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MONDAY 15 JULY 2024

Bolton Clarke threatens nurses, carers and midwives lockout

Bolton Clarke, a major at-home nursing service and residential aged care provider, has threatened to lockout nurses, personal care workers and midwives starting protected industrial action on Monday 15 July.

The Australian Nursing and Midwifery Federation (Victorian Branch) members' protected industrial action, approved by the Fair Work Commission, includes wearing red campaign t-shirts, talking about their campaign to residents, clients, the media and the community, writing campaign messages on work cars and administrative and non-clinical documentation bans.

Bolton Clarke wrote to ANMF last week foreshadowing it would 'take employer response action under section 411 of the Fair Work Act, by way of lockout'.

Following the lockout threat ANMF gave the required five days' notice that members will hold a two-hour stop work and community rally on Monday 22 July, 1pm-3pm outside Bolton Clarke's Forest Hill headquarters.

ANMF is in negotiations with Bolton Clarke to improve the wages and conditions of approximately 1700 members employed across 22 residential aged care facilities, an at-home nursing program, the Homeless Persons Nursing Program and a maternal and child health line.

Bolton Clarke is a national not-for-profit organisation based in Queensland. It formed in 2016 when RSL Care in Queensland merged with Victoria's Royal District Nursing Service (RDNS). In 2022 it expanded with an acquisition of 22 Allity and McKenzie aged care facilities in Victoria.

The messy mergers and acquisitions mean Bolton Clarke's nurses, carers and midwives are on multiple different enterprise agreements and different pay rates for the same work. The former RDNS nurses enterprise agreement expired in 2018. The RSL Care agreement expired in 2019 and the Allity agreement expired in March 2024.

ANMF is seeking a minimum four percent wage rise (on the highest rates for each classification in the three expired enterprise agreements) and improved conditions and entitlements over a four-year enterprise agreement.

ANMF is also seeking to bring all staff under one agreement that establishes a single pay scale and classification structure for all nurses, midwives and personal care workers. ANMF is also seeking that Bolton Clarke pay comparable rates to the aged care providers paying the higher end of the Victorian industry standard.

Bolton Clarke nurses, midwives and carers are paid well below Victorian industry standard. Aged care nurses and carers earn between \$50 and \$100 dollars less per week than their colleagues employed at aged care providers such as Calvary, Uniting Agewell, BlueCross and Baptistcare.

Bolton Clarke's community nurses, the former Victorian Royal District Nursing Service nurses, will be earning \$195 a week less than their public sector counterparts from 1 July (\$1730 compared to \$1925.90).

In June Bolton Clarke offered a zero percent wage increase. Its latest offer is a two per cent increase and a one-year agreement. The Level 1/Grade 2 clinical nurse rate offered for new employees is lower than any of the current rates in the three expired enterprise agreements (\$1730 compared to \$1785-\$1803)

Australian Nursing and Midwifery Federation (Victorian Branch) offices:

Ballarat Bendigo Geelong Melbourne Morwell Shepparton Swan Hill Wangaratta Warrnambool

Bolton Clarke received Federal Government funding last year to pay nurses and carers the Fair Work Commission's interim aged care work value case 15 per cent pay increase. Bolton Clarke failed to pass on all of the funding for wages by refusing to increase penalties and allowances unlike every other aged care provider.

ANMF has recently discovered they also appear not to have passed on an October 2023 scheduled one per cent increase in the Allity Enterprise Agreement, instead absorbing that increase against the Commonwealth funded aged care work value increase in July 2023.

Ninety-eight per cent of members who participated in the recent Bolton Clarke protected industrial action ballot voted in support of the action (1091 out of 1108 who voted).

ANMF (Vic Branch) Secretary Lisa Fitzpatrick said 'The union nor our members will be intimidated by Bolton Clarke's bully tactics that seem to lie at the heart of the way it treats its staff.

'Nurses, carers and midwives only take industrial action when an employer is not listening.

'Our industrial action is designed to inconvenience Bolton Clarke, but residents' health, safety and welfare will not be at risk.

'Nurses, midwives and carers taking industrial action will still be at work caring for residents and clients and yet Bolton Clarke threatens a lock out before a member has even put on a campaign t-shirt,' Ms Fitzpatrick said.

'This is a shameful way for an employer to treat its staff let alone one claiming that the legacy of our once proud Victorian Royal District Nursing Service is at the heart of everything it does.

'We're calling on Bolton Clarke to thaw its frozen heart and treat its nurses, midwives and carers with the respect they deserve and the respect the residents and clients who use these services would expect,' she said.

'Instead of threatening our members, Bolton Clarke needs to attend intensive negotiations to reach an agreement and show its staff that it actually values them and cares about their welfare.'

Negotiations began more than 18 months ago.

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The ANMF (Vic Branch) has more than 100,000 members – nurses, midwives and aged care personal care workers – across the Victorian health and aged care sectors.