

All Staff

Enterprise Bargaining - Technical Issue

As you may be aware, since December 2016 the ACT Government has been working on replacing the current Enterprise Agreements (EAs). Calvary Public Hospital Bruce (CPHB) staff are covered by the ACT Government EAs, and CPHB staff are involved in negotiations around the replacement EAs. The ACT Government is currently reframing its bargaining offer and it has indicated that a more comprehensive update will be sent out soon.

One of the requirements of the *Fair Work Act 2009* (Commonwealth) in relation to bargaining for new EAs, is for the employer to issue a Notice of Employee Representational Rights (NERR) to every employee to be covered by the new EA.

Earlier this year the ACT Government became aware that the NERRs issued in December 2016 may not have technically complied with the exact form required. If left unaddressed this could mean that there is a risk that once finalised the new EAs may not be approved by the Fair Work Commission (the Commission).

As a result, the ACT Government has decided to temporarily cease bargaining for the new EAs while new (and compliant) NERRs are issued. This is a necessary step to ensure the Commission can approve the new EAs once they have been voted upon and approved by a majority of staff.

Once a new bargaining offer and the new NERRs are ready for distribution to staff, the ACT Government will initiate the new bargaining process.

The ACT Government has indicated that this will not adversely impact the nature or progress of the bargaining process. All work conducted to date will be carried forward into the new bargaining process and the reissuing of new NERRs will not delay finalisation of the new EAs.

The ACT Government has addressed this approach with the unions and existing non-union bargaining representatives, who accept the necessity of this approach. If you have any questions please contact Mr Steve McLean (Director People & Organistaional Development) at steve.mclean@calvary-act.com.au or Ms Michelle Vella (Manager Workplace Relations) at michelle.vella@calvary-act.com.au.

Noticed issued by approval of the CEO

16 November 2017