



MaxNetwork health professionals agreement update

On 21 May and 22 May, ASU Officials, employee representatives and management held a second meeting to progress negotiations about the content of the new Enterprise Agreement's at MaxNetwork. We are negotiating two new agreements – the Employment & Training Agreement to cover staff in Employment, Training and Immigration, and the Health Agreement to cover Health Professionals. This Bulletin provides an update about where each issue is at in negotiation for a new Employment & Training Agreement.

Key issues

Health & Safety

We have achieved positive progress on this issue. Management have agreed in principle to establish a Workplace Health & Safety committee that includes local representation from each office to ensure that safety issues in the workplace (such as a lack of emergency exits in many offices) can be addressed.

Workload and stress

Management continue to refuse to discuss the issue of caseloads as they believe it to be a management issue. They deny that staff work excessive overtime and argue that it is unusual for staff to work beyond the 9am to 5pm. ASU members tell us that staff regularly work extra time to get their jobs done because caseloads are too large. In many cases this means people come in at 7am and/or stay late. Management deny this is, is the case, and describe those staff working extra hours as the exception.

Wage rates and bonuses

The ASU is concerned that the wages offered are low. In most cases they are set at the legal minimum and below the pay rates of competitors. In addition, management are refusing to consider including the bonus scheme in the agreement. Management want the

flexibility to be able to regularly review and change the bonus structure. This is exactly what we are concerned about – the bonus targets can be changed at any time and you can't rely on getting a bonus, no matter how hard you work.

Management have offered a 3% wage increase per year but that would be reduced if the Government legislates for increases to Superannuation.

Wage offer

- Health Professional Officer - \$60,000 to \$68,000
- Health Team Leader - \$68,000
- Business Development Manager and Account Manager - \$80,000
- Clinical Support Manager - \$90,000

More information

For more information, please get in touch with the relevant contact below.

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Health Agreement

Issue	Response
Wage increase	Status: disagree
<p>Management: Management propose a wage increase of 3%, minus any Government legislated Superannuation increase over the next 4 years.</p> <p>ASU: The ASU has put a claim for an annual wage increase of 5%. In addition, we believe Superannuation should be increased to 12%.</p>	<p>Management Refuse to remove the provision that the wage increase will be discounted by any increase in Superannuation. They argue, however, that this is unlikely to have effect as the Government increase will be delayed. The ASU wants it removed to remove any doubt.</p>
Annualised Salaries	Status: some progress.
<p>Management: Management propose that Health Professionals will receive annualised salaries, which means they are not entitled to entitlements such as overtime.</p> <p>ASU: Oppose annualised salary – employees should be able to access overtime in recognition of heavy workload at MaxNetwork</p>	<p>Management have suggested that they will introduce a provision that provides where an employee has worked more than 8 hours overtime in a month (or more than 2 hours over their 37.5 hour week) then they would be compensated for that time through TOIL, or an overtime payment. We need to consider the detail of this clause, however it represents some progress towards a reasonable remuneration approach that recognises the long hours some MaxNetwork staff work.</p>
Travel time	Status: some progress
<p>ASU: Employee representatives Shayne and Alex have raised the issue of travel time and the ASU shares their concern that the original proposed agreement did not compensate staff for time spent travelling to other offices for work.</p>	<p>Management have responded that they will compensate travel on a discretionary basis and not on an hour to hour basis. The ASU is concerned about discretionary provisions in the Enterprise Agreement as it means employees cannot enforce them in the situation where they have a relationship breakdown with their manager. Management propose that in this situation they would allow the matter to be referred to a senior manager. We remain concerned that some employees may not be confident enough to do this and it would be preferable to have an enforceable right in the Enterprise Agreement.</p>
Penalty rates	Status: disagree
<p>The ASU has put a claim for penalty rates to be payable on weekends and public holidays.</p>	<p>Management refuse to consider this and say that they do not expect employees to work on weekends. When asked about their future intentions about weekend work, they answered that they do not propose to have any services run on a weekend. Employee representative Shayne argued that best practice is that psychologist may need to follow up clients at risk on the weekends. Management clearly stated that they do not expect staff to do this and they should refer on to external services.</p> <p>Do you work on weekends? Please let your organiser know ASAP if you are required to work weekend work.</p>
17.5% Annual Leave Loading	Status: disagree
<p>The ASU has put a claim for 17.5% annual leave loading which reflects a long standing industry standard that recognises that you need a bit more money when you're on annual leave.</p>	<p>Management reject this. This is an Award provision and so they have to compensate you for the loss of this provision.</p>

Higher duties	Status: agree
The ASU argued that the higher duties clause under the Health Agreement was inequitable as it only allowed access to higher duties if an employee was doing the higher duty work for more than 4 weeks. The Employee & Training Agreement provides for higher duties after 1 week.	Management have agreed with the ASU claim and will insert the clause that is in the proposed Employee & Training Agreement in the Health Agreement. This clause provides for Higher Duties payments after 1 week.
Bonus structure	Status: Management say 'NON NEGOTIABLE'
The ASU argues that the bonus structure should be in the EBA and should have realistic targets. This is the only way it is enforceable and fair.	Management reject the ASU claim and say its 'non-negotiable' and they will not include the bonus structure in the EBA. They argue they need flexibility to change the bonus structure. That is exactly our concern!
Maintain Time Off In Lieu and introduce a rostered day off	Status: disagree
The ASU has put a claim that MaxNetwork staff should get an RDO once a month. Competitors such as Mission Australia have RDO's	Management refuse to consider this and say it would be unworkable given the workload pressures staff are under. We think this is exactly the reason staff need an RDO – because they are under intense pressure and deserve time off in recognition of the regular overtime worked and stressful nature of the work.
Span of hours	Status: disagree
Employee representatives have raised that the span of hours is from 6am and to 6pm and are concerned they may be required to work at 6am.	Management say they intend staff to work normal business hours.
Minimum engagement for part timers	Status disagree
The ASU claim requires a minimum number of hours for part timers. This is designed to prevent under employment and to ensure part timers earn a living wage.	Management reject this claim and argue this isn't an issue at MaxNetwork and part timers receive a reasonable number of hours. The ASU has asked for information about how many hours part timers work. Are you a part time worker and concerned about the number of hours you work? Please contact your local ASU organiser.
Minimum hours worked on public holidays and weekends	Status: agree
This clause is designed to ensure that if you have to work on public holidays and weekends then you receive a decent number of hours.	Management have agreed to the ASU claim that staff recalled to work on public holidays and weekends should receive a minimum number of 4 hours work.
Maintain provision to purchase more leave	Status: agree
This provision allows employees to purchase an extra two weeks of annual leave per year	Management have agreed to this.
Domestic Violence Leave	Status: further discussion needed
This is an ASU claim that recognises the high number of people experiencing family violence and provides for extra leave entitlements and support for people leaving violent relationships.	Management will consider a proposed clause from the ASU but have previously expressed reluctance to grant a leave entitlement.

Increase primary and secondary parent leave	Status: some progress
The ASU put a claim for leave to be granted in one block (rather than the 2 separate blocks of leave under the current agreement) and for secondary leave to be made available (also known as parental leave). Currently secondary carers must use annual leave when their child is born. Other workplaces offer two to three weeks leave at this time.	At the last meeting management agreed to provide leave in one block. However they do not agree to the granting of secondary carers leave. Additionally they have put a counter claim that when the Abbott Government parental leave scheme is introduced the MaxNetwork scheme will be abolished. The ASU has sought more information about the costs associated with the Abbott scheme.
Accessing sick leave on annual leave	Status: further discussion
The ASU has requested the proposed Agreement be brought in line with the law that enables employees to access sick leave whilst on annual leave (i.e. annual leave is recredited if you become sick whilst on leave)	Management are consulting an Employment Lawyer about this clause.
Christmas shut down	Status: agree
Employee representatives raised the fact that in past years there has been uncertainty about whether and when MaxNetwork shuts down over the Christmas break.	Management have agreed to provide 6 week notice about when and if shut down will occur with a caveat that this is subject to the Department agreeing to the shutdown.
Compassionate leave	Status: agree
Employee representatives wanted compassionate leave to be improved	No change from the last meeting – Management have agreed to extend compassionate leave to 3 days, provide extra leave for people travelling long distances to attend a funeral, and expand the definition of relatives for whom compassionate leave can be taken in relation to.
Workload issues	Status: disagree
The ASU has put a claim that workload issues and stress need to be addressed in this Agreement. Specifically, we want Health Professionals to be limited to 5 sessions per day.	Management say this is a 'management issue' and refuse to consider it as part of the Agreement.
Health & Safety	Status; agree in principle
The ASU has put a claim that Health & Safety needs to be improved.	Management concede this is an area of concern and have agreed in principle for the creation of Health and Safety Committee which includes local representatives at each office, and gives employees a voice in Health and Safety decisions.
Access to breaks	Status: disagree
The ASU wants access to breaks to be improved as we are concerned people are not getting to take lunch breaks due to high workloads	Management do not believe this is an issue and say they do not expect people to work through their lunch breaks.
Professional Development	Status: some progress
The ASU has put a claim for Professional Development funds to be included in the Agreement and for training to take place on paid time	Management have agreed to include the \$2000 per year in the Enterprise Agreement. They have also committed to provide leave for training where it occurs in work time. However we still disagree about the amount of time given for training and whether staff should be paid if training takes place on a weekend.

On call allowance –EAP program	Status; further discussion
We have raised the need for a on call allowance for staff who are on call for EAP. We have provisionally suggested \$150 per day and double time if they receive a call.	Management will consider the suggestion and discuss further at the next meeting.