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| **Proposed by Bolton Clarke QLD** | **RSL Care EA Entitlement** | **Allity QLD EA Entitlement** | **McKenzie QLD/NSW****Entitlement** | **McKenzie Sunshine Coast Entitlement** | **HSU Log of Claims** |
| **Clause** | **Entitlement** |
| **Wages and Allowance Increase** |  | Wages to maintain 5% above the Award minimums rates or receive a 5% wage increase, whichever is greater.Allowances to be increased by CPI or 5% whichever is greater.Increases to be applied annually for the duration the Agreement is in operation, even after the nominal expiry date. |
| **Interim 15% Work Value Increase** |  | Classifications who were not passed on the interim 15% wage increase from the Work Value Case to receive an additional wage increase of 15% for the first year of the agreement to recognize their value of work. |
| **Care Minutes** |  | Include an additional clause that reflects the Care Minutes requirement coming into effect 1 October 2023.  |
| **Recognition of prior service and pay point progression** | Consolidate pay point progression clauses.Include provisions for recognition of prior servicefor employees with international experience. | 1976 hours or 2 years whichever comes first and successful performance review. | 1786 hours but not more than 12 months | 1976 hours or at least 12 months, taking into account paid leave | 1200 hours or at least 12 months service including paid leave. | Review of the classification structure along with pay point progression to promote career development and progression. |
| **Shift work** | Consolidate Award Shiftwork entitlements**Aged Care**Early Afternoon 10%Afternoon 12.5%Night 15%Early morning 10%**Community Care & Nursing**Afternoon 12.5%Night 15%*(Shift hours to be determined)* | **All Employees**Night shift 23.5%*(Penalty for hours worked during this period only)* | **RAC non-nursing**Early morning 10%)Afternoon 12.5%Night 15%**Nursing**Afternoon 12.5%Night 15% | **RAC non-nursing** Early afternoon 10%Afternoon 12.5%Night 15%Early morning 10% | **All Employees**Afternoon 12.5%Night 15% | Shiftwork hours to reflect those under clause 26.1 of the Aged Care Award 2020. Shiftwork penalties to be paid for the entirety of the shift and not for the period the shift falls within a specified period.Any shifts that commence within 15 minutes of any specified shift work period will also trigger the applicable penalty for the entirety of the shift. |
| **Overtime** | **All employees**Mon - Saturday 150% first 2hours, 200% thereafter.Sunday 200%Public Holiday 250%*(Retain current entitlements)* | **All employees** Mon - Saturday 150% first 2 hours,200% thereafter.Sunday 200%Public Holiday 250% | **All employees** Mon - Saturday 150% first 2 hours,200% thereafter.Sunday 200%Public Holiday 250% | **All employees** Mon - Saturday 150% first 2 hours,200% thereafter.Sunday 200% Public Holiday 250% | **All employees** Mon - Saturday 150% first 2 hours,200% thereafter.Sunday 200% Public Holiday 250% | Mon – Fri: 150% first 2hours, 200% thereafter.Saturday & Sunday: 200%Public Holiday: 250%Full-time/Part-time employees to trigger overtime when they work in excess of their ordinary hours set out in their employment contract. |
| **Higher duties** | Period of > 4 hours1st PPT of the higher level | No minimum 1st PPT of the higher level | Period of >4 hours 1st PPT of the higher level | Period of >2 hours 1st PPT of the higher level | Period of >2 hours 1st PPT of the higher level | Higher duties applies when an employee performs higher duties for an specified period of time, no limit. |
| **In-charge allowance** | RN in chargeAllowance to be determined, One per shift,Employer nominated | Any employees in charge of a facility 6pm – 6am, weekends or PHreceive $2.56/hr | RN In charge after hours $10.68/shift | RN required to be in charge any time$33.68/shift | RN required to be in charge any time$33.68/shift |  |
| **On call & recall allowances** | Seeking to consolidateMon – Fri: $24.09/day Saturday: $36.29Sunday & PH: $42.72/day Minimum engagement 2 hours(‘day’ is equivalent to 24 hour period) | Mon – Fri:$23.81/day Weekend, PH or day off: $33.55/day Recalled to place of work 3 hours min at OT | Mon – Fri: $22.34 Weekend - $33.66 | Mon – Fri: $18.63 Saturday - $27.94 Sunday or PH or not rostered -$32.60 | $50 per 24 hour period. | Mon – Fri: $25.48/day Saturday: $38.38Sunday & PH: $50.00/day Minimum engagement 4 hours(‘day’ is equivalent to 24-hour period) |
| **Qualification allowance** | Propose to introduce a qualification allowance for RN’s (level 1) & ENs.(non-Award benefit) | NA | Does not apply to Clinical Nurse Educators or Clinical Nurse SpecRN Post Grad Dip/ Degree $36.11/ wk RN Post Grad/ Masters/ Doc$43.32EN Cert IV $14.45/ wk | Paid to roles below Level 1 Grade 4 RN Postgrad Cert$17.55/ wkRN Post Grad Dip/ Degree $29.24/ wk RN Masters/ Doc$35.08/ wkEN Cert IV $11.69/ wk | NA | *HSU will reserve our rights to withhold a response until further particulars are provided by Bolton Clarke.* |
| **Calculating overtime, public holiday, shift and weekend penalty rates for casual employees** | The casual rate is calculated by adding the casual loading to the penalty, except the below scenarios where the casual loading will be compounded with the penalty rate.Weekend work: Nursing: Casual loading and weekend penalties arecompounded.Overtime:All employees: Casual loading and overtime penalties are compounded. | Casual rate is calculated by adding the casual loading to the penalty. | Casual rate is calculated by adding the casual loading to the penalty. | Casual rate is calculated by adding the casual loading to the penalty. | Casual rate is calculated by adding the casual loading to the penalty. | To reflect at least the minimum Award entitlement  |
| **Leading hand allowance** | Introduce a team leader penalty for non-nursing employees currently not recognised as a Team Leader. | Aged care non- nursing employees in compensation for team leader classifications | Leading Hand Allowance2-5 employees$25.396-10 employees$36.3411-15 employees$45.75>16 employees$55.93 | NA | NA | What is Bolton Clarke proposing as the amount for the leading hand allowance?*HSU will reserve our rights to withhold a response until further particulars are provided by Bolton Clarke.* |
| **Vehicle allowance** | $0.92/km | $0.78/km | $0.78/km | $0.78/km | $0.78/km | $0.96/km subject to increases each year for the duration of the Agreement or the ATO rate whichever is higher |
| **Clothing & equipment allowance** | Uniform $1.23 /shift or$6.24/wk |  | Clothing & equipment allowance | Uniform $1.23 /shift or $6.24/wk |  | To reflect at least the minimum Award entitlements:Uniform Allowance:$1.23 /shift or$6.24/wkLaundry Allowance:$0.32/shift or$1.49/wk |
| **Overtime meal allowance** | >2 hours meal provided in first instance or $15 | >2 hours $15 | NA | >2 hours $16.20 | > 1 hour $12.48 | To reflect at least the minimum Award entitlements:>1 hours meal provided in first instance or $15.20 >4 hours a further $13.70 to be paid  |
| **Broken shift allowance** | (Award provisions) |  |  |  | Broken shift allowance | To reflect at least the minimum Award entitlements |
| **Nauseous linen allowance** | 0.05% of standard rate or 0.25% standard rate weekly. | NA | 0.27% ph | NA | NA | To reflect at least the minimum Award entitlements:0.05% of standard rate p/hour or 0.27% standard rate weekly. |
| **Special responsibility allowance** | Special responsibility allowance to be included; specific application, amount and entitlement to be worked through. | All employees accept Allied Health & Nurses $2.71/ shift. |  | Special responsibility allowance to be included; specific application, amountand entitlement to be worked through. | All employees accept Allied Health & Nurses $2.71/ shift. | *HSU will reserve our rights to withhold a response until further particulars are provided by Bolton Clarke.* |
| **Rosters** | Published 14 days in advanceCommunity Care Award shift cancelation provisions | Published 7 days in advance | Published 14 days in advanceEmployer can alter rosters for unplanned leave 7days in advance | Published 14 days in advanceEmployer can alter rosters for unplanned leave atany time | Published 14 days in advance7 days’ notice of change. | To reflect at least the minimum Award entitlements  |
| **Minimum engagement** | Casual / PT: 2 hours Allied Health Casual: 3 hoursFT: 3 hoursIn addition propose: Compulsory meetings/ training/ e-learning : 1 hourCommunity CareRemote Work: 15-30 min if on-call ; 1 hour not on-call | Community Care Casual/PT - 1 hour by agreementAll others casual - 2 hours1 hour to attend a meeting outside of work hours | Casual 2 hoursPT: 3 hoursFT: 3 hours | Casual: 2 hoursPT: 3 hoursFT: 4 hoursMandatory training/ meetings outside of ordinary hours at ordinary time | Casual: 2 hoursPT: 3 hoursFT: 4 hours | FT/PT: 4 hoursCasual: 3 HoursAll time worked outside of ordinary hours for the purpose of a compulsory meeting/e-learning/training will be paid. If these hours are in excess of their ordinary hours specified in their contract, the applicable overtime rate will apply. |
| **Meal breaks** | 30 – 60 min in excess of 6 hours workCommunity Care Ordinary time if meal break interrupted or taken withclient or taken at a later timeAged Care / NursesIf required to work through meal break OT until a break is taken | 30 – 60 min in excess of 6 hours workOrdinary time if meal break interrupted or taken with clientOn-call meal break Allowance $15 if required to be available | 30 - 60 minutes for 5 or more hours.>5 hours without a meal break will be paid overtime rates until releasedObligation for employee to take a meal breakOn call during meal break $12.43 | 30 - 60 minutes for 5 or more hours.>5 hours without a meal break will be paid overtime rates until releasedDirected to remain on premises during a break - $10.08 | 30 - 60 minutes between 4th & 5th hours. Forfeit by agreement.Where required to remain available or on duty will be paid their current rate. | 30-60 minutes meal break when an employee works in excess of 5 hours.An employee required to work through their meal break will be paid at the applicable overtime rate until they take their meal break or finish their shift.*Does Bolton Clarke have any intention to require staff to remain on premises during their meal break?* |
| **Tea breaks** | 10 mins paid rest break for each 4 hours worked2 x 10 mins paid rest breaks for shifts 7.6 ordinary hours or more | 2 x 15 mins paid rest breaks for shifts7.6 ordinary hours or more1 x 15mins paid restfor shifts 4 hours or less than 7.6 hours | 10 mins each 4 hours. | 10 mins each 4 hours. | 10 min for each 4 hours. | To reflect at least the minimum Award entitlements |
| **Professional development leave** | To be discussed | NA | 3 days paid study leave each year. | NA | NA | *HSU will reserve our rights to withhold a response until further particulars are provided by Bolton Clarke.* |
| **Redeployment** | (Award provision)Transfer to lower duties clause. Notice equivalent to termination notice period. | NA | Transfer to lower duties clause.Notice equivalent to termination notice period. | NA | Transfer to lower duties clause.Notice equivalent to termination notice period. | Transfer to lower duties will only be by agreement with the employee and if employee refuses does not affect their entitlement to a redundancy voluntary or involuntary. |
| **Redundancy** | In addition to the NES provisions, maintaining 16 weeks redundancy pay after 9 years | In addition to the NES provisions, maintaining 16 weeks redundancy pay after 9 years | In addition to the NES provisions, maintaining 16 weeks redundancy pay after 6 years. | In addition to the NES provisions, maintaining 16 or20 weeks redundancy pay after 6 years or 16weeks after 9 years. | NES Provisions only | To include a clause that allows an employee to raise a dispute in the Fair Work Commission |
| **Termination notice period** | Consolidate and simplify clauses to align with the NES notice period | NES notice period | NES notice period except 4 weeks for RNs, Care Managers andChefs | NES notice period | NES notice period | NES provisions |
| **Ordinary hours** | (Award provisions)Community Care6am – 8pmAll others6am – 6pmUp to 12 hours per day by agreement | 6am – 8pmUp to 12 hours per day by agreement | 6am - 6pm Monday to FridayUp to 10 hours by agreement | 6am - 6pm Monday to Friday.Up to 10 hours by agreement | Up to 10 hours by agreement | To reflect at least the minimum Award entitlements:Community Care6am – 8pmAll others6am – 6pmUp to 10 hours per day by agreement |
| **Annual leave** | Nurses5 weeks per yearAll others4 weeks per year1 weeks additional for shift workers | Nurses 5 weeks per yearOthers4 weeks per year all other employees1 weeks additional for shift workers | Nurses 5 weeks per yearOthers4 weeks per year all other employees1 weeks additional for shift workers | All employees 5 weeksShift workers additional week | Nurses 5 weeks per yearOthers4 weeks per year all other employees1 weeks additional for shift workers | All employees 5 weeks annual leave and shift workers additional week*What is Bolton Clarke proposing as the shiftworker definition?* |
| **Annual leave loading** | (Award Provision)Greater of leave loading or shift penalty of 17.5% when on annual leave | Leave loading only 17.5% to a max of 4or 5 weeks per year (14% on 5 weeks for non nursing) | Greater of leave loading or shiftPenalty 17.5% for first 4 or 5 weeks | Greater of leave loading or shiftPenalty17.5% for first 4 or5 weeks | Greater of leave loading or shiftPenalty17.5% for first 4 or5 weeks | 17.5% annual leave loadingGreater of AL loading or shift penalty for shiftworkers |
| **Personal leave** | (Award provisions) 10 days per annum | 10 days per annum | 10 days per annum | 10 days per annum | 10 days per annum | Increase to 20 days per annum due to the nature of the environment they are employed to work within which would require them to no attend the workplace due to the vulnerable nature of residents and clients.Leave accruals to be displayed on employee payslips. |
| **Paid parental leave** | 10 weeks paid primary carers leave1 weeks paid secondary carers leaveThis is in addition to up to 20 weeks of govt paid parental leave (note: government paid parental leave scheme set to increase extra 2 weeks a year in leave from July 2024, reaching 26weeks in 2026). |  |  | NA | NA | 14 weeks paid primary carers leave6 weeks paid partner leaveThis is in addition to up to 20 weeks of govt paid parental leave (note: government paid parental leave scheme set to increase extra 2 weeks a year in leave from July 2024, reaching 26weeks in 2026). |
| **Long service leave** | In accordance with NES & State legislation | In accordance with NES & State legislation | In accordance with State Legislation | 1 week for each yr of service access after 7 years | In accordance with State Legislation.Not taken in periods of < 1 week. | In accordance with State legislationLeave accruals to be displayed on payslips |
| **Family domestic violence leave** | 10 day paid per annum all employees>10 days as approved by CPO | Paid at discretion of CPO | 5 days unpaid | Unpaid | Unpaid | To reflect at least the minimum NES/ Award entitlements – employees are able to access additional paid leave that cannot be unreasonably refused by employer |
| **Public holidays** | PH not rostered paid pro- rata where the employee worked the day of the week the Public Holiday fell on the past 7 of 13 weeks.Consolidate and simplify remaining PH entitlements to align with the respective Awards. | PH not rostered, paid pro-rata where the employee worked the day of the week on the past 7 of 13 weeks | Variable roster employees rostered off on a PH will receive payment for that day where the employee has worked 50% of the time on that day in the previous 3 months.Shift employees rostered off will receive payment for a PH on that day. | 1 additional PH per year.Shift employees rostered off on a PH will receive payment for that day where the employee has worked 50% of the time on that day in the previous 3months. | FT employees receive 1 days pay for PH that fall on rostered days off except where the PH falls on a weekend. | FT employees are paid 1 day for each PH regardless if they are rostered or not. PT employees are paid 1 day PH when it falls on a day they would normally be rostered to work.Overtime rates to apply when an employee works a PH regardless if they are rostered or not. |
| **Religious and cultural leave** | Up to 10 days unpaid leave per calendar year to follow and practise the requirements of cultural, spiritual or religious beliefs | Up to 10 days unpaid leave per calendar year to follow and practise the requirements ofcultural, spiritual or religious beliefs | Up to 10 days unpaid leave per calendar year to follow and practise the requirements ofcultural, spiritual or religious beliefs | Up to 10 days unpaid leave per calendar year to follow and practise the requirements ofcultural, spiritual or religious beliefs | Up to 10 days unpaid leave per calendar year to follow and practise the requirements ofcultural, spiritual or religious beliefs | Up to 5 days paid leave per calendar year (does not accumulate) with ability to access a further 5 days unpaid leave. |
| **Compassionate leave** | 2 paid days per annum unpaid for casuals | 2 paid days per annum unpaid forcasuals | 2 paid days per annum unpaid forcasuals | 2 paid days per annum unpaid forcasuals | 2 paid days per annum unpaid forcasuals | To include miscarriage and stillbirth into clause |
| **Union training leave** | 2 paid days per annum; max 2 delegates from each Union per year | 2 paid days per annum; max 2 delegates from eachUnion per year | 3 days per annum | 3 days per annum; 1 delegate per site. | 3 days per annum, 1 delegate per site. | 5 paid days per annum (3 paid days for annual conference and 2 paid days for training) No limit on delegates |
| **Purchased leave** | Up to 4 weeks per year | Up to 4 weeks per year | Up to 4 weeks per year | Up to 4 weeks per year | Up to 4 weeks per year | Agree with the caveat that the HSU reserves their rights to propose changes to the clause and entitlement when at drafting stage of bargaining. |
| **Annual days off** | Remove TOILAccumulate up to 5 ADO per year to be paid out at ordinary time | TOIL & banked time only | NA | ADO up to 5 days by agreement to be paid out at ordinary time.TOIL over twohours to be paid out at double time. | ADO up to 5 days by agreement to be paid out at ordinary time. | To reflect at least the minimum Award entitlements |