

## Nepean Hospital Staff Amenities

Dear Member,

As an HSU member, your workplace environment and staff amenities are important to us.

With that in mind, we have written to your employer (see attached letter) seeking to enforce your Award rights to have staff amenities negotiated with the new development at your hospital.

Though some consultation may have occurred with staff, so far no genuine negotiations have occurred with the HSU to ensure the staff amenities respect your Award entitlements (e.g. for showers, lockers, dining rooms), promote a healthy built environment, and facilitate staff needs including childcare etc.

This failure to negotiate is a breach of the Award and can be legally enforced.

Members can be assured that your union will seek to enforce these important rights and will ensure HSU members have a voice in any negotiations.

In any negotiations, we will only be representing the views and wishes of HSU members. Encourage your workmates to join online at [www.hsu.asn.au/join](http://www.hsu.asn.au/join) or phone 1300 478 679.

In unity,



Gerard Hayes  
Secretary, HSU NSW/ACT/QLD

21 January 2020

Ms Kay Hyman  
Chief Executive, NBMLHD  
PO Box 63  
PENRITH NSW 2751

Dear Ms Hyman

By email: [kay.hyman@health.nsw.gov.au](mailto:kay.hyman@health.nsw.gov.au)

### Staff Amenities Negotiation

I write in relation to the building development to occur (or occurring) at Nepean Hospital.

Under the relevant Award clause (s):

*Where major additions to presently occupied buildings or new buildings are erected within a presently constituted hospital, the amenities to be provided in such additions or new buildings shall be the subject of negotiations between the parties.*

(HEALTH EMPLOYEES CONDITIONS OF EMPLOYMENT (STATE) Clause 21. (iv), HOSPITAL SCIENTISTS (STATE) AWARD 2019 Clause 18 (v) & PUBLIC HOSPITALS (PROFESSIONAL AND ASSOCIATED STAFF) CONDITIONS OF EMPLOYMENT (STATE) AWARD 2019 Clause 17.)

It is our view that negotiation between the parties has not occurred and that a breach of the Award may have occurred.

With a view to ensure Award compliance, we request an urgent meeting to commence the negotiations between the parties.

To assist for the purposes of background information, the following about the concerns that the HSU has in relation to staff amenities may assist.

### Ensuring Award Entitlements

Ensuring Award entitlements are adhered to in relation to negotiating staff amenities is a key reason behind wanting to enforce the Award entitlement to conduct negotiations. New builds have a track record of causing and/or also provide possible solution/s to current and/or future Award breaches in relation to staff amenities. The earliest possible transparency and negotiation around staff amenities would seem to be the most cost effective, less disruptive and most sensible way to ensure Award compliance.

Award breach/concerns include:

Ensuring the Award entitlement to negotiate staff amenities is a key concern in itself. Having a voice in the staff amenities available for staff by the staff affected is a key entitlement that the HSU is seeking to enforce. The Award entitlement is clear, negotiations between the parties must occur. Any



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discussion and agreement should purely be about how the negotiations should be carried out in line with good faith negotiation principles.

Staff Dining rooms is a major concern and one that has often been negatively impacted in the process of new building/redevelopments. These concerns include the failure to provide staff with a staff dining room or not providing sufficient seating for all staff who may have a break at any one time and/or not providing heating and cooling facilities etc. Some Hospitals have abolished a separate staff dining room all together and required staff to use general public areas of retail food facilities. This clearly fails to provide staff with enough seating and also puts staff at risk of interacting with clients during break times etc.

Other Award entitlements breached or at risk of being breached in new developments include the provision of staff toilets (e.g. often not sufficient single sex toilets as the Award stipulate), lockers (e.g. not sufficient lockers for all staff), change rooms/showers (e.g. not sufficient and/or not accessible to staff) and access to Rest Rooms as per the Award entitlement.

Accessible Child Care is also an issue that can be affected, addressed and/or improved as part of a redevelopment process. Clause 36 of the Health Employees Conditions of Employment Award states:

*The parties agree to work together to examine methods of addressing the child care needs of employees.*

A redevelopment process is a logical opportunity to review and takes to steps to address the childcare needs of employees and a negotiation process with the representative of those employees would be a critical step in seeking to address those needs.

## **A Healthy Built Environment**

*Given we spend one third of our lives at work, the working environment can have a significant impact on our health and wellbeing.*

<https://www.sahealth.sa.gov.au/wps/wcm/connect/public+content/sa+health+internet/healthy+living/healthy+communities/workplaces/for+business>

NSW Health is itself a proponent of creating a healthy built environment. Though the healthy built environment entails a range of issues (e.g. access to healthy food, access to exercise and a non-polluted environment), a key concern is related to opportunities for social interaction and community connectivity.

The NSW Health website states:

Opportunities for social interaction and community connectivity

*There are strong links between good health, a sense of community and social interaction. The built environment can foster a sense of community through enabling day to day interaction with people and nature in safe and accessible environments:*

- green and open spaces facilitate contact with nature as well as community.

<https://www.health.nsw.gov.au/urbanhealth/Pages/default.aspx#opportunities>

Many HSU covered staff working in Public Health appear to be working in built environments that do not encourage or facilitate a healthy lifestyle and/or social interaction. Whether it is the abolishment

of central staff dining rooms (e.g. resulting in staff typically eating at their desk/workstation) and or the workspaces (e.g. typically environmental services, kitchens etc.) working in cramped environments with no natural light, a Healthy Built environment is a key issue that should be explored and addressed through a negotiation process.

### **Improving and Updating Staff Amenities**

Though ensuring Award entitlements are adhered as part of any new development is a key concern, improving and updating staff amenities is key reason for commencing negotiations with the redevelopments and/or development of new buildings. As society changes, so do the type, style and preferences of staff for staff amenities change. Examples may include access to health-related facilities (e.g. gyms, yoga/Pilates rooms), prayer facilities, accessible facilities for bike storage, dining rooms with different/improved cooking facilities, childcare facilities and opportunities for relaxation and/or social interaction.

A negotiation process entered into by the HSU is of course seeking to improve staff amenities beyond the legal/Award minimum. A genuine negotiation process, conducted utilizing good faith negotiation principles, would aim for the parties to work together to create healthy and happy work environments that would improve both the life of HSU members and the productivity of the entire Health system.

As we have already requested the commencement of negotiations in relation to staff amenities in your LHD, we would ask that you provide a response by COB 28 January, 2020 as to whether you agree to commence negotiations with the HSU for the staff amenities in the new/re developments occurring in your LHD.

A failure to respond or an unsatisfactory response is likely to result in a notification of a dispute in accordance with the Award.

Please respond by email to [rob.sheehy@hsu.asn.au](mailto:rob.sheehy@hsu.asn.au) or phone Rob on 0407804325.

Sincerely



Gerard Hayes  
Secretary  
HSU NSW/ACT/QLD