

## Sexual Assault Workers on call and call-out allowance update and survey link

Dear Member,

On 19 August, the Union sent a newsletter to members advising of a decision handed down by the Industrial Relations Commission of New South Wales in relation to when Sexual Assault Workers are entitled to be paid call out allowance. You can find a copy of that newsletter here <https://www.hsu.asn.au/wp-content/uploads/2019/08/19570-Sexual-Assault-Workers-On-Call-and-Call-Out-Allowance.pdf>

The effect of the decision is that where a Sexual Assault Worker who is on call receives a notification that requires them to attend a hospital, any 'intake' calls performed at home before departing will not attract the call out allowance. The call out allowance will be paid from the time that the Sexual Assault Worker starts travelling to the hospital until the time that they arrive back home.

Because of the different ways LHDs have interpreted the allowance in the past, the decision will have varying effects for members. Some will get paid more than they currently get paid (because they are not currently paid for travel time), others will lose out (because they are currently paid from the time they get the call until the time they return home, including any 'intake' calls made before leaving home).

Because some members are likely to lose out, we have been considering lodging an appeal.

We have received advice that if we lodge an appeal, there is approximately a 50% chance the Commission will 'grant leave' and agree to hear the appeal. If the Commission does decide to hear the appeal, we think:

- There is reasonable chance (perhaps around 60-70%) that we will be successful and the Commission will decide that 'intake' calls should be paid at the call out rate (as well as the travel time);
- There is a chance that we will not be successful and the decision will simply stay the same as it currently is;
- There is a small chance (perhaps around 10-15%) that the Commission will overturn the decision and instead decide that Sexual Assault Workers should only be paid for the time that they attend the hospital (with travel time unpaid).

**We want to know what you think.** Please click on the link below to complete our survey:

<https://www.surveymonkey.com/r/HSU-SAW-CallOut>

The survey will close at 10am on Thursday 5 September. If you have received this email but these allowances or classifications do not apply to you, please do not complete the survey so we can keep the results as accurate as possible.

**Please note, we have been told that some members did not receive our last newsletter. Please forward this newsletter onto other members that you know employed as Sexual Assault Workers so they can have their say.**

If you have any questions, or want to discuss this matter, please call Brendan Edghill at the Union on 1300 478 679

In unity,

A handwritten signature in black ink, appearing to read 'Gerard Hayes', with a long, sweeping underline that extends to the right.

Gerard Hayes  
Secretary, HSU NSW/ACT/QLD