



## Stat Report 2018/05

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### New Public Sector Agreement Explainer: Overtime

Clause 58 outlines overtime and overtime rates. It's an area we have lots of concerns about as health services continue to rely heavily on unpaid work to make sure tasks are completed. Under the agreement you can be asked to work reasonable overtime at overtime rates but you have the right to refuse overtime where it would result in:

- any risk to employee health and safety;
- working hours being unreasonable;
- impact on your personal circumstances including any family responsibilities;
- any other relevant matter.

If you do end up working overtime you're to be given at least 10 consecutive hours off duty between successive shifts wherever practicable.

But if you work so much overtime (or recall) that you wouldn't have at least 10 consecutive hours off duty between shifts, you aren't expected to work until you've had at least 10 consecutive hours off duty without loss of pay even if you're rostered to work.

#### Told to resume or keep working?

If you're told to resume or continue work without 10 consecutive hours off duty, you're paid double time for the entire period of time. After you've completed that period of duty you'll be given 10 consecutive hours off duty without loss of pay for any rostered ordinary hours over that 10 hour period.

#### Overtime rates

The following rates of overtime will apply:

- If you work in excess of the ordinary hours' work on any one day you're paid time and a half for the first two hours and double time thereafter.
  - If you work outside a spread of twelve hours from the commencement of the rostered period of duty you're paid double time.
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- You can elect to take Time Off In Lieu (TOIL) of payment by mutual agreement. The TOIL will have to be granted within 28 days of working the overtime. If you want to be paid the overtime rate then you are unable to take TOIL.

#### Payment for unauthorised overtime

We even secured arrangements about payment for overtime that hasn't been authorised by your manager/supervisor. So if you have worked overtime that could not be authorised in advance it will be paid if it meets the following criteria:

- the employee has performed overtime due to a demonstrable urgent need and that need could not have been met by some other means;
- authorisation of the overtime could not reasonably have been given in advance of the employee performing the overtime work;
- the employee has claimed for retrospective authorisation of overtime as soon as possible after the overtime was worked and on no occasion later than the completion of that pay fortnight;
- the employee has recorded a reason for working the overtime and the duties performed in the form of an email or note to their manager/supervisor;
- If your claim is rejected then your relevant manager/supervisor has to tell you that it's been rejected within 14 days.

Need more information? Contact the Union on 9623 9623 or via email at [enquiry@msav.org.au](mailto:enquiry@msav.org.au)



## Bargaining Update

### **Healthscope**

We have some great news for our psychologist and dietitian members at Healthscope – the new Healthscope Hospitals agreement has been approved and is now enforceable.

We received notification of its approval which marks the culmination of the work of our members in securing a great agreement. Now the hard work begins to ensure that the new agreement is properly enforced.

You can download a copy of the new agreement on the [Fair Work Commission's website here](#).

If you have any questions about the new agreement please contact the Union on 9623 9623.

### **Dorevitch**

The Union is continuing to hold discussions with management about a new enterprise agreement. While there have been a number of meetings, the Union is yet to receive a wages offer from Dorevitch. Despite the talk of wanting to do better for staff at Dorevitch it appears there is more lip service about the importance of its scientific workforce than genuine action.

Dorevitch management had indicated to the MSAV negotiating team that it would put an offer on the table on Friday 2<sup>nd</sup> March but that hasn't happened with a couple of planned meetings being cancelled by Dorevitch. We are waiting for confirmation of a meeting time next week.

We'll keep members informed of what's happening – stay tuned for more.



## Revamped TPP bad for working Australians

The revamped Trans-Pacific Partnership is a bad deal for working Australians, and the Union has joined calls for a Senate Inquiry into the agreement before any further action is taken.

The full text of the deal was released Wednesday afternoon after being negotiated in secret by Turnbull Government representatives and corporate advisors. Remember that the last iteration of the TPP was also negotiated in secret despite Australians being told how it would be transformative and improve trade.

The release of the text confirmed companies want to bring in workers from Vietnam, Malaysia, Japan, Canada, Mexico and Chile and will be able to do so without ever having to advertise the jobs to Australians. This violates the Turnbull Government's promise that Australians would be first when it came to working in our country.

The agreement also allows foreign companies to sue Australian governments for making decisions like the plain packaging laws for tobacco which has seen smoking rates drop further.

The Turnbull Government must stop trading away our jobs, wages and opportunities for corporate profits. Instead of working to diminish Australia's wages and conditions it's up to us to ensure that workers around the world continue to have better wages and conditions. It's time to Change the Rules and ensure that Australian workers are not left on the scrap heap for a small and short-lived boost to the economy.

## Limiting pollution in Victoria

Prior to its closure last year pollution from the Hazelwood power station was estimated to cause

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eighteen deaths per year in the Gippsland region, which would account for roughly 1% of annual deaths in Gippsland. With Yallourn, Loy Yang A and Loy Yang B emitting comparable levels of toxic pollutants there are concerns that these remaining power stations are still causing a significant burden of death and disease. Together Victoria's remaining coal-fired power stations produce over a third of Victoria's greenhouse gas emissions, which drives climate change and further threatens the health of Victorians by increasing the risk of heatwaves and bushfires.

Climate change is union business. We're witnessing the growing impacts of climate change on patients and the adverse effects it is having on the health and well-being of Victorians.

This year Victoria's Environmental Protection Authority is reviewing the licences of Victoria's coal-fired power stations. Air pollution from coal-fired power generation causes cardiovascular, respiratory and neurological diseases and contributes to premature deaths.

That's why the Union joined with other health professional organisations and Healthy Futures to present an open letter to the Environmental Protection Authority calling on them to limit greenhouse gas emissions in keeping with Victoria's emissions reduction targets. And on Thursday morning, the open letter was delivered to the EPA with the CEO, Nial Finegan, coming out to accept it on behalf of the EPA. [Check out the video from the morning courtesy of Environment Victoria](#)

The Union will continue working with other health professionals and Healthy Futures to keep up our advocacy for a safe climate and healthy future.







## Positions not backfilled?

In the public sector, your boss is required to employ adequate relief staff to ensure that work is not falling to you and your colleagues when there are absences in your workplace. [If you are aware of a position which has not been backfilled then let the Union know using our handy "Leave Replacement / Backfilling" form.](#)

It is very important that you let us know about each case of failure/refusal to provide backfill because each case is a breach of the new Public Sector Agreement and we are determined to stop any pattern of agreement breaches as quickly as possible.

**Positions not backfilled?**

**Let us know**

## Public Sector Back Pay and Sign-on Bonus

Still waiting for either your back pay or sign-on bonus or both please contact the Union as soon as possible at [enquiry@msav.org.au](mailto:enquiry@msav.org.au)

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## Union assistance for Grade 1 Scientist Progression

To make sure that scientist members understand the process for progression, and what evidence will be needed in order to successfully progress to Grade 2, the Union has created a handy booklet. You'll find advice and information about what is expected, what evidence you'll need and how to work through the process – it's an essential tool.

This is a resource we've created specifically for members and it's only available by contacting the Union at [enquiry@msav.org.au](mailto:enquiry@msav.org.au)

## Psychologists: If you need help at work you need the VPA Inc.

If you are a psychologist and not in the VPA, you are taking unnecessary risks with your reputation and career. [Download an application form and join today.](#)

### **Common beaches of employment entitlements and negotiation of enterprise agreements**

The VPA routinely assists members over issues such as harassment and bullying, under classification, organisational re-structuring, incorrect calculation of leave entitlements and health and safety. In addition, it negotiates enterprise agreements for psychologists in the public and private sectors to ensure that rates of pay and conditions remain up to date.

## Support the Healthy Futures campaign



The Union strongly believes that climate change is union business. We know that climate change threatens our health by increasing the risks of heatwaves, bushfires, droughts and storms, displacing people and straining our health systems.

And right now HESTA and First State Super (FSS), Australia's biggest health industry super funds, are investing our money in fossil fuels - coal, oil and gas.

**Join us in asking HESTA and FSS to divest from fossil fuels at [www.healthyfutures.net.au/divest](http://www.healthyfutures.net.au/divest).**

## Stopping Gendered Violence at Work

Far too often women are attacked, harassed and threatened in their workplaces. And it needs to stop. That's why the Union is fighting back against gendered violence in the workplace – it's a very serious occupational health and safety issue.

Gendered violence is like a disease in our workplaces. Working women's experience of violence at work indicates that the problem of gendered violence is endemic in our workplaces.

Sign up to support the campaign at: <http://www.unionwomen.org.au/stopgv>

## Do you need access to Domestic Violence services?

If you're experiencing domestic violence and need help, here is a list of Victorian services which may be able to assist you.

[Safe Steps \(formerly Women's Domestic Violence Crisis Service of Victoria\)](#)

[Aboriginal Family Violence Prevention and Legal Service Victoria \(FVPLS\)](#)

[Centre Against Sexual Assault \(CASA\) Forum](#)

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[Community Legal Centres](#)  
[Court Network](#)  
[Domestic Violence Victoria](#)  
[Elder Rights Advocacy \(ERA\)](#)  
[Elizabeth Morgan House Aboriginal Women's Service](#)  
[inTouch Multicultural Centre Against Family Violence](#)  
[Men's Referral Service](#)  
[No To Violence](#)  
[QLife Australia](#)  
[Seniors Rights Victoria \(SRV\)](#)  
[The Jewish Taskforce Against Family Violence](#)  
[Victoria Legal Aid \(VLA\)](#)  
[Victorian Aboriginal Child Care Agency](#)  
[Women with Disabilities Victoria \(WDV\)](#)  
[Women's Housing Ltd](#)  
[Women's Information Referral Exchange \(WIRE\)](#)  
[Women's Legal Service](#)  
[Women's refuges](#)

## Worth Reading: Australian women report 'shocking' levels of inequality, sexual harassment in new study

*"Less than a third of Australian working women feel they are being treated equally, and one in 10 believe they have experienced sexual harassment, according to a landmark national survey.*

Researchers at the University of Sydney surveyed more than 2,000 women and 500 men across Australia aged between 16 and 40 for the Women and the Future of Work study into women's attitudes and experiences in the workplace.

The study found just 31 per cent of women surveyed believed men and women were treated equally at work, while 50 per cent of men felt there was equality in the workplace."

Read the entire article by Brooke Wylie at the ABC at: <http://www.abc.net.au/news/2018-03-06/australian-women-reveal-shocking-cases-of-inequality-at-work/9516642>

## Worth Reading: Low wage growth remains a problem affecting all levels of employment

"The latest [detailed data employment](#) data has revealed that in 2017 full-time median earnings rose by less than inflation as the low wages growth problem flowed through all segments of employment while at the same time the levels of casualisation continue the trend upwards.

Last year, median full-time earnings was \$65,577 – a 1.5% increase on the \$64,584 recorded in 2016. But that 1.5% growth in the 12 months to August last year was below the 1.8% increase in inflation in the 12 months to September."

Read the entire article by Greg Jericho in The Guardian at: [https://www.theguardian.com/business/grogonomics/2018/feb/27/low-wage-growth-remains-a-problem-affecting-all-levels-of-employment?CMP=soc\\_567](https://www.theguardian.com/business/grogonomics/2018/feb/27/low-wage-growth-remains-a-problem-affecting-all-levels-of-employment?CMP=soc_567)

## Worth Reading: Margaret Gardner: freezing university funding is out of step with the views of most Australians

"When Australia decided in 2009 [to uncap university places](#), educational opportunity was to be

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matched to the knowledge demands of the future. It was a bold advance – and one supported by both sides of politics.

Since that time, [we have seen](#) 55% growth in enrolments from the poorest fifth of Australian households, 48% growth for regional and rural students, 89% for Indigenous students and 106% growth for students with a disability.

This expansion of opportunity is why we cannot accept [the freeze on university funding inflicted last December](#). That freeze inflicts a cut of A\$2.2 billion on Australia's universities and the communities they serve.

The university funding freeze is really a cap on opportunity. And it will limit the share of the highly-skilled, well-paid jobs in our economy that can be done by qualified Australians in the decades ahead."

Read the entire article by Margaret Gardner in The Conversation at:

<https://theconversation.com/margaret-gardner-freezing-university-funding-is-out-of-step-with-the-views-of-most-australians-92570>

## Worth Reading: What makes a specialty coffee taste good? The science behind your morning cuppa

"Confused? You're not alone. The world of specialty coffee is peppered with terms like "honey-processed", "funky notes" and "first crack".

But what do they mean — especially for the taste and aroma of your morning coffee?

Only recently has the coffee industry described their products in such depth, according to Melbourne roasting consultant Anne Cooper.

"The coffee industry is just starting to do what the wine industry has done forever," she says.

But before we start decoding the jargon around specialty coffee, we first need a quick lesson in coffee anatomy."

Read the entire article by Belinda Smith at the ABC at:

<http://www.abc.net.au/news/science/2018-02-21/specialty-coffee-taste-processing-roasting-chemistry-decoded/9422180>

## Worth Reading: NBN faces irrelevance in cities as competitors build faster, cheaper alternatives

"Malcolm Turnbull is now connected to the National Broadband Network (NBN) at his Point Piper home on a 100 megabits per second (Mbps) plan, [it was revealed](#) in Senate Estimates yesterday. But only because his department intervened to avoid [delays affecting other customers](#).

And while the Prime Minister might be happy with his NBN connection, that's not the case for the 2.5 million customers waiting on a connection through their pay TV or cable service who have been [left in limbo](#).

Lauded in the 2009 Commonwealth Budget as the [single largest nation building infrastructure project in Australian history](#), the NBN is at risk of becoming an expensive white elephant in our cities. Years of political interference, poor technology decisions and a monopoly business attitude have damaged the brand."

Read the entire article by Allan Asher in The Conversation at: <https://theconversation.com/nbn-faces-irrelevance-in-cities-as-competitors-build-faster-cheaper-alternatives-92275>

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## Join the Union

**Are your workloads increasing? Are your stress levels increasing? Are you doing longer hours at work? Join the Union today!**

To protect our professions and stand up for our rights at work we must strengthen our collective voice by increasing our membership. You can help by sharing one of the images below on Facebook.



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## Your Union is on Facebook

Keep up to date with what's happening by liking us on Facebook

[Medical Scientists Association of Victoria](#) | [Victorian Psychologists Association Inc](#) | [Association](#)



## Get the most out of the Union's website

The Union's website has a number of special features for members. These features, like the Members section and the Forums, require you to have a log-in and password.

But to ensure that your privacy is protected we have created the website in such a way that you will need a separate log-in and password for the Members section and the Forums section. It might seem to be inconvenient but it does better protect you and your private information. It also means that we can be more certain about the source of a hack if such an event is ever to arise.

## Australian Unions Member Benefits app

Over the last month Australian Unions launched some new and exclusive Member Benefits - did you see our recent email telling you about this? If not, check your inbox! Search for "Lifestyle Rewards" for your login code.

Our program has expanded to include:

- Discounted movie tickets for Village, Hoyts, Palace and Event cinemas.
- Discounted electronic gift cards including major theme parks, zoos and aquariums.
- A discounted accommodation booking site.
- A new secure member only website and smart phone app.

All this is free to all members of affiliated unions. If you have not got a login and would like join in [register for Member Benefits now.](#)



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