

Transfer of Pathology Courier Service

Dear Member,

Attached is correspondence the HSU has received from Western Sydney Local Health District regarding the transfer of the Pathology Courier Service to NSW Health Pathology.

Member feedback requested

The HSU industrial team is currently reviewing the potential impacts of the proposed restructure upon affected employees. We are now seeking feedback, views and comments from our members. The HSU has preliminary concerns about the lack of consultation with its members and the decision of NSW Health Pathology to publicly advertise the relevant positions as opposed to transferring relevant staff across. The HSU has placed this matter in dispute with both the District and Health Pathology, as per the attached emails.

Please review the attached documentation and provide comment and feedback by 13 December 2019. You can submit it by email to luke.maroney@hsu.asn.au with subject line *Pathology Courier Service*.

HSU organiser and sub-branch involvement

Your HSU organiser Peter Mason will be visiting your workplace shortly and convening a meeting to discuss the matter with affected employees. The HSU is also seeking expressions of interest from members to be part of the consultative process as a workplace delegate in any upcoming USCC meetings regarding this proposal. The most effective way to deal with these kinds of proposals is by taking into account the concerns of the group, agreeing on a way forward and presenting that united position to management.

Please distribute this newsletter to your work colleagues for their information and comments and encourage them to attend the meeting.

Not a member of the HSU? Now is time to join and have your say! You can join online at www.hsu.asn.au/join or call 1300 HSU NSW and join over the phone.

A union's effectiveness and negotiation power depends upon the strength and density of its membership base. Join your work colleagues today by becoming a member of the Health Services Union and help us continue to protect and improve your working life.

In unity,



Gerard Hayes
Secretary, HSU NSW/ACT/QLD



Mr Gerard Hayes
Secretary
Health Services Union NSW.ACT
Level 2, 109 Pitt Street
Sydney NSW 2000

Email: secretary@hsu.asn.au

Dear Mr Hayes,

Subject: Transition of Pathology Courier Services to Pathology NSW

I write to formally inform the Health Services Union NSW/ACT that District provided pathology courier services is transitioning from WSLHD to Pathology NSW. WSLHD currently employs seven (7) Motor Vehicle Drivers to undertake those tasks.

We have recently been advised that Pathology NSW is currently advertising 7 Motor Vehicle Driver positions through IWorkforNSW recruitment portal (*REQ140390 - Courier Driver*). WSLHD was not provided with appropriate consultation or notified prior to these positions going live. The District put a request to Pathology NSW to offer priority assessment to our drivers. We were advised that this was not feasible as our staff were technically not displaced. The advertisement has a closing date of 09 December 2019.

So as to maximise redeployment opportunities for our staff by giving them access to priority assessment provisions, we have had to declare them 'Affected' today. We have acknowledged with staff that in this instance normal consultation process has not occurred and we have apologised to them for that. Staff are being offered personalised case management support with drafting, uploading and submitting their applications prior to the closing date. Affected staff will be submitting priority applications as per the provisions of the PD2012_021 *Managing Excess Staff Policy*. Craig Faber and Brendan Roberts from the union have been included on our correspondence, however this advice serves as formal notice to the HSU.

By way of background, Pathology Courier Services sits within the Fleet Services which forms part of the Finance Directorate at WSLHD. Our courier service employs 8 FTE classified as Motor Vehicle Drivers. Seven of these positions have predominantly provided support to Pathology NSW by collecting pathology samples and delivering those to Pathology NSW laboratories across Western Sydney and sometimes beyond. One of the 8 FTE does not directly support Pathology NSW and would not be affected by this change. Transitioning this courier service across to Pathology NSW makes good business sense as it supports their core business.

Please direct any comments regarding this proposal to Namita Biswal, Manager, HR Business Partners-District Directorate via email to Namita.Biswal@health.nsw.gov.au. Should you require any additional information or wish to discuss this matter further, please contact Ms Biswal on 0417 610 755.

Yours sincerely,

Barry Mitrevski
Director of Finance
Western Sydney Local Health District

Date: 06 December 2019

From: [Luke Maroney](#)
To: [Namita Biswal \(Western Sydney LHD\)](#)
Cc: [REDACTED]
Subject: Change to Pathology Couriers - Westmead
Date: Friday, 6 December 2019 5:15:00 PM

Dear Ms Biswal

I refer to recent correspondence from Ms Luci Caswell, Western Sydney Local Health District (**District**) Director of People and Culture, to staff of the District employed in the Pathology Courier Service (**Service**) advising that the Service is being transferred to NSW Health Pathology (**NSWHP**). I also refer to recent conversations between Mr Callow of Health Services Union NSW (**Union**) and Ms Truelove of the District, who is copied into this email, in which it was disclosed that NSWHP is publicly advertising the positions that are said be subject to the transfer of the Service from the District to NSWHP.

As far as I am aware, no formal correspondence has been received by the Union advising of the transfer of the Service from the District to NSWHP, either from the District or from NSWHP. As you would be aware, cl 35 of the *Health Employees Conditions of Employment (State) Award* (**Conditions Award**) requires genuine consultation with the Union on changes of this nature. Such consultation has not occurred.

I notify you that, within the meaning of cl 26 of the *Conditions Award*, the proposal to transfer the Service from the District to NSWHP is in dispute. This has the effect that the status quo immediately before the transfer of the Service must remain in place, with the effect that the Service must remain in the District and staff should not be affected.

I will shortly write to NSWHP conveying that this matter is in dispute.

Yours sincerely

Luke Maroney
Industrial Officer, HSU NSW/ACT/QLD
Health Services Union
Level 2, 109 Pitt Street
Sydney NSW 2000

Telephone: 1300 478 679

Email: luke.maroney@hsu.asn.au

Web: www.hsu.asn.au

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[I acknowledge the Traditional Owners of the land on which I live and work as the First People of this country, and pay respect to their Elders past, present and future.](#)

From: [Luke Maroney](#)
To: [Martin Sainsbury](#)
Cc: [REDACTED]
Subject: Change to Pathology Couriers - Westmead
Date: Friday, 6 December 2019 5:16:00 PM
Attachments: [Change to Pathology Couriers - Westmead .msg](#)

Dear Mr Sainsbury

I refer to recent correspondence from Ms Luci Caswell, Western Sydney Local Health District (**District**) Director of People and Culture, to staff of the District employed in the Pathology Courier Service (**Service**) advising that the Service is being transferred to NSW Health Pathology (**NSWHP**). I also refer to recent conversations between Mr Callow of Health Services Union NSW (**Union**) and Ms Truelove of the District, who is copied into this email, in which it was disclosed that NSWHP is publicly advertising the positions that are said be subject to the transfer of the Service from the District to NSWHP.

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The HSU requires that no further action on the recruitment of the advertised positions can take place during the pendency of this dispute. We require you to confirm by no later than midday on Monday 9 December 2019 that this will be the case. It is also our view that the appropriate course of action would typically be to transfer the existing staff in the Service from the District to NSWHP.

The Union has recently written to the District with respect to this matter. A copy of that correspondence is **attached** to this email for your information. The recipient of that email is copied into this email for her information.

Yours sincerely

Luke Maroney

Industrial Officer, HSU NSW/ACT/QLD

Health Services Union

Level 2, 109 Pitt Street

Sydney NSW 2000

Telephone: 1300 478 679

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