led to the offer contained in your letter of 2 June 2017.

Nevertheless, while the process remained more combative than usual, in the last frenzied weeks, we were able to reach in principle agreement on many changes.

For our part, the Disciplinary Procedures clause was crying out for the insertion of some explicit and clear fundamental principles of procedural fairness. That became, in the form of twelve considerations, our primary claim, subsequently supported as a joint claim by the other unions and the subject of a significant amount of argument.

It's the dialectic in action when that clumsy, sub- professional and far-from-impartial investigation at Lake Macquarie last year can at the same time produce improved procedures to ensure that kind of farce doesn't happen again. Thank you, Laura.

We remain sceptical that Guidelines, as good as they may be, will be respected sufficiently in the industry for them to be as effective as a comprehensive clause in the Award - particularly given the reduced influence of LGNSW (as the number of councils pulling out of the employers' organisation continues) and the compromises that creates in the organisation's capacity to give proper advice. While the Guidelines do include our twelve fundamental considerations, they are not quite in the explicit and clear way in which they were originally intended.

We will place on record these concerns when the Award is made on 30 June, with our commitment to monitor the effectiveness of the Guidelines during the life of the 2017 Award and expect, as we negotiate the 2020 Award, we will be able to bring to it 20:20 vision on how the experiment has worked. If it hasn't worked as well as we hope, you can expect that we will want to incorporate the guidelines into the Award in a more enforceable way. I would hope that would be an agreed approach.

The Committee of Management has unanimously accepted the offer contained within your letter of 2 June 2017.

Our letter accepting that offer is attached.

Regards

Ian Robertson  
Secretary  
depa

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15 June 2017

Ms Lillian Tiddy  
Director Member Services  
Local Government NSW

Dear Lillian

**Matter IRC 16/214552 - Local Government (State) Award**

I'm replying to your letter of 2 June with the attached letter of offer for a new 2017 Local Government State Award and a marked up version of what that Award would look like.

The offer was considered by our Committee of Management over the weekend and accepted in principle. The Committee resolved to provide the offer to all members by email along with an explanation of the offer and the process, a nine page document identifying the changes and the marked up copy of the proposed 2017 Award. This happened at 9:20am on Monday 6 June, inviting feedback to close at the close of business yesterday and then the Committee would consider that feedback.

The response from members was overwhelmingly positive and the Committee of Management has now formally resolved to accept the offer contained in your letter of 2 June and this letter conveys that acceptance.

The acceptance does not preclude an amended increase from the first pay period on or after 1 July this year should your Board reconsider their position. In case you were wondering.

I regret that I will be unable to attend the making of the Award on 30 June and, while I might be sound asleep in Sicily at the time of the proceedings in the Commission, I'm sure I will be thinking of you all on 30 June, despite the distractions. I will ensure I toast this achievement that day. Ian Latham will be appearing for us.

Regards

A handwritten signature in blue ink, appearing to read 'Ian Robertson', with a long, sweeping horizontal line extending to the right.

Ian Robertson  
Secretary