



COMMUNITY AND PUBLIC
SECTOR UNION

SPSF GROUP NSW BRANCH
ABN 11 681 811 732

In Reply Please Quote JM:CN105237

2 October 2018

Ms Hayley Taylor
Senior Employee Relations Consultant
Australian Unity Limited
Level 6, 88 Phillip Street
SYDNEY NSW 2000

By email: htaylor@australianunity.com.au

Dear Ms Taylor,

Re: Enterprise Bargaining: Feedback from Workshop 1

Continuing on from discussion from Work Shop 1 topics, the Community and Public Sector Union of NSW (CPSU NSW) have sought feedback from members to provide Australian Unity (AU) more than the preliminary feedback that has been provided so far.

The feedback has been as follows:

Span of Ordinary Hours

Our members, both Service Coordinators and Allocators, strongly advise that they do not agree to the extended span of hours. The changes that have been made by AU to clause 5.1.C to alleviate the concern of administrative staff around the span of hours has restricted the hours of Service Coordinators. This does not reflect the intention of what was being communicated by the CPSU NSW and has not been received positively by Administrative staff.

The restriction of Service Coordinators to working 8:30am – 5pm does not provide for any flexibility in their hours which many utilise to manage their home and work life. To retain a span of hours within a flex system similar to their current conditions of 7am – 7pm would be more desirable by defining the span ordinary hours of work for administrative staff separately to that of the care workers.

Contracted Hours

Our members do not agree to an increase in hours from 35 to 37.5 hours per week regardless that AU have stated the increase hours would be paid for. Further, it is not clear if this increase in hours will be included in the offer of the 3% increase in salary.

Additionally, any leave, such as LSL, that is calculated at an hourly rate should be adjusted to reflect that staff would need to take further leave in those instances to cover the day.

Flexi Time

There was a strong response from CPSU NSW members stating they will accept nothing less than flexi time:

- it allows for increased productivity and for employees to manage the ever increasing workloads.
- assists with managing the stress of work and their home life.

There are concerns that this is a condition being taken away for nothing in return.

There is likely to be little gained by AU from taking this condition away rather have negative impacts such as:

- increased use of other leave such a sick leave.
- a huge loss of good will.
- Increased expenditure on overtime.
- Decrease in work output with members not working the unpaid hours they do now. The CPSU have asked members about the hours they have been working and a majority of members who provided a response are working and losing above 20 hours a month. Much of this comes from having access to flex time.

Further to that, the time in lieu provisions whilst addressing some of the issues raised about the lack of flex time in the agreement does not provide the level of flexibility in working the extra hours required to fulfil the role. Note: the rate at to which time in lieu is to accrue has not be included.

Overtime

The CPSU NSW do not agree to the current overtime provisions as stand. We have asked that there is clarity around a definition of what exceptional circumstances are and that any decline of overtime is provided by the manager in writing with the reason as to why.

On Call

There is a level of anxiety amongst Administrative staff about being forced to undertake out of hours' work. The CPSU is concerned about the vagueness of the clause and how it will operate, to the point of not even outlining who the clause is intended to apply to. CPSU NSW members have stated they do not wish to partake in on – call work.

We will look to provide further feedback regarding the rate of the allowance.

There is confusion as to which group of worker some of the clauses apply, there are many that would appear to have the intent of applying only to one work group. This is one of the many complexities with having one agreement covering both administrative staff and care workers. This is going to cause issues throughout this process, which we have discussed, and why the CPSU NSW maintains that the agreements should be separate.

Despite the CPSU NSW position on the scope of the agreement some thought needs to be given to how it is these clauses will not be thought to apply to administrative staff some examples:

- Clause 5.2. relates to rostering and currently has no practical impact for Administrative staff. To make that clear a thought could be to outline that this clause only applies to care workers or shift workers and provide a definition of shift worker.
- 3.1.d & 3.2. again relates to rostering and should not be applicable to Administrative staff and nor would we be agreeing to that. This goes back to making clear what applies to who. (note: this is a completely new addition)
- 8.4. On call – does this apply to care workers?

The CPSU notes that there is references to policies in the draft agreements. Could we please be supplied with these policies?

All members have asked if it could be confirmed that the grand parenting of Allocators be continued.

Overall the feedback has not been positive. Many members have questioned whether Australian Unity understand their staff and the demographic of their employees.

I note that further amendments to the proposed agreement have been provided by AU today. We will of course need further time to respond to those.

Yours faithfully,

A handwritten signature in black ink, appearing to be 'J. Moore', with a stylized, flowing script.

Jessica Moore
For Stewart Little
State Branch Secretary

cc: Nicholas Gold, NGold@australianunity.com.au