

## Bupa EBA campaign update 26

corrected Bupa Echua, Bupa Wodonga and Bupa Woodend details page 4

# Rally outside Bupa's Melbourne CBD corporate office

## 1. Rally for fair wages and safe staffing levels

**Wednesday 25 October**

**1.45pm – 2.30pm**

**Outside Bupa's corporate office**

**Corner Exhibition Street and Flinders Lane**

**Wear your red t-shirt**

Bupa nurses and carers from Bupa's 26 Victorian nursing homes are encouraged to attend this rally for fair wages and better staffing levels.

Bupa receives millions in federal taxpayer funding - \$159.8 million in 2015-16 and \$172.3 million in 2016-17. The Age newspaper reported Bupa's aged care businesses made a \$45.1 million profit in 2016.

Nurses and carers should not have to campaign for providers to spend their federal aged care funding on safe staffing and fair wages.

ANMF is organising buses to transport members from every Bupa nursing home to and from Wednesday's rally. Bus details will be available tomorrow. Reserve a place on the bus by filling in this [Bupa rally bus online form](#)

Your Organiser will provide new campaign materials in the next few days so you can invite residents' family members to attend the rally.

**Don't forget to wear your red t-shirt** and send a strong message to Bupa management that fair wages and safe staffing levels matter to you.

Check [anmfvic.asn.au/bupa](http://anmfvic.asn.au/bupa) for updates

THURSDAY 19 OCTOBER 2017

## Bupa rally

**Bupa Melbourne corporate office  
for fair wages and safe staffing levels**

**Wednesday 25 October 2017**

**1.45pm – 2.30pm**

outside Bupa's Melbourne corporate office  
corner Exhibition Street & Flinders Lane, Melbourne  
more details [anmfvic.asn.au/bupa](http://anmfvic.asn.au/bupa)

Families  
and your  
loved ones  
welcome

**Numbers matter**

Hear speakers talk about resident care &  
why Bupa should increase nurses & carers on each shift.

**Wear your  
red t-shirt**

**Bupa be fair. Spend more on care.**

➤ **VALUE** ➤ **RECOGNISE** ➤ **REWARD** ➤ **BUPA nurses and carers**



**Bupa Eastwood Stop Work meeting**



**Bupa Bellarine Lakes Stop Work meeting**

## 2. Good Faith Bargaining Orders

The ANMF made an application for Fair Work Commission orders to correct misinformation about who can take legally protected industrial action and to prevent Bupa management interfering with site visits by ANMF staff.

The ANMF was successful in securing a commitment from BUPA to put up notices at all facilities confirming that both ANMF members **and employees who have nominated the ANMF as a bargaining agent** are entitled to take legally protected industrial action.

We also successfully secured a commitment from BUPA that ensures management cannot interfere with visits by the ANMF.

**In a revised communication to employees Bupa Aged Care Australia Director of Operations Ian Burge said:**

***'At many of your homes you will be aware of some colleagues taking part in Protected Industrial Actions. We respect the right to do so, a right which ANMF members and employees who have appointed the ANMF as their bargaining representative have. They voted in favour of actions including wearing campaign materials, distributing campaign related information to residents, and stopping work to communicate with the media, and other subsequent actions such as stop work meetings of up to 2 hours, not completing ACFI paperwork, and starting or finishing shifts at the rostered time unless overtime approved in writing and in advance.'***

## 3. Support from your ANMF colleagues across Australia

Delegates attending last week's 2017 ANMF Biennial National Conference unanimously passed a special resolution in support of ANMF (Vic Branch) members taking unprecedented protected industrial action across Bupa nursing homes. The resolution reads:

*'That the 2017 Biennial National Conference stands in absolute unity with Victorian Branch members in BUPA aged care facilities in their industrial action seeking fair and just wages, improved staffing and conditions. This conference condemns in the strongest possible terms the behaviour of Bupa management in their attempts to intimidate and harass nurses and carers undertaking protected industrial action.'*

## 4. Concerns or questions?

If you have any concerns or questions contact the ANMF Information Line on 9275 9333 or [records@anmfvic.asn.au](mailto:records@anmfvic.asn.au)

## 5. Stronger together

We're stronger together. Encourage your colleagues to be part of the campaign for better wages and better staffing levels and skill mix. Invite them to join ANMF online at [anmfvic.asn.au/joinANMF](http://anmfvic.asn.au/joinANMF)

**For more information visit the Be Fair Bupa campaign page at [anmfvic.asn.au/Bupa](http://anmfvic.asn.au/Bupa)**



**Australian  
Nursing &  
Midwifery  
Federation**  
VICTORIAN BRANCH

# Bupa rally

**Bupa Melbourne corporate office  
for fair wages and safe staffing levels**

**Wednesday 25 October 2017**

**1.45pm – 2.30pm**

outside Bupa's Melbourne corporate office  
corner Exhibition Street & Flinders Lane, Melbourne  
more details [anmfvic.asn.au/bupa](http://anmfvic.asn.au/bupa)

**Wear your  
red t-shirt**

## Numbers matter

Hear speakers talk about resident care &  
why Bupa should increase nurses & carers on each shift.

**Families and your  
loved ones welcome**

**Bupa be fair. Spend more on care.**

**➤ VALUE ➤ RECOGNISE ➤ REWARD ➤ BUPA nurses and carers**

Please sign the petition: [anmfvic.asn.au/bupapetition](http://anmfvic.asn.au/bupapetition)

Authorised by Lisa Fitzpatrick, ANMF (Vic Branch) Secretary, October 2017

# Bupa aged care protected industrial action

Action is ongoing until a resolution is reached

## STAGE 1 Protected industrial action

1. wearing red campaign t-shirts and stickers every shift
2. distributing campaign information to residents and their families and visitors which create discussion during work time
3. stopping work to communicate with the media for up to thirty minutes duration on each occasion on advice from the ANMF (Vic Branch)

**All of Bupa's 26 Victorian nursing homes are participating in stage one bans:** *Bupa Barrabool, Bupa Ballarat, Bupa Bellarine Lakes, Bupa Bendigo, Bupa Berwick, Bupa Bonbeach, Bupa Caulfield, Bupa Clayton, Bupa Coburg, Bupa Croydon, Bupa Donvale, Bupa Eastwood, Bupa Echuca, Bupa Edithvale, Bupa Greensborough, Bupa Kyneton, Bupa Mildura, Bupa Portland, Bupa South Morang, Bupa Sunshine, Bupa Templestowe, Bupa Thomastown, Bupa Traralgon, Bupa Windsor, Bupa Wodonga and Bupa Woodend*

**This means keep wearing your red campaign T-shirt EVERY SHIFT until a resolution is reached.**

## STAGE 1 & STAGE 2 Protected industrial action

1. A ban on the completion of any paperwork or electronic forms related to the Aged Care Funding Instrument (ACFI), with no retrospective completion of such paperwork. Note – this is distinct from clinical paperwork in the resident history.
2. Finishing and commencing duty at the rostered times unless overtime is approved, in writing, in advance.
3. Two-hour stop work meetings, or consecutive two-hour stop work meetings (on advice from ANMF)

**Thirteen Bupa nursing homes are participating in stage one (explained above) and stage two bans:** *Bupa Clayton, Bupa Ballarat, Bupa Edithvale, Bupa Portland, Bupa South Morang, Bupa Bendigo, Bupa Mildura, Bupa Sunshine, Bupa Thomastown, Bupa Greensborough, Bupa Bellarine Lakes and Bupa Eastwood*

**As of 7am, Wednesday 25 October (the day of the rally outside Bupa's corporate office in Melbourne) the following nursing homes will join the stage two bans:** *Bupa Barrabool, Bupa Berwick, Bupa Bonbeach, Bupa Caulfield, Bupa Coburg, Bupa Croydon, Bupa Donvale, Bupa Kyneton, Bupa Templestowe, Bupa Windsor and Bupa Woodend.*

**Note: Bupa Echuca, Bupa Traralgon and Bupa Wodonga are NOT participating in stage two bans at this stage.**

(this fact sheet was corrected on 20/10/17. Details are now correct for Bupa Echuca and Bupa Wodonga which are NOT starting stage 2 action. Details are now correct for Bupa Woodend which will start stage 2 action from 25 October)

➤ VALUE ➤ RECOGNISE ➤ REWARD ➤ BUPA nurses and carers

# Bupa protected industrial action is legal

Action is ongoing until a resolution is reached

## FACTS

### Good Faith Bargaining Orders

The ANMF made an application for orders to correct misinformation about who can take legally protected industrial action and to prevent BUPA management interfering with site visits by ANMF staff.

The ANMF was successful in securing a commitment from BUPA to put up notices at all facilities confirming that both ANMF members and employees who have nominated the ANMF as a bargaining agent are entitled to take legally protected industrial action.

We were also successful in securing a commitment from BUPA that ensures management cannot interfere with visits by the ANMF.

### ANMF members and employees who have appointed ANMF as their bargaining agent are:

- legally entitled to take the protected industrial actions above
- are legally entitled to wear the red campaign t-shirt every shift.

### Harassment and intimidation is unlawful

It's unlawful for managers or anyone to remove information about protected industrial action from a noticeboard designated for union information. It is also unlawful to coerce someone to stop taking lawful protected industrial action. **Report harassment or intimidation via [anmfvic.asn.au/Bupareport](https://anmfvic.asn.au/Bupareport)**

### Hardship Fund

ANMF has a proud history of providing financial support to members who experience hardship in the event their pay is docked. **Apply via [anmfvic.asn.au/Bupahardship](https://anmfvic.asn.au/Bupahardship)**

### Concerns or questions

Contact the ANMF Information Line on 9275 9333 or [info@anmfvic.asn.au](mailto:info@anmfvic.asn.au)

➤ VALUE ➤ RECOGNISE ➤ REWARD ➤ BUPA nurses and carers

## The fact is...

### 3 OCTOBER

Bupa nurses and carers started protected industrial action for better staffing levels, better resident care and better wages

### 12x STOP WORK MEETINGS

meetings and community barbecues

### 1x RALLY OUTSIDE BUPA HQ

everyone is invited to rally for better staffing levels and better wages on Wednesday 25 October, 1.45pm-2.30pm, Bupa corporate office, corner Exhibition Street and Flinders Lane, Melbourne

### 18 MONTHS SINCE YOUR LAST PAY RISE

### \$585 MILLION

Bupa's Australian and New Zealand underlying profit in 2016, of which

### \$45 MILLION

is Bupa's aged care profit

### \$159.8 MILLION

is how much Bupa received in federal aged care funding in 2015-16, and in 2016-17 it will receive

### \$172.3 MILLION

### +11.25%

Wage offer Bupa made once nurses and carers started protected industrial action. The offer over three years is significantly better than the 2.1 per cent in a one-year agreement Bupa made in December 2016. ANMF is seeking improved backpay. We're not stopping Bupa paying nurses and carers a pay rise while we continue to negotiate improved staffing levels and replacing staff on unplanned leave.

2x Registered nurses, and 4x carers for...

144 residents on night shift at Bupa Ballarat and similar staffing at other Bupa facilities

### IS NOT ENOUGH

Bupa says staffing is changed according to acuity and staff capability. ANMF says Bupa should use its federal government funding to increase the number of nurses and carers on each full shift.

### FEDERAL COURT

ANMF initiated Federal Court proceedings in response to Bupa's lack of consultation over the senior clinical nursing position redundancies. Bupa announced its proposal on 3 October, intended to make appointments to the remaining positions by 6 October, and planned to implement on 12 October. ANMF has received many letters from families unhappy about the nursing cuts and the impact on resident care. Justice O'Callaghan has reserved his decision.

### FAIR WORK COMMISSION

ANMF made an application to the independent umpire for assistance to break the deadlock in negotiations. The Fair Work Commission's Deputy President Hamilton is now facilitating talks.

### BREACH OF GOOD FAITH BARGAINING

ANMF made an application for orders regarding a breach of 'good faith bargaining' against Bupa for misrepresenting members' rights to take protected industrial action. ANMF has successfully secured a commitment from BUPA to put up notices in all facilities confirming ANMF members and employees who've nominated ANMF as a bargaining agent are entitled to take legally protected industrial action.

...by wearing your red t-shirts every day

**you're making a difference!**

➤ VALUE ➤ RECOGNISE ➤ REWARD ➤ BUPA nurses and carers



**Australian  
Nursing &  
Midwifery  
Federation**  
VICTORIAN BRANCH