



# VMCH Bargaining Factsheet

## **Notice of Employee Representational Rights (NERR)**

HACSU is aware that a Notice of Employee Representative Rights (NERR) went out to VMCH members recently, advising you that VMCH is bargaining for a new enterprise agreement (*VMCH Disability Services Agreement 2023*).

**There is no action you need to take** in response to this notice as your bargaining representative is automatically HACSU, and we will be representing the interests of all HACSU members.

## **What is an Enterprise Agreement?**

An enterprise agreement ('EBA') is a written agreement between an employer and its employees that sets the wages and conditions of those employees for a period of up to 4 years. A new EBA will replace any previous agreements that applied to the same group of employees and the relevant Modern Award.

To come into operation, the agreement must be supported by a majority of the employees who cast a vote to approve the agreement and then must be approved by an independent authority, the Fair Work Commission.

**An EBA gives you the ability to negotiate collectively for a better deal from your employer.** Rather than *individually* trying to convince your employer to give you fair wages and conditions, union members negotiate collectively - increasing your bargaining power.

The current EBA had a nominal expiry date of 30 June 2009 - so many of its provisions are outdated and in need of modernising. Recent changes to the law mean 'zombie agreements' made before 2010, including your current EBA, will automatically terminate at the end of this year - which is why VMCH have commenced bargaining for a replacement EBA now.

## **What is a 'log of claims'?**

A log of claims is a document that is approved by members of a union working for the same employer and sets out what they want in a proposed enterprise agreement. The log of claims HACSU presents to VMCH at the start of negotiations must be a comprehensive and complete 'wish-list' of the terms and conditions we are seeking in the new EBA.

Consultation with members will determine what goes into HACSU's log of claims at VMCH - which is why it is important to respond to HACSU surveys and attend any member meetings called by your Organiser. In developing the log of claims HACSU will also look to other agreements we have recently negotiated in the sector, as well as previous claims not yet achieved. We will consider any workplace disputes that have occurred and whether new conditions or changes to existing conditions could resolve or prevent those issues from occurring.



## ***How do negotiations work?***

The enterprise bargaining process is regulated by the *Fair Work Act 2009* (Cth).

Both parties are required by law to listen to each other, try and find common ground and attempt to come to an agreement that everyone can support. This is called 'good-faith bargaining'.

Your union representatives will negotiate on your behalf and work to ensure VMCH employees get the best deal possible. Recently, HACSU disability members at other workplaces have won significant wage increases and conditions like 15 days family and domestic violence leave, reproductive health and wellbeing leave, paid pregnancy loss leave, superannuation paid fortnightly, increased sleepover allowance and increased parental leave.

These wins were only possible because HACSU members stood together and harnessed their collective power. To get the best EBA outcome at VMCH, HACSU members will need to build power and be engaged throughout the process – **we are stronger together!**

## ***What happens next?***

HACSU has already had some preliminary discussions with VMCH about the new EBA and what improvements we would like to see.

Now is the time to start talking to other members about what you would like to change or improve and what action is needed. You should also be discussing and updating everyone at your worksite about what HACSU is trying to achieve and asking non-members to join the union.

Any workmates who are not yet members of the union should **join now** so that they can be represented by HACSU in negotiations. As bargaining discussions progress HACSU will regularly be in touch to provide updates and further consult with you.

## **VMCH Member Survey:**

HACSU has sent out a members' survey to help us develop our full log of claims. We will also organise a meeting in the coming weeks to give all VMCH staff an opportunity to discuss the bargaining process, provide feedback and share ideas.

**If you have any questions about VMCH bargaining, please contact Industrial Officer Patrick Stephenson on 0457 777 687 or [patrick@hacsu.asn.au](mailto:patrick@hacsu.asn.au).**

For any other employment-related queries call HACSU Assist on (03) 9340 4100.