CPSU NSW update: Hunter Valley Disability Services Transfer of Business announcement

HVDS wrote to all staff last week advising it will make a detailed announcement this week about its plans to transfer its disability services business to its individual consortium partners (Ability Options, ConnectAbility and Finding Yellow). The pending HVDS announcement will include the opportunity for you to provide feedback and concerns over a period of several weeks.

The CPSU NSW recently reported to members regarding the demerger of the HVDS consortium (refer to our Bulletin dated 2 October 2019 found HERE). We advised that the HVDS Board was at that time considering information relating to the transfer of the HVDS business to its consortium partners.

HVDS recently provided the CPSU NSW with various particulars of the transfer of business and we have provided preliminary feedback to HVDS this week.

When HVDS provides full details of the transfer of business process to all staff this week, the CPSU NSW encourages all members to carefully review the information and provide written feedback to both their employer and union.

We will collate your written feedback in order to raise your concerns with HVDS and we will provide you with further updates as soon as we receive any new information from HVDS.

The HVDS email to all-staff dated 17 October 2019 confirmed that the transfer of business will 'continue to protect the terms and conditions of staff''.

Guarantee of employment conditions

As we have previously advised members, although your employer will change, your pay and conditions will stay the same for up to five years from the date of transfer.

The only way that your pay and conditions will change is if you, the CPSU NSW and your new employer (either Ability Options, ConnectAbility or Finding Yellow) agree.

Should an enterprise agreement be negotiated in the time between 1 December 2019 and the five-year anniversary of transfer from FACS, you will have the opportunity to vote on whether you agree with what is proposed. If you are a union member, the CPSU NSW will work with you and negotiate for you.

HVDS advised the CPSU NSW that its formal announcement to staff this week will provide particulars of the timeframes for the transfer of business process including when it will all be completed.

Work Health Safety Committee and Health and Safety Representatives

One consequence of the transfer of business is that the Health and Safety Committee arrangements and the election of Health and Safety Representatives will need to be renegotiated directly with each of the consortium partners. The CPSU has therefore written directly to each HVDS consortium partner and requested consultation both in relation to future Joint Consultative Committee arrangements and also in relation to Work Health Safety consultation

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arrangements. Each of the new employers have mandatory obligations to consult in accordance with your awards and the NSW work health and safety legislation.

Members are encouraged to consider nominating as Health and Safety Representatives (HSR's) and as CPSU NSW delegates with your future employers - one of the 3 HVDS consortium partners. Relevant information about the process of nominating as a HSR can be found HERE.

If you would like a CPSU NSW representative to attend your team meeting, please contact the Member Support Centre on 1300 772 679 or membersupport@psa.asn.au and quote our reference number CN122927 and provide details of the date and time of your meeting.

For further information, contact Dean Allen, CPSU NSW Industrial Officer, on 1300 772 679 or by email dallen@psa.asn.au.

What can I do in the meantime?

You can support the work of the CPSU NSW by asking your colleagues to JOIN their union.

Having your union and its collective strength behind you in the workplace is the only way to make sure you get fair outcomes.