

Members' bulletin: icare

Premier's Christmas shutdown

The PSA understands icare is very keen for staff to take leave over the Christmas-New Year period in line with the *Premier's Memorandum M2019-03 Christmas Shutdown*.

The Premier's Christmas shutdown for 2020-21 is from 25 December 2020 through to 8 January 2021.

The PSA does not object to the Christmas Shutdown and we would certainly encourage those staff who can, to enjoy the opportunity it allows to have a decent break from work.

That said, the PSA is also aware that some staff, for a number of reasons, may need to work throughout this time. This should be permitted by icare.

The PSA is aware of a broadcast sent to staff on 30 October which states that:

All other staff (who have leave to take) who are not filling the regional rosters as outlined below during this time will be asked to take off the shutdown period. If you have not accrued enough leave by 25 December to cover the shutdown period, you can choose to purchase leave, take leave without pay or take leave in advance (which means you will have a negative balance in TESS).

While the above are all options for those that have not accrued enough leave, icare has rather conveniently omitted that you can choose to work and icare must make work available for you, dependant on your accumulated leave balance at the time of the shutdown.

There is really only one instance in which icare can make a direction to staff at short notice (within six weeks of notification) to take leave and that is when you are in excess of 40 days' accrued recreation leave (or within three months in excess of 30).

For those staff who may have just started working for icare or do not have enough recreation leave to cover the shutdown period and do not want to go into debit or take leave without pay, you are able to request to work through this period and icare must make a reasonable adjustment to allow you to do this.

Please note: you may be required to work from a different location or from your home.

If you do need to make arrangements to work over the shutdown period, you are strongly advised to begin discussions with your People Leader now. If PSA members have any difficulty in discussing this with their People Leader they can contact the PSA for support.



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Excess recreation leave

Excess recreation leave for some staff in icare has been a major industrial issue between the PSA and icare in 2020, resulting in a dispute in the Industrial Relations Commission.

The PSA would like to encourage all staff who have excess leave balances of more than 30 days to work with your People Leader to put in place leave plans that will reduce your recreation leave balances to below this threshold.

There is a point of difference between the PSA and icare as to when your employer should be discussing with you when to take leave. At this time, icare is having 'discussions' with employees when the balance reaches 20 days.

As long as it is understood by members that at 20 days all it can be is a 'discussion' and not a 'direction', as your Award is very clear in that you have to have reached 30 days in the first instance or 40 days prior to any direction being made for you to take leave.

Two consecutive weeks of leave

Further to the above points, icare has also signalled its intention to implement clause 68.2.1 of the Award. This requires that you should take at least two consecutive weeks of recreation leave within a 12-month period.

The PSA would encourage the use of the Christmas Closedown period as a useful opportunity to meet this requirement.

Support your union

Support the work of the PSA and delegates by asking your colleagues to **join their union**. You can join at www.psa.asn.au/join.

