

**THAW YOUR  
FROZEN HEART  
BOLTON CLARKE**

**WEDNESDAY 7 AUGUST 2024**

# **BOLTON CLARKE EBA UPDATE**

## **IMPORTANT UPDATE ON CHANGES TO BOLTON CLARKE PROTECTED INDUSTRIAL ACTION**

Dear ANMF Bolton Clarke members,

Please keep using your campaign resources page via [anmfvic.asn.au/bcresources](https://anmfvic.asn.au/bcresources) or scan this QR code .



Congratulations on the industrial action you have been taking since 15 July (stage 1) and more recently the Home and Community Services (HCS) stage 2 action involving bans on:

- the assessment and admission of new clients
- any scheduled visit where a client has not been completely admitted (including any admission related assessments).

For a range of reasons, we have now decided (at the 6 August member meeting) to pivot to a new form of stage 2 industrial action from Tuesday 13 August. Those reasons include the multiple pay docking of members for the same client, to spread the focus across all HCS clients (not just on the newly admitted) and to spread the load equitably among members.

What does this mean:

1. **All stage 1 bans remain in place.** You continue to implement wearing of T-shirts, writing on cars, email tags, data bans (start and finish times in Procurer, odometer readings for Bolton Clarke vehicles, taking all breaks, only working within rostered hours, no overtime etc.). See the list of bans below.
2. **We end current stage 2 bans at 5pm on Friday 9 August**, namely:
  - the ban on assessment and admission of new clients
  - stoppage of work for the scheduled visit where a client has not been completely admitted (including any admission related assessments).

This means that, apart from stage 1 action, there is no stage 2 action over the weekend or on Monday.

3. **Please remember the two-hour stop work and rally at McKenzie Aged Care Rosebrook 144 Waterfall Gully Road Rosebud from 1pm to 3pm on Friday 9 August.** All HCS members from Frankston south should advise their CTM that they are stopping work and will attend the rally.
4. From **Tuesday 13 August** we commence a series of two-hour stoppages each day from either 10am to 12noon or the last two hours of the shift.

This is item 25 on your protected industrial action ballot order: *Single and/or consecutive work stoppages of up to four (4) hours duration including such stoppages to travel for and to attend stop-work meetings (including those organised and directed by the ANMF).*

These stoppages will start with:

**13 August:** Eastern hub (including clinical advice line and associated nurse-led advice lines) 10am to 12noon, Western hub last two hours of shift

**14 August:** Southern hub last two hours of shift and Homeless Persons' Program last two hours of shift

**15 August:** Northern hub 10am to 12noon

**16 August:** stop work and rally Newmans on the Park, Templestowe and last two hours of shift for all HCS hubs

**19 August:** Southern hub 10am to 12noon, Homeless Persons' Program last two hours of shift

**20 August:** Northern hub last two hours of shift

**21 August:** Western hub 10am to 12noon

**22 August:** Eastern hub last two hours of shift (including clinical advice line and associated nurse-led advice lines)

**23 August:** stop work from 1pm to 3pm for Avonlea Mentone and all surrounding residential facilities and last two hours of shift for all HCS hubs

5. All members should advise their Clinical Team Manager first thing on the morning of the action listed above that you are unavailable for work between the 10am to 12noon or last two hours of the shift as per the above schedule. Please note it is not your responsibility to call cancelled clients. Please email your Clinical Team Manager or schedulers just as the shift starts.
6. **For PM shift workers:** HCS please choose which two hours is best for you.
7. **Pay docking:** There are real issues with the way Bolton Clarke has implemented pay docking. However, we can't deal with them right now, partly because the first actual deductions from pay are only occurring this week. *Please* document each episode of pay docking, your communications with Clinical Team Manager/ops manager, any offers you made to do alternative work etc. *Please* save and set aside any emails, texts etc and keep a copy of each pay slip. We will be trying to recover docked pay for members in due course.

Members can report threats of pay docking, intimidation or harassment via [anmfvic.asn.au/bcindustrialactionform](https://anmfvic.asn.au/bcindustrialactionform) or scan the QR code.



8. **Hardship Fund:** The Hardship Fund is there to support you. It is not an income replacement fund, but it will provide significant support to members who face hardship as a result of the protected industrial action. Please use it by lodging an application, including your pay slip, date of docking, classification and your expired enterprise agreement (Allity, RSL Care or RDNS). You can apply via [anmfvic.asn.au/bchardshipform](https://anmfvic.asn.au/bchardshipform) or scan the QR code .



## STATUS OF NEGOTIATIONS

The ANMF has lodged a bargaining dispute with the Fair Work Commission. The first conciliation will be from 10am on Thursday 8 August. A further meeting is scheduled with Bolton Clarke on Friday.

Bolton Clarke has made a revised wage offer.

Effectively they have offered 3% in the first year and then 2.5% in 2025 and 2026). That is a further 1% on the initial offer of 2%. It is unacceptable.

- The starting rates in the agreement are still amazingly low, especially for RNs e.g. \$1747 per week at the RN Level 1 / District Nurse top rate compared to the *current* rates of around \$1780 per week. Even the RSL Queensland EBA has a top Level 1 RN rate of \$1803 and major Victorian aged care providers have a RN L1/Grade 2 rate of between \$1860 and \$1910 per week at 1 July 2024.

- The 3% on existing hourly rates left from expired EBAs (as opposed to the proposed starting rates in the classification structure) is the *only* increase you will get over the next three years. Bolton Clarke knows your current rate will be overtaken by the Award rates in the near future and everyone will be left on the low agreement rates

There is no movement on a range of issues such as shift allowances and on-call allowances. For example, Bolton Clarke's proposed PM shift allowance is \$5 per shift below other providers. Their proposed night shift allowance is \$11 per shift below other providers. On-call allowance proposed is half of the rate other providers pay.

On top of that that, because of this 'improved' offer' they have reneged on their previous commitment to grandfather higher RDNS and McKenzie personal leave. Everyone will go to 16 days personal leave plus access to the serious injury/illness leave pool. They've even reneged on grandfathering the higher per kilometre rate for large vehicles paid to about 40 of our members in HCS.

We will advise members of further details shortly. However, **it is not an offer worthy of serious consideration.**

## TAKE PHOTOS AND VIDEO OF YOUR ACTION

Take photos and short video of members wearing the campaign t-shirts, writing campaign messages on your cars, or reading their letter to the editor or Bolton Clarke management so we can share these on ANMF's social media channels and in our publications. Please don't email photos or video as the quality will be reduced.

Instead upload the original-sized files to our Bolton Clarke Dropbox folder via [anmfvic.asn.au/bcdropbox](https://anmfvic.asn.au/bcdropbox) or scan the QR code .



## NEW EMAIL CAMPAIGN ACTION

You can now send a campaign email to Acting CEO Glen Hurley to let him know a respectful wage increases matters to Bolton Clarke nurses, midwives and personal care workers.

You can send the template email, but we do encourage you to personalise the text and talk about your own experiences. Personalised emails are more powerful.

Send an email via [anmfvic.asn.au/bcemail](https://anmfvic.asn.au/bcemail) or scan the QR code.



## STAY STRONG

Please keep up the amazing work you are doing out there. Remember we are all in this together, including the clinical team managers and some ops managers who are also ANMF members. So be firm but kind to each other as we campaign for fair wages and working conditions.

Please email [records@anmfvic.asn.au](mailto:records@anmfvic.asn.au) if you have any concerns with the protected industrial action or other matters, please contact your Industrial Organiser for your hub or residential facility.

- Allity - Camberwell Green, Toni Coughlin
- Allity - Claremont Terrace Hostel, Jo Petrini
- Allity - Glendale Aged Care Facility, Te Arahi Samakowidic
- Allity - Greenview Aged Living, Ann-Marie Thompson
- Allity - Highwood Court Aged Care, Mietta Van Dam
- Allity - Medina Manor Hostel, Bill Foord-Engelsman (backfilling Alana Ginnivan)
- Allity - Montclair, Jo Petrini
- Allity - Princeton View Aged Care, Jo Petrini
- Allity - Riddell Gardens Hostel, Cassia Drever-Smith
- Allity - Tannoch Brae Aged Care, Cynthia Salmons
- Allity - Templestowe Manor, Liana Coulthard
- Allity - Trevi Court, Lisa Harvey
- Allity – Head Office, Toni Coughlin
- Bolton Clarke (Head Office), Toni Coughlin
- Bolton Clarke - Avonlea, Jenna Nelson
- Bolton Clarke - Bayside, Jenna Nelson
- Bolton Clarke - Lexington Gardens, Jenna Nelson
- Bolton Clarke - Lilydale Residential Aged Care, Nicole Brown
- Bolton Clarke Central Office, Bill Foord-Engelsman (backfilling Alana Ginnivan)
- Bolton Clarke Eastern Melbourne Metropolitan Hub, Bill Foord-Engelsman (backfilling Alana Ginnivan)
- Bolton Clarke Homeless Persons Program, Bill Foord-Engelsman (backfilling Alana Ginnivan)
- Bolton Clarke Northern Melbourne Metropolitan Hub, Bill Foord-Engelsman (backfilling Alana Ginnivan)
- Bolton Clarke Rally Healthcare, Bill Foord-Engelsman (backfilling Alana Ginnivan)
- Bolton Clarke Southern Melbourne Metropolitan Hub, Bill Foord-Engelsman (backfilling Alana Ginnivan)
- Bolton Clarke Support Centre, Bill Foord-Engelsman (backfilling Alana Ginnivan)
- Bolton Clarke Western Melbourne Metropolitan Hub, Bill Foord-Engelsman (backfilling Alana Ginnivan)
- McKenzie Aged Care - Charlesbrook, Liana Coulthard
- McKenzie Aged Care - Lynbrook Park, Nicole Semmler
- McKenzie Aged Care - Newmans on the Park, Liana Coulthard
- McKenzie Aged Care - Rosebrook, Kate Hyland

- McKenzie Aged Care - Sutton Park, Cassia Drever-Smith
- McKenzie Aged Care - The Ashley, Liana Coulthard
- McKenzie Aged Care Group - Head Office, Jo Petrini

## WHAT ARE THE STAGE ONE PROTECTED INDUSTRIAL ACTIONS?

Bolton Clarke ANMF members, who are registered nurses, registered midwives, enrolled nurses and personal care workers can participate in the following actions:

1. Delaying or restricting the performance of normal duties through a ban on the employer's uniform policy or dress code, for the purpose of engaging with media, staff, patients, visitors, residents/patients and their families about the proposed agreement, with employees wearing, distributing and displaying ANMF campaign materials such as tshirts, badges, written communications, stickers in support of the proposed agreement.
2. An indefinite or periodic ban on performing work in clothes or uniforms which do not have bargaining campaign material and/or badges attached, except for any required PPE.
3. Interrupting or stopping work to attach union campaign material to work clothing.
4. Interrupting or stopping work to write messages in support of the proposed enterprise agreement on the outside of Bolton Clarke vehicles and/or equipment and/or infrastructure.
5. Administrative bans, including the refusal to collect, record, complete or document nonclinical/administrative information required by the employer including but not limited to processing of invoices or accounts, start and finish times of each visit in the Procura phone app, outcome measures, vehicle logbooks, statistical data, daily returns, but excluding any report directly related to patient/resident or staff safety.
6. A ban on the collection and/or entry of any data (that is not required by law to be entered into the patient/resident record or related directly to patient/resident or staff safety) and a refusal to record, collect or complete data required by the employer.
7. A refusal to implement any workplace or system change proposed by management, subject to the discretion of the ANMF Branch Secretary in circumstances where the Secretary is satisfied that if the change did not proceed, it may negatively impact on staff or patient/resident safety.
8. A ban on the completing of any paperwork or electronic forms in residential aged care other than that directly related to the documenting of resident care.
9. A ban on providing information to management in relation to who is participating in protected industrial action.

10. Stopping work for up to 10 minutes duration to explain to clients and patients/residents and visitors to the employer or in a residential location the purpose of the protected industrial action.
11. Taking the full period of all breaks (including meal breaks and rest/tea breaks), even if this means not completing the full schedule of At-Home visits.
12. Interrupting and/or stopping work to add EBA campaign messages to email signatures and screen savers.
13. A ban on sending emails unless they contain the following text:
18. A ban or limitation on receiving or responding to any telephone calls, emails or communication from Bolton Clarke management during breaks.
19. A ban on the movement or redeployment of any employee from one location to any other location at Bolton Clarke.

### **WHICH PROTECTED INDUSTRIAL ACTION DO I TAKE?**

Members can take any of the industrial action that is listed above. Your unit/work area should discuss the specifics of what that action may be (such as the particular data that will not be collected).

*Nurses, carers and allied health staff at Bolton Clarke and Allity have worked through the pandemic while experiencing declining real wages and conditions.*

*We are struggling to meet cost of living pressures. At the same time casualisation and organisational change has created a difficult working environment, with new staff being difficult to attract and retain.*

*The Australian Nursing and Midwifery Federation and other unions are trying to negotiate a new enterprise agreement with management on our behalf. We are asking for better and competitive wages. Bolton Clarke wages lag behind the public sector and major aged care providers. We are asking for decent working conditions including earlier access to long service leave, better parental leave, Victorian health industry standard personal leave and better annual leave to make our working lives better and to retain the staff who care for vulnerable clients/resident both at home and in residential facilities.*

*We ask for your support and understanding as we engage in protected industrial action in support of a fair outcome.*

*See [www.anmfvic.asn.au](http://www.anmfvic.asn.au) for more information.*

*Authorised L Fitzpatrick, Australian Nursing and Midwifery Federation (Victorian Branch) Secretary, 535 Elizabeth Street, Melbourne VIC 3000.*

14. Interrupting and/or stoppages of work of up to one hour per occasion to communicate with the media, post photos, change their background on electronic communications or write a message on social media about issues relating to enterprise bargaining (having regard to patient confidentiality and s. 141 of the Health Services Act).
15. A ban on working overtime directed or requested by Bolton Clarke.
16. A ban on working beyond or outside ordinary starting and finishing times unless overtime is approved by the employer in writing and in advance.
17. A ban or limitation on any response to any work-related emails, telephone calls or other communication from Bolton Clarke, unless the email is directly related to patient/resident or staff safety.