

## SCC Workplace Change Update

Dear Member,

We understand many members have serious concerns about the cuts to hours that Southern Cross Care proposed across NSW and ACT. The HSU has lodged a dispute with SCC at 4 July about their failure to meet the rights and obligations under the *Southern Cross Care NSW-ACT Enterprise Agreement 2017-2020*.

In the meantime, HSU office advises you to apply the rights of your Agreement and take the following steps to ensure that the employer is held to account over blanket changes they have proposed that will cut take home pay, increase workload, create more WHS risk, and impact on workers caring and family responsibilities and service for residents.

**The legal stuff.** Under your Agreement the employer **must** discuss “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” (Clause 32.2 (a)) and in relation to Consultation regarding changes to regular rosters or ordinary hours of work **must** “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 “consider any views given by employees about the impact of the change” (Clause 32.3).

We are advising members and staff to write an email to their Facility Manager and SCC HR about their views about the impact of the proposed change as soon as possible.

### **Step one** – Write letter (clause 32)

Dear (insert name of manager)

The changes to my contracted hours and/or draft roster that SCC has proposed will have the following impact on me (fill in briefly what the draft changes would do to you that are relevant) which includes:

- impact on my income, an estimate e.g. loses \$200 per fortnight
- impact on family responsibilities, e.g. I have caring responsibilities for 2 children etc
- impact on WHS, e.g. the changes would mean not enough staff for the afternoon shift to cover (insert number) of residents
- impact on fatigue, e.g. the draft rostered would mean I be on duty 7 days without a break
- Not enough on the floor with medical competency
- Anything else that you think a reduction hour would impact on your wellbeing, work health and safety.

End with:

“I would like to have acknowledgement of receipt of my email and would appreciate a reply in writing as soon as practicable. I am happy to discuss my concerns at a mutually agreed time with my union representative present”. Try to keep the email to no more than a page.

**Step two** – Send the email to your Facility Manager and cc HR manger [pbrown@sccliving.org.au](mailto:pbrown@sccliving.org.au) and [memberservices@hsu.asn.au](mailto:memberservices@hsu.asn.au).

## **Some Frequently Asked Questions**

### **What will writing to SCC about the impact of their proposed changes to my contracted hours and roster do?**

SCC is obligated to demonstrate that it has genuinely consulted with staff and unions, acted to mitigate adverse effects on employees: “must give prompt consideration to matters raised by the employees and/or their representatives in relation to the changes”. By making the reasonable request to consider your views on the changes you are exercising a right that the employer is obligated to reply to you and any new roster must consider your individual circumstances.

This takes time and the union will hold SCC to account for its legal obligations to our members including their wellbeing. In the meantime, your union representatives and SCC will be meeting in accordance with the dispute resolution process on the 10<sup>th</sup> of July.

### **Do I sign the new hours contract?**

No. Ask for a copy of your current contract and what SCC is proposing. You do not have to sign the contract and do not allow the employer to bully you into doing so. Call HSU Member Services Division on 1300 478 679 or email [memberservices@hsu.asn.au](mailto:memberservices@hsu.asn.au) if you need to arrange for advice or representation.

### **My manager says the new roster will be implemented on a date in early August. Will a new roster mean my contracted hours will be cut?**

Provided you have not signed a new contract your hours cannot be changed unless you agree. All a new roster does is allocate staff for shifts. SCC is obligated to honour the hours in the contract.

### **Not a member? Then it's time to join.**

HSU members get support, advice and advocacy. Changes like the ones that have been proposed have been handled upside down. We want to get changes discussed and made with the genuine input before the decisions are made that are fair. We have options in the Agreement because we pushed for those rights. We need to enforce those rights but can only do so with the support and direction from members.

See your “Blue Board”, your delegate for a membership form or call 1300 478 679. Membership is tax deductible and includes important income protection and many other financial benefits.

In unity,



Gerard Hayes  
Secretary, HSU NSW/ACT/QLD