

## When is a “local area,” not?

You may or may not be aware that the Department has been conducting a review in Taranaki with the aim of combining the Stratford and New Plymouth Area Offices.

The recommendation arising from the review is that Stratford Area office should be closed and affected staff should work from a new New Plymouth Office.

Under the terms of the Management of Change section of our Agreement it is possible to do this under the re-assignment section.

A key question arises here however because if the re-assignment is outside the “local area,” the members have significantly more options than if the re-assignment is within the “local area.”

Nobody is putting their hand up and admitting to it, but someone in the PSA must have given the Department the nod that they could proceed

on the basis that the reassignment was **within** the “local area.”

The Department steamed ahead on that basis before AWUNZ was even aware of what they were up to and we only became aware of the matter when an email received seemed to be referring to one of our AWUNZ members.

We went straight to Taranaki and talked to our people and found out that the PSA and the Department had agreed to implement the recommendations of the review, despite being aware

that we had specifically asked to be involved before the final report was presented, and despite there being several stages in the process where the agreement specifies that the Department and the Union must agree before moving on to the next step.

As you might imagine, we wasted



no time in letting the Conservator know that we were not happy chappys.

Because AWUNZ was challenging the definition of “local area,” PSA members locally seemed to take heart and demanded that their organiser also take up the challenge. The argument continues at this time.

We agreed to attend mediation in

Wanganui (with the PSA and the Department) to try and sort the issue out. The Department arrived with a high priced suit from one of the top law firms in Wellington (and his gofer).

We tabled our reasons why we believed that Stratford was not in the New Plymouth local area, which were largely ignored by the Department.

The Departments view of "local area," in Taranaki was that it comprised all of the Mountain, all of the coast line, and all of the Forests which originate in Taranaki.

Local takes on a whole new meaning if we accept that if a coast line is shared it must be local. Wellington will no doubt be somewhat surprised to learn that they are in the Auckland local area.

After several hours we agreed that we were never going to agree and left the table with the ball firmly in the Departments court. They have three very simple options.

1. Decide not to implement the review so "local area," doesn't matter.
2. Accept our version of what "local area," means and implement the review with the members having the greater options.
3. Take the issue before the Employment Authority or Employment Court where someone else will decide the answer for us.

Each of the above choices has its own potential problems for the Department. If they take 1, then someone, somewhere is going to have egg all over their face and they will not be happy. It would be well deserved egg however because the Department jumped straight into implementing the review without even looking at any of the detail.

Choice 2 is unlikely to happen because of the likely cost. Relocation costs become an issue, and because of the way they feel that they have been shafted by the Department, many of the Stratford staff could take the redun-

dancy option.

Choice three also has potential fishhooks in it. It is never a good idea to ask a question unless you know the answer.

At the moment there is no legal precedent setting out what "local area," means. There is every chance that the Court will agree with the Union, or come up with some other answer which the Department will dislike just as much. Once the precedent has been set however it is hard to knock over.

The expensive suit is going to write to us in the next few weeks so we'll keep you advised.

The Department has advised that it is introducing a new Asset Management System (AMIS) which will over time be used for the management of all Department Assets.

In the first instance at least this will affect only those who manage visitor assets, fencing and historic assets.

However, over time its use will spread to all assets and in those areas with many assets there may well be an increase in work load for some. Keep that in mind when it comes to salary review time.

Great working with you this year guys. A merry Christmas to you and yours and here's looking forward to a great New Year. Bob