

HEALTH SERVICES UNION BRANCH COUNCIL MEETING HELD AT WESLEY CONFERENCE CENTRE, 220 PITT STREET, SYDNEY, ON MONDAY 25TH AUGUST 2014 AT 2.52 P.M.

DISCLAIMER:

Moved C Charles/S Fraser that the identical matters included in the Branch Council meeting of the HSU NSW/ACT agenda dated 25th August 2014 that have been dealt with previously by way of resolution or information purposes at the immediately preceding HSU NSW/ACT Council meeting, may not require further discussion after being moved, seconded and voted upon. Consistent with this, Branch meeting times run shorter than would be reflected in the Agenda.

Motion put and carried.

ATTENDANCE: L Snow, S Haynes, P Mitchell, P Iffland, S Fraser, S Davis, S O'Riley, G Reilly, J Catlin, J Chester, J Holgate, A Wilcock, S Joseph, C Charles, D Turley, G Partridge, D Neumann, L Twyford, L Burns, A Lillicrap, G Hayes and M Sterrey.

CHAIRPERSON: M Sterrey (President).

APOLOGIES: W Lloyd, R Henderson, M Pike, L Martin, L Bush and P Reid.

Moved L Burns/S Haynes that the apologies be accepted.

Motion put and carried.

OBSERVERS: I Knight, A McDonald, A Lewis, S Champness, Dr Senthil, A Dowsley, B Cornwell and M Milosevic.

Moved J Holgate/A Wilcock that the observers as listed above be admitted to the meeting.

Motion put and carried.

PROXY: L Bush
Secretary carried proxy for Councillor L Bush.

DECLARATION: I Knight – Item 3, Life Membership.

MINUTES: Moved P Mitchell/S Joseph that the Branch Council minutes of 19th May 2014 be received and adopted.

Motion put and carried.

SECRETARY'S REPORTS:**2014 HSU Election**

I can advise that the Queensland election has been finalised and as the Acting Secretary of the Queensland Branch my duties are now complete. The Queensland Branch has a struggle to grow however; NSW Union will assist through the embryonic stages of that Branch. In terms of the NSW elections the ballot will open on 9th September and close on 10th October 2014. At this point in time there is only one full team

Anti-privatisation Campaign

The Union has now held 2 thank you day picnics that have been designed to recognise HSU members' contribution to the health sector and to build confidence and activism to progress the campaign as it goes forward. The next thank you day picnic will be held at Liverpool on 31st August 2014.

Royal Commission

I can advise that the last 4 weeks has been fully engaged with the Royal Commission, the anti-privatisation campaign and administration with respect to the election. The Royal Commission has sourced a range of documents in connection with enquiries regarding related entities internal processes pre and post-merger. They have also requested information on other organisations involved in HSU elections. All these details has been supplied all be at that some information requested dates back 7 years has been given a timeframe of one and half working days to produce said documents.

2.5% Wage Increase

Members would aware that the Union won the 2.5% increase in the NSW Industrial Relations Commission. This was appealed and the Union won the appeal. The Government then appealed the matter to the Supreme Court which in turn supported the Government's position. Your Union now intends to appeal that decision to the High Court of Australia. It is an outrage that the wage fixing principles only allow 2.5% increases an now further insult by the employer superannuation contribution component is now absorbed into the 2.5%.

EBA

Discussions are continuing with respect to the Staff Enterprise Bargaining Agreement. At this point in time agreement has been reached to make the Agreement retrospective to the 1st July 2014 however, it is not envisaged that the full agreement will be completely negotiated prior to November.

Conference Rule Change

Throughout my meetings with members across the State there is a clear interest in re-engaging the Annual Conference of the Union. Members see this as a forum to discuss concerns and to meet and learn from other members with respect to industrial matters. Therefore it is with this in mind that a Rule Change has been developed that will be bought to the next meeting of Council for consideration.

Visits

In terms of membership visits I can advise that the Secretary has been visiting around the State 3 to 4 times and each smaller centre has at least had one visit. I can also advise that the Assistant Secretary/Treasurer's tour showing members the financial records of the Union has been conducted and has been well received.

RESOLUTION

Moved P Iffland/L Burns that the Secretary's report be received and noted.

Motion put and carried.

ASSISTANT SECRETARY/TREASURER'S REPORT

- During the Finance road shows, members seemed to be engaged and they tendered to ask questions which was encouraging. They were interested in hearing about the turnaround of finances and the strategy that the Union now has. The Assistant Secretary offered to visit workplaces where Councillors are located to discuss the finances with members.
- Insurance claims – we have made a few insurance claims in recent times in regards to coronial enquiries. The Union has been looking after members who have been required to answer questions to the Coroner. The Royal Commission legal costs are mounting up and we are making a claim against the Association Insurance Policy. There is some dispute about the claim at the moment and we are still battling with the insurance company to get the claim through. The lawyers are now involved in helping us press our claim.
- Property at Level 3, 370 Pitt Street has now been settled. It fell through a few times over the course of the last ten months and we managed to get it back on track. One of the parties that fell away at the very beginning has since come back to purchase the property. All the proceeds from the sale of Level 3, 370 Pitt Street will go towards paying off debt which will further reduce the HSU's debt to \$6.4m. With other debt management actions, the Union will save \$680,000 per annum on interest repayments.
- The Union has also sold the Newcastle property for \$500,000, again the proceeds of that will go towards paying off debt.
- Furniture from the Newcastle office that was left behind, is now being stored in Wollongong office. The office is now getting a lot of use from the Organisers living and working in the region.

RESOLUTION

Moved G Partridge/P Iffland that the Assistant Secretary/Treasurer's report be received and adopted.

Motion put and carried.

FINANCE REPORT:

As per attached.

RESOLUTION

Moved S Joseph/G Reilly that the finance report be received and adopted.

Motion put and carried.

AGENDA ITEM 1 – REVISED AUDITED FINANCIAL STATEMENTS 2012/2013.

As per attached. The 2012/2013 Audited Report has had to be revised following a request from the Fair Work Commission to clarify a difference between the opening balances for the HSU NSW Branch 2012-2013 Financial Report and the Deed Poll entered into following the demerger process of the HSU East. The FWC has requested that the Financial Report be adjusted to reflect the Deed Poll opening balances.

RESOLUTION

Moved J Chester/S Joseph: That the HSU New South Wales Branch Council receives and adopts the amended financial report for the period ended 30th June 2013 and that the Assistant Secretary-Treasurer, Andrew Lillicrap be authorised as the Designated Officer to sign the Committee of Management Statement and the Operating Report. Further, that the amended financial report be made available to members of the HSU New South Wales Branch in accordance with the rules, by being placed on the HSU website.

RESOLUTION - 2

Committee of Management Statement

On the 25th August 2014 the Union Council, of Health Services Union NSW Branch passed the following resolution in relation to the general purpose financial report (GPRF) for the period ended 30 June 2013:

Moved J Chester/S Joseph the Committee of Management declares that in its opinion:

- (a) the financial statements and notes comply with the Australian Accounting Standards;
- (b) the financial statements and notes comply with the reporting guidelines of the General Manager;
- (c) the financial statements and notes give a true and fair view of the financial performance, financial position and cash flows of the reporting unit for the financial period to which they relate;
- (d) there are reasonable grounds to believe that the reporting unit will be able to pay its debts as and when they become due and payable; and
- (e) during the financial year to which the GPFR relates and since the end of that year:
 - (i) meetings of the committee of management were held in accordance with the rules of the organisation including the rules of a branch concerned; and
 - (ii) the financial affairs of the reporting unit have been managed in accordance with the rules of the organisation including the rules of a branch concerned; and
 - (iii) the financial records of the reporting unit have been kept and maintained in accordance with the RO Act; and
 - (iv) where the organisation consists of two or more reporting units, the financial records of the reporting unit have been kept , as far as practicable, in a consistent manner with each of the other reporting units of the organisation; and

- (v) where information has been sought in any request by a member of the reporting unit or General Manager duly made under section 272 of the RO Act has been provided to the member or General Manager; and
- (f) in relation to the recovery of wages activity:
 - (i) the financial report on the recovery of wages activity has been fairly and accurately prepared in accordance with the requirements of the reporting guidelines of the General Manager; and
 - (ii) the committee of management instructed the auditor to include in the scope of the audit required under subsection 257(1) of the RO Act all recovery of wages activity by the reporting unit from which revenues had been derived for the financial year in respect of such activity; and
 - (iii) no fees or reimbursements of expenses in relation to recovery of wages activity or donations or other contributions were deducted from monies recovered from employers on behalf of workers other than reported in the financial report on recovery of wages activity and the notes to the financial statements; and
 - (iv) that prior to engaging in any recovery of wages activity, the organisation has disclosed to members by way of written policy all fees to be charged or reimbursement of expenses required for recovery of wages activity, and any likely request for donations or other contributions in acting for a worker in recovery of wages activity; and
 - (v) no fees or reimbursements of expenses in relation to recovery of wages activity or donations or other contributions were deducted from monies recovered from employers on behalf of workers until distributions of recovered money were made to the workers.

Motion put and carried.

AGENDA ITEM 2 – DRAFT AUDITED FINANCIAL STATEMENTS 2013/2014

As per attached.

RESOLUTION - 1

Moved G Partridge/A Wilcock that the HSU New South Wales Branch Council receives the Auditor's report for the period ended 30th June 2014 and that the Assistant Secretary-Treasurer, Andrew Lillicrap be authorised as the Designated Officer to sign the Committee of Management Statement and the Operating Report. Further, that the Financial Statements be made available to members of the HSU New South Wales Branch in accordance with the rules, by being placed on the HSU website.

Motion put and carried.

RESOLUTION - 2

Moved S Fraser/D Neumann the HSU New South Wales Branch Council declares that in its opinion:

- (a) the financial statements and notes comply with the Australian Accounting Standards;
- (b) the financial statements and notes comply with the reporting guidelines of the General Manager;

- (c) the financial statements and notes give a true and fair view of the financial performance, financial position and cash flows of the reporting unit for the financial year to which they relate;
- (d) there are reasonable grounds to believe that the reporting unit will be able to pay its debts as and when they become due and payable; and
- (e) during the financial year to which the GPFR relates and since the end of that year:
 - (i) meetings of the committee of management were held in accordance with the rules of the organisation including the rules of a branch concerned; and
 - (ii) the financial affairs of the reporting unit have been managed in accordance with the rules of the organisation including the rules of a branch concerned; and
 - (iii) the financial records of the reporting unit have been kept and maintained in accordance with the RO Act; and
 - (iv) where the organisation consists of two or more reporting units, the financial records of the reporting unit have been kept, as far as practicable, in a consistent manner with each of the other reporting units of the organisation; and
 - (v) where information has been sought in any request by a member of the reporting unit or General Manager duly made under section 272 of the RO Act has been provided to the member or General Manager; and
 - (vi) where any order for inspection of financial records has been made by the Fair Work Commission under section 273 of the RO Act, there has been compliance.
- (f) No revenue has been derived from undertaking recovery of wages activity during the reporting period.

Motion put and carried.

AGENDA ITEM 3 –LIFE MEMBERS

Life membership of the Union is an honour that is bestowed upon members who have given service to the Organisation and fellow members over a long period of time. These members contribute consistently to the outcomes achieved by the Union and assist greatly in enhancing and protecting members' conditions of employment.

On a day to day basis and in a period that spans many years these members consistently support the vision of the Union and actively engage management in a range of different levels because of their belief in a collective and organised workforce.

The Union not only acknowledges the efforts of these members' but also sincerely appreciates their contribution to the ongoing struggle that faces HSU members.

RESOLUTION

Moved D Turley/P Iffland the Union Council proudly acknowledges and thanks the following members:

Patricia Baskerville, Janice Brown, Denis Banjery, Yula Boulton, Dixie Campton, Denys Cato, Lyne Franklin, Rodney Goodlock, John Hodges, Valeri Iglewski (posthumously), Shane Johnston, Wayne Rawson, Edna Schaeffer and Mario Schneider, and in doing so bestows life membership upon these members.

Motion put and carried.

GENERAL BUSINESS

There being no general business the meeting closed at 3.04 p.m.

Chairperson