



**UNION COUNCIL
MEETING
9 December 2016 10:00am
Wesley Centre, 220 Pitt Street Sydney**

The meeting opened at 10:30am with Mark Sterrey in the Chair for the Union Council Meeting, 9 December 2017.

Attendees

Mark Sterrey	Leanne Snow
Gerard Hayes	Steven Fraser
Andrew Lillicrap	Darriea Turley
Peter Mitchell	Sharon Carney
Gillian Reilly	Stephen Austen
Alan Wilcock	John Holgate
Shirley O'Riley	John Jetty Dore
Suzanne Davis	Joan Catlin

1. Observers/Proxies/Apologies

Resolution: UC 14/2016
Moved: Peter Mitchell/Sharon Carney
"That Gerard Hayes proxy for Leigh Bush, Gerard Hayes proxy for Patricia Reid, apologies Leanne Burns, Warren Boon, Josephine Peacock and observer's Ben Chapman, Angela Nigro, Adam Hall, David Perry, Rob Sheehy, Stuart Hatter, Ayshe Lewis, Tim Thorburn and Linda Zutitis be accepted and admitted to the meeting."
MOTION PUT AND CARRIED

2. Conflict of Interest, Related Party Transaction Disclosers, and other Disclosures

Gerard Hayes, Secretary declared a conflict of interested regarding the legal tender with Carroll O'Dea Lawyers.

3. Minutes of Previous Meeting/s:

Resolution: UC 15/2016
Moved: Joan Catlin/Gillian Reilly
"That the minutes of the Union Committee meeting 31 August be accepted."
MOTION PUT AND CARRIED

4. SECRETARY'S REPORTS:

Gerard Hayes, Secretary discussed the implications of the media that had been circulated over the last week in regards to the National Office expenses and will update the Council of any further developments if necessary at the next meeting.

The meeting moved to the Growth Charts where Gerard Hayes reported on each of the divisions noting the fantastic campaigning with great victory with areas regarding privatisation with the regional rallies being a huge success.

10:51am – Trevor Clarke, ACTU entered the meeting

Discussion commenced with Union membership maintaining the drive and faith, Rob Sheehy from the Aged Care Division was mentioned, that his team should be congratulated with the removal of the 457 visa from this division. Privatisation campaigning will continue throughout 2017 with a commercial which will be presented to the Council in 2017.

Gerard noted that a new on-line travel booking system will be implemented shortly along with an on-line expense system which will ultimately save time and money for the Union.

There will be some resignations and councilors retiring with Steven Austen resigning and Sharon Joseph who has also retired. Deb Neumann and Peter Iffland have also moved on and will be involved in the Retired Members Committee.

An employee of the month proposal will be discussed later today, based on this being viewed as a bonus with the chance to travel abroad as an example to bring knowledge and skills back to the Union.

Gerard mentioned concerns with the ROC, the Union Ombudsman is in place within the office to receive any issues or whistleblower opportunities, with a complaints ability via policy.

With the loss of Jenelle, that position has dissolved creating a new growth team, coordinating a group with the KPI being 1,700 members per year.

With a loss of 4 Councillors this year with more leaving soon, Gerard requested if anyone is intending to resign or retire to please have a chat with him.

Mark Sterrey noting that it has been a long hard year and extended a productive thanks to the entire team for the hard work and dedication and thanked Gerard Hayes for his commitment to the team.

Resolution: UC 16/2016
Moved: Steve Austen/Steve Fraser
"That the Union Council accepts the Secretary's report."
MOTION PUT AND CARRIED

5. ASSISTANT SECRETARY/TREASURER'S REPORT:

Andrew reported on the tenancies at 109 Pitt Street Sydney and that we are close to renting out all properties. He discussed the audit report with recommendations for dealing with conflicts of interest during purchases and filling jobs. A form will be put in place where the perceived conflict may be dealt with and staff given the chance to report the conflict by completing a form.

The ROC will be discussed later in the meeting, the auditors will be called again in the future to see if there are any changes required as a result of the new legislation.

Andrew will report on the finances later in the meeting.

Resolution: UC 17/2016
Moved: John Holgate/Alan Wilcock
“That the Union Council accepts the Assistant Secretary’s/Treasurers report.”
MOTION PUT AND CARRIED

11:16am – Trevor Clarke Director of Industrial Legal Division for the ACTU presented a report on the Registered Organisations Commission

Trevor Clarke reported on the Registered Organisations Commission.

The ACTU will provide appropriate governance training.

12:03am Trevor Clarke, ACTU left the meeting.

The meeting returned to item 6.1 finance reports.

6. FINANCE REPORT:

Andrew Lillicrap, Assistant Secretary/Treasurer reported on the finances explaining the Balance Sheet and Profit and Loss for the period ending October 2016.

6.1 Balance Sheet and Profit and Loss to October 2016 (attachment)

Resolution: UC 18/2016
Moved: Shirley O’Riley/John Jetty Dore
“The Union Council accepts the monthly financial reports, Balance Sheet and Profit and Loss Statement for the period ending October 2016.”
MOTION PUT AND CARRIED

Leanne Snow noted that the marketing and communications line item was low, this was explained that a lot of the media generated is being supplied at no cost to the Union.

12:21pm the meeting adjourned for lunch

1:14pm the meeting returned from lunch

1:15pm Brian Parker CFMEU – reported to the Union Council

1:27pm – the meeting moved to agenda item 8 the Managers present left the meeting

7. DIVISIONAL REPORTS:

- Industrial Division Report
- Private Report
- Ambulance Report
- Public Report

- Aged Care Report
- Women's Committee Report
- WHS Committee Report
- Charitable Committee Report

8. AGENDA ITEMS

8.1 Managers Salaries

The Managers of the Union have shown a great level of commitment and vision within the respective divisions which has led to growth, development, and cohesion within the organisation. The Member Services Divisions as well as the Finance and Membership departments have all delivered significant outcomes in 2015-2016.

Resolution: UC 19/2016

Moved: Leanne Starr/John Holgate

“The Union Council notes the progress of the Union over the period 2015-2016 and acknowledges the collective efforts of the managers in each of the divisions and departments that has led to the enhanced administrative and operational position that the Union is currently experiencing.

Therefore, the Union Council endorses that the incumbents of the positions of Secretary, Assistant Secretary/Treasurer, Manger MSD, Manger Industrial, Deputy Manger Industrial, Manager Public Health, Manager Aged Care, Manager Ambulance, Manager Private Health, Manager Finance receive a salary increase of 2.5% retrospective to 1 July 2016.

MOTION PUT AND CARRIED

Steve Fraser noted the hard work that was made by all the staff.

1:35pm Gerard Hayes left the meeting stating the conflict of interest

8.2 Legal Tender (attachment)

Andrew Lillcrap, Assistant Secretary/Treasurer reported on the tenders as attached.

An Expression of Interest process has been conducted for Legal Services to the HSU. This involved an advertisement in the SMH and specification documents sent to interested parties. Five applications were received including: Maurice Blackburn, McNally's Solicitors, Carroll & O'Dea, Slater & Gordon and MD Legal.

Three firms were invited to provide presentations - Maurice Blackburn, McNally's and Carroll & O'Dea – which occurred at the Audit & Finance meeting on 17th October 2016. For the last three years, the HSU has used a panel of two legal firms to provide legal services (Maurice Blackburn and McNally's).

Following the presentations, consideration was given to whether the HSU engage one or two firms to provide legal services. It was determined that the use of two firms has been successful for the HSU and that this should continue, as it provides a degree of flexibility and a wider range of skills to call on, when needed.

Carroll & O’Dea stood out as a leading candidate in this field, offering a full range of legal services and a record of service to the HSU in dealing with previous legal matters such as during the period of administration, commercial litigation and recovery of money. The integrity this firm has shown in dealing with complex and contentious matters and the way they have stood by their advice publicly, was noted.

Maurice Blackburn offered the full range of services with the exception of conveyancing. It was noted that Maurice Blackburn had made errors in the past which had caused problems and costs to the HSU, such as the failure to implement rule changes, delay in providing an invoice for legal fees which prevented claiming it on insurance, and poor advice over certain employment matters in the early period of the new leadership.

McNally’s offer the full range of services and have provided legal assistance on a number of industrial and professional indemnity matters, as well as services to members on wills, conveyancing, and workers’ compensation.

The three firms are price competitive with their fees.

After a long debate, the Audit & Finance Committee recommended that:

Resolution: UC 20/2016

Moved: Leanne Snow/Darriea Turley

“That the Union Council adopts the recommendations of the Audit and Finance Committee that WG McNally Jones Staff Lawyers and Carrol & O’Dea Lawyers be engaged on a legal panel to represent the HSU for the next 3 years. The work is to be divided in the best interests of the Union as decided by management.”

MOTION PUT AND CARRIED

2:02pm – Gerard Hayes returned to the meeting

8.3 Vacancy Finance Committee

Sharon Joseph has retired from her employment with Western Sydney LHD and thus has resigned as a Councillor of the Union and member of the Finance Committee. Rule 75(b)(i) states that members of the Finance Committee must come from and be elected by Union Council.

The Chair called for nominations to fill the vacancy on the Finance Committee– John Holgate called with Leanne Star seconding.

Resolution: UC 21/2016

Moved: Leanne Snow/Joan Catlin

“That Union Council elects John Holgate to fill the vacancy on the Finance Committee that has been created by the resignation of Sharon Joseph.”

MOTION PUT AND CARRIED

2:08pm – Union Council meeting suspended, Quorum to move to the Branch Council.

2:25pm – The meeting returned to the Union Council meeting commencing at the divisional reports with the Managers returning to the meeting.

Aged Care, Ambulance, Industrial, Private and Public Divisions presented to the Union Council and reported with PowerPoint presentations.

Councillor discussions moved to sub branch concerns with growth being a major factor, Westmead Hospital not having a sub branch and the changing role of the organisers within the union suggests confusion about the role of the organisers. Gerard Hayes explained the new way organising through processes with dialog being misinterpreted. As a priority, this will be addressed at the beginning of next year.

Fact finding face to face suggestions – what is expected of the activist delegate at the cold face.

The Charitable Committee and WHS Committee meetings were reported with an update of these being an ongoing meeting with the example of the mobile phone dead areas in local and regional areas with device testing being coordinated. The Charitable Committee meetings endorsing decisions via committee resolutions with a fantastic cause being coordinated via the Women's Committee called 'it's in the bag' run by an organisation, Share the Dignity in relation to women in domestic violence. A special mention to Jodie Cowdey and Gail Owens who coordinated the gifts and drop offs in relation to this campaign.


8.4 Meeting Dates 2017 (attachment)

9. GENERAL BUSINESS

- Ipad for the councillors – which are the property of HSU, Andrew Lillicrap will investigate the data for the usage and the cost of purchase.
- Motor cycle charity t-shirt was presented by Gerard Hayes

Mark Sterrey wished a merry Christmas to all involved and thanked Sharon Joseph and Steven Austen wishing them well.

There being no further business the meeting closed at 4:08pm.



Chairperson
26.4-1

Resolutions List and Attachments

UC 14/2016	The apologies and observers be admitted to the meeting
UC 15 /2016	That minutes of the Union Council Meeting 31 August 2016 be accepted
UC 16/2016	The Union Council accepts the Secretary's report
UC 17/2016	Union Council accepts the Assistant Secretary's/Treasurer's report
UC 18/2016	The Union Committee accepts the Finance Reports for period 29 October 2016
UC 19/2016	8.1 Managers Salaries
UC 20/2016	8.2 Legal Tenders
UC 21/2016	8.3 Vacancy Finance Committee