



2 October 2015

Home Care Update to members

As PSA members already know, on 28 August, the NSW Government announced Australian Unity will take over the NSW Home Care Service from 2016.

The Government confirmed Home Care employees would be unilaterally transferred via Ministerial Order to the private employer. This removes the requirement for employee consent.

The Government also confirmed the transfer payment would stay at the new low of “up to” eight weeks as agreed by United Voice.

It then rejected our demand that a legal mechanism be provided for enforcement of their so called two-year employment protection period.

The announcement immediately led to an escalation in the PSA's fight in Home Care to protect members' rights with highly effective bans being implemented across the state. This well timed escalation led to some important outcomes.

Campaign achievements so far....

PSA members' campaign efforts have now secured:

- A commitment from the incoming private operator Australian Unity, that it will not seek to negotiate a new enterprise agreement for the duration of the two-year protection period

- The protection of MEE policy redundancy entitlements post transfer
- All leave entitlements and accruals to date will be transferred to the new employer, including sick leave.

In addition, FACS has agreed to review the PSA submissions on extending non-Home Care Award employment conditions post-transfer.

What now?

- The PSA is now seeking independent legal advice on the enforceability of Australian Unity's commitment that it won't seek to negotiate a new enterprise agreement for the duration of the two-year protection period
- The PSA expects FACS will advise its decision on whether or not it will extend non-Home Care Award employment conditions to members post-transfer at the next meeting of the transition working party to be held later in October.

Eighty-two percent of PSA members who responded to our recent strike survey supported escalating our campaign to strike action. Therefore, the PSA will report the outcomes on the above two points to PSA members as soon as practical. You can then choose whether or not to implement strike action.

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