

HammondCare Enterprise Agreement Update

Dear Member,

Following recent discussions with HammondCare management, we have a significant update about your new enterprise agreement.

What's happened recently?

The HSU has provided a comprehensive response to management, proposing clear and constructive descriptions of the most important issues raised by HSU members. Unfortunately, HammondCare has refused most of our proposals, leaving several key issues unresolved. While there has been some progress around the negotiation table, too many issues are being cast aside as 'operational issues' and not being addressed with clear and binding words in the agreement.

It is really important that your new enterprise agreement have clear and enforceable protections for all staff. **It is not good enough to leave your rights to management's discretion or to confusing words that can be interpreted in many ways.**

What are the key outstanding issues?

- **Community/home care workers to be paid for all travel.** This is a highly important issue. Home care workers are required by HammondCare to use their personal vehicle to perform their duties. They have to take their own vehicle to each client, in order to fulfil the requirements of their role, so therefore they should be paid for all of the travel they incur while using their personal vehicle for HammondCare. Currently they do not. This is a key issue for HSU members to address some of the major inequities facing community and home care workers. Community care workers already have less certainty and less security about their work than others in the aged care industry, so it's important that the union fights for them too.
- **Meal breaks not taken** – This is a major issue facing staff working in the residential areas, cottages and social clubs. HSU members have said that they are regularly required to be on call during their meal break, or have to take their breaks with clients, or simply have to work through their meal breaks. This means that they're not getting a proper break to rest and have

some down time to themselves. The Aged Care Award says that if you remain available or on duty during your break, you are to be paid overtime until you get a proper break or your shift finishes. This is to ensure that proper breaks are taken and that people don't burn out. HammondCare have agreed to include some words about overtime, but the union wants to make sure that this is crystal clear for all staff to ensure that you either get your break or are paid overtime until you do. The current proposal is unclear and needs to be improved.

- **Availability and rostered hours** – HSU members are calling for fairer rostering by having a clear definition of 'available hours', fair process for changing your availability and clear words to ensure that part-time employees may be asked, but not required, to work additional hours above their contract. We also want strong protections to ensure staff won't be penalised or harassed for refusing to work additional hours, as many members have reported this currently being a problem.
- **Public holiday roster** – HSU members have raised problems with the rostering of public holiday work, particularly in community and home care. HammondCare have responded in some home care regions with a new system to nominate and rotate the working of public holidays. This is a positive step, but the union is calling for clear words in the agreement to give certainty and structure to any new system. It is positive that HammondCare have listened to this issue, but we need to make sure that a fair system is enforceable in the new enterprise agreement.

What is the current pay offer?

HammondCare have presented the following wage offer to the bargaining committee:

- 2.5% from the first full pay period after 1 December 2018;
- 2.5% from the first full pay period after 1 July 2019;
- 2.5% from the first full pay period after 1 July 2020;
- 2.5% from the first full pay period after 1 July 2021.

What are the next steps?

The HSU has written to HammondCare explaining that, although we are close to agreement on many items, there are several significant issues that remain unresolved. With such major issues still on the table, the HSU cannot accept the offer as it stands and the bargaining committee has agreed to recommend that members vote no if the current offer is put out to staff.

HammondCare have indicated that they are commencing 'road shows' to discuss the current offer with staff. We encourage members to attend these meetings and

ask questions about your agreement. Some questions that you might consider asking are:

- The enterprise agreement protects all staff. Why should important issues be left to 'operational needs' or 'management discretion', and not included clearly in the enterprise agreement?
- Does the proposed agreement solve the issues that were raised by representatives in my area?
- HammondCare is changing the long service leave provisions for new starters (but keeping current staff on their current terms). How much will this save HammondCare in the future and is that saving being passed on to staff?
- If HammondCare has agreed to improve the public holiday roster for community care, why won't they include words in the agreement to support and protect this?
- How many of the proposals from the bargaining committee have been accepted by HammondCare? What do the unions and representatives on the committee think about the offer?

The HSU has offered to meet with HammondCare to try and resolve our outstanding issues. We are keen to settle the agreement and we want staff to have a pay increase when it is due, the December. We are due to sit down with management again on Friday to discuss drafting of the agreement. We will keep members up to date as things progress.

If you have any questions about your agreement or the progress of negotiations, please contact your HSU Delegate or HSU Bargaining Officer Chris Friend at chris.friend@hsu.asn.au for assistance. If your colleagues are not yet HSU members, please ask them to join so that they can stay informed and get involved. They can join online at www.hsu.asn.au or by calling 1300 478 679. When we are united and strong we get the best results, so make sure your colleagues are part of the union.

In unity,



Gerard Hayes
Secretary, HSU NSW/ACT/QLD