



# AFPA AFP CA IMPLEMENTATION UPDATE 7

14<sup>th</sup> Aug 2007 – Dispute over alleged overpayments

## AFPA REPRESENTING MEMBERS SUBJECT TO RECOVERY ACTION BY AFP.

The AFPA has been advised by a number of our members that the AFP is seeking recovery action for alleged overpayment of remuneration.

The AFP is alleging that overpayment has occurred in relation to a number of AFP employees assigned to 'Longer-term assignment of duties' at remuneration Band levels above their substantive remuneration Band. The AFP claims that this overpayment has occurred from the date of lodgement of the Collective Agreement 2007-2011 on 5 April 2007. The AFP is initiating recovery action.

The AFPA has advised the AFP on behalf of our members:

- 1. That there is a dispute between the parties in which we wished resolved through the Dispute Avoidance & Settlement Procedure; and**
- 2. that until the Dispute Avoidance & Settlement Procedure is completed that there be a stay on recovery of any alleged overpayment by AFP employees.**

The AFP Manager People Strategies (MPS) has advised the AFPA that the AFP will not agree to a stay on recovery proceedings as she claims that it will result in a further overpayment occurring. MPS has advised that she is obligated to take immediate action to rectify the issue.

As the dispute is about whether there is in fact an alleged overpayment to be recovered or not, the AFPA has formally advised MPS that if she does not reconsider a stay on the recovery process until this dispute is resolved, the AFPA will consider injunctive relief.

The AFPA is currently awaiting a written response from the MPS. If the response is not satisfactory then the AFPA will be formally seeking this matter be referred to National Manager Human Resources in accordance with Step 3 of the Dispute Avoidance & Settlement Procedure.

**If the AFP has initiated recovery action against you and you have not advised the AFPA please immediately contact us on [afpa.industrial@afpa.org.au](mailto:afpa.industrial@afpa.org.au) so we can assist you.**