

# HACSU YOORALLA

## EBA 2017

*Your new EBA explained*



After years of campaigning, Yooralla finally has a new EBA that reflects the modern workplace under the NDIS. The **Yooralla Disability Support Workers Agreement 2017**, is the product of collective action by HACSU members. While the EBA doesn't have everything we set out for, it has many changes and improvements that are long overdue.

As of the 2nd of March 2018, the EBA will be in full effect, so you'll probably see some changes to your workplace. This could be in the form of new rostering principals, breaks between shifts, shift allowances, or other new clauses.

To ensure you are fully prepared, make sure you read the information below; if you are still unsure about changes in your place, make sure you contact your local delegate or contact the HACSU Office.

## WHERE TO FROM HERE?

We've come a huge step forward from where we were when we started through the hard work put in by all the union delegates and members who took action to win the desperately needed improvements.

Take a moment to be relieved and proud of your achievements. However, a unionist's work is never done. Now the work begins to make sure Yooralla hold up their part of the deal and implement the changes that come out of the EBA fairly and in the spirit that they were written.

To ensure we can keep fighting for better terms and conditions, make sure you ask a workmate to join the union today!

If you are undergoing a roster review or other major change at your workplace, make sure you **call HACSU Assist on 9340 4100 for advice** and to have an organiser visit your worksite.



## WHAT'S CHANGING?

### Wages

**HACSU members have won a guaranteed minimum 2.75% yearly wage increase.** This means that if the Fair Work Minimum wage order and the Equal Remuneration Order (ERO – the equal pay case won in court in the in 2011) are less than 2.75% combined, Yooralla will make up the difference to ensure support workers are getting a fair **pay rise each year until 2021.**

### 'Harmonised' Wages

Yooralla has always paid its Attendant Carers and its Disability Support Workers different rates, despite them doing very similar work. **As part of the new EBA, everyone will be on the same wage that reflects your experience and qualifications.** However, be aware if you are picking up additional or casual shifts, you may have to undertake Attendant Carer duties if you are a Disability Support Worker or vice versa.

### Shift Allowances

HACSU members fought to maintain shift allowances, and we managed to ensure that shift allowances from 6pm are maintained, and have increased shift allowances for those who finish after 8pm. However, Yooralla was unwilling to continue the Morning Shift Allowance. This means that if you start at 6:30am you will no longer receive the 10% loading.

**The shift allowances are as follows:**

Mid-afternoon shift allowance 6pm-8pm = **10%**  
Afternoon shift allowance 8pm-midnight = **12.5%**  
Night shift midnight – 6am = **15%**

### Casual loading & shift allowances

Unfortunately Yooralla has decided to remove the ability for casuals to receive both the casual loading and any other shift allowance. This means a casual who is working on the weekend will only receive 150% for Saturdays and 200% for Sundays, this is a loss of the 25% loading. Many members have raised concerns about the quality and experience of the casuals hired by Yooralla, this loss of casual loading is only going to make matters worse.

**Make sure you help recruit casuals to HACSU to ensure we can work together to win fairer conditions for all.**

## Rostering

One of our aims going into this EBA was to have rostering principals that ensure safe working patterns that guarantee a healthy work/life balance.

As the EBA is being implemented Yooralla will undertake roster reviews for nearly all services. To ensure you're protected throughout this process, make sure you call HACSU Assist on 9340 4100.

The new 'rostering principles' are just that, principles and not strict rules, so if some of the details below conflict with your current working patterns, make sure you speak with your HACSU organiser to make sure your work/life balance is protected.

### These are the ten rostering principles under EBA clause 14, ROSTERING:

- (a) the needs of the customers including physical care needs of customers;
- (b) community access/recreation opportunities for customers;
- (c) customer family contact/support;
- (d) an appropriate and reasonable work/life balance;
- (e) shift patterns including sleepover, in particular in relation to late finishes and early starts;
- (f) adequate rest periods;
- (g) fair and equitable distribution of penalty attracting shifts among all employees;
- (h) the potential to incorporate monthly team meetings and all administrative and indirect care duties;
- (i) employee professional development and support;
- (j) appropriate handover opportunities at key handover periods and time between shifts.

## Sleepover Allowance

The sleepover allowance has been **maintained at \$75.01** and will be adjusted in accordance with yearly wage rises.

## Meal Allowance

As part of HACSU's attempt to modernize the working conditions for Yooralla disability support workers, the new EBA will have a clause that entitles workers to a meal allowance.

**A meal allowance is payable after one hour of overtime and an additional allowance for every four hours afterward, the allowance is valued at \$12.62 and increases every July.**



## Shift Length & Breaks Between Shifts

Under the new EBA, **the maximum shift length is now 10 hours**, this may be a change to your regular working pattern, so make sure you take part during any roster review process to maintain your core hours.

As required by the Fair Work Commission, Yooralla had to put a clause in the mandated a break between shifts. The original proposal from Yooralla had a 10-hour break between all shifts, which would have pretty much meant no more split shifts.

However, thanks to the hard work by HACSU members and officials we were able to negotiate that down to the following:

**Four (4) hour break between the end of a day shift and the commencement of the next shift in the same day.**

E.g. If you work a 7 am – 10 am you can't return to work for another shift until 2 pm.

**Nine (9) hour break after the end of an Active night shift and the start of another shift.**

E.g. If you work an active night from 10 pm – 8 am, you can't start another shift until 5 pm.



## Family & Domestic Violence Leave

The new EBA has a clause for Family and Domestic Violence Leave. This is for the victims of Family Violence who need time off work for related matters such as doctors appointments, court appearances, counselling services, and anything else related to the impact from Family Violence.

The clauses allow for workers to have:

**10 days of paid leave** for purposes related to DV.  
**2 days unpaid leave** for further occasions.

## First Aid Clause

After much deliberation with the assistance of the Fair Work Commission, HACSU and Yooralla agreed on an allowance for workers who undertake first aid on Yooralla customers or other Yooralla employees.

There are a few conditions on who gets the allowance, such as ticking a box on an incident report, make sure you contact HACSU Assist on 9340 4100 for further information.

## Parental Leave

HACSU has always fought hard for the rights of working families and is proud to have won additional paid leave for primary carers of young children.

**If you need to take Parental leave, you are now entitled to:**

### Primary Care Giver

**10 weeks paid leave** (6 weeks prior to birth or at the birth of a child)

or

**20 weeks at half pay**

### Secondary Care Giver:

**3 weeks paid leave**

As a new parent, you are also entitled to up to 104 weeks of unpaid leave, right to transfer to a safe job, and the right to request flexible working arrangements while your child is under the age of two.

**If you are an adoptive parent, you are eligible for all of the above leave, plus two days of unpaid leave** to attend any appointments that are necessary for the adoption procedure.

## Union Rights

HACSU now has union rights in the EBA!

There are several aspects to this, including:

- the right to discuss HACSU matters in the workplace,
- every worksite must have a dedicated HACSU noticeboard,
- chosen delegates will be given paid leave for Union Training, and
- HACSU members can discuss the union with new workers as part of the workplace orientation.

It's crucial that all union members to talk to new workers about why it is important to be a part of the union and how to join.



**Health and Community Services Union | Victoria's only specialist disability union**

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