



20 March 2001

GREAT

The Government and Related Employees Appeal Tribunal (GREAT) hears **promotional** and **disciplinary appeals**.

Last year the PSA resolved:

"That GREAT be requested to provide information to the Association regarding the number of appeals lodged, both disciplinary and promotional, for the past two years, broken down by gender, and whether each appeal was successful, lost or withdrawn".

Some in the union have argued that these statistics are not so important because it is not what GREAT *does* but what agencies *fear it might do*. While there is some truth in that argument it is weakened by the increasing casualisation of the workforce. You can't appeal against temps or the use of contractors and outside appointments. Anecdotal evidence suggests that the 'staff freeze' is increasing the use of temps and contractors at the expense of permanent employment.

The following statistics were recently calculated by the PSA from information provided by GREAT. The bulk of the information in this report is drawn from the report to March Central Council and will not be repeated in our Central Council Report.

Promotion Appeals

It should be noted that the number of promotion appeals is inflated compared with the number of positions in contention because of multiple appeals where one more appellants appeal against one or more appointees and each is counted a separate appeal.

The important statistic is that on the promotion appeals decided (i.e. excluding appeals withdrawn) 5.3% won. This figure is also affected by multiple appeals as one appellant can appeal against, say, 10 appointees, win one appeal and lose nine appeals. In any case, winning an appeal is difficult: many appellants can prove equal merit but not greater merit.

The information shows that women lodge only 17% of the promotion appeals but appear to do reasonably well in winning appeals compared to men (women won 11 and lost 96, men won 16 and lost 382). This may in part be explained by the fact that men are more likely

to be involved in multiple appeals whereas women usually only appeal one or perhaps two appointees. There may also be more self-selection by women, i.e. women are more realistic about the merit of their appeals.

For appeals where the PSA is the relevant union between July 1998 to 30 June 2000

Number of promotional appeals lodged: 927

Promotion appeals withdrawn: Males 371, Females 51. These include appeals where GREAT has no jurisdiction to hear the appeal.

Promotion appeals upheld: Males 16, Females 1. Promotion appeals disallowed: Males 382, Females 96.

Of total promotion appeals lodged, 83% by males and 17% by females, 45.5% of appeals were withdrawn (87.9% by males and 12.1% by females) 2.9% appeals were won and 51.6% of appeals were lost.

Of promotion appeals which proceeded to a

decision 5.3% appeals were won; 94.7% appeals were lost (males won 3.2% and lost 75.6%, females won 2.2% and lost 19%).

Of total promotion appeals by females which proceeded to a decision, 10.3% were won. Of total promotion appeals by males which proceeded to a decision, 4.0% were won.

Disciplinary Appeals

Number of disciplinary appeals lodged: 45

- Disciplinary appeals withdrawn: Males 23, Females 9.
- Disciplinary appeals upheld: Males 5, Females 2.
- Disciplinary appeals disallowed: Males 6, Females –.

Disciplinary appeals with alternative outcomes:

- Reduction in severity of punishment: Males 0 Females 0
- Increase in severity of punishment: Males 0 Females 0
- Other: 0

Of total disciplinary appeals lodged:

- 75.6% by males and 24.4% by females.
- 71.1% were withdrawn (71.9% by males and 28.1% by females).
- 15.6% appeals were won; 3.3% appeals were lost.

Of disciplinary appeals which proceeded to decision:

- 53.8% appeals were won, 46.2% appeals were lost.
- Males won 38.5% and lost 46.1%, Females won 15.4% and lost 0%.

Of total disciplinary appeals by females that proceeded to a decision, 100% won.

Of total disciplinary appeals by males that proceeded to a decision, 45.5% won.

More on GREAT

The March 2001 PSA Central Council produced a number of resolutions relating to GREAT.

Ian Jordan of Progressive PSA moved:

- *That the PSA review the materials and support given to members at GREAT;*
- *That the PSA consider support for appeals on selection procedure as well as retaining appeals on merit;*
- *That the PSA raise in negotiations the problem of GREAT panels sometimes consisting of members of only of one sex.*

Jann Jeffries moved:

- *That the issue of appealing against outside appointees be re-opened.*

Shirley Woodland of PPSA asked that the Women's Unit promote awareness of GREAT among women. Women appear to be more realistic about their appeals though are under represented as a whole in the pool of possible appellants.

For more details see the recent Progressive PSA bulletin **Report on the Employer's Briefing of Agencies** available from the Progressive PSA website:

<http://go.to/psabetterdeal/MOUbrief2.html>

or contact a Progressive PSA member for a copy.

The PSA is opposed to GREAT being merged with the Industrial Relations Commission and will oppose the employer's proposal to remove merit appeals have process only appeals. The Progressive PSA has previously stated its objection to the removal of merit appeals but supports an additional *process* jurisdiction for GREAT.

There will be further conferences between the PSA and the Employer on these issues.

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