

## HammondCare in unfair bargaining conduct, says HSU

Dear Member,

Yesterday the HSU contacted the Fair Work Commission to report unfair conduct by HammondCare in enterprise bargaining. The union says that HammondCare has been deliberately deceptive in order to undermine our collective bargaining.

This is a really serious matter and the union is now seeking the assistance of the Fair Work Commission to resolve the problem.

The HSU has asked the Commission to order that HammondCare stop any unfair behaviour and to follow the rules of good faith bargaining.

The union has also asked that HammondCare be upfront with all staff about what information has been given to your bargaining reps, what the real offer is and what it means for you.

### HammondCare's unfair behaviour

In the negotiation, HammondCare gave the HSU with a positive new offer about your meal breaks. HammondCare agreed that if you don't have an opportunity to take your meal break, then you're entitled to be paid overtime until you get a break, or the shift ends.

HammondCare also said that you could only be directed to work or be on duty through your meal break, if you agreed to it. These changes were positive and ensured that all staff had fair access to meal breaks.

However, in a dishonest and deceptive move, **HammondCare have backflipped on their word and sent a very different (and far inferior!) proposal to staff to vote on, without telling your bargaining reps about the change.**

This is unfair behaviour that undermines collective bargaining. It's unfair to present a decent offer to the union, gain our support, and then put a much worse offer out to a vote, without telling anyone.

### Next steps

**We think that the offer which has been put to you to vote is not good enough.**

We want a clear right for all members to take fair meal breaks, and if they don't, to be paid overtime until they get their break.

The union is now waiting to hear from the Fair Work Commission. We will keep you updated.

In unity,

A handwritten signature in black ink, appearing to read 'Gerard Hayes', written in a cursive style.

Gerard Hayes  
Secretary, HSU NSW/ACT/QLD