

## Game Over, TCH

Dear Member,

Months of games have ended up with The Canberra Hospital in negotiations with WorkSafeACT over potential breaches of the *Workplace Health and Safety Act 2011 (ACT)*. Workers originally approached their employer seeking to be nominated as Health and Safety Representatives (HSRs) but were told by the employer 'we decide who gets to be HSRs'. This is incorrect and under the legislation, this process is worker-driven. In fact, the Act is clear cut in this respect.

The HSU's WHS Officer provided support. More than 40 workers signed a petition for the formation of work groups and nomination of HSRs for Wardspersons. These workers have specific safety issues, including Code Blacks under which they are at risk of being assaulted. They also face critical incidents that places them at risk of exposure to psychological harm. We've worked tirelessly to make the employer realise this, but requests for better work practices have fallen on deaf ears.

Tired of game playing, the HSU sent the matter to be addressed by the Regulator (WorkSafe ACT) who immediately ordered both parties to cease communicating and stepped in to negotiate the matter. We agreed to negotiate as this would lead to quicker outcomes for our members. Although – with fines of up to \$50,000 for the individuals involved and \$100,000 for the employer – it was in your employer's best interest to do so. Despite this, additional attempts to derail the process led to the HSU returning the matter to the Regulator. Once this is resolved, the embargo on communication will be removed and we will have the opportunity to rebuild the fraught relationship with your employer.

### What's next?

The next step is for Wardspersons to attend meetings and be a part of forming work groups. We'll decide on a structure, vote, nominate HSRs and discuss particular safety issues. If you can't attend, please make sure you give your vote to someone else so they can be your proxy.

### What has been agreed on?

*Wednesday 9<sup>th</sup> May – 2pm – 1 x 40 min meeting*

*Thursday night 10<sup>th</sup> May – 10pm – 1 x 40 min meeting*

*Friday 11<sup>th</sup> May - 2pm – 1 x 40 min meeting*

*Wednesday 16<sup>th</sup> May - 2pm – 1 x 40 min meeting*

*Thursday night 17<sup>th</sup> May - 10pm – 1 x 40 min meeting*

*Friday 18<sup>th</sup> May – 2pm - 1 x 40 min meeting*

This excellent news, particularly in comparison to what the employer was initially offering: two 30-minute meetings only.

It is terribly disappointing something as vital had to be escalated to an external body for oversight, but it is sadly symptomatic of the employer's reticence in listening to their own workers. Our union is strong and we are on the ground, which means we don't tolerate bullying tactics or attempts to diminish something as vital as worker safety.

### **What about other Ward Services workers?**

Hospital Assistants, Ward Clerks and Central Equipment have also been included as part of this process and will have the opportunity to vote for HSRs in their own work groups. The employer has suggested that Hospital Assistants are included with Wardspersons, but the HSU has made it clear this is a distinct type of employment and separate meetings will need to be conducted to facilitate this process. As always, the HSU is here to advocate for workers and when it comes to safety, we will not accept subpar responses. To find out more, speak directly with your Organiser.

In unity,

A handwritten signature in black ink, appearing to read 'Gerard Hayes', with a long, sweeping underline.

Gerard Hayes  
Secretary, HSU NSW/ACT/QLD