

hsuwa enterprise bargaining agreement 2016

WA Health OFFER

The table below shows a summary of the offer and hsuwa comments about each change and the implications of voting 'YES' or 'NO' to the offer

Wage Offer

| | |
|--|---|
| <p>1.5% from 1 July 2016 and 1.5% from 1 July 2017. A two year Agreement that expires on 30 June 2018. The dates are guaranteed subject to members' acceptance of the offer. If the offer is rejected the effective date of 1st July 2016 for the first pay increase will be lost.</p> | <p>The salary offer is consistent with current Government Wages Policy, and higher than the current rate of inflation for WA. The annual rate of the CPI for Perth for the March 2016 quarter was 0.7%. The all capital cities or national annual rate was 1.3% p.a. In our view, based on current trends, it seems likely that inflation will not reach the levels projected in the State Budget (2% and 2.5%). The salaries offer reflects the fairly dire state of the Budget and the reliance the Government have placed on reining in the wages budget to reduce their deficit. Keeping the Agreement to two years reduces the risks.</p> <p>The WA Prisons Officers Union have given in principle acceptance to the same pay offer.</p> |
|--|---|

Secure employment

| | |
|--|--|
| <p>The proposed Agreement better defines the obligation of the employer in regard to providing permanent employment as the primary mode of employment. The proposed Agreement is amended to: emphasize that employment is to be on a permanent basis as the first and preferred option whenever possible; employment on fixed term contracts limited to specified circumstances only (all else must be filled permanently); the union can have all fixed term contracts reviewed, and the employer has to provide reasons why a position is filled on a fixed term contract basis</p> <p>A new criteria and process for assessing employees' "reasonable expectations of ongoing employment" is to be agreed between the parties within 6 months of Registration of the Agreement (i.e., by approximately February / March 2017)</p> | <p>While the employer bears primary responsibility for how people are employed we are confident that these changes should assist in increasing the proportion of permanent jobs.</p> <p>The union can access information about the use of fixed term contracts and whether there are valid reasons for the use of fixed term contracts for filling positions.</p> <p>By early 2017, we aim to have a new and improved criteria for assessing and enforcing claims for permanent employment.</p> <p>As the major reconfiguration of health services draws to a close, the jobs freeze lifts, and the new regional structures settle in we hope to see a marked turn to permanent employment over the rest of 2016 and beyond.</p> |
|--|--|

Workload Management

| | |
|--|--|
| <p>A new Workload Management clause is to be included in the proposed Agreement as follows:</p> <p>1 The employer is committed to addressing workload management issues and taking reasonable steps to ensure that employees are allocated sustainable workloads and are not required to work excessive or unreasonable hours.</p> <p>2 Where an employee believes they have an excessive or unreasonable workload, this should be raised with their immediate supervisor in the first instance. If the workload issue is not resolved within a reasonable period of time, the matter should be escalated in accordance with Clause 56 – Dispute Settlement Procedure.</p> | <p>The clause represents a significant improvement on the current Agreement and should provide a useful tool for members to assist in workload issues being addressed.</p> |
|--|--|

Authorised Mental Health Practitioners

| | | | | | |
|--|-------------------------|---------|-------------------------|---------|--|
| <p>Qualified employees who are required to exercise the duties of an Authorised Mental Health Practitioner will be paid the Authorised Mental Health Practitioner's allowance.</p> <table data-bbox="102 1836 462 1912"><tr><td>On and from 1 July 2016</td><td>\$2,981</td></tr><tr><td>On and from 1 July 2017</td><td>\$3,026</td></tr></table> | On and from 1 July 2016 | \$2,981 | On and from 1 July 2017 | \$3,026 | <p>An excellent win for these members who do a very tough job out in the community. Well deserved.</p> |
| On and from 1 July 2016 | \$2,981 | | | | |
| On and from 1 July 2017 | \$3,026 | | | | |



Domestic Violence Leave

| | |
|---|--|
| <p>A new Domestic Violence Leave Clause has been offered:</p> <p>Recognises the need for employees facing family and domestic violence leave.</p> <p>Facilitates access to existing leave entitlements for this purpose.</p> <p>Provides employees facing family and domestic violence with the right to security in the workplace and modified working arrangements to support them in dealing with such situations.</p> | <p>This an improvement on the current Agreement but it is disappointing that the Government would not offer some additional leave. We have written to the Premier asking that he follow the excellent example set by the Tasmanian Premier who has provided an extra 10 days of leave because he felt that the public sector should be setting employment standards.</p> |
|---|--|

Professional Development

| | |
|---|---|
| <p>The offer is for a new provision in clause 48. Skills Acquisition, Training and Employee Development</p> <p>The provision:</p> <p>Facilitates employees who maintain a professional registration which is relevant but not mandatory (lawyers, accountants and the like) to be granted paid or unpaid leave to attend formal professional development training.</p> <p>Granting of the leave is at the discretion of the employer.</p> | <p>This should assist a range of members who maintain professional qualifications and standards without much recognition from the employer.</p> |
|---|---|

Laundry Allowance

| | | | | | |
|--|-------------------------|-----------------|-------------------------|-----------------|---|
| <p>Allowance agreed in full and indexed by wage increases.</p> <table><tr><td>On and from 1 July 2016</td><td>\$2.81 per week</td></tr><tr><td>On and from 1 July 2017</td><td>\$2.85 per week</td></tr></table> | On and from 1 July 2016 | \$2.81 per week | On and from 1 July 2017 | \$2.85 per week | <p>Previously unclear as to what members might expect if they are required to wear a uniform, this is the 'industry' standard rate.</p> |
| On and from 1 July 2016 | \$2.81 per week | | | | |
| On and from 1 July 2017 | \$2.85 per week | | | | |

Transfer and Portability of Pro Rata LSL Entitlements

| | |
|--|---|
| <p>This amendment means that with the prior approval of the new employer, the time between ceasing employment with another WA Public Sector employer, the Commonwealth or another State or Territory Government may be in excess of one week up to the period of time for which accrued or pro rata annual leave was paid out at the date of ceasing with the previous employer.</p> | <p>This is an improvement on the existing provision.</p> <p>It is also important with the creation of Health Service employers that members transferring from one health service to another covered by the Agreement ensure that their service records and accruals are transferred with them.</p> <p><u>Note:</u> Annual leave entitlements are paid out at the time of transfer unless a transfer of entitlements is negotiated with the new employer as part of accepting the job with the new employer.</p> |
|--|---|

Technical Changes

| | |
|---|--|
| <p>A range of technical changes such as clarifying provisions, and reorganising clauses to make them easier to read have been agreed.</p> | <p>These are not changes to conditions simply tidying provisions to make them more readable and user friendly.</p> <p>For example, when you see the overtime clause in the new agreement you will find the provisions are in a new and, hopefully, improved order.</p> |
|---|--|

Voting YES

The HSUWA Committee of Management recommend that members vote YES to the offer. This decision is based on an assessment of the alternatives open to the union and members, and a comparative analysis of the merits of the offer.

If members vote YES to the offer then the Union will advise the Department of Health accordingly, finalise the drafting of the new clauses in the agreement, and proceed with registration of the agreement. Pay increases will be guaranteed from 1st July 2016.

Voting NO

Rejecting the offer is more complex, but in essence, would mean that members are prepared to take serious industrial action, including strikes, to try and improve the offer.

Any industrial action would likely be stopped by the WA Industrial Relations Commission. In the current uncertain economic environment and considering the Barnett Government's massive budget deficit and debt it is extremely unlikely that any attempt to arbitrate would result in an improved offer.

The only thing that could be said for certain about voting NO is that the current offer would be off the table. It is likely that the Government would at the very least withdraw the conditions improvements that the union has secured through the negotiations. There would also be no back pay and the effective date of 1st July 2016 would be lost.

