

## ENTERPRISE BARGAINING

Bupa Aged Care - Nurses and Carers

## VALUE RECOGNISE REWARD



# Vote YES again

The Fair Work Commission requires Bupa to hold a second ballot to approve your agreement

**Voting opens**  
9 February 2018

**Voting closes**  
13 February 2018



Bupa EBA campaign update 35

FRIDAY 19 JANUARY 2018

## VOTE YES when the new ballot opens Tuesday 9 February

### 1. Second Bupa EBA ballot timeline

Bupa issues new Notice of Employee Representational Rights (NERR) Thursday 11 January

**Employer makes agreement available to employees:** Thursday 1 February – Thursday 8 February

[Read the agreement](#)

[Read why ANMF recommends you vote YES](#)

**Ballot opens:** Friday 9 February - your employer will provide you with the voting link

**Ballot closes:** Tuesday 13 February

**Ballot declared:** Wednesday 14 February. If a YES vote is declared, the employer then files the agreement with the Fair Work Commission for final approval. Once the agreement has FWC approval it becomes legally enforceable seven days later.

### 2. ANMF recommends you vote YES again

ANMF shares members' frustration that this process has to be repeated, however, it is still critical that you participate in the vote again and vote YES. To start receiving all of the benefits of this new agreement still requires a YES vote by more than 50 per cent of those employees who vote.

[Read why ANMF recommends members vote YES when the ballot opens on 9 February.](#)

The pay rise, back pay from 1 August 2017 and proposed settlement applies to all Victorian Bupa employees, not just ANMF members, who will be able to vote on the question 'Do you approve the Bupa Aged Care Australia Victorian Enterprise Agreement 2017 – 2020?'

Bupa has advised that it will pay back pay and the first pay rise following a positive ballot result rather than waiting for formal approval of the agreement from the Fair Work Commission. The timing of FWC approval is unknown and can take weeks or months.

## Campaign update 35 continued

After your unprecedented 37-day protected industrial action campaign the proposed agreement includes an 11.25 per cent wage increase over three years, workload management improvements, a Sunday morning penalty rate increase for carers from 150 to 175 per cent and significant improvements to other entitlements.

Remember Bupa's first offer was a 2.1 per cent wage increase in a one-year agreement with no other changes. Other ANMF branches are now talking to their Bupa members about your protected industrial action including striking for full shifts, and your 400-strong rally - in an effort to repeat your successful enterprise agreement outcome

### **3. We've already voted YES, why a second ballot?**

Bupa nurses and carers overwhelmingly voted to approve this agreement in December 2017. Of those who voted in the ballot, 94.5 per cent voted YES.

The second ballot is required following a technical error in the original Notice of Employee Representational Rights (NERR) identified during the Fair Work Commission's approval process.

The NERR is a written notice of your 'right to be represented by a bargaining representative' (such as ANMF) in negotiations for an enterprise agreement. Bupa was required to reissue the NERR on the most up-to-date form.

### **4. Inquiries or concerns**

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

### **5. Aged Care ratios email campaign**

To improve staffing levels in nursing homes we need to change the federal aged care law. More than 800 people have sent our ratios email to Federal Aged Care Minister Ken Wyatt. We've prepared a draft email which you can amend with your own experiences. If you haven't sent the email yet visit [anmfvic.asn.au/agedcareratios](http://anmfvic.asn.au/agedcareratios)



# Victorian Bupa aged care EBA ballot

**Bupa's Victorian nurses and carers should be proud of their strong and united 37-day protected industrial action campaign to improve their wages and working conditions.**

In December 2016 Bupa offered a 2.1 per cent wage increase in a one-year agreement with no other changes. You voted **YES** to a significantly improved EBA settlement at members meetings on 8 November 2017. You overwhelmingly voted to approve the agreement in December 2017. Due to a technical error you need to vote **YES** again to formalise the EBA to start receiving your new wages, backpay and benefits including:

- ✓ Wages and allowances (1 August 2017 – 1 July 2020).
  - 11.25 per cent wage rise over a three-year agreement with back pay from 1 August 2017**
  - 2.75 per cent – 1 August 2017**
  - 2.5 per cent – 1 July 2018**
  - 2.5 per cent – 1 July 2019**
  - 1 per cent – 1 October 2019**
  - 2.5 per cent – 1 July 2020**
- ✓ A written and signed commitment that the first pay rise in the next agreement will be from 1 July 2021.
- ✓ The Sunday morning shift penalty rate will increase from 150 to 175 per cent for personal care workers and other all other support staff. This is an extra \$5 per hour or approx \$35 per Sunday morning shift.
- ✓ A staff replacement and workload management clause that:
  - encourages nurses and carers to raise workload issues, including leave replacement, in staff meetings
  - encourages nurses and carers to discuss concerns about unreasonable workloads with their manager. If appropriate action is not taken to address the issue, the employee may utilise the dispute resolution procedure. (Your ANMF Organiser can assist members with this process).
- ✓ A transition to retirement clause for employees, aged 55 years and over, who want to retire within the next five years. This enables nurses and carers to reduce their hours without impacting their accrued long service leave entitlements.
- ✓ An improved entitlement for part-time employees to have regular additional hours worked, above their contracted hours, recognised.
- ✓ A fairer excess annual leave clause. Staff will be able to accrue up to six weeks leave instead of four weeks without being directed by management to take a week's leave.
- ✓ An entitlement to use any accrued personal leave as family violence leave. This is significant recognition by a major private aged care employer that nurses and carers in a family violence situation need to maintain their employment but need time off work for legal, court and medical appointments or to make other safety arrangements.
- ✓ An improved parental leave clause, similar to the Victorian public sector nurses and midwives agreement clause, that recognises circumstances where a child dies, is still born or a neonatal death occurs.
- ✓ An improved e-learning clause where nurses and carers will be paid to undertake courses at work. Employees will be paid for any required online training that cannot occur during your shift.

For more information go to [anmfvic.asn.au/bupa](https://anmfvic.asn.au/bupa)