

**Bupa EBA campaign update 29
DAY 37 OF INDUSTRIAL ACTION**

WEDNESDAY 8 NOVEMBER 2017

Members support proposed settlement: all industrial action to stop

1. Members support proposed settlement



Bupa nurses and carers are trailblazers

After 37 days of unprecedented protected industrial action, including historical strike action, Bupa members have resolved to support a proposed settlement. Read the resolution at the end of this document.

Members meetings at all 26 Bupa nursing homes on Wednesday 8 November voted to support the proposed settlement, with further discussions scheduled in the Fair Work Commission about ANMF's recommended classification restructure.

This means all **protected industrial action, stage one, stage two and stage three (strike) action, will cease from 7am, Thursday 9 November.**

2. What does the proposed settlement include?

- 11.25 per cent wage rise over a three-year agreement with backpay from 1 August 2017. Pay increases will be:
 - o 2.75 per cent – 1 August 2017
 - o 2.5 per cent – 1 July 2018
 - o 2.5 per cent – 1 July 2019
 - o 1 per cent – 1 October 2019
 - o 2.5 per cent – 1 July 2020

The date of the first pay increase made in previous offers has also improved from 1 September 2017 to 1 August 2017.

- A commitment that the first pay rise in the next agreement will be from 1 July 2021 to ensure the situation of no pay rise for 19 months is not repeated again.
- An increase to the Sunday morning shift penalty rate from 150 per cent to 175 per cent for personal care workers and other support staff.
- A transition to retirement clause, similar to the public and private acute sector clause, which enables nurses and carers to reduce their hours without impacting their accrued long service leave entitlements.

Campaign update 29 continued

- A fairer excess annual leave clause. Management will be able to request staff use annual leave after they have accrued six weeks, not four weeks.
- An entitlement to use five days of current personal leave as family violence leave. This is a significant step in the right direction of a major aged care employer recognising that nurses and carers in a family violence situation need to maintain employment but still require time off work for legal and medical appointments.
- 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.
- An improved entitlement for part-time employees to have regular additional hours worked, above their contracted hours, recognised.
- An agreed workload management clause.

3. A national campaign – safe staffing levels

A national campaign is needed to harness the momentum of the extraordinary Bupa dispute to legislate ratios across the private and not-for-profit aged care sector. If the Andrews Government can legislate ratios in state-owned nursing homes in Victoria, the Federal Government can do the same in the rest of Australia's nursing homes.

Bupa nurses' and carers' trailblazing campaign has demonstrated that the workforce and residents want more than the Federal Aged Care Act's undefined and unenforceable 'adequate' staffing levels.

The fact that Federal Aged Care Minister Ken Wyatt has announced an aged care workforce taskforce with no bedside nurses or carers indicates that the Turnbull Government and the private and not-for-profit industry want to keep the inadequate staffing status quo.

A national campaign will be developed to continue the groundbreaking work Bupa nurses and carers have started. Your campaign, which featured so many firsts, including rolling stop work meetings, a 400-strong rally and strike action for entire shifts, has raised awareness and serious concerns about staffing levels. It is unprecedented and members should be proud.

Residents and their families are now aware that there are no staffing safeguards or minimum levels in the aged care legislation or the audit and assessment requirements. Nor is there any resolution for staffing concerns to be found in the complaints process.

The only solution to nursing home understaffing concerns is legislation or regulation. ANMF and its members will campaign for federal aged care nurse/carer to resident ratios. ANMF will also seek an election commitment from the Andrews Government to improve state medication administration regulations that would require nursing homes to roster more nurses.

4. Hardship fund

ANMF has a proud history of providing financial support to members who experience hardship in the event their pay is docked as a result of taking lawful protected industrial action.

Apply via anmfvic.asn.au/Bupahardship

5. Encourage your colleagues to join ANMF

We still have a lot of work to do and ensuring safe staffing levels in Bupa nursing homes and all Victorian private and not-for-profit nursing homes is a priority of the Branch. Encourage your colleagues to be part of the campaign by becoming an ANMF member anmfvic.asn.au/joinANMF

6. Become a Job Rep

Many Bupa members stepped forward in this campaign helping to co-ordinate activities. If you enjoyed making a difference and would like to continue developing your role and skills for the next campaign consider becoming an ANMF Job Rep. You can find out more at anmfvic.asn.au/jobrep



Bupa nurses and carers rallying outside Bupa Head Office on 25 October



**Australian
Nursing &
Midwifery
Federation**
VICTORIAN BRANCH

Resolution

8 November 2017

That this meeting of ANMF members and those for whom ANMF is a bargaining representative resolve as follows:

1. Note the report from ANMF
2. Acknowledge the progress made thus far
3. Note that further FWC proceedings are scheduled for 16 November 2017
4. Accept the BUPA wages offer, effective from 1 August 2017, contained in correspondence from BUPA dated 6 November 2017, including the commitment for a wage increase in the next EBA from 1 July 2021
5. Accept BUPA's proposed revised Workload Management Clause, ie 26.10 and further resolve to raise workload issues in the event they arise, as outlined in 26.10 a)
6. Cease all PIA as of 7.00am on 9 November 2017
7. Conduct a further ANMF members' meeting once the proposed EBA drafting is complete
8. Note with disappointment that BUPA has continually refused to agree to improve staffing levels as an outcome of the EBA, and that BUPA nurses commit to continuing their campaign, as part of a national campaign for safe staffing in Private Aged Care across the country

Carried at BUPA facilities