

HSU NSW/ACT COUNCIL MEETING HELD AT THE WESLEY CONFERENCE CENTRE, 220 PITT STREET, SYDNEY ON FRIDAY 5TH DECEMBER 2014 AT 11.09 A.M.

ATTENDANCE: J Chester, R Henderson, S Fraser, P Mitchell, J Holgate, S Austen, L Twyford, P Iffland, D Neumann, S Joseph, R Pike, L Bush, S Davis, S O'Riley, L Snow, G Reilly, S Haynes, G Partridge, D Turley, G Hayes, A Lillicrap & M Sterrey.

CHAIRPERSON: M Sterrey (President).

APOLOGIES: J Peacock, C Charles, L Burns, J Catlin, S Dufty & J Chester.

Moved D Neumann/S Joseph that the apologies be accepted.

Motion put and carried.

OBSERVERS: A McDonald, A Lewis, D Perry, S Champness, D Campbell, Dr Senthil, B Cornwell, B Chapman, J Puvanarajah, N Hobbs and P Kessey.

Moved G Partridge/S Haynes that the observers as listed above be admitted to the meeting.

Motion put and carried.

DECLARATION: Nil

MINUTES: Moved S Joseph/P Mitchell that the Union Council teleconference minutes of 3rd September 2014 be received and adopted.

Motion put and carried.

Moved J Holgate/G Partridge that the Union Council minutes of 28th October 2014 be received and adopted.

Motion put and carried.

SECRETARY'S REPORTS:

I am very pleased to say that at this point in time that several of the commitments that we made throughout the election process have already been realised. The total financial members now stand at 31,230 and we are on track now in a position to reach 32,000 members. This has come at the back of public health campaigning and activity within Aged Care.

The Aged Care Sector has now increased to 4,434. In the next magazine there will be a combined Aged Care and Private Health chart. The Aged Care and Private Health Division that has been led by David's team have achieved impressive outcomes. The growth that has been achieved by way of the fair share for quality care campaign will continue in 2015.

We are adjusting our strategies in regards to Ambulance. We now have Stuart Hatter and Stuart Miller working in Ambulance division. Stuart Hatter is interested in getting outcomes through organising around issues and Stuart Miller has a focus on litigation. On Thursday for the first time a group of delegates and staff went out knocking on doors in Western Sydney in an effort to engage EMPSA members in and potential members. This activity will continue into the future

Last week we launched a media campaign on Ambulance response times. It's already been identified by the media that response time are blowing out due to a lack of staff and delays due to trolley block within the hospitals. The Ambulance Committee is working hard to promote interest in the issue and have every form of the media also is picking up the story. We are going to launch Christmas cards addressed to the Minister with the following message "All we want for Christmas is to be able to save lives." It's not only for Ambulance but for Public Health as well.

Tim Thorburn is the Acting Divisional Manager of Private Health. Since he has commenced the numbers in Private Health have started to improve. Tim and Karen have been working particularly hard to get the Adventist Hospital EBA and others moving.

With regards to "We All Matter" campaign we have been right across the State holding events in large and small hospitals. Daniel Mookhey is coming this afternoon to give us the next phase of the campaign converting anger and belief into action.

We have conducted a recruitment exercise to address 3 long term acting positions. Emma Williams has been working with the Health Professionals; James Fox has been acting as an Acting Assistant Industrial officer and Fran Johnston has been bargaining in Aged Care for some time. All the three positions were advertised externally for market testing and I can advise that all three people were successful candidates.

We have had staff changes recently, I am very pleased and proud to say that Saoirse is leaving us and she is going to Unions NSW as Director of Communications.

In relation to staff conditions, sick leave harmonisation from 15 to 10 days has progressed and harmonisation of salaries from the old scale to the current scale is progressing and expected to be finalised by the end of the year.

We are working through the electoral funding issue. The State Government is attempting to tie us down as much as possible so we can't communicate with our members. Further legal advice is being sought is being sort on this matter.

Unions NSW has asked for our support for a collective Union approach to the upcoming state election. We will also be running our own campaign in relation to the state election.

A meeting was held with the Minister for Health where the Union raised several areas of concern. Issues were raised with respect to Public Health Privatisation, Ambulance staffing and registration, wage fixing principles and Health professional attraction and retention. The minister is of the view that the staffing within health and ambulance has never been better and that there has not been any cuts to health funding.

The meeting broke down and was reasonably hostile due to the lack of recognition of issues raised

I can advise that our international standing has improved. I have recently been contacted by the SEIU (Service Employees International Union), an American Union with over 2 million members. The SEIU were interested in knowing how we were progressing and advised that they were impressed with what they hearing about our activities on rebuilding the organisation in international circles.

We have some concerns about not only in NSW, but the rest of the country and also the Pacific Rim. I recently visited Fiji, only to find out that people are being paid \$4.50 an hour. We can do something about this, instead of just going for holidays we can actually make some changes.

We continue to engage the Royal Commission. We have recently received a response back from Mr Stoljar in relation to submissions made by myself and it was hardly unexpected in ongoing criticism. We expect an interim finalisation to the report by the end of December and then Commission will proceed for another 12months.

The realignment has started and while there is some disappointment amongst the membership the organisers and members are adjusting and progressing with issues that are of concern to the membership.

We will hold HSU conference next year and as such Andrew and I went out to Rooty Hill RSL Club to view the facilities. The Conference should be a member's Conference where members can discuss matters, develop skills, and receive information that will assist in the growth activism and development of their workplace. The conference should give members from ambulance, health professionals, aged care, private or public health and youth the environment to engage in their particular interests as well the overarching interests of the Union.

45 members passed away last year, and we have been able to help 45 families.

RESOLUTION

Moved S O'Riley/P Mitchell that the Secretary's report including growth, Aged Care, Private, Organising, MSD and Industrial reports' be received and noted.

Motion put and carried.

ASSISTANT SECRETARY/TREASURER'S REPORT

- You may recall last meeting I reported on the insurance claim for the legal expenses incurred in the Royal Commission. We are claiming against the Association Insurance – Runoff policy to try and get back as much as we can. I reported last time that we were battling with the insurance company. I am pleased to say that we have had a breakthrough and they have now accepted the claim and now have accepted the liability and indemnity. We are now working out which of the two policies the money comes out of – the ongoing policy or the runoff policy. At this stage it looks like the claim is worth \$350-400,000 - a quite a substantial sum. I might have mentioned last

time it appeared that Michael Williamson had dipped into this fund to make a claim, but it seems that the legal expenses that he incurred were actually taken out of another part of policy which has left the bulk of the of the old policy fund left for us to use.

- Tender processes are coming up over the next few months for a number of contracts HSU has with suppliers, including internet services, IT infrastructure and auditing. We do these every three years however, there may also be some opportunities there to gain better prices and save some money.
- Can I also take this opportunity to say that it is Angela McDonald's last meeting for Council before she goes on maternity leave next week. Janaki Puvanarajah will take over the role of Chief Financial Officer. I would like to advise that Angela has planned and analysed for the next 8 to 9 months for us in great detail. She spent a lot of time planning and mapping to get everything ready. We could not have asked for a better transition. Her professionalism and work ethic and integrity are beyond question and we wish her well.

RESOLUTION

Moved L Bush/A Wilcock that the Assistant Secretary/Treasurer's report be received and adopted.

Motion put and carried.

FINANCE REPORT:

As per attached.

RESOLUTION

Moved S Austen/L Burns the finance reports be received and adopted.

Motion put and carried.

INDUSTRIAL DEPARTMENT REPORT – AYSHE LEWIS

As per attached.

MEMBER SERVICE DIVISION REPORT – J COWDREY

As per attached.

AGED CARE DIVISION REPORT – D PERRY

As per attached.

PUBLIC DIVISION REPORT – A HALL – DEPUTY MANAGER

As per attached.

PUBLIC DIVISION REPORTS – P KESSEY & A HALL DEPUTY MANAGERS

As per attached.

RESOLUTION

Moved R Dunn/S O’Riley that the Industrial reports be received and adopted.

Motion put and carried.

The Council adjourned for lunch at 1.05pm.

Council resumed after lunch at 1.43pm.

AGENDA ITEM 1 – HSU PROPERTY AT LEVEL 3, 109 PITT STREET

HSU has recently become aware that the tenant on Level 3, 109 Pitt Street is intending to move out of the property upon expiry of the lease in January 2016 or possibly sooner. This property is leased as a whole floor. Advice suggests that larger properties, such as this, are harder to lease or sell as one property. Level 3, 109 Pitt Street was vacant for 18 months prior to leasing it to the current tenant (Indian Consulate).

HSU has also been advised that incentives to take up a lease are currently running at about 25%-30% ie a rent free period each year of the lease. So while a lease may be negotiated at a headline rate, it also includes a rent free period.

The property is currently subdivided into a number of suites, however it is currently fitted out and leased as one property of 905 metres.

The rental income on this property is \$345,000 per year for the HSU. This represents a substantial source of income for the HSU and it is important to minimise any vacancy of the property.

An early estimate of the cost of refitting the property into smaller suites is approximately \$250,000. The alternative of leasing it out as one property would still require expenditure to make repairs as a result of previous tenants. Building make good provisions for this property are currently \$97,000 for this property. While no quotes have been obtained at this stage, it is estimated the HSU would have to spend at least this amount to present the property properly for a future tenant.

The proposal is therefore to refit Level 3, 109 Pitt Street into smaller suites and lease them when available.

The steps involved would likely take about 12 months and include:

- a) Designing and drafting plans;
- b) Gaining planning approvals from the local Council where necessary;
- c) Tendering out for the building and refitting work and
- d) Marketing the suites and gaining a tenant.

HSU has successfully paid down debt from \$17.2m to \$6.4m and is saving approximately \$680,000 a year in interest repayments. It has successfully rebalanced its books to ensure the Organisation is not in any financial danger, as was two to three years ago. There is no pressing need to sell the property, barring some extraordinary offer.

RESOLUTION

Moved G Partridge/S Haynes that the property at Level 3, 109 Pitt Street be refitted into individual suites, to be leased when available. That the Assistant Secretary be authorised to engage an architect and designer to provide design and architectural plans to be submitted to local Council for approval. HSU policies and procedures for tendering out work as required, will be followed and brought back to Audit & Finance Committee, Union Committee or Union Council as appropriate.

AMENDED RESOLUTION

Moved R Henderson/J Holgate that the property at Level 3, 109 Pitt Street be refitted into individual suites, to be leased when available. That the Assistant Secretary be authorised to engage a project manager to assist with a designer to provide design and architectural plans to be submitted to local Council for approval. HSU policies and procedures for tendering out work as required, will be followed and brought back to Audit & Finance Committee, Union Committee or Union Council as appropriate.

Motion as amended put and carried.

AGENDA ITEM 2 – HSU NSW RULE CHANGE CLAUSE 18

Councillors would be aware that on at least two occasions the Union has nearly been forced to cancel Council meetings due to a lack of quorum. Rule 18g currently prescribes that quorum of 18 Councillors is required to conduct the Council meeting. Given that this is a relatively high number of Councillors and that the potential costs involved from not holding a meeting due to a lack of quorum it is proposed that a quorum of 15 be inserted into Rule 18g. This number is in line with Rule 18e which prescribes that 15 Councillors may call a special meeting. It is noted that Rule 42g of the Health Services Union Rules currently mirrors Rule 18g HSU NSW Rules and as such Rule 42g should also be amended to reduce the number of NSW Branch Councillors needed to form a quorum to 16.

RESOLUTION

Moved D Turley/L Twyford that Council notes the potential difficulties of having a quorum of 18 Councillors and resolves that Council amends Clause 18g to reflect:

“The quorum for the Union Council shall be 16 members of the Council.”

Motion put and carried.

AGENDA ITEM 3 – HSU NSW RULE CLAUSE 37

Rule 37 currently does not prescribe a quorum for the Audit & Finance Committee. It is proposed to amend the rule to create a quorum of 4 members of the Audit & Finance Committee.

RESOLUTION

Moved R Pike/P Mitchell that Council resolves to insert a new Rule 37d that says:

“The quorum for meeting of the Audit & Compliance committee shall be four (4) members of the Audit & Compliance Committee.”

Motion put and carried.

AGENDA ITEM 4 – HSU NSW RULE CHANGE TO RULE 22 AND 26g

The heading to Rule 22 appears to have a typographical error in that it refers to the removal from Officers clearly the Rule is meant to refer to the removal from Office.

Rule 26g refers to Rules 39 as the Rule regarding the Union’s Policy and Procedures. The Rules referring to the Union’s Policy and Procedures is Rule 39.

RESOLUTION

Moved S Fraser/P Iffland that Council resolves to amend the heading of Clause 22 to say “removal from Office”.

Council also resolves to amend Rule 26g to say “ensure that Union Policy and Procedures are implemented in accordance with Rule 39.”

Motion put and carried.

AGENDA ITEM 5 – LEAVE POLICY

As Council would be aware that the Union progressively reviewing practices and developing policies around those practices. The Union has a range of leave processes that need to be incorporated into a comprehensive policy that addresses the range of leave that HSU staffs are subject to. The attached policy a further step with respect to consistency throughout the Organisation and reflects the practices that are currently undertaken. The leave policy addresses the processes for taking leave, payment of leave and the accrual of leave and various types of leave that staff enjoys. The formalisation of this Policy bills are comprehensive, understanding of leave practices and processes within the HSU.

RESOLUTION:

Moved P Reid/D Turley that Council endorses the HSU Leave Policy version 1, effective date December 2014.

Motion put and carried.

AGENDA ITEM 6 – UNION STRUCTURE

Councillors have made enquiries in relation to the structure of the Union both at a state and federal level. The attached paper has been developed to assist Councillors in the differing roles, jurisdictions and responsibilities of the State Union, the Federal Branch and the National body.

RESOLUTION

This item is for information purposes only. (Papers attached).

AGENDA ITEM 7 – HSU CONFERENCE 2015

As per attached.

RESOLUTION

Moved D Turley/P Reid that Council notes the report on the cost of holding a Conference for HSU delegates and the various quotes obtained at different venues. That Council notes that Rooty Hills RSL is not only the least expensive of the venues and overall costs, but has also inspected to ensure it fulfils the needs of the HSU. That as a result, the Assistant Secretary/Treasurer be authorised to confirm the booking for the HSU Conference to be held on 6th - 7th July 2015 at the Rooty Hill RSL.

Motion put and carried.

Council adjourned for lunch at 1.27pm

Council resumed after lunch at 2.05pm.

Grand Strategy was presented by Daniel Mookhey.

AGENDA ITEM 8 – PAYMENT FOR COUNCIL AND COMMITTEE ATTENDANCE

Councillors would be aware that the governance and management of the Union requires the attendance of Councillors and Committee members at meetings that are generally held on a quarterly and monthly basis respectively.

Councillors would also be aware that the Union has expanded its interests and has invested greatly in the Private and Aged Care Sector. To this end the Union has a Junior Vice President who sits on the Council and the Committee of Management. This is in addition to the Aged Care Councillor.

Both the Vice President and Councillor work in the Aged Care Sector and as such do not have an entitlement to Trade Union leave. As Council and Committee meetings are held during working hours, the practice for Aged Care Councillors attending meetings has been at the expense of the individual's annual leave.

In terms of Public Health Councillors and Committee members these members have the ability to access Trade Union leave thus not incurring any personal liability in attending to their respective responsibilities

As there is a clear inequity between the leave opportunities of the Private and Public Sector Council and Committee members it is proposed to pay Councillors and Committee members who are not subject to Trade Union leave and are required to access annual leave to attend to their Union duties.

Such payment would be at ordinary rates for the hours that the Councillor or Committee member was required to work on the specific day.

RESOLUTION

Moved R Pike/J Chester Council endorses that in the case a Councillor or Committee member who cannot access Trade Union leave and is required to attend a Council or Committee of Management meeting and is working on that particular day, the Union will pay the ordinary hours that the Councillor or Committee member was due to work on that day.

Motion put and carried.

AGENDA ITEM 9 – UNIONS NSW “NOT FOR SALE” CAMPAIGN

As Councillors would be aware the NSW State election will take place March of 2015. This election is one of particular importance to the NSW Public sector and in particular NSW health. Quite clearly the Premier has indicated his preference for wholesale privatisation that is underpin on the back of the sale of poles and wires in terms of electricity. Furthermore, steps are already being advanced with respect to the privatisation of Northern Beaches Hospital and market testing within Health Share Northern Rivers LHD and North Sydney Central Coast LHD.

If the Baird Liberal Government are successful with their agenda of privatisation the Community of NSW and the membership of the HSU will ultimately suffer at the hands of a profit margin outweighing the necessity for services. It is with this in mind that Unions NSW have requested \$200,000 contribution from a range of Public Sector Unions including the HSU. This collective contribution would go to a high profile coordinated multi-media advertising program that would highlight the essential needs of the services supplied by the Public sector.

RESOLUTION

Moved P Mitchell/S Haynes that Council notes that the HSU is conducting its own campaign with respect to highlighting the importance of health and the services it delivers to the NSW Community. Union Council also is mindful of a collective public sector approach to the upcoming 2015 state election and in doing so authorises a contribution to Unions NSW of \$100,000 to support the UnionsNSW, “NSW not for sale campaign” providing that the services and membership of the HSU NSW are supported and identified in said campaign.

Motion put and carried.

GENERAL BUSINESS

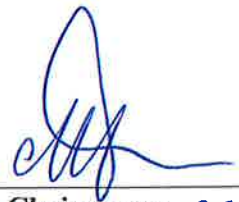
1. Councillor Partridge advised that the concept of traffic light system used as the level of work assessed to be done on the day was a great idea.

Councillor S O'Riley described the traffic light concept that is being recommended for the Cleaning Department of Bankstown Hospital. When workers arrive in the morning they are to note the traffic light colours to determine the workload for the day. This system was suggested by Organiser Peter Mason and it is being reviewed by the Management.

- Red light denotes – staff to prioritise work what needs to be done i.e. cleaning, guard's duty etc.
- Amber light - is doing a little bit more work than required.
- Green light – work as required.

2. Secretary advised that ex Councillor M Pike was to be presented with a plaque recognising her contribution in rebuilding the Union since 2012. Plaques will also be issued to Linden Martin and Wayne Lloyd.

There being no other general business the meeting closed at 3.17 p.m.



Chairperson

23.2.15