

## Bupa EBA campaign update 24

TUESDAY 10 OCTOBER 2017

# Overwhelming community support

## 1. Stop work meetings start

Taking protected industrial action for the first time is not easy. Well done to the extraordinary efforts of aged care nurses and carers across Bupa's Victorian nursing homes. Your action is unprecedented in Bupa aged care facilities in Victoria.

Nurses and carers at five Bupa nursing homes have held stop work meetings today and Monday. Members at Bupa Ballarat, Bupa Clayton, Bupa Edithvale, Bupa South Morang and Bupa Portland have all protested outside their facilities. More stop work meetings will be held tomorrow and more will be scheduled next week.

Support for the campaign is overwhelming. After Ballarat City Council attempted to shut down the Bupa Ballarat barbecue, friendly Bupa nursing home neighbours have offered their driveways for barbecues. Residents have also called local MPs to visit to listen to the issues about staffing, workloads and resident care. Resident families are also raising their concerns with Bupa management and providing ANMF with copies of their letters.

The media coverage is also gaining momentum. Financial, workplace and investigative reporters are all looking at the issues about qualified staffing levels and funding.

ANMF has been inundated with the families of Bupa residents unhappy with management's proposed redundancies and the impact of fewer nurses on the care of their loved ones.

### Keep wearing red – EVERY SHIFT!

Report harassment or intimidation for taking protected industrial action at [anmfvic.asn.au/Bupareport](http://anmfvic.asn.au/Bupareport)

Sign and share the petition [anmfvic.asn.au/Bupapetition](http://anmfvic.asn.au/Bupapetition)

Also remember ANMF has a proud history of providing financial support to those who experience hardship in the event their pay is docked. An online form is now available [anmfvic.asn.au/Bupahardship](http://anmfvic.asn.au/Bupahardship)



**Bupa Clayton**



**Bupa Edithvale**



**Bupa Paw-land (Portland)**



**Bupa South Morang**



**Bupa Portland**

### 2. Bupa's latest wage offer

On the eve of nurses and carers taking protected industrial action Bupa made a significantly revised wage offer. The offer is 11.25 per cent over a three-year agreement with back pay from the first pay period on or after 1 September 2017 and no other changes. The proposed breakdown would be:

- 2.75% from 1 September 2017
- 2.50% from 1 July 2018
- 2.50% from 1 July 2019
- 1% from 1 October 2019
- 2.50% from 1 July 2020

This is a long way from Bupa's 2.1 per cent wage offer in a one-year agreement proposed in December last year. [See the notice attached for a brief history on Bupa's wage offers](#)

Members have told us they would like more back pay because they haven't had a pay increase since April 2016 – 17 months ago. ANMF has also heard how you want unsafe workloads fixed, nursing redundancies stopped and staff on unplanned leave replaced.

### 3. Stop work meetings and community barbecues

On Wednesday 11 October a stop-work meeting and barbecue will take place at:

- Bupa Bendigo (1.30pm- 3.30pm) [Bendigo flier](#)
- Bupa Mildura (2pm-4pm) [Mildura flier](#)
- Bupa Sunshine (2pm-4pm) [Sunshine flier](#)
- Bupa Thomastown (1.30pm-3.30pm) [Thomastown flier](#)

Bupa residents, relatives and the local community are invited to these meetings. Members who are not rostered on to work are also encouraged to attend to show your support.

More stop work meeting details are set to be announced for Bupa Greensborough, Bupa Eastwood and Bupa Bellarine.

### 4. ANMF seeks Federal Court injunction to stop nursing redundancies

ANMF has initiated proceedings in the Federal Court of Australia seeking an injunction to stop Bupa proceeding with its proposed restructure of senior clinical nursing positions in Victoria.

Bupa has proposed to abolish the Care Manager and Clinical Manager positions and replace them with one new Clinical Care Manager position.

Bupa gave an undertaking in the Federal Court on Friday 6 October 2017 that until 4.15pm on Wednesday 11 October 2017 it would not implement, or take steps to finalise or proceed with:

- a. the completion of the consultation period;

- b. the notification to staff of the outcome of consultations;
- c. the commencement of the new structure and the removal of the two roles;
- d. the selection process for the new Clinical Care manager roles; or
- e. the redeployment process.

The Federal Court proceedings will resume at 10.15am, Wednesday 11 October 2017.

### **5. ANMF makes an application for breach of good faith bargaining**

ANMF has filed an application in the Fair Work Commission against Bupa management for a breach of good faith bargaining. If the FWC makes an order against Bupa it can apply penalties.

It is unlawful for management to coerce or order you to stop taking protected industrial action. Particular incidents have been documented at Bupa Donvale, Bupa Traralgon, Bupa Coburg and Bupa Bonbeach.

ANMF wants Bupa management to publish notices in all of its facilities rectifying misrepresentations and advising members it understands:

- they are legally entitled to wear the red campaign t-shirt
- members cannot be docked pay for wearing the campaign t-shirt
- employees who have signed ANMF to be their bargaining representative are also entitled to take protected industrial action.

### **6. Negotiations in the Fair Work Commission**

Bupa and ANMF will meet tomorrow for negotiations in the Fair Work Commission with the assistance of Deputy President Hamilton. This is an important step which ANMF hopes will work towards a resolution of the dispute.

### **7. Protected industrial action is ongoing**

#### **Stage one bans are ongoing in ALL of Bupa's 26 Victorian nursing homes:**

1. wearing campaign related materials, such as t-shirts, badges and stickers which create discussion with residents, families and visitors during work time
2. distributing campaign related information to residents, families of residents and visitors to the facility during work time for up to ten minutes in duration on each occasion
3. stopping work to communicate with the media for up to 30 minutes duration on each occasion (on advice from ANMF).

Action is ongoing – every shift - until a successful resolution is reached.

### **Second stage bans in selected nursing homes**

Bupa Clayton, Bupa Ballarat, Bupa Edithvale, Bupa Portland, Bupa South Morang are participating in the following stage two bans:

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.

Bupa Bendigo, Bupa Mildura, Bupa Sunshine and Bupa Thomastown start stage two bans from 7am, Wednesday 11 October.

Bupa Greensborough, Bupa Eastwood and Bupa Bellarine will start next week.

Stage one and two action at these facilities is ongoing - every shift - until a successful resolution is reached.

### **8. 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)

**Further updates will be provided as the campaign progresses**

# Keep wearing your red t-shirts every shift

## You're making a difference

ANMF can only recommend an offer from Bupa that addresses wages AND workloads. Remember Bupa's Australian and New Zealand businesses reported a \$585 million profit last year (approximately \$45 million in aged care alone).

September 2017

**11.25** in a three-year agreement, back  
**per cent** pay from 1 September 2017.  
No other improvements.

Bupa made this offer on the eve your protected industrial action started. In the same week, Bupa notified it was proposing nursing position redundancies across all of its 70 nursing homes.

ANMF members are seeking improved back pay! It's been 17 months since your last pay rise. You've also said you want unsafe workloads fixed, unplanned leave replaced and nursing redundancies to stop.

August 2017

**2x2.5** wage rises in a two-year agreement  
**per cent** (effectively the only rises in a three year  
period). No back pay. No other improvements.

Bupa made this offer on the eve of your protected industrial action ballot

April 2017

**2.3** in a one-year agreement and  
**per cent** no other improvements

Members voted no to the offer

December 2016

**2.1** in a one-year agreement and  
**per cent** no other improvements

Members voted no to the offer

April 2016

**1.75** last pay rise  
**per cent**

➤ VALUE ➤ RECOGNISE ➤ REWARD ➤ BUPA nurses and carers