

Australian Unity enterprise agreement update: Who is included in your enterprise agreement?

On 30 January 2018 an enterprise bargaining meeting occurred with Australian Unity. Your representatives, the CPSU NSW, conveyed disappointment in the fact the proposed enterprise agreement had not reflected the full conditions of employment from the Copied State Award.

Most notably there has been a proposal from Australian Unity **for Branch Managers and Service Centre Manager to not be included the agreement**. This would mean Branch Managers and Service Centre Managers would have no enterprise agreement and they would need to **negotiate their conditions of employment on an individual basis**.

If you are a Branch Manager or Service Centre Manager, **please let the CPSU NSW know by 22 February 2019, how you feel about the proposed change to be excluded** from the enterprise agreement. You can contact **1300 772 679** or email AUmembersCPSUNSW@psa.asn.au.

What changes were made:

Some feedback resulted in changes in the proposed agreement, the following was changed:

- » **Ordinary hours** of work will be Monday-Sunday, 7am-7pm
- » Wording was changed in relation to the number of days Administrative employees could work within a week. Rather than making it so Administrative employees only required two days off in a fortnight, this could only occur with agreement. **This means no employee could be forced to work a six-day work week.**
- » It was put forward by the CPSU NSW that the suspension without pay clause was not necessary at all. However, if it was to be in the agreement the proposed clause allowing suspension without pay

was too general, resulting in a broad ability to suspend without pay. Australian Unity determined it needed the ability to suspend without pay and was going to keep the clause within the agreement but would amend to take out the broad ability to suspend without pay.

- » There were several clauses that appeared to be aimed at the care workers yet they could apply to administrative employees. The CPSU NSW raised this and Australian Unity agreed to make alterations.
- » CPSU NSW raised the issue that the **on-call allowance was significantly less than currently** being paid for those participating in on-call arrangements. Australian Unity has **increased the on-call payment to 15 per cent** of your **ordinary rate**. It was not able to provide details on how it will operate. This issue will continue to be raised in the JCCs so we are able to get an understanding of what model will be in place. Members should note that the **reason for the introduction of on-call** relates to legislative requirements for Australian Unity to have **service coverage 24/7**.
- » Through the request of your representatives, Ceremonial Leave is a new addition to your conditions. This leave is as follows:
"An employee who is legitimately required by indigenous tradition to be absent from work for Aboriginal or Torres Strait Islander ceremonial purposes will be entitled to up to 10 working days' unpaid leave in any one year, with the approval of the employer."

What changes were not made:

Other feedback was provided by the CPSU NSW. However, no changes were seen in this round of bargaining:



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- » It was communicated strongly to Australian Unity that having flex time only apply to transferred Administrative staff was to have a negative impact on how teams work together. Australian Unity kept to the line that it is **unable to manage the leave that would result from extending flex time to all Administrative employees.**
 - » Also in relation to **flex time** the CPSU NSW maintained the position as highlighted in written feedback that the change in wording to the flex time clause, requiring there to be agreement of productive work, inherently alters flex time by limiting access to hours. Australian Unity stated the reason for this was that **Managers needed to have a level of control over the hours employees work**, including the ability to tell staff “no” under the conditions of employment. CPSU NSW said it would look to reword the clause to provide for some abilities for the employer to be able to do that.
 - » The consultation clause in the current proposal is a model clause, the CPSU NSW does not believe this provides for adequate consultation and requested that the clause we had drafted be considered. Australian Unity was of a differing opinion; they believe the clause provides for more consultation than is now required. In saying that they determined they could make a slight alteration to include the word ‘proposed’ in part of the clause to indicate that consultation is to occur prior to the changes.
 - » We placed objections to a clause in the proposal that provided United Voice access to Care Workers. There is no clause providing the same to the CPSU NSW to administrative employees, we consider this to be unacceptable. There were proposals put in the previous bargaining meeting for the CPSU NSW delegates to have access to paid time to undertake work related to the Union, which included supporting members in meetings. Australian Unity has said it will consider this further.
 - » The ability for Australian Unity to request a medical certificate after one day’s absence has been communicated by your representative as being excessive and possibly be used a tool by managers to make the requests in unintended circumstances. Australian Unity thought that the ability to make the request should not be used in all circumstances, this would include where there has only been one day’s absence all year. If Australian Unity is insisting on having a clause that allows the request for a medical certificate after one day’s absence, then the CPSU NSW has said **that Australian Unity need to place more guidance** in the clause to reflect the intent of **when medical certificates should be requested after one day’s absence.**
 - » The CPSU NSW has maintained the position that Administrative employees are entitled to the full redundancy under the Managing Excess Employees Policy. Australian Unity has maintained its position, that it **only need to offer the forced redundancy.**
 - » There were some requests made around Parental leave by the CPSU NSW in regards to wording to ensure that the intent of the employer was clear. Australian Unity has made changes and these will be reviewed.
- For those who are not members, this is the time to join and support the fight to retain your employment conditions and pay, and bring all administrative workers onto the one Agreement and are paid fairly and equally when doing the same work.
- If you would like further information or would like to assist, please contact the CPSU NSW on **1300 772 679** or email AUmembersCPSUNSW@psa.asn.au

