

Cerebral Palsy Alliance transition issues: New policies, meals, personal vehicle usage

Since CPSU NSW members have been transferred from ADHC to CPA (Cerebral Palsy Alliance) there have been numerous enquiries in relation to entitlements and the policies within the on boarding pack.

The CPSU NSW have been corresponding with CPA, particularly in relation to on boarding policies.

As highlighted in our last bulletin regarding the CPA surveillance policy, CPA have advised that they currently have no intention of installing additional cameras in the transferred houses. If there are any changes CPA will consult with staff prior to introducing such surveillance. They did advise there are cameras which were already installed in two transferred houses; however they are not monitoring that footage. The CPSU NSW encourages members to be vigilant, if there are any changes to how you are surveilled at work, or you have any concerns please contact the CPSU NSW.

In relation to the immunisation declaration, CPA has advised the intent of the declaration is to encourage staff to speak to their Doctor and become immunised.

If you do wish to get immunised, do remember CPA will reimburse the bulk bill 'gap' if you have to pay for these vaccinations. If you do not wish to get immunised we have been advised it will not affect your ongoing employment.

The CPSU NSW have also raised with CPA some other issues members have raised, particularly those in relation to the meal provisions within the award and travel to the CPA office in work time for meetings.

These issues have been tabled to be discussed when CPA and CPSU NSW meet to establish consultative arrangements, which should be late April 2018.

Until then the CPSU NSW would like to advise staff of their entitlements when it comes to paid meals and travel allowances.

Meals

The CPSU NSW has been advised by members that in meetings since the transition to CPA, there has been a verbal direction provided by CPA that Disability Support Workers will not have their meals provided for when they are unable to leave the premises for their meal break.

Having your meal provided for by the employer is in fact an entitlement under certain circumstances under the copied state award *Crown Employees Ageing Disability and Home Care – NSW Department of Family and community Services (Community Living) Award*:

- 12(vi) "the meals referred to in subclause (ii), (iii) and (v) of this clause shall be allowed to the employee free of charge. Where the employer is unable to provide such meals a meal allowance under the *Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009 shall apply.*"
- 12 (ii) "in any cases where the Department determines that the needs of the clients are such that the employees cannot be permitted to leave the Department's premises during any meal break..."



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12(iii) “where in the course of their employment partakes of a meal or light refreshment other than routine meals, in company with clients are part of the individual lifestyle plan requirements, the cost of the meal or light refreshment shall be borne by the employer upon provision of receipts from the staff member.”

The CPSU NSW has sought from CPA a commitment to abide by the copied state award and await a response.

Personal Vehicle Travel Allowance

It is the CPSU NSW understanding that employees of CPA have, on occasion, been requested to attend meetings at Allambie Heights when they are unable to use the work vehicle.

If members are requested by CPA to attend in work time a meeting at CPA head office, or other worksite, and they unable to use a work vehicle and require the use of your personal vehicle, there is a provision with the copied stated Award; the *Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009. Clause 36, of the copied state Award as follows:*

- 36.1 The Department Head may authorise an employee to use a private motor vehicle for work where:
- 36.1.1 Such use will result in greater efficiency or involve the Department in less expense than if travel were undertaken by other means; or
 - 36.1.2 Where the employee is unable to use other means of transport due to a disability.

36.2 An employee who, with the approval of the Department Head, uses a private motor vehicle for work shall be paid an appropriate rate of allowance specified in Item 6 of Table 1 of Part B Monetary Rates for the use of such private motor vehicle. A deduction from the allowance payable is to be made for travel as described in subclause 36.4 of this clause.

36.5 The employee must have in force, in respect of a motor vehicle used for work, in addition to any policy required to be effected or maintained under the Motor Vehicles (Third Party Insurance) Act 1942, a comprehensive motor vehicle insurance policy to an amount and in a form approved by the Department head.

36.6 Expenses such as tolls etc. shall be refunded to employees where the charge was incurred during approved work related travel.

The CPSU NSW advises members to get prior approval if you plan to use your own vehicle for the purposes of attending work meetings within work time. It should be noted in order to do so, you will need to have comprehensive insurance on your personal vehicle.

However, it is not a condition of employment for you to utilise your own vehicle. As such you do not need to use your personal vehicle if you do not want to.

If members have any questions please do not hesitate to contact the CPSU NSW Member Support Centre on **1300 772 679** or email at DisabilityCPSUNSW@psa.asn.au.

