

## Australian Unity - Enterprise Bargaining & Scope Order

The scope order continues. The second day of hearing proceeded on 18 March 2019, with the CPSU NSW and legal representatives continuing to fight for a separate Enterprise Agreement. The matter still has not finalised, and with no time on the 18 March 2019 for final submissions, these will be made on 27 March 2019.

In the interim bargaining has continued. There is yet to be discussions on the rate of pay, with Australian Unity insisting these discussions will occur once the terms are settled so it can calculate costs.

What has been discussed since our last update has been:

### Flex time

There have been some changes to the conditions around how you are able to accumulate flex time. These changes originally included having to request to work flex time and there has also been the removal of your ability to go into debit hours.

The CPSU NSW, in feedback to Australian Unity, highlighted the changes were against what had been agreed regarding no substantial changes to existing conditions and were unacceptable to the CPSU NSW and its members. Australian Unity was not willing to allow for staff to go into debit as it goes to the heart of what it is concerned about with flex time – staff working the hours when it is not necessary.

In considering our feedback regarding approval to work the flex time Australian Unity came up with this alternative wording which reads as below:

*Credit hours may accrue where there is productive work available and required on any day in addition to your standard daily hours which you are required to work each day, this is at any time subject to review by your manager to ensure the additional hours worked by you are necessary and WHS is considered.*

The concerns are still not quelled, with CPSU NSW advising that this too raises concerns as it is not clear about:

- » What is the review process?
- » How often does this happen?
- » Flex time is about the work being necessary not the hours.

We ask if you could let the CPSU NSW what your views are on the changes proposed to flex time. The details on how you can do that are below.

### Ordinary hours of work and days of work

For transferred employees there have been no changes to your hours or days of work. You will remain Monday to Friday workers. Those who were not transferred will also have their ordinary hours be weekdays and from 7am to 7pm.

Whilst there will be similarities in the span days of your ordinary hours. Non-transferred and transferred employees will have different weekly contract hours, with transferred staff keeping 35-hour-a-week contract hours and non-transferred staff keeping what their contract hours were prior to the implementation of the proposed enterprise agreement.



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### Redundancy

There has still been no movement from Australian Unity on this matter. It will not honour the voluntary redundancy provisions in the Managing Excess Employees Policy as referred to in the copied State award.

### Consultation

An enterprise agreement under the Fair Work Act 2009 (Cth) requires that there is a provision that relates to consultation and that provision needs to at the bare minimum meet the standards of what is known as the model clause.

The clause that Australian Unity has proposed is the model clause. The CPSU NSW believes we could have better provisions regarding when consultation is required. Making it clearer that the consultation needs to occur before any definite decision is made on the change.

### Union Delegates leave

The CPSU NSW is still waiting on feedback from Australian Unity on the proposal for delegates to have access to paid leave when undertaking union delegate duties, such as preparing for bargaining and assisting members in meetings.

### Performance management

At the request of the CPSU NSW, Australian Unity has included a clause with outlines how misconduct and performance issues would be handled. The CPSU NSW has voiced some concerns on their proposal regarding whether it is clear and the process is correct as performance management and misconduct require two different processes. Australian Unity is considering this feedback.

We would like your feedback on proposal for the changes to the flex time. You can do that by contacting 1300 772 679 and quoting call number **105237** or email

[aumemberscpsunsw@psa.asn.au](mailto:aumemberscpsunsw@psa.asn.au)

It is now more important than ever that you be part of a Courageous, Powerful and Strong Union.

You can contribute to becoming a strong Union today by asking at least one colleague to JOIN the CPSU-NSW by calling **1300 772 679** or JOIN ONLINE at [www.cpsunsw.org.au/join](http://www.cpsunsw.org.au/join)

