



**ACT**  
Government

**Canberra Health  
Services**

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Dear Mr Yap

### **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).

### **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. HIS has identified 17 employees who are affected by this proposal.

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*

CHS acknowledges that affected employees in HIS have accrued flex time in good faith, however this practice remains inconsistent with their entitlements outlined in the Agreement.

To ensure compliance with the Agreement and consistency in application across the organisation, it is intended that as of 13 May 2021 affected employees in HIS with a positive flex time balance will have their flex converted to 'time off in lieu' and be required to utilise this time off within the following four- week period.

Affected employees with a negative flex time balance will be required to make up the negative hours within the four- week period following 13 May 2021 or otherwise choose to reconcile this balance utilising their available and relevant leave entitlements.

**Next steps**

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

I invite you to provide any feedback or questions about the proposed changes, 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.

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