

### HSU Log of Claims and HealthCare responses – as of March 2024

**Green:** HealthCare currently say Yes.

**Yellow:** HealthCare currently say Maybe / Progressing toward agreement.

**Red:** HealthCare currently say No.

HSU Claims	Elaboration of claim (if applicable)	HealthCare's response – as of 27 November 2023	HSU committee/membership's position as of as of 4 December 2023
8% <b>annual increases</b> to wages & allowances for each year of the EA.	Including the first annual increases to be backdated to FFPP after 1 September 2023.	HealthCare's initial proposal: <b>2.5% per annum.</b>	<i>The HSU cannot endorse any proposal that constitutes a cut to real wages. Members unequivocally reject 2.5% p.a.</i>  Counter-claim forthcoming, based on further membership input.
Duration of EA: <b>3 years.</b>		HealthCare propose a <b>four-year</b> agreement.	Seeking the membership's views about HealthCare's four-year proposal.
Annual increases to be <b>backdated</b> on schedule with EA.	Last increase to rates of pay in EA was 01/07/2023, so next presumed increase is to be 01/07/2024.	HealthCare supports this if backdating is required.	

<p><b>Pandemic (paid) leave AKA covid-19 leave.</b></p>	<p>An additional 10 days paid per year of leave for pandemic purposes. This claim is amplified by the fact that a number of HealtheCare employees had been instructed to use their persona/sick leave during the pandemic.</p>	<p>HealtheCare says <b>No.</b></p>	<p>HSU members claim that the provisions of HealtheCare's policy on this matter should be incorporated into this EA.</p>
<p><b>Domestic violence (paid) leave:</b> increase to 20 days paid per year.</p>	<p>All employers are legislatively required to provide for 10 days paid, so the HSU's claim is effectively for an additional 10 days paid (total 20).</p>	<p>HealtheCare is proposing 10 days paid, as required by current legislation; as well as an <b>additional 5 days paid</b>. However, eligibility conditions and processes are TBD.</p>	<p>Membership is considering whether counter-claim is necessary. Dependent upon the draft language of this clause.</p>
<p><b>Increase to annual leave entitlements</b></p>	<p>Increase the entitlement uniformly by 1 week for all eligible employees.</p>	<p>HealtheCare says <b>No.</b> (However, changes to shiftworker entitlements are expected.)</p>	<p>Counter-claim forthcoming. Members maintain that the anticipated changes to shiftworker entitlements must strictly improve employees' conditions; <i>no employee is to be disadvantaged relative to the current EA.</i></p>
<p><b>Infectious cleaning allowance</b></p>	<p>\$2.00 per day.</p>	<p>HealtheCare says <b>No.</b></p>	<p>Members assessing importance of this claim. Seeking elaboration from HealtheCare as to why this allowance cannot be provided for.</p>
<p><b>Increase to nauseous handling allowance</b></p>	<p>Increase from currently \$0.34 per hour to the equivalent of \$3.00 per day.</p>	<p>HealtheCare says this is <b>under review.</b></p>	<p>Members await outcomes from HealtheCare's review of this claim.</p>

<p><b>Increase to uniform laundry allowance</b></p>	<p>Increase from \$0.50 to \$1.50, for parity with clinical staff.</p>	<p>HealthCare is <b>still considering</b> this claim. Response forthcoming.</p>	<p>Awaiting HealthCare's response.</p>
<p><b>10-hour minimum breaks between shifts.</b></p>	<p>Comparable to provision in the Health Professionals and Support Services Award 2023.</p>	<p><b>Agreed.</b></p>	
<p><b>Equivalent of 4 hours' pay minimum</b> for any casual engagement.</p>		<p>HealthCare says <b>No</b>, because there are currently employees who work less than 3-hour shifts.</p>	
<p><b>Paid parental leave:</b> improvements to eligibility language and to the paid entitlement.</p>	<p>Increase the paid parental leave entitlement from 10 weeks to 20 weeks, and make the entitlement more accessible for parent regardless of gender, and regardless of partner status.</p>	<p>Awaiting response regarding updated claim.</p>	<p><i>Members propose an initial sub-claim of 20 weeks paid</i>, with the entitlement no longer to distinguish between maternal carer and partner.</p> <p>Seeking agreement with HealthCare about next steps on redrafting.</p>
<p><b>Cashing-out of sick leave</b></p>	<p>Introduce a new entitlement for longer term employees to elect to cash out their remaining sick leave balance upon leaving their place of employment.</p>	<p>HealthCare says <b>No</b>.</p>	<p>Members propose an update to the claim: eligibility from 5 years' service, to cash-out up to 6 weeks' accrual.</p>

<p><b>Ceremonial (paid) leave</b></p>	<p>Introduction of new entitlement: for employees required by ATSI traditions to be able to take paid leave (comparable to e.g. bereavement leave) for ceremonial purposes, including but not limited to Sad News and Sorry Business.</p>	<p><b>Under consideration.</b></p>	<p>HSU proposes a draft of this provision in the appendix below, including an entitlement of <b>10 days paid</b> per year, without prejudicing other leave entitlements.</p>
<p><b>Public holiday substitution*</b></p>	<p>(See appendix below for HSU's proposed draft clause.)</p>	<p>HealthCare currently says <b>No</b> because payroll system makes this impossible to implement.</p>	<p>Members propose this solution: simply being able to elect one additional Cultural Inclusion Day.</p>
<p><b>Amenities for a safer work environment</b></p>	<p>(See appendix below for HSU's proposed draft clause.)</p>	<p>Healthcare proposes <b>different proposal</b> to HSU's: HealthCare suggests adding the caveat, "reasonable efforts will be made to ensure [etc.]".</p>	<p>Members are asking why HealthCare's proposed caveat is necessary: is HealthCare suggesting that we would want <i>unreasonable</i> efforts to be made?</p>
<p><b>Support for career progression</b></p>	<p>Classification review: changes to the classification set that are either necessary (such as the introduction of a Stores/Warehouse-specific classification set), or beneficial and simple (such as clarification of "and/or" language in the Allied Health Assistant descriptions).</p> <p>Also, on Admin 2: it shouldn't take five years.</p>	<p><b>Under consideration</b> – HealthCare are to propose simple adjustments, forthcoming.</p>	<p>HSU wants next steps regarding Stores classification review to be agreed on first, and inquires into aforementioned clarifications of Allied Health Assistant descriptions.</p>
<p><b>Union membership leave addition</b></p>	<p>Same eligibility criteria as in current EA, but increasing the entitlement from 4 days to 5 days.</p>	<p><b>Agreed.</b></p>	

<p><b>Improvements to redundancy entitlements</b></p>	<p>30 weeks' redundancy payout for 10 or more years' service. (And 27.5 weeks for 9 years', etc.)</p> <p>Any redundant employee is to be paid out within one pay period after their employment ends.</p>	<p>HealthCare says <b>No</b> to adding a new '30 weeks pay for 10 years service', because it would be "out of step" with other HealthCare EAs.</p> <p>However, HealthCare <b>agrees</b> to add a provision that any redundant employee is to be paid out within a fortnight of their employment ending.</p>	<p>HSU members are adamant about this claim. Seeking HealthCare's reasoning why No.</p> <p>HSU seeks next step as to incorporating the latter requirement into the EA.</p>
<p><b>Draft EA is to strictly benefit all employees covered.</b></p>	<p>In other words, no part of the proposed EA is to be a detriment to any employee relative to the current EA. (See, for example, the current draft's language on casual conversion and on leave application processes.)</p>	<p>HealthCare's working draft is not consistent with this claim.</p>	<p>HSU is seeking to rectify the issues in HealthCare's working draft. HSU to provide annotations on the issues identified so far.</p>

## APPENDIX

### Ceremonial Leave [HSU draft clause]

All employees are entitled to 10 days of paid leave per year for cultural and ceremonial duties. Such duties may include, but are not limited to: First Nations cultural and ceremonial obligations; participation in National cultural celebrations, sacred site or land ceremonies; Sorry Business or Sad News.

Employees are eligible for their full entitlement from their commencement date. The entitlement need not be taken in one continuous period per year.

### A Fairer, Safer Work Environment [HSU draft clause]

The employer is to provide the following amenities at each facility, where practicable, such that each is accessible by all employees.

A suitable change room, adequate washing and toilet facilities; and

A locker fitted with lock and key, or other suitable place, for the safe keeping of clothing and personal items; and

Kitchen amenities including tea, coffee, milk and sugar.

### Public Holiday Substitution [HSU draft clause]

- 1. Health Care and the Employee may agree to substitute another day for a day that would otherwise be a public holiday. The Employee will be paid for the substitute day as if it were the public holiday.*
- 2. Health Care recognises that the public holidays as outlined, may not be observed culturally by all Employees or be suitable for all Employee family commitments. As such, where an Employee would usually be entitled to a day (or part day) off work in line with this clause, the Employee may request to work the public holiday and substitute that day for another day. The Employee will be paid for the substitute day as if it were the public holiday.*
- 3. Employees whose regularly rostered hours do not fall on Monday to Friday, will accumulate an additional day of leave.*

*without prejudice*

1. *'Regularly rostered' for the purposes of this clause means the Employee has worked a minimum of 36 weeks out of the last 12 months.*
4. *An Employee shall provide not less than four (4) weeks' notice of a request for a Substitute Day (either four (4) weeks of the public holiday or the day, which is to be substitute, whichever is the sooner), in line with the rostering requirements as outlined in Clause?*
5. *Approval for requests for a Substitute Day are at the discretion of Health Care and in line with operational requirements.*
6. *Requests for Substitute Days will be considered on a case-by-case basis and will not be unreasonably refused.*