

Possible major workplace change at St Andrews

Dear Member,

As we are sure many of you are aware, St Andrews have called a staff meeting for Monday 18 June. On Thursday 14 June, the HSU wrote to your human resources manager, asking for St Andrews to begin consultation and put the proposed workplace changes in writing as described in the consultation clause in your brand new union-negotiated workplace agreement (please see attached page). This clause states that as soon as a definite decision is made regarding major workplace change, the employer is to notify staff and their representatives (unions) as soon as practicably possible in writing.

Now here's where it gets interesting. Despite the fact that unions have been invited to a meeting on Monday 18 June, the St Andrews human resources manager claims no definite decision has been made in regard to major workplace change. Which, to be frank, is difficult to believe. Further to this, he has informed the HSU that should the board make a definite decision by the end of the week, unions will be invited to the meeting. Which of course falls well short of St Andrews' obligations under the Enterprise Agreement.

New Contracts

Members have also reported that they may be asked to sign new contracts as there is now a new EBA. This of course is not necessary. Other facilities hire people and leave them on the same contracts for the life of their employment despite negotiating new agreements every few years.

Should you be asked to sign a contract that you don't want to sign, you are advised to ring HSU Member Services on 1300 468 679 before signing anything. If you do sign a new contract you will be bound by it. You are also under no obligation to sign a new contract.

This of course is all speculation at the moment, none of which would have to happen if St Andrews met their obligations in the Enterprise Agreement they just lodged in the Fair Work Commission. Unfortunately, due to the short notice, your HSU organiser will not be able to come to the meeting. However, your workplace delegate Russell Trafford will hopefully be able to attend.

HSU Northern NSW Organiser Kirk Rostock will attend St Andrews on Tuesday 26 June between 11:00am and 1:30pm for members to get advice. To be clear, only HSU members will receive support from the HSU.

In unity,



Gerard Hayes
Secretary, HSU NSW/ACT/QLD

Consultation regarding major workplace change

Employer to notify

- (a) Where an employer has made a definite decision to introduce major changes in production, program, organisation, structure or technology that are likely to have significant effects on employees, the employer must notify the employees who may be affected by the proposed changes and their representatives, if any, which may be the union.
- (b) Significant effects include termination of employment; major changes in the composition, operation or size of the employer's workforce or in the skills required; the elimination or diminution of job opportunities, promotion opportunities or job tenure; the alteration of hours of work; the need for retraining or transfer of employees to other work or locations; and the restructuring of jobs. Provided that where this Agreement makes provision for alteration of any of these matters an alteration is deemed not to have significant effect.

31.2 Employer to discuss change

- (a) The employer must discuss with the employees affected and their representatives, if any, the introduction of the changes referred to in clause 31.1, the effects the changes are likely to have on employees and measures to avert or mitigate the adverse effects of such changes on employees and must give prompt consideration to matters raised by the employees and/or their representatives in relation to the changes.
- (b) The discussions must commence as early as practicable after a definite decision has been made by the employer to make the changes referred to in clause 31.1.
- (c) For the purposes of such discussion, the employer must provide in writing to the employees concerned and their representatives, if any, which may be the union, all relevant information about the changes including the nature of the changes proposed, the expected effects of the changes on employees and any other matters likely to affect employees provided that no employer is required to disclose confidential information the disclosure of which would be contrary to the employer's interests.

Consultation regarding changes to regular rosters or ordinary hours of work

- (a) Where the employer proposes to change an employee's regular roster or ordinary hours of work, the employer must:
 - (i) provide information about the change to the employee or employees affected; and
 - (ii) invite the employee or employees affected to give their views about the impact of the change, including any impact in relation to their family or caring responsibilities; and
 - (iii) consider any views given by employees about the impact of the change.

- (b) An employer or employee may appoint a representative for the purposes of this clause.
 - (i) The identity of the representative must be advised to the other party.
- (c) The obligations under sub-clause (a) shall be read in conjunction with the other agreement provisions concerning the scheduling of work and notice requirement, including but not limited to Clause 14 - Hours and Clause 15 - Rosters.
- (d) This clause is to be read in conjunction with other provisions in this Agreement concerning the scheduling of work and notice requirements.
- (e) The requirement to consult under this clause does not apply where an employee has irregular, sporadic or unpredictable working hours.