



Department of Human Services

Incorporating: Community Services, Housing, Women's Affairs and Youth Affairs

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Our Ref:

Your Ref:

Dear Sir/Madam

As you may be aware, the Department of Human Services (the department) and the Health and Community Services Union (HACSU) reached an agreement in full settlement of both parties' enterprise bargaining claims.

A new enterprise agreement has been drafted to replace the existing Disability Services Enterprise Agreement 2008 – 2012. The parties are now undertaking the formal steps required to make an enterprise agreement under the *Fair Work Act 2009*, which requires the department to explain the terms of a proposed workplace agreement to all staff covered by the agreement. Accordingly, the department is providing you with an explanation of the terms of the proposed agreement in Attachment 1. While the new workplace agreement maintains the majority of the entitlements employees enjoyed under the Disability Services Enterprise Agreement 2008–2012, there are some important changes that you should be aware of as they may affect you. The proposed changes are identified in Attachment 1 to this letter.

You can find further information about the new workplace agreement through the People Services Branch page on the human services hub, including a copy of the proposed agreement. A copy of the workplace agreement will also be sent to all worksites. The proposed agreement also incorporates the "Disability Accommodation Services Minimum Standard and Workload Review Policy. This policy will can also be found on the human services hub and in your workplaces. If English is not your first language and you require assistance with the information in this letter you can contact Ms Carryl Fenner on 9096 0280.

The next steps towards finalising a new enterprise agreement will involve asking employees to vote to approve the agreement. The Australian Electoral Commission (AEC) will be undertaking a postal vote of all employees covered by the proposed agreement. You will be sent a ballot form early in the new year. Further details of the vote and next steps will be circulated to all employees covered by the proposed agreement in the near future.

Yours sincerely

Arthur Rogers
Deputy Secretary
Service Design and Implementation Group &
Director of Housing

Date: 20 December 2012



Attachment 1

Wage increases

Sign on Payment

A once-off lump-sum 'sign on' payment to a maximum of \$1500 calculated as follows:

- \$1500 for full time employees employed as at 1 January 2012 (pro-rata for part-time and casual employees based on actual hours worked)
- for employees who commenced between 1 January and 1 December 2012 calculated pro rata for each month of service or part thereof for fulltime, part-time and casual employees based on actual hours worked.

Salary Increases

- 2.50 per cent increase to wages from the first full pay period on or after 1 December 2012
- from the first full pay period on or after 1 December 2012, a single flat dollar uplift to revised rates of pay as follows, applied after the first 2.50 per cent increase

Current weekly rate of classification	Flat dollar uplift
Less than \$965	\$17.50 per week
Between \$965.00 and \$1260	\$22.50 per week
Between \$1260 and \$1467	\$27.50 per week
Above \$1467	\$32.50 per week

- three further annual wage adjustments of 2.50 per cent per annum effective from:
 - the first full pay period on or after 1 December 2013
 - the first full pay period on or after 1 December 2014
 - the first full pay period on or after 1 December 2015.

Increase to allowances

- All non-salary related allowances will be increased by 2.50 per cent from the first full pay period on or after 1 December each year unless otherwise specified.

Revised classification structure

Agreement to revised Disability Development and Support Officer (DDSO) classification descriptors that:

1. Clarify the need for higher qualified and classified staff in case management, intake/response and outreach as follows:
 - The entry point/minimum classification for work in outreach services will be DDSO level 2A, with a restricted trainee level at DDSO level 2.
 - The entry point/minimum classification for work in case management and intake/response will be DDSO level 2A.
 - Independent outreach, case management and intake/response workers will be DDSO level 3A.
 - Outreach team leader will be classified at DDSO Level 4.

2. Provide for the establishment of practice leader positions at DDSO level 4, 5 and 6.
3. Establish locations supporting residents who are subject to supervised treatment orders as more complex locations and requiring a DDSO level 2A and level 3A position.
4. Acknowledge the complexity of state-wide crisis accommodation units (Disability Interim Justice Accommodation Services) and establish a requirement for a DDSO level 4 manager position and a DDSO level 2A position.

Workload

House supervisors

Introduction of a workload provision that recognises the health and safety responsibilities of the department to its employees and accepts the principle that house supervisors should have sufficient time to undertake administrative/indirect care tasks (howsoever described) by:

- allocating a minimum of 50 hours for each 28 day roster for administrative/indirect care tasks provided that no roster shall be changed to reduce any unit which is above the minimum of 50 hours
- allocating additional hours for all rosters currently below the minimum allocation
- ensuring new systems and reporting structures will not be implemented without a review that examines and seeks the removal of tasks that are duplicated, redundant or can be best undertaken elsewhere.

There will be a further review within nine (9) months of the operative date of the agreement to conclude a review that addresses the administrative requirements of operating a group home and clarifies the roles and responsibilities of house supervisors.

Operational managers

Commitment to equitable and manageable workloads for operational managers as a consequence of the Department of Human Services restructure, with the introduction of a clause to provide access to dispute settlement procedures.

Shift allowances

Afternoon and night shift allowances

- Weekday afternoon and night shift allowances will be equally applied to full-time and part-time employees.
- The night shift allowance will increase to 17.5 per cent.
- There will be a new short shift allowance of 15 per cent for shifts of 5 hours or less.
- Where the number of hours of a sleepover or active night shift is equal across both days, the allowance(s) attracting the highest payment will be paid.

Sleepovers

- The sleepover allowance will increase to \$83.95 from 1 December 2012 and then in line with the annual increases to other allowances.
- The sleepover weekend and public holiday loading will increase from 16 per cent to 18 per cent.
- Where it is identified and advised to the house supervisor that there is a pattern of multiple disturbances, the sleepover will be assessed in conjunction with staff to determine the circumstances of the disturbances and mitigation, including consideration as to whether the sleepover should be converted to an active night shift.
- The shift hours worked either side of a sleepover commencing 31 December will attract the public holiday penalty payment.

Hours of duty and roster change

Roster arrangements

- An additional rostering principle will be introduced to recognise that the roster change process should seek to avoid a diminution of an employee's overall remuneration or work/life balance arrangements.
- A revised roster review process has been agreed.
- Agreement that where unpaid meal breaks are not possible, a paid meal/rest break may be taken on the job.

Hours of work for office based staff

- The 19 day month provision will be retained and the spread of hours expanded to 7am to 7pm where there is agreement between the employer and an employee.

Recruitment and career progression

- To promote development opportunity and merit selection, where it is apparent that the period of higher duties is for a longer period of time, the employer shall consider whether it is necessary to undertake a more formal internal advertisement and merit based selection process.
- An employee who has worked in a position satisfactorily for a period of six months and was selected through a merit based selection process shall be deemed to have satisfied merit selection criteria for the purpose of appointment.
- Commitment to the rehabilitation and return to work of injured staff.

Casual staff

- Casual or fixed term employees who secure part-time or full-time employment shall have previous periods of regular and systematic casual employment and periods of time limited employment recognised for the purposes of appointment at a particular salary increment point, reflective of such recognised service. This provision is subject to not having a break in service of more than 3 months.
- Clarify that an employee may transfer between modes of employment and divisional (regional) areas without breaking the employment relationship or the necessity to undertake a new employment induction program.

Training and professional development

- Review current training arrangements and develop a strategy that provides for enhanced access to training opportunities aimed at supporting career path progression, specialist skills and extends support for clients.
- The retention of current education and training provisions in the agreement, save for:
 - an amendment to clause 21.14 to provide for 18 Scholarships at \$2,500 and two Senior Leadership Scholarships at \$8,000 and
 - study leave is not included in the scholarships, clause 34.9 applies.
- Clarify that Professional Development and Support (PDS), in addition to the primary focus of individual learning and development, may also involve discussions and support about the effective implementation of standards, policy, and feedback on work performance. PDS will not be not used for disciplinary and punitive purposes.

Leave provisions

Long service leave

- Part-time employees taking long service leave will be paid shift penalty rates based on average shift penalties for time worked over the last 12 months. This provision will not apply to long service leave paid on termination.

Personal Leave

- Full pay and half pay personal leave credits will be combined into a single entitlement. Allocation of personal leave on commencement will be changed to a one year credit rather than the existing two year credit, with subsequent accruals occurring at the beginning of each anniversary year thereafter. There is no loss of accruals.

Annual Leave

The parties recognise that the existing agreement provides for progressive accrual of annual leave pursuant to clause 31. It is agreed that from 1 January 2014 the current practice of allocating annual leave at the commencement of the calendar year shall be changed to progressive fortnightly accrual, subject to the following:

- An agreed communication and information strategy to explain the change to existing employees will be developed through the Central Consultative Committee and implemented throughout 2013.
- Leave management processes, forms and planning arrangements will be reviewed to support the implementation of the change.
- Fortnightly pay advice will be adjusted to provide 'year to date' accrual balance.

Substituted leave

Part-time employees who elect to accrue substituted leave on a public holiday will accrue substituted leave on an hour for hour basis on the actual hours worked rather than on a day basis.

Leave Planning

Leave planning procedures will be strengthened to promote the fair and equitable access to preferred leave dates and operational efficiency. All employees will be requested to nominate their preferred leave dates on a leave planner. The department will respond to the leave preferences of staff taking into account operational need and the leave preferences of other staff.

Pay advice

The parties will work to progressively strengthen information on pay advice to provide employees with greater detail and clarity of the payment of salary, allowances and leave accruals/balances. This will be subject of ongoing consultation via the DHS/HACSU Central Consultative Committee and implemented in conjunction with the Roster and Attendance Project.

Disciplinary Procedure

The existing provision will be amended to simplify reviewer and determination procedures. Matters of serious misconduct requiring a hearing will be determined at one hearing which considers whether the allegations are substantiated and the outcome. Employee will be provided with at least 5 clear days to respond to a reviewer report/recommendation. In advance of the specific details that are required under the process, employees will be provided with the date of alleged misconduct and a broad indication of the allegations made against them at the outset of the process.