

HSU NSW/ACT COUNCIL MEETING HELD AT THE WESLEY CONFERENCE CENTRE, 220 PITT STREET, SYDNEY ON MONDAY 25TH MAY 2015 AT 11.02 A.M.

ATTENDANCE: R Dunn, S O'Riley, J Catlin, S Davis, D Turley, P Iffland, P Reid, J Peacock, L Burns, L Twyford, J Holgate, C Charles, S Haynes, S Dufty, D Neumann, R Henderson, G Hayes, A Lillicrap & M Sterrey.

CHAIRPERSON: M Sterrey (President).

APOLOGIES: S Austen, P Mitchell, L Snow, L Bush, S Fraser, J Chester, S Joseph and G Partridge.

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

Motion put and carried.

OBSERVERS: A Lewis, S Champness, B Cornwell, B Chapman, T Thorburn, A Hall, S Hatter, J Marr, M McLeay, W Boon, L Russell, J Cowdrey, Tracey Gaddelin and P Kessey.

Moved L Burns/S Haynes that the observers as listed above be admitted to the meeting.

Motion put and carried.

DECLARATION: Secretary advised in terms of Mylan matter he would absent himself while the matter is being discussed by Carroll & O'Dea Lawyers with the Councillors.

MINUTES: Moved D Turley/P Reid that the Union Council minutes of 23rd February 2015 be received and adopted.

Motion put and carried.

Moved D Turley/P Iffland the Union Council teleconference minutes of 24th April 2015 be received and adopted.

Motion put and carried.

BUSINESS ARISING: Nil

SECRETARY'S REPORTS:

Growth

Public Hospitals are starting to narrow the gap. We are near where we were in late January 2015 and we are starting to build up after "We All Matter Campaign". The issue of importance is that the resignations have slowed dramatically.

Ambulance

Ambulance has decreased by 2. There are a lot of activity on the ground, and we have a lot of activity in the media, as well as several good outcomes. Helicopter Paramedics one of several cases running in the Commission at this point in time.

The Government and Ministry chose to seek to strike out the matter and the 2.5% pay rise will not flow for either Ambulance helicopter paramedics or Allied Health Assistants.

The there is a broader issue is that the government and ministry will fight to prevent any wage movement that is not consistent with the wages policy. If the government is prepared to go to this extreme there what will they do in any other area? There will be absolutely no potential increase at all.

Aged Care

Aged Care has had a vast uplift in terms of our capacity to undertake EBAs and Organise. Organiser Kirk Rostock has done well in the north coast and we have seen membership growth as well as workplaces being visited that had not been subject to visits previously.

Private Health

The membership in the sector has been increasing. Tim's team have put on over 50 people since they started about 17 weeks ago. It is important to get the trend moving as opposed to sporadic increases. If we continue to trend in this manner for the next 15 years, then this Union would sit over 60,000 members. Half of that 60,000 will be Aged Care and Private Sector.

Sub Branches

We have about 31,500 members at the moment and we are tracking towards 32,000 by the end of August. 35,000 is the number that we need to get to, that is not the number to stop at that's the number we get back to where we were.

Approximately 50% of Sub Branches have not had a Sub Branch meeting. This is of concern and this issue will be further discussed and explored at the Delegates Forum. We have seen Minister Skinner saying "we are privatising services". That was in Illawarra but then at Ballina and Lismore she says that "we are not privatising services and we are not privatising public hospitals". The Northern Beaches Hospital is done, warehousing is done. I had a meeting last week with the Ministry of Health when they indicated that they want to be able to market test. They are also market testing in Northern Rivers in medical imaging area. NSW Health has announced they will market test it.

As an example Fiona Stanley Hospital in Western Australia is being bought back bit by bit everything is being bought back in house again. Now they are bringing in the wards clerks

Royal Commission

Last week the Commission put out a discussion paper in relation to how the Unions should be held accountable. This is a M\$100,000,000 exercise to destroy the Unions and it runs concurrently with the Productivity Commission. This is only done to destroy the Unions and then destroy their conditions. The Royal Commission should wind up around October this year.

Litigation

The Beth Jensen matter has been finalised following the last teleconference the Union held. We have now received a cheque for \$27,000.

In terms of Richard Hew matter, the Union has asked a range of questions in relation to his financial position. He is due to get back to the Union in a few weeks. We are very confident that he has assets that we can pursue. If he doesn't undertake that option we will prosecute him. He will not be able to run a defence because he has already made admissions to the Police.

The public examination of the Williamson family has not delivered a lot. The Trustee went through a public examination of his wife, himself and strangely enough it sounds like he has he can't remember much. Recently we have seen that he is appealing his sentence, we will need to see where he gets the money to make that appeal.

Anti-Privatisation campaign is starting to move into a different phase. The We All Matter phase of that campaign was about building awareness and building people's understanding they are important in the workplace. We will do 2 things:

1. Drop the magazine from being bi-monthly to quarterly.
2. Instead of having bi-monthly magazine, we will have individual LHD newsletters for members.
3. It will talk about privatisation and other issues that are active in each LHD.

We will bring each LHD Sub Branch executive together on a bi-monthly basis.

EBA Update

- In terms of salary harmonisation, only one staff member is left. This will be finalised in the next 2 to 3 weeks. Everyone else is on the new scale. Some staff have taken salary drops between \$15,000 and \$25,000.
- We are approximately 6 weeks away from agreement and we may need to call an extraordinary Council meeting to sign this off.
- The Federally registered program will be put in place soon. It will clearly identify the contracts of employment, allocation of part-time/full time and casual employees, payment of wages as weekly basis etc.
- We are tied with the ACTU very heavily in this, every level will have an ACTU qualifications. To start off we are doing Organising Works. That will start to build further skills and will lead into foundation of organising

In 15 years' time the union has to function at a very high level. Everybody has to be a leader. We will give formal qualifications which will keep people motivated and people will be able to grow in the organisation.

The people who were abused most and grossly underpaid was the people in the Records Department. We fixed it now and it is pleasing to note that they are also in the EBA process. The Call Centre staff do follow up calls, they ring people up to join over the phone. When we had "We All Matter" days we found out about third of people who had their photos taken were not members. We had their details and they were called and they joined. Out of those one third we ended up getting about 25% of them to join the Union.

In terms of Family Friendly Policy, we want to work with people as much as we can.

Staff are also encouraged to stop at every two hours to get a cup of coffee or drink. This initiative is for safety and looking after yourself.

Redundancy will not be at the State Government rate and there is a very big push to have it. Health and wellness is really important. This is very important for us that \$200 per employee we spend dollar for dollar for up to \$200.

We are building up a budget going forward for Training & Education. The important of that budget is putting money in training and education. At this point in time we will talk about \$50,000. If this gets going then we will need to form a committee selected from Council members. Something has to be done that will value add to the Organisation.

A power point presentation on the progress of the Delegates Forum was presented.

RESOLUTION

Moved P Iffland/J Catlin that the Secretary's report including growth, Aged Care, Private Sector, Organising, MSD, Ambulance and Industrial reports' be received and noted.

Motion put and carried.

RESOLUTION

Moved P Iffland/J Catlin that the Secretary's report including growth, Aged Care, Private Sector, Organising, MSD, Ambulance and Industrial reports' be received and noted.

Motion put and carried.

RESOLUTION

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

Motion put and carried.

ASSISTANT SECRETARY/TREASURER'S REPORT

Property:

- Level 3, 109 Pitt Street, which has been leased by the Indian Consulate, is expected to move out by the end of June. Plans are being put together. Once the Consulate has moved out the Project Manager will have free access to the property to start developing the individual suites on level 3.
- Suite 804, 109 Pitt St (formerly the film studio) – the camera gear has been moved offsite and some modifications have been done on the suite to present it as office space. The camera gear is gradually being sold. Marketing for this property has started and there have been a number of prospective tenants inspect it. While some work has been completed, there may need to be further work, depending on what a tenant requires.
- The auditors are at the office this week for the preliminary audit.
- The Expressions of Interest process for the HSU Network Services provider has been advertised. Out of all the proposals, Exetel has been accepted as the new supplier. By

switching from the HSUs old supplier (Telstra) to Exetel, the Union is expected to save \$125,000 per annum. Earlier tender processes conducted this year include the Project Manager for Level 3 and Auditing services.

- The Insurance claim for Royal Commission legal fees is continuing. The Insurance Company has written a complex letter requiring further details.
- Last week a National Executive meeting was held in Perth and a visit was organised for the National Executive to go and see the new Fiona Stanley Hospital. The FSH came into operation late last year and involved the closure of the Fremantle Hospital and some parts of the Royal Perth Hospital. Approximately 300,000 patients go through the hospital each year. Serco has 1400 employees largely providing support services at the hospital. Clinical staff at the hospital are generally employed by the WA Government.

Serco has failed to provide adequate service in some cases including in CSSD where Serco has had penalties imposed and has since had the contract cancelled because of poor performance. Other services that Serco provides include catering, pest control and property management. The design and technology of the Hospital is extremely modern and a large investment has obviously been made. Technology includes the remote motorized vehicles taking food and deliveries around the hospital, while other parts of the hospital have been fitted out with the latest diagnostic and treatment equipment. The pureed food is moulded to make it look like the real thing and devices have been installed (though not authorized for use, yet) whereby washing hands involves positive and negative ions, known as E-Washing. But it appears something is still missing from the hospital in so far as it is trying to be a properly functioning hospital, but not quite getting there. There has been considerable understaffing in some departments resulting in breakdowns of the system and Serco having to put on additional staff. This occurred in the patient porters' area where they were 50 staff short and patients were not being taken for treatment at other parts of the hospital in time. While Serco has adopted the pay and conditions of the public sector where many of the employees came from, they have tried to cut down costs by keeping staff levels low. This has not worked. In general, it seems that while a large initial investment has been made by the WA Government, they have fallen down in handing the ongoing functioning of the hospital to a private operator, who is not up to the job. While the hospital was built by the public sector, it should have remained in the public sector on an ongoing basis to be successful.

Moved P Iffland/D Neumann that Assistant Secretary/Treasurer's report be received and adopted.

Motion put and carried.

FINANCE REPORT:

As per attached.

RESOLUTION

Moved S O'Riley/J Peacock the finance reports including the profit and loss statements and balance the sheet as at April 2015 be received and adopted.

Motion put and carried.

AGENDA ITEM 1 – WOMEN’S SYMPOSIUM

Correspondence was received from National Office advising of a Women’s Leadership Symposium to be held in Sydney on 10th and 11th June 2015.

The symposium is an opportunity for members to hear from women who are leaders in their field and the community with respect to building and developing women within organisations. This opportunity would be extremely valuable to enhance the contribution and leadership by women within our organisation now and into the future.

RESOLUTION

Moved L Burns/J Peacock the Council endorses that the Union purchase a table at the Women’s Symposium to be held on the 10th and 11th June and seeks nominees from Union Committee, Union Council and NSW National Councillors to attend.

Motion put and carried.

AGENDA ITEM 2 – RETIRED MEMBERS SUB BRANCH

Investigation and advice has been sought and undertaken over the previous 18months to determine the best possible Rule to give retired members status and an ability to stay engaged with the Union should they do desire. The below suggested Rule change gives the Union and the Secretary full discretion in relation to the admittance of retired members and removes any doubt as to retired members’ rights and status under the Rules.

The Rule removes the rights enjoyed by financial members, grants retired members’ official status and gives full discretion to the Secretary in determining what monies the Union should expand on retired members. Importantly the Rule excludes retired members from the industrial coverage of the Union in order to maintain adherence to relevant industrial reporting requirements.

RESOLUTION

Moved L Burns/J Peacock that the Union Council approves that the Rules of the Union be altered to insert a new Clause 13 Retired members with the below text, renumbering all other Clauses accordingly:

13. Retired members

A member upon their retirement from active employment in the areas of HSU coverage is eligible to become a retired member of the Union. Retired members’ will be confirmed by the Secretary and that decision ratified by the Branch Committee. The granting of retired membership status is at the discretion of the Secretary and Branch Committee.

Retired members do not have any of the rights of financial members as outlined in these rules nor are they counted as part of the Union’s formal membership for purposes of reporting to relevant industrial authorities. A separate register of retired members will be kept by the Union for the purposes of facilitating their participation in and keeping them informed of Union activities. Expenditure in relation to retired members is at the ongoing discretion of the Secretary and the Branch Committee.

Motion put and carried.

AGENDA ITEM 3 – WELFARE AND TRAINING OFFICER

The Union has held an in principle position in relation to the development of a Union Welfare Officer. This position was initially promoted by ex-Vice President Margaret Pike to assist members who may find themselves in difficulties that are not necessarily due to industrial processes. A Welfare Officer would not only be able to assist financial members of the Union with matters that relate to workplace and non-workplace issues, it would also be able to assist retired members by developing a network that will promote ongoing Union support post retirement.

The position will be able to assist with WHS, training, legal referrals and support as well as a range of other activities that will exemplify the Union's moral interest as well as our industrial interests.

RESOLUTION

Moved P Reid/P Iffland that the Union Council endorses the development of a Union Welfare and Training Officer and notes that this initiative comes at the behest of ex Vice President Margaret Pike. Furthermore, Union Council requires a full report of welfare and training activities at each Council meeting.

Motion put and carried.

AGENDA ITEM 4 – NEW SUB BRANCHES

Correspondences were received from Warrigal Goulburn Hospital, Rosedurnate Nursing Home, Ambulance Helicopter Rescue - Southern Zone, Illawarra-Shoalhaven Oral Health and Richmond Allied Health in Mental Health wishing to form a Sub Branch at their respective workplaces.

The requisite number of members to form a Sub Branch at these workplaces has been met.

RESOLUTION

Moved S O'Riley/P Iffland that the Union Council endorses the formation of new Sub Branches as the requisite number of members to form a Sub Branch has been met at these particular workplaces. The Sub Branches are to be titled: "Warrigal Southern Tablelands", "Rosedurnate Nursing Home", "Ambulance Helicopter Rescue – Southern Zone", "Illawarra-Shoalhaven Oral Health" and "Richmond Allied Health in Mental Health".

Motion put and carried.

AGENDA ITEM 5 – HSU NATIONAL LOAN AGREEMENT

The National Office has found itself in a position where there is a budgetary shortfall due to legal expenses which have occurred as a result of litigation against Craig Thompson and Kathy Jackson as well as representations incurred at the Trade Union Royal Commission.

The Thomson matter has concluded from the Union's perspective however it continues to be conducted through the FWC. This litigation will not incur any further costs to the Union. While the TURC has been expensive and ran throughout 2014, it will continue to run through 2015. At this time there is no activity involving the HSU however, the Union is not privy to the TURC ongoing agenda.

Litigation against Kathy Jackson has been set for hearing in July of 2015 and it is anticipated that the hearing will last two to three weeks.

As a result the National Union will see a shortfall of an amount estimated to be up to \$100,000 over the coming months. The National Union can address this shortfall by way of a levy or by way of a loan.

The NSW Branch has raised the possibility of a loan from NSW to the National Office over a period of 12 months. The benefit to the NSW Branch is that the full amount of the loan is recoverable where a levy would see a substantial impact on NSW funds compared with other Branches and the levy is not recoverable.

RESOLUTION

Moved L Burns/S Davis that the Union Council notes the Loan agreement to HSU NSW Branch and HSU National.

Motion put and carried.

AGENDA ITEM 6 – HSU LEARNING & DEVELOPMENT BUSINESS CARE

As part of our commitment to our membership to provide improved services, the HSU has reviewed the requirements and demand for learning and development opportunities for members, delegates, councillors and our employees.

The initial consideration was to investigate the move towards gaining accreditation as a Registered Training Organisation however, on deeper investigation it became obvious that this was a costly exercise initially and ongoing and would generally duplicate training options that already exists in the market.

As a result this review has sought to identify the learning and development needs of our organisation and that of our members, identifying cost effective solutions in the form of partnerships and engaging with other RTO's such as Unions NSW, ACTU, TAFE and other Unions to meet our current and future training needs.

It is expected that endorsement of the recommendations will not only meet staff, member, delegates and councillors training needs now and into the future but will also allow us to further promote the Union and gain membership growth.

RESOLUTION

Moved C Charles/D Neumann that the Union Council seeks endorsement of the Learning & Development Business Case and approval to proceed with the following recommendations:

- Endorse the recommendation not to proceed towards RTO status;

- Approves a move towards developing and engaging in training partnerships;
- Approves mapping training packages for delegates and staff;
- Approves implementing training as required to meet legal obligations as an employer;

Motion put and carried.

AGENDA ITEM 7 – NEW LIFE MEMBERSHIPS

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

RESOLUTION

Moved P Reid/S Dufty that the Union Council proudly acknowledges and thanks the following members:

Peter Murney, Dorothy Stone, Lucy Kearns, Marilyn Collier, Mary Fanning, Keith Hayes, Stella Taylor, Kerrie Thompson, Gary Scott, Keith Pellow, Yvonne Macauley, Robyn Watkins, Kevin Hobday and Peter Clapham.

Motion put and carried.

AGENDA ITEM 8 – ELECTORAL COMMUNICATION EXPENDITURE BY THIRD-PARTY CAMPAIGNERS

As Councillors are aware that the Union took the position that the "We All Matter" campaign was an industrial campaign and not political in nature and as such supported that the Secretary would not report the costs of the campaign as electoral expenditure.

In doing this the Union also wrote to the Electoral Commission to seek their advice in relation to the campaign and I can now advise that the Electoral Commission has concurred with the view of the Union and has indicated in correspondence that they do not believe it would fall within the reporting guidelines.

RESOLUTION

Moved L Twyford/P Iffland that the Union Council notes the attached correspondence.

Motion put and carried.

AGENDA ITEM 9 – HSU BANK BILL FACILITY RENEWAL

RESOLUTION

Moved D Neumann/J Peacock that the Union Council directs the Assistant Secretary/Treasurer to renew the Bank Bill Facility (ie the loan) with the Commonwealth Bank for three years, with \$4m placed in a fixed bill facility at the current swap rate of 2.7% and \$2m at 2.2% placed in a variable bill facility. The Bank Bill Facilities will expire in October 2018.

The Assistant Secretary/Treasurer is authorised to sign the required loan documentation with the Commonwealth Bank, on behalf of the Health Services Union NSW.

Motion put and carried.

GENERAL BUSINESS

Councillor Claire Charles requested that the breakdown on affiliation fee costs for Aged Care be presented for the next Council meeting.

There being no other general business the meeting closed at 3.55 p.m.



Chairperson
25.8.15