

HammondCare caught telling a porky!

Dear Member,

On Friday afternoon, the HSU took HammondCare to the Fair Work Commission in a dispute over their unfair bargaining tactics.

The HSU said that HammondCare had engaged in unfair conduct that undermined collective bargaining. We said that HammondCare's email to staff, which said that *'a majority of employee representatives who participated in the EA 2018 negotiations have no objection to the HammondCare Offer for an Agreement'* was wrong.

We said that this campaign material misrepresented your bargaining representatives, and that it misled staff.

The Fair Work Commission agreed that it was a misrepresentation and asked HammondCare to explain what they had done to correct it.

Commissioner Johns said: *'Where have you told employees, on 21 September we told you a porky?'*

HammondCare admitted that their statement to staff was incorrect and that they had not corrected the record.

HammondCare agreed to write to all staff saying that their earlier email was a misrepresentation and that they withdraw it and apologise.

HammondCare are still pressing ahead with their vote, despite the Commission putting them on notice that the HSU may oppose the approval application, if it looks like they haven't fulfilled all their obligations under the Fair Work Act. The HSU suggested that HammondCare suspend the vote and ensure that the conditions of the proposed agreement are properly understood by everyone, including changes to your current conditions.

The HSU has serious concerns with this agreement, as it does not clearly say that all staff will get their lunchbreak, or be paid overtime if they do not. This agreement gives management new rights to 'designate' staff to work through their lunchbreak for 'operational reasons'. This means that you could be working through your shift without taking a proper meal break, and only to be paid normal rates of pay. We say that this is unfair and should be changed.

We also have concerns about the unfair KM allowance and we have been calling on management to fix this issue.

The vote is now open, we encourage all HSU members to have your say so that management can hear our voice loud and clear.

We will keep you up to date.

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