

5 December 2017

Australian Unity member bulletin

February 2018 marks the two-year anniversary of Home Care staff transferring to Australian Unity.

Staff who transferred to Australian Unity from the public service are covered by the Crown Employees (Home Care Service of New South Wales – Administrative Staff) Award 2012. This is known as “copied State award”.

Operation of “copied State award”

Section 768AO of the Fair Work Amendment (Transfer of Business) Act 2012 states the **default period** of a “copied State award” is five years.

It further states the copied state agreement will cease/terminate if an enterprise agreement is made that covers the employee and the new employer.

This simply means that if a new Enterprise Agreement is not made before or after the employment guarantee period of two years, then the copied state award can exist for a further period of three years.

Entitlement to flex- time

Access to flexible Working Hours is an employment condition/entitlement that is embedded in Clause 11 of the Crown Employees (Home Care Service of New South Wales – Administrative Staff) Award 2012. Please click [HERE](#) for the *PSA/CPSU Fact Sheet on Australian Unity – Flexible Working Hours*.

Denying you access to flex leave or flexi day-off is a breach of the award and members are urged to raise it with the CPSU NSW at aumemberscpsunsw@psa.asn.au.

