



## Stat Report 2015/01

### Happy New Year – 2015 a year to grow

Happy New Year from everyone at the Union! We hope you had a safe and enjoyable festive season.

Last year was a big year for the Union and 2015 is shaping up to be another big year. In many respects we think 2015 is going to be even bigger.

From our ongoing campaign around workloads and staffing – “No Pay? No Way!” – to protecting our professions from being dumbed down and efforts to destroy Australia’s universal healthcare system, 2015 is going to be a very big year indeed. There are many challenges facing our workforce.

Meanwhile the Abbott Government is continuing to push for ‘co-payments’ to visit the GP, it is clear that the conservatives are attacking the basic underpinnings of Medicare – access for all Australians to affordable health care, irrespective of income, where they live, and their social status.

We’ll be working hard to ensure public health remains a pressure point for the state and federal governments. It’s especially important that we ensure that public health remains a primary focus following last year’s State election. It will be up to us to ensure that the new Victorian Government is held to account for its promises on health; and to do that we have to keep growing our Union and maintaining our work to protecting your rights at work.

We will be determined to hold the new government to its pre-election Policy Platform on job security; base public sector employment levels on needs; reduce, and where possible eliminate outsourcing of public services/jobs; and conduct enterprise agreement bargaining more fairly and efficiently.

We will also intensify the work of exposing corrupt practices in existing contracted services (pathology services for example), including tackling instances of contract breaches that cause deteriorations in service standards and health care standards.

We’re back and fired up and we look forward to working with you all to keep up the fight to protect our rights at work and our professions in 2015.

Paul Elliott

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# Know Your Rights: Payment for Public Holidays over Christmas

It is important to know your rights about payment for working and not working on Public Holidays, particularly for part timers.

The three Public Holidays during the festive season are:

- Christmas Day - Thursday 25th December 2013
- Boxing Day - Friday 26th December 2013
- New Year's Day - Thursday 1st January 2014

## Public Sector\*\*

**Where a full time employee is rostered for duty on a public holiday** are entitled to be paid for the time worked with a minimum of four hours wages at the rate of time and a half in addition to their normal weekly wage i.e. in addition to payment for the day. (Time off in lieu at the penalty rate with a minimum of six hours time off may be taken by agreement, as well as payment for the day). If an employee is entitled to a full working day off, this may be added to annual leave by mutual consent.

**Where a full time shift employee is rostered off on a public holiday** (i.e. those who are normally rostered over a seven day cycle where a public holiday falls on a Rostered Day Off – i.e. a day when they are not rostered for duty) are entitled to the normal weekly wage plus one and a half days pay (or one and a half days' time in lieu) for the public holiday.

**For a full time employee**, where a public holiday falls on a day on which they normally work but they are not required to work, they are entitled to one day's pay i.e. are paid for the public holiday.

**For a part time employee**, where a public holiday falls on a day on which they normally work but they are not required to work they are entitled to one day's pay at the number of hours that they normally are rostered on that day.

**For a part-time employee**, where a public holiday falls on a day when they are never rostered to work, they are entitled to a pro rata payment for the day, where a day means 8 hours, based on the average weekly hours worked over the last 6 months divided by 38

*\*\* NB It is important to note that the entitlements for the Private Sector may vary slightly. In this case it is best to read the "Public Holidays" clause within the Enterprise Agreement which applies to your employer (this can be found on the MSAV website).*

**If an issue arises with your employer about payment for the above days, retain your payslip or any emails from your manager and contact the office for assistance.**

## Know Your Rights: Parental Leave FAQ

### **How much notice do I have to give?**

For most employers, you need to give at least ten weeks' notice of the expected date of birth, and at least 4 weeks' notice of commencing leave. Notice periods may vary for some private employers.

### **How soon can I start maternity leave?**

You may commence parental leave at any time within six weeks immediately prior to the expected date of birth. If you wish to continue working during this period, your employer may require medical clearance for you to do so.

**Can I go back to work part time?**

YES. You have a right to request that you return to work on a part time basis, so that you can effectively meet your responsibilities as a parent, until your child is school age. Generally, the only way an employer can deny such a request on operational grounds.

**Can my role be changed while on maternity leave?**

NO. You must be allowed to return to your substantive classification. If your substantive position no longer exists, relevant organisational change provisions may apply.

**Can I access other types of leave while on Parental Leave?**

YES. You may access any annual leave or long service leave in lieu of, or in conjunction with parental leave.

**Can I work somewhere else while on maternity leave?**

NO.

*Conditions may vary for some private sector employers. If you have any questions, contact the office on 9623 9623 or [enquiry@msav.org.au](mailto:enquiry@msav.org.au).*

## Changes at work? Here's some quick advice

*Are there changes being implemented in your workplace? Are you being told that 'things will change' this year?*

We're asking because members have been letting the Union know that some employers have been trying to implement changes to people's work – without going through the necessary process of consultation with members and the Union.

And consultation means much more than someone in management or human resources forwarding a 'memo' or an email.

Consultation requires management to provide information and details of proposed changes in writing. It requires management to consult with employees and their representatives (MSAV/AHP/VPA) regarding measures to mitigate or reduce the impact of any proposed changes on the employees who will be adversely affected by the change. Consultation must occur before any change is implemented.

Adverse impacts include restructuring of jobs; changes in skills required; alteration of hours of work; redeployment; redundancy; transfer; and workloads.

Consultation means management being open to changing their position in the light of information being provided and discussions. Consultation does not mean lip service – such as having a meeting and then going ahead with what was planned anyway.

Where redundancies are proposed employers are required to consult prior to implementing any change or issuing notices of redundancy.

So if you're being advised of changes at your work then let us know at [enquiry@msav.org.au](mailto:enquiry@msav.org.au) so you and your work colleagues can be represented.

Knowing your rights is important.

## Join the campaign - No Pay? No Way!

Show your support for the campaign by downloading & using one of our graphics for your email signature.



## Worth Reading: What's on your list of great reads?

For this week's "Worth Reading" segment we thought it would be great to get a list of the great reads you had over the festive break to share with members. Whether it's books, magazines or online sites, let us know what you thought was worth reading.

Send your list to us at [enquiry@msav.org.au](mailto:enquiry@msav.org.au)

## Worth Reading: The end of Medicare as we know it

The trouble with the Liberals is that they just can't keep their hands off it - Medicare, that is.

While in opposition, in the lead-up to the election, Tony Abbott insisted that Medicare was sacrosanct; why, the Liberals were the best friends Medicare had ever had. But as soon as his feet touched the ground as Prime Minister, Medicare was promptly unfriended.

While there were no-go areas for his hand picked Commission of Audit (his personal cornucopia, the Paid Parental Leave Scheme, being the most obvious), Abbott was happy to put Medicare on the operating table, a suitable subject for surgery. And already the pre-op sedation is well under way.

**Read the entire article by Mungo MacCallum on the ABC's The Drum at:**

<http://www.abc.net.au/news/2014-01-06/maccallum-the-end-of-medicare-as-we-know-it/5186116>

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ACTU Member Connect makes sure the products and services are from companies you can rely on to deliver high-quality products with reliable customer service.

There is more information about a range of other benefits union members can access at



<http://www.memberconnect.com.au/> or you can call ACTU Member Connect on 1300 362 223.

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