

HACSU Fact Sheet

PROTECTED ACTION FAQs

WHAT IS PROTECTED ACTION?

Protected industrial actions are tools that unions can use in order to influence the outcome of an EBA. Protected action involves taking collective action, banning certain types of work and in some cases, stopping work altogether. All HACSU protected actions are completely legal and have been approved by the Fair Work Commission.

WHY ARE WE DOING IT?

Victoria is in the midst of a mental health crisis, and the needs and demands of the mental health workforce are being ignored. HACSU has been negotiating throughout 2020 with the VHIA, but they have refused many of our members' key claims.

WHO CAN TAKE PROTECTED ACTION?

HACSU members at services who were successful in obtaining a PAB and who are covered by the Public Mental Health EBA and the Forensicare EBA can take protected action. They are on separate EBAs and will take protected action in line with their campaigns.

WHEN DOES THE ACTION BEGIN?

Now that the protected action ballot has been successful, the process to take action can begin. HACSU will write to each employer, notifying when actions will be taking place. HACSU will also notify members when the action will take place.

HOW LONG DOES THE ACTION LAST?

The actions last as long as needed. HACSU will keep protected action in place until an agreement is reached.

CAN I GET IN TROUBLE FOR TAKING ACTION?

No. HACSU protected action is completely lawful. You cannot be disciplined by your employer as a result. If you have any trouble, are unsure or have been informed otherwise, please contact HACSU immediately.

WILL PROTECTED ACTION IMPACT SERVICE DELIVERY?

HACSU protected action has been carefully designed not to impact on service delivery. It is designed to put pressure on senior management and the government. Specific exemptions have been made to account for COVID-19, where bans may impact on special pandemic tasks/ realities.

CAN MY EMPLOYER ASK IF I'M TAKING ACTION?

You do not have to answer this question. The union will notify employers when the stop works will take place.



**Specialist skills.
Safer workplaces.
Secure futures.**

Our Mental Health Services, Our EBA.



Authorised by Paul Healey, HACSU State Secretary, 7 Grattan Street, Carlton

www.hacsu.asn.au | 1300 651 931 | hacsu@hacsu.asn.au



LIST OF BANS

1. Participate in stop work bans for a period from 15 minutes and up to 24 hours
 - HACSU will provide notice to members and employers seven days in advance.
2. Participate in bans on collection, recording or documenting, either physically or electronically, non-clinical/ administrative information, including: collection of statistics, contact records, daily returns PR1, PR2, PR5 MH3, HONOS, Aged Care Funding (RCI) instrument, RAPID statistics and vehicle log books
 - This does not cover information collected for contact tracing purposes. Further information will be provided separately.
3. Stop asking people upon admission if they have private health insurance and processing such claims
4. Refuse to participate in all employer initiated workplace change or restructures except when such changes are reasonably necessary to ensure the safe delivery of care during the pandemic
5. Refuse to transfer to another team, unit or role if requested by your employer except where such transfers are reasonably necessary to ensure the safe delivery of care during the pandemic
 - This means members must stay where they are rostered. This applies to everyone including community mental health workers.
6. Refuse to undertake any work outside the ordinary start and finish times of work
7. Refuse to undertake any work on unpaid break times
 - We know our members are routinely expected to perform duties outside their scope of practice. Contact HACSU for more information.
8. Include an EBA campaign message in your signature when sending emails
9. Include an EBA campaign message as a name or background message in video conference meetings
10. Speaking to, and making statements to media including during working hours as required
 - HACSU will be running a media campaign to draw attention to the EBA campaign. Members are encouraged to participate in this action, if they wish to. Members should take note not to breach any privacy of patients. Any statements to the media will be coordinated by the HACSU Campaign Team.
11. Speaking to clients, families and the community about the purpose of campaign material during working hours
 - You're entitled to raise awareness and visibility for this campaign.
12. Wear your campaign t-shirt during work hours
13. Displaying posters, slogans, colours in the workplace, and in vehicles containing campaign information
14. Refuse to attend all meetings that are not fully backfilled and/ or on meeting management without a union representative
15. Refuse to escort patients unless there are two staff present (except in cases of emergency and dependent on the level of risk)
16. Refusal to complete any non-clinical duties e.g. Handling bed linen, filing, car servicing
 - This does not include people who perform this role as a core duty.
17. Refuse to enforce non-smoking policy in inpatient units (by not challenging consumers) except inside units
18. Refuse to participate in any activities associated with working towards accreditation to the National Safety and Quality Health Service Standards
19. Refuse to act outside your scope of employment except as an immediate result of the pandemic
 - We know our members are routinely expected to perform duties outside their scope of practice. Contact HACSU for more information.
20. Refuse to attend CATT visits unless there are a minimum of two staff (dependent on level of risk, which will be assessed by the clinicians on duty), providing HACSU give the employer seven days' notice
21. Ban on reasonable unplanned discharges with less than four hours' notice except where such action creates a risk to the safe delivery of care during the pandemic
22. Ban on reasonable admissions within one hour of shift start or finish, except where such action creates a risk to the safe delivery of care during the pandemic
23. Attend site rallies, BBQs, campaign stalls inside health service/ facility buildings and properties
24. Refusal to accept secondary community caseloads
25. Participate in a social media hashtag campaign about valuing Mental Health work