



**ACT**  
Government

**Canberra Health  
Services**

Health Information Service Shift Employee  
Health Information Service  
Canberra Health Services

To whom this may concern

### **Consultation – Health Information Services Flex Time Entitlements**

In accordance with Section G of the *ACT Public Sector Administration and General Related Classification Enterprise Agreement 2018-21* (**'the Agreement'**) where there are proposals by the ACT Public Service to introduce change that would have a significant effect on an employee or a group of employees within Canberra Health Services (CHS), the head of service will consult with the effected employees and relevant unions.

This letter commences the consultation period in relation to the proposed cessation of access to flex time for shift workers in Health Information Services (HIS).

You are receiving this letter as you have been identified as an employee who will be affected by the proposed change.

### **What is the proposed change?**

HIS is proposing to cease access to flex time for employees in their business unit who are classified as shift workers, as of 13 May 2021.

Flex time is a framework provided to employees to vary their work hours according to needs of the employee and requirements of the work unit. HIS is aware that shift workers in the business unit have been historically accessing flex time, despite no entitlement in the Agreement to do so.

Section B of the Agreement identifies a shift worker and groups of employees not entitled to flex time.

### Who is a shift worker?

*An employee (other than a casual employee) is a shift worker if the employee is:*

- *B6.1.1 rostered; and*
- *B6.1.2 the roster may require the employee to perform ordinary daily hours on a shift where some or all of a shift in the roster falls:*

- B6.1.2 (a) outside the span of hours as set out in subclause B5.7; and/or
- B6.1.2 (b) on Saturdays or Sundays on a regular and ongoing basis.
- B6.1.3 A shift worker may be required, as a part of their regular roster, to work public holidays.

#### Who is flex time not available to?

##### *B7.2 Flex time is not available to:*

- B7.2.1 casual employees;
- B7.2.2 employees above the Senior Officer Grade C level (or equivalent classification, including Legal Officer 1);
- B7.2.3 shift workers whose hours of work are provided for in clause B6-;
- B7.2.4 those employees who are entitled to accrued days off in accordance with subclause B8 -; and
- B7.2.5 part-time employees, except where agreed and expressed in their part-time work agreement in accordance with subclause E2.5 or E4.5.

##### *B7.3*

#### **How does this affect me?**

CHS acknowledges that affected employees have accrued flex time in good faith. It is therefore intended that as of 13 May 2021 affected employees with a positive flex balance will have their flex converted to 'time off in lieu' and will be provided with the four week period, after 13 May 2021, to utilise their accrued time off.

Employees with a negative flex balance will be required to make up the negative hours within the four-week period following 13 May 2021 or can choose to reconcile their negative balance utilising their available relevant leave credits.

As a shift worker, your entitlements in relation to additional hours worked are outlined in the Agreement and summarised as follows:

#### Full-time shift work employee

If you are a full-time shift work employee and you have *pre-approval* from your manager/supervisor to work additional hours, in accordance with clause C8 of the Agreement, you will be eligible for:

1. Payment of overtime; or
2. Where agreed between the manager/supervisor and the employee, the employee will be granted Time Off In Lieu (TOIL).

#### Part-time shift work employee

If you are a part-time employee and you have *pre-approval* from your manager/supervisor to work additional hours, in accordance with clause T8 of the Agreement, you will be paid the rate of 120% of your ordinary hours. Upon working the equivalent of full-time hours (73.5 or 76:00 per fortnight) you would be eligible for an overtime payment in accordance with clause C9 of the Agreement.

## Next steps

I invite you to provide direct any feedback or questions, as part of this consultation process to Melissa Warylo, Scanning Manager, on 512 43663 or at [Melissa.warylo@act.gov.au](mailto:Melissa.warylo@act.gov.au) no later than 6 May 2021.

A meeting has also been scheduled with the affected employees on 21 April 2021 to discuss the proposed change and answer any questions.

I look forward to your response and contribution to this consultation process.

Yours sincerely



Jennifer Elliott  
Senior Director Health Information Services  
Finance and Business Intelligence

12 April 2021

CC: Daniel Ingram, Assistant Director, Employee Services  
Sally Green, HR Business Partner

Encl: A – Section B of the Agreement.  
B – Section C of the Agreement  
C – Section T of the Agreement

