



31 July 2015

ADHC bulletin - the state of play in Home Care and You

On Monday 20 July 2015, the NSW Government acted unilaterally in ceasing negotiations with the PSA and implementing arrangements for transfer of Home Care Service employees to the private sector.

The arrangements in place confirm employees will be transferred by Ministerial order, with no consent required.

PSA members had previously rejected the arrangements first proposed during negotiations with us. Of greatest concern is the lack of choice and lack of genuine protection for jobs, pay and conditions.

What's more, the arrangements are inferior to others put in place for previous privatisations such as Sydney Ferries and the Power Industry.

For Sydney Ferries, a two-year guaranteed employment period was negotiated with a 30-week transfer payment. Their conditions and transfer arrangements were **protected by both an Enterprise Agreement and a legally enforceable Deed**.

For the current privatisation of the Power Industry, a five-year guaranteed employment period was agreed to with an eight-week transfer payment. The conditions for employees have been protected by legislation.

For Home Care employees, the arrangements put in place have the worst of both worlds, with a two-year guaranteed employment period and an eight-week transfer payment. However, the two-year guaranteed employment period is a Clayton's protection for pay and conditions as it remains in place only UNTIL the new employer seeks to make a new agreement under the Fair Work Act.

As a result, PSA members in Home Care have

implemented work bans on a range of tasks and will also be voting on taking further industrial action such as striking.

The Government's position on Home Care is likely to set a precedent for the rest of ADHC, so it's important that members in ADHC are well aware of what is happening and consider acting now to stop the dangerous precedent being set.

It's time

PSA members in ADHC have been fighting the privatisation by placing bans on tasks relating to the transfer to the private sector. We commend members who have stayed strong and followed their union's direction. You can get a full list of current bans in ADHC [here](#)

(<http://psa.asn.au/wp-content/uploads/2015/07/ADHC-Bans-factsheet-31-July-2015.pdf>)

But now it's time to escalate! Take this **short survey** to let us know what you are prepared to do to fight for your jobs, conditions and the service you provide to people with disability.

(https://www.surveymonkey.com/r/ADHC_Action)

To read about the detail of what is happening in Home Care, please see a recent bulletin to Home Care members [here](#)

(<http://psa.asn.au/wp-content/uploads/2015/07/Home-Care-Service-Update-July-2015.pdf>)

If you have any questions about this bulletin please email: FACSOrganising@psa.asn.au

If you are being harassed or pressured because of the bans, please immediately ring the PSA's member support centre on 1300 772 679.

Join the PSA

membership.psa.asn.au/join



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