



# HACSU

Health & Community  
Services Union

## An Enterprise Bargaining Agreement (EBA) for the Victorian AOD Sector?

*a brief introduction to EBAs, HACSU and Policy Reforms*



# Welcome and Acknowledgement of Country

The Health and Community Services Union (HACSU) and VAADA acknowledges the Traditional Owners of the land on which we meet today, the Wurundjeri Woi-wurrung and Bunurong / Boon Wurrung Peoples of the Kulin Nation. We pay our respects to all Elders past and present and acknowledge their continuing and ongoing connection to land, waters and sky.



POWERED BY THE ACTU



# Acknowledgment of Lived and Living Experience

HACSU and VAADA also would like to acknowledge and celebrate people and their family and supporters who have a lived and living experience of alcohol, medication and other drug use.

We value your courage, wisdom and experience, and recognise the important contribution that you make to the AOD sector in Victoria.

# Welcome and Introductions

**Paul Healey**

Branch Secretary

**Patrick Stephenson**

Senior Industrial Officer

**Stephanie Thuesen**

Projects and Political Liaison Officer





# Background and context for an AOD EBA

## CONTEXT

1. Job Insecurity
2. Lack of competitive salary and employment benefits
3. Challenges with recruitment and retention
4. Occupational health and safety issues including occupational violence and aggression.
5. Multiple Awards
6. Recent Success: HACSU receiving Supported Bargaining Authorisation in Disability Sector

*NB. Historically AOD sector has low union membership*



# Reasons for staying/leaving AOD Sector

Figure 7: Reasons for staying in the AOD sector

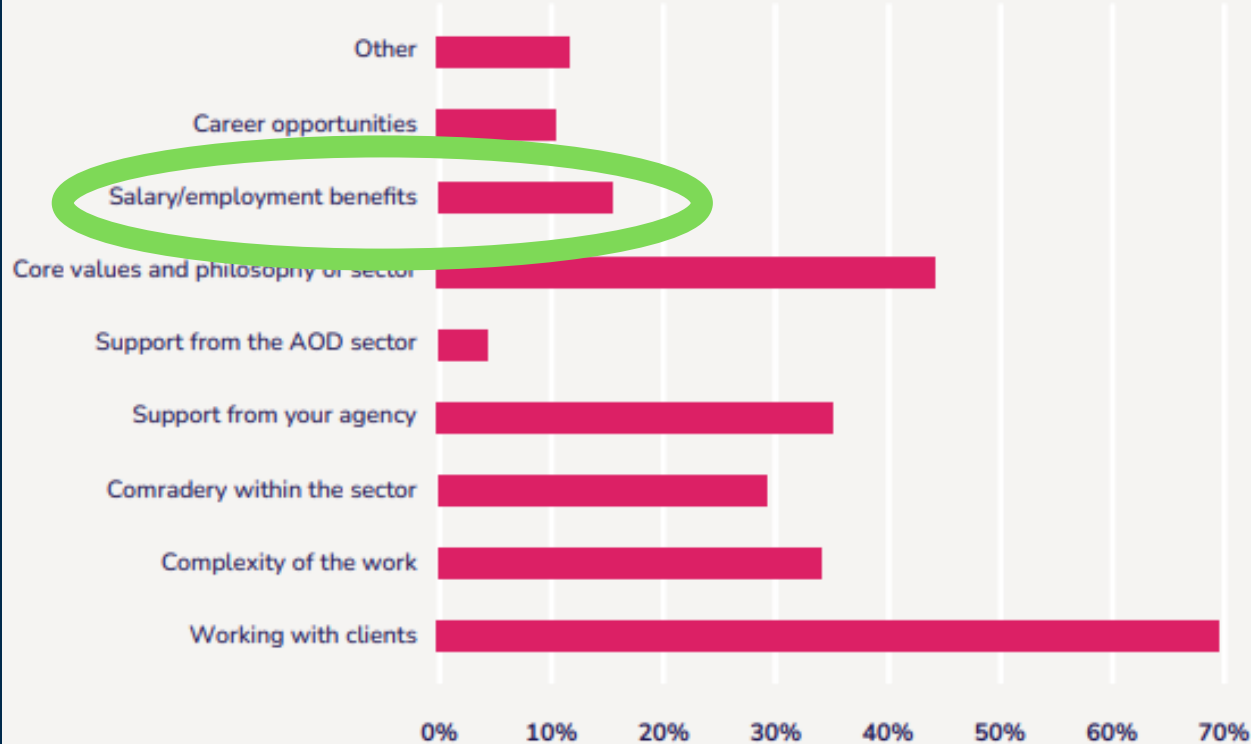
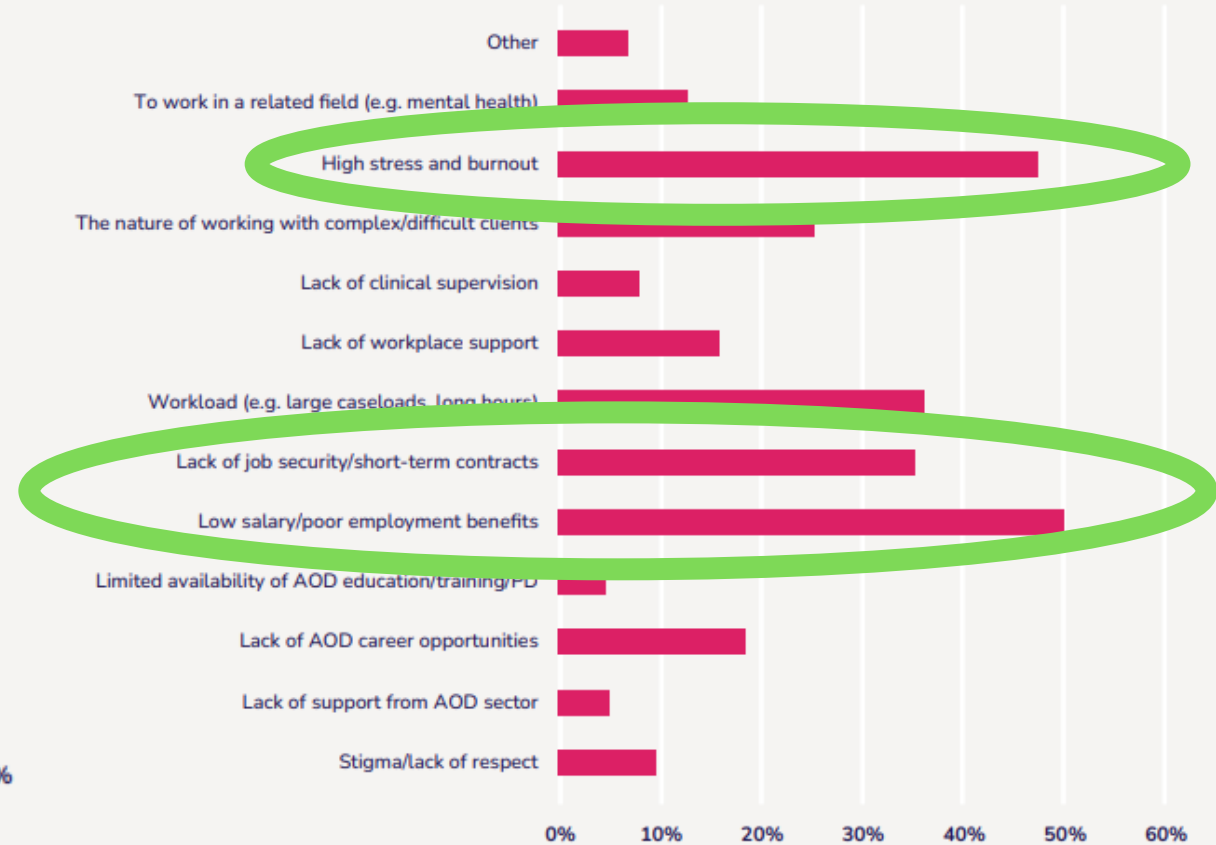
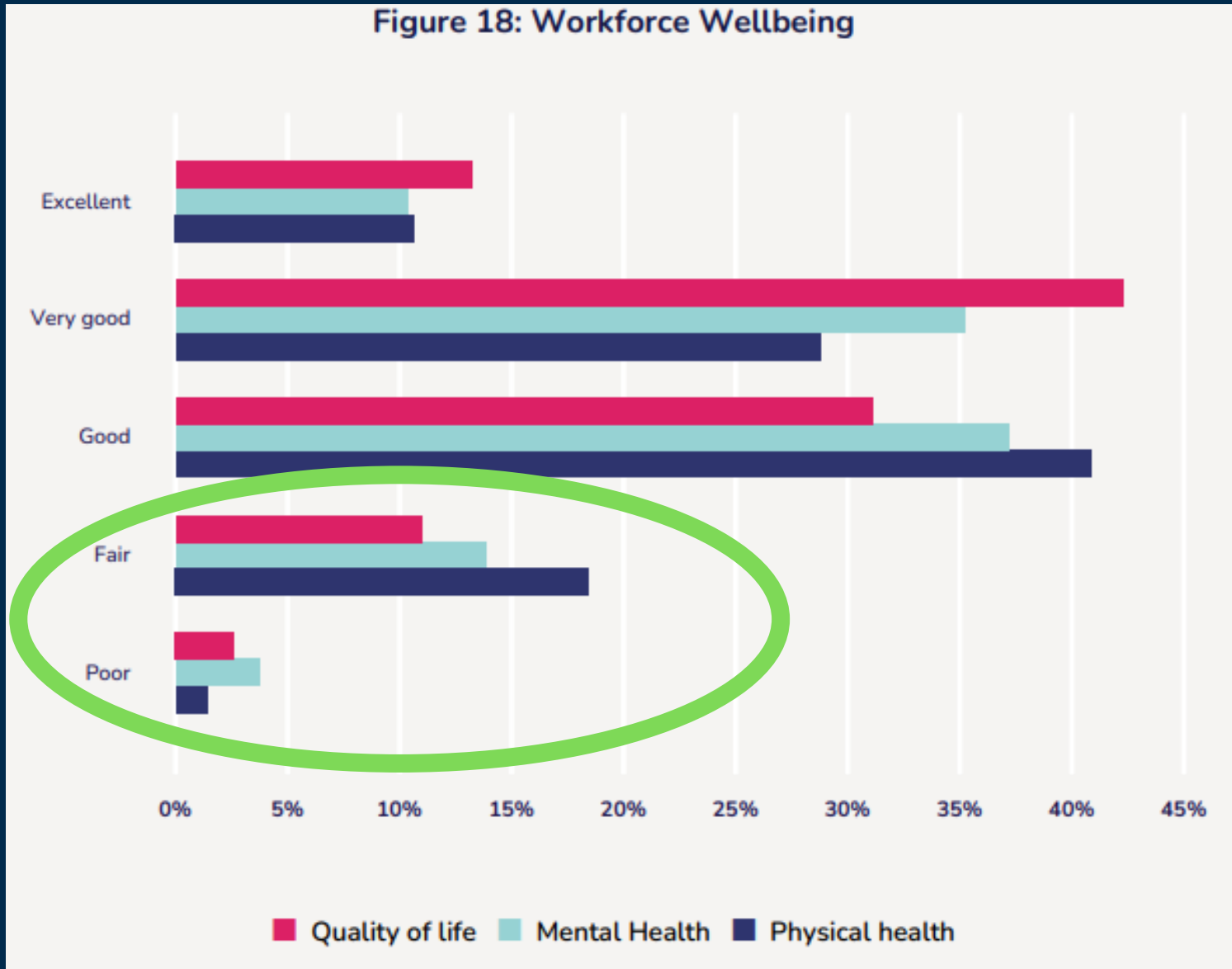


Figure: 6 Reasons for leaving the AOD sector



# Workforce Wellbeing

Figure 18: Workforce Wellbeing



# ASK LIVE QUESTIONS

OR visit [menti.com](https://menti.com)  
and use code  
**266 622 34**





# Who are HACSU?

HACSU are the Health & Community Services Union.

Our union has **over 100 years'** experience  
and **proudly represents** workers in:



Mental Health



Disability



Alcohol & Drug  
Services

HACSU is made up of over 12,000 members - and  
together, **we grow stronger every day.**



# What are unions?

01

A union is a collective of workers from a particular industry.

02

Working together, union members have more power than any one employee.

03

Unions fight for safer workplaces, better wages & improved working conditions.



## Unions values are built on:



RESPECT



DEMOCRACY



FAIRNESS



UNITY



SOLIDARITY



JUSTICE

# HACSU's Vision for the AOD Sector

The Health & Community Services Union (HACSU) is ready to fight for **stabilised** and **ringfenced funding** for the AOD sector.

This includes things like:

- better pay and conditions
- funded skills and training pathways
- growth & development in the workforce

We're advocating for professionalisation, recognition of skills, and a stronger, sustainable, and better funded workforce.



# HACSU fights for your sector

Many of the **decisions** that dictate our pay & conditions are **influenced by politicians**.

HACSU brings **your voice** to the table and helps you tell your story **first-hand**.

Our sector advocacy can look like:



Written Submissions



Cases to the Fair  
Work Commission



Building Power in  
Parliament



Lobbying For Change



+ much more!



**HACSU**  
Health & Community  
Services Union



# HACSU's Advocacy

- Fixed-Site Drug Checking, Mobile Pill Testing and Early Warning System
- Legalising all cannabis
- More Medically Supervised Injecting Rooms
- Health-led Workplace Drug Testing
- Worker-led Rehabilitation for working people
- Prison Treatment Reform
- Tobacco Harm Reduction
- Increased Bed Day Rate
- Stabilised and Increased AOD Funding
- More Beds
- Harm Reduction Training and Services



From left to right: HACSU at the 420 Festival, Branch Secretary Paul Healey publicly calling to legalise cannabis, Paul Healey urging the government to introduce pill-testing, HACSU fronts the media asking for more MSIRs.

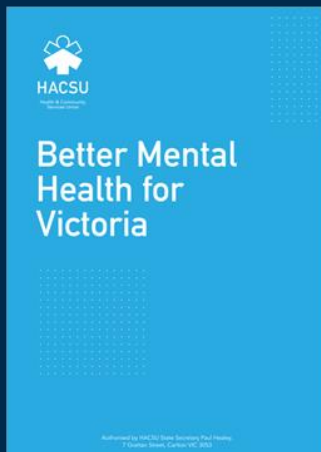
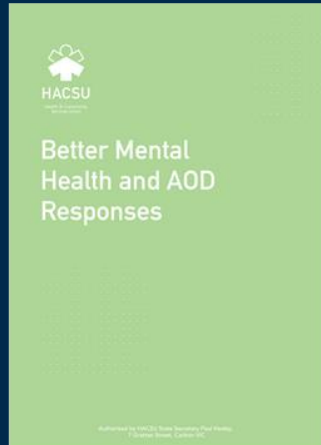


PERSONAL CANNABIS TO BE LEGAL  
FTY CRIMINAL PROFITS WOULD BE WIPED OUT  
7NEWS.com.au | HAPPENING NOW



# HACSU's Advocacy

## Sector-Wide Plans




## Inquiries and Submissions



## Parliament and Labor Party Conference



**HACSU**  
Health & Community  
Services Union

**MY PLEDGE TO SUPPORT  
THE VICTORIAN AOD  
AND MENTAL HEALTH  
WORKFORCES**

I \_\_\_\_\_, Member for \_\_\_\_\_ pledge the following to HACSU members:

1. To meet with HACSU delegates and members to hear about issues affecting the alcohol, other drugs, gambling and harm reduction workforces that care for community members in my electorate.
2. To advance the ideas and policy platforms of mental health and drug and alcohol workers in regard to the sustainability of the AOD and harm reduction sector.
3. To advocate for all occupational and psychological health and safety measures that the alcohol and other drugs workforces need to be safe at work.
4. To implement a regulatory framework and standards of operation for all private and non-government providers in line with the public sector standards to create an equitable AOD sector accessible for working people and their families.

Signed: \_\_\_\_\_  
Date: \_\_\_\_\_

# Solidarity from HACSU Members



## Perspective of HACSU mental health members

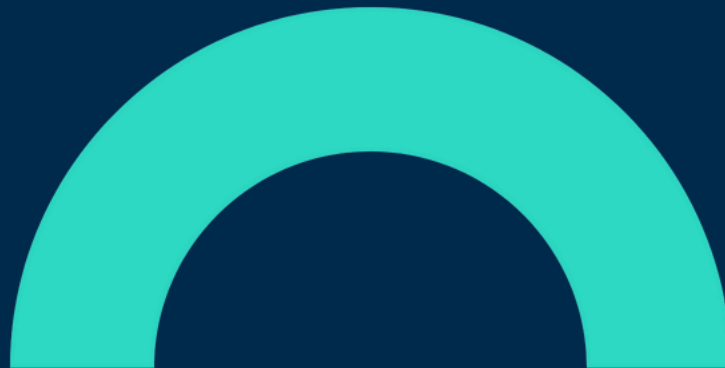
It is HACSU's position that the AOD workforce and sector deserve stabilised funding arrangements, increased capacity and better wages and conditions in line with the public mental health sector.



95% of HACSU members say their work is negatively impacted by a lack of rehabilitation beds available in their catchment.



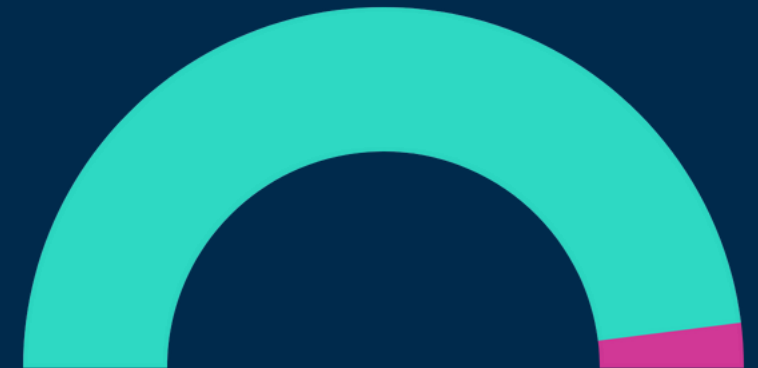
100% of HACSU members say they've been in a situation where a consumer wanted to go to treatment but they stayed in a mental health setting as there was no beds available.



100% of HACSU members say the lack of rehabilitation options in their region is having a negative impact on the mental health service delivery capacity.



97% of HACSU members say a public rehabilitation service in their region would amplify their work in the mental health sector.

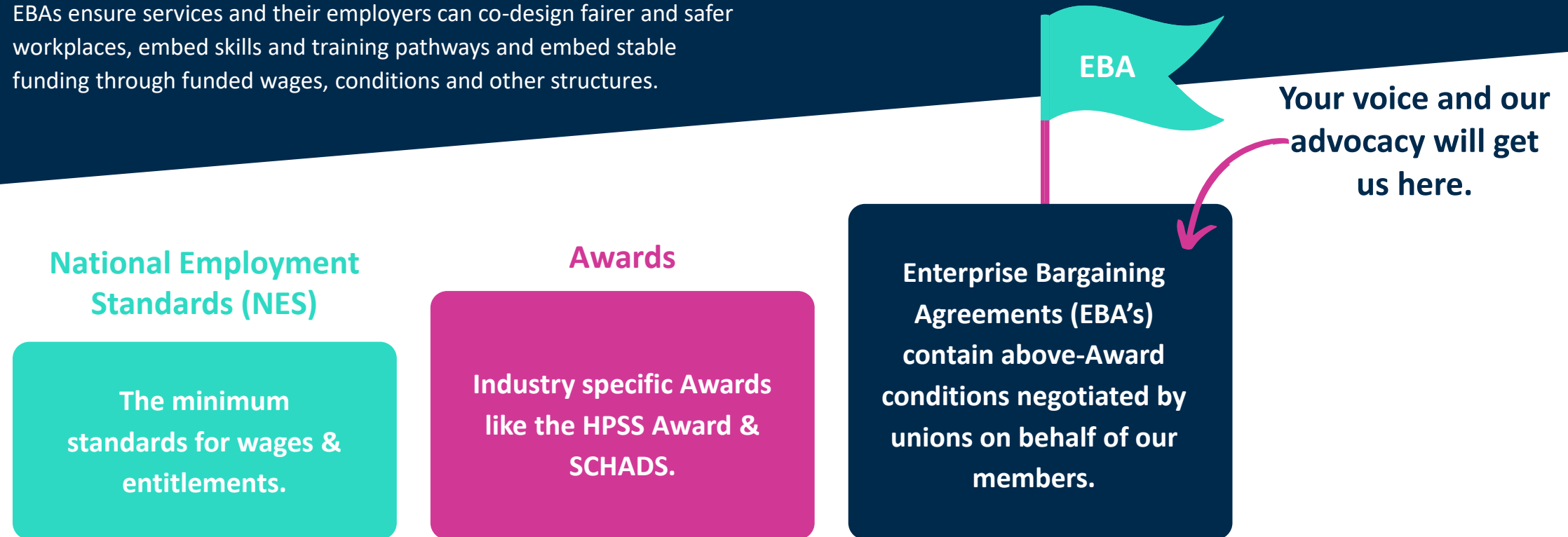


96% of HACSU members say there's been an increase of community members seeking help with drugs, alcohol and gambling in mental health wards and settings

# Industrial Instruments 101

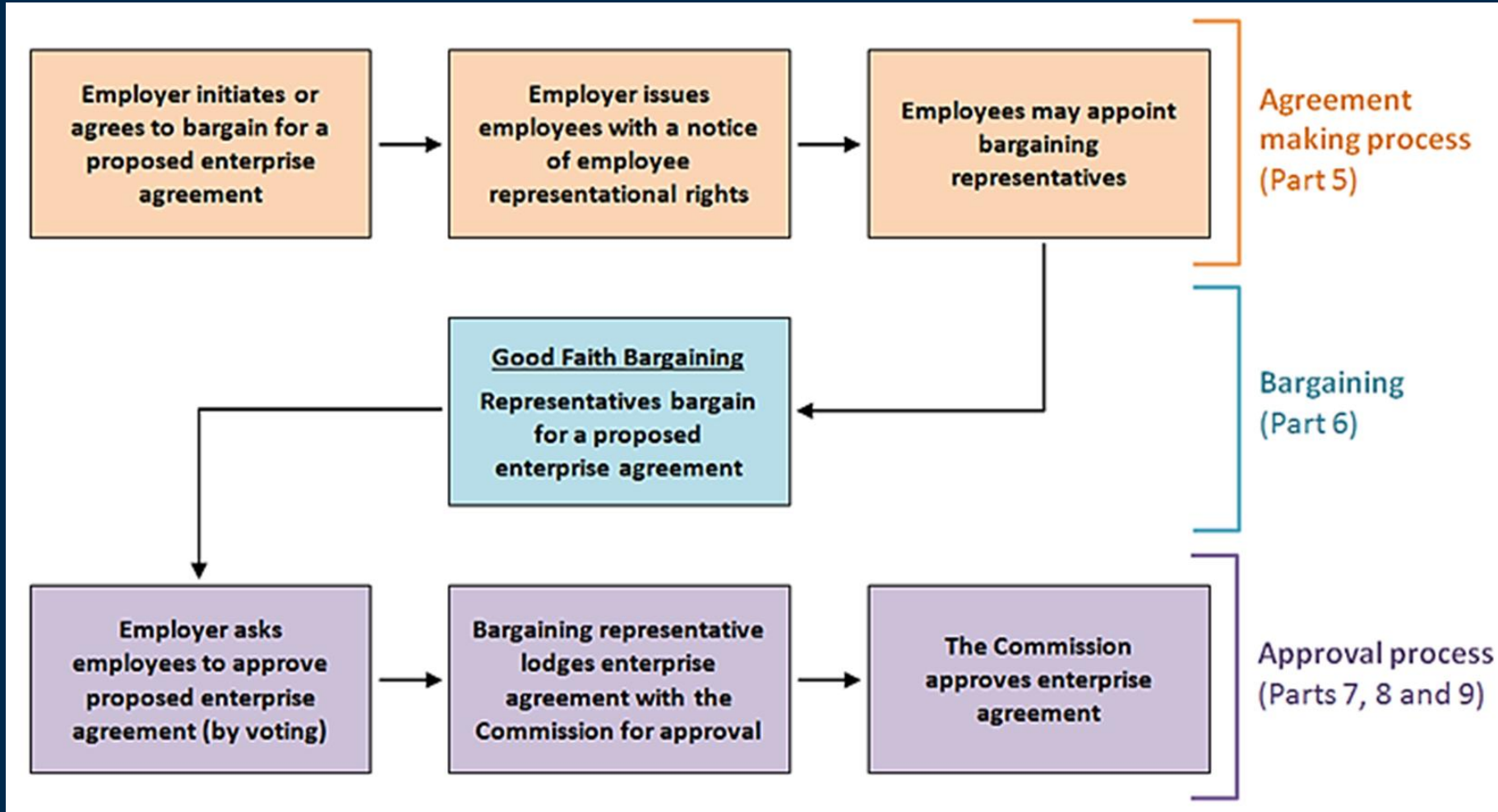
## Industrial Instruments

Enterprise Bargaining Agreements (EBAs) are the best tool employers and workers have to improve pay and conditions in a workplace or sector. EBAs ensure services and their employers can co-design fairer and safer workplaces, embed skills and training pathways and embed stable funding through funded wages, conditions and other structures.





# The Bargaining Process



# Supported Bargaining Agreements

- ✓ Supported bargaining is a **new form** of bargaining introduced by the Federal Government to replace the previous '**low paid bargaining**' stream.
- ✓ A supported bargaining agreement is a **type of multi-enterprise agreement**. Supported bargaining agreements can only be made where a **supported bargaining authorisation** is in operation immediately before the agreement is made.
- ✓ The supported bargaining stream is **designed to assist and encourage employers and their employees** who may, for various reasons, find it difficult to bargain at a single-enterprise level - *i.e. lack the necessary skills resources and power to bargain effectively.*





# Supported Bargaining Objects

241 Objects of this Division

The objects of this Division are:

- (a) to assist and encourage employees and their employers who require support to bargain, and to make an enterprise agreement that meets their needs; and
- (b) to address constraints on the ability of those employees and their employers to bargain at the enterprise level, including constraints relating to a lack of skills, resources, bargaining strength or previous bargaining experience; and
- (c) to enable the FWC to provide assistance to those employees and their employers to facilitate bargaining for enterprise agreements.



# Supported Bargaining Statutory Provisions

## When must the FWC make a supported bargaining authorisation?

After an application has been made for a supported bargaining authorisation (by a union or other bargaining representative), the **FWC is required to grant the authorisation if it is satisfied** that it is appropriate for the relevant employers and employees to bargain together when considering:

- i. the **prevailing pay and conditions** in the relevant industry/sector, including whether low rates of pay prevail in the industry or sector
- ii. whether the employers have clearly identifiable **common interests** (which may include geographic location, the nature of the enterprises to which the agreement will relate, the terms and conditions of employment in those enterprises, and whether they are substantially funded, directly or indirectly, by the Commonwealth, a State or a Territory)
- iii. whether the likely **number of bargaining representatives is manageable**, and
- iv. any **other matters** the Commission considers appropriate.

The FWC will also need to be satisfied that at least some of the employees are **represented by a union**.





# Supported Bargaining Statutory Provisions

How can the FWC assist in bargaining?

Once a supported bargaining authorisation is made, the FWC has powers to assist parties during bargaining to reach an enterprise agreement that meets their needs. They can assist parties by:

- Convening conferences.
- Marking a [Bargaining Order](#).
- Directing a [third party](#) (e.g. the [Victorian Government/Department of Health](#)) to the agreement to attend a conference.
- Facilitating parties taking an interest-based approach through the FWC [Collaborative Approaches Program](#).
- If bargaining fails, making an intractable bargaining declaration.
- This can lead to an intractable bargaining workplace determination which gives the FWC further powers to push the agreement forward.



# The Benefits of Supported Bargaining Agreements



Many employers and unions (including HACSU) have recently been taking advantage of the opportunity presented by the supported bargaining stream to improve pay and conditions in government-funded sectors.



HACSU believes that a multi-employer agreement for the Victorian AOD sector is urgently needed to fix the current funding and workforce crises. Unique to the supported bargaining stream is the ability of the FWC to direct 'the funder' to the table – which in the case would mean the Victorian Government (via relevant agency, most likely the Department of Health and the Federal government where appropriate).



Having the funder involved in bargaining discussions from the outset enables the union and service providers to put an agreed position to the Victorian Government regarding its funding of public AOD services and ensure that any outcomes that are negotiated will be properly funded. By working toward funding for specific provisions in a multi-employer agreement through this supported bargaining process HACSU believes we can achieve more stable and secure funding for the sector and also build workforce capability.



Joint lobbying efforts will be needed to maximise this opportunity which leads to more general awareness of the issues facing the sector.





# What if I have an agreement in place?

## Can I join later?

- An employer who already has a single-enterprise agreement in place which has not passed its nominal expiry date cannot be included in a supported bargaining application, however-
- The supported bargaining stream is unique in that the Fair Work Act makes provision for agreements to be readily varied to add new employers and their employees into existing multi-employer agreements.
- The supported bargaining agreement recently negotiated in the early childhood and education and care sector – through which providers and employees secured a legislated 15% wage increase – has recently had an additional 20,000 workers added to it by the Fair Work Commission after additional ECEC employers applied for it to be varied for them to come on board.
- This means that employers and unions can bargain agreements at the sector-level that can grow in coverage according to the needs and wishes of different employers.



# What is the role of other unions?

- HACSU is happy to work with other unions in the sector who wish to be involved in an AOD supported bargaining agreement. HACSU bargains regularly with other unions in both mental health and disability, and is currently negotiating a supported bargaining agreement with the AEU and 21 Victorian disability providers who are seeking to involve the federal government in bargaining to fix NDIS funding.
- The more stakeholders we have who are willing to work with us to get an agreement in place for the Victorian AOD Sector the more success we are likely to have in securing the funding that is desperately needed.





# UNLOCKING THE POLITICAL CAPITAL OF THE AOD SECTOR AND WORKFORCE



# The Elephant in the Room

Don't **Unions** and **Employers** work against each other not together?

In sectors that HACSU represents it is **governments** that hold the **purse strings** and therefore exercise a **significant degree of control** over the terms and conditions of workers and the capacity of employers to offer them.

Employers and Employees have common interest in seeing these sectors **properly funded** with wages, conditions and structures that attract and retain a **skilled and professional** workforce and promote **quality service delivery**.

We believe collaborative and interest-based bargaining delivers the best outcomes for employers and workers alike.







# NON-NEGOTIABLE TRUTHS THAT FACE THE VICTORIAN AOD SECTOR

## A thriving AOD sector is an everyone problem

Approximately 1 in 3 Australians will grapple with a mental health condition in their lifetime and 1 in 4 Australians will grapple with an addiction to drugs, alcohol or gambling in their lifetime. AOD and gambling is and must be considered the responsibility of the Minister for Mental Health, Health Infrastructure, Worksafe, Justice, Disability, Police, the Premier, the Deputy Premier, IR etc.

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## Workers are workers

The struggle of working people is a collective pursuit fight. Whether you're a truck driver, a wharfie, a sparkie or a disability worker, we believe that the fight facing working people is a collective one and it is imperative that we mobilise sectors on a good wicket to stand side by side with you and fight for you.

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# NON-NEGOTIABLE TRUTHS THAT FACE THE VICTORIAN MENTAL HEALTH SECTOR

## Without you there is no AOD sector

As per the Victorian Jobs and Skills Plan it is estimated that Victoria needs 153,000 more healthcare workers including AOD workers in the next three years. Without you there is no sector.

---

## The current policy settings are costing the State far too much money.

While we acknowledge that the government has invested in mental health, poor mental health and risky substance misuse still costs the State \$14.2 billion a year. This includes a cost of \$1.9 billion a year to employers – with \$1.6 billion in lost productivity and \$300 million due to workplace injuries. Also consider justice, policing, housing etc.

---

# CAMPAIGN STRATEGY

01

## Education

Public, politicians, union leaders, CEOs, NGOs, interest groups, peak bodies, and the media.

02

## Organisation

Petitions, social media video posts of support, parliamentary visits (on site), parliamentary visits (off-site) letters, tiktok

03

## Agitation

Targeted flyering, targeted social media video posts, stop works, media interviews, stunts, parliamentary visits (off-site), no confidence votes, industrial action, press conferences etc.

# BEFORE WE START TO ENGAGE

00

Branding  
and Key  
Characters

All campaign material must be **unique** to your sector, feel **authentic** to the campaign messaging and be something that employers, workforce and supporters are **proud** of.

After years of research these are the three phrases repeated multiple times by employers, AOD workers, residents, the mental health workforce and community members:

Phrase 1: "It's a jungle out there"

Phrase 2: "We feel like there's a lot of cowboys in the sector"

Phrase 3: "When accessing rehab it's a real lottery with what you're going to get"



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HACSU  
AOD



# "IT'S A JUNGLE OUT THERE"

00

Branding  
and Key  
Characters



## Gender Identity

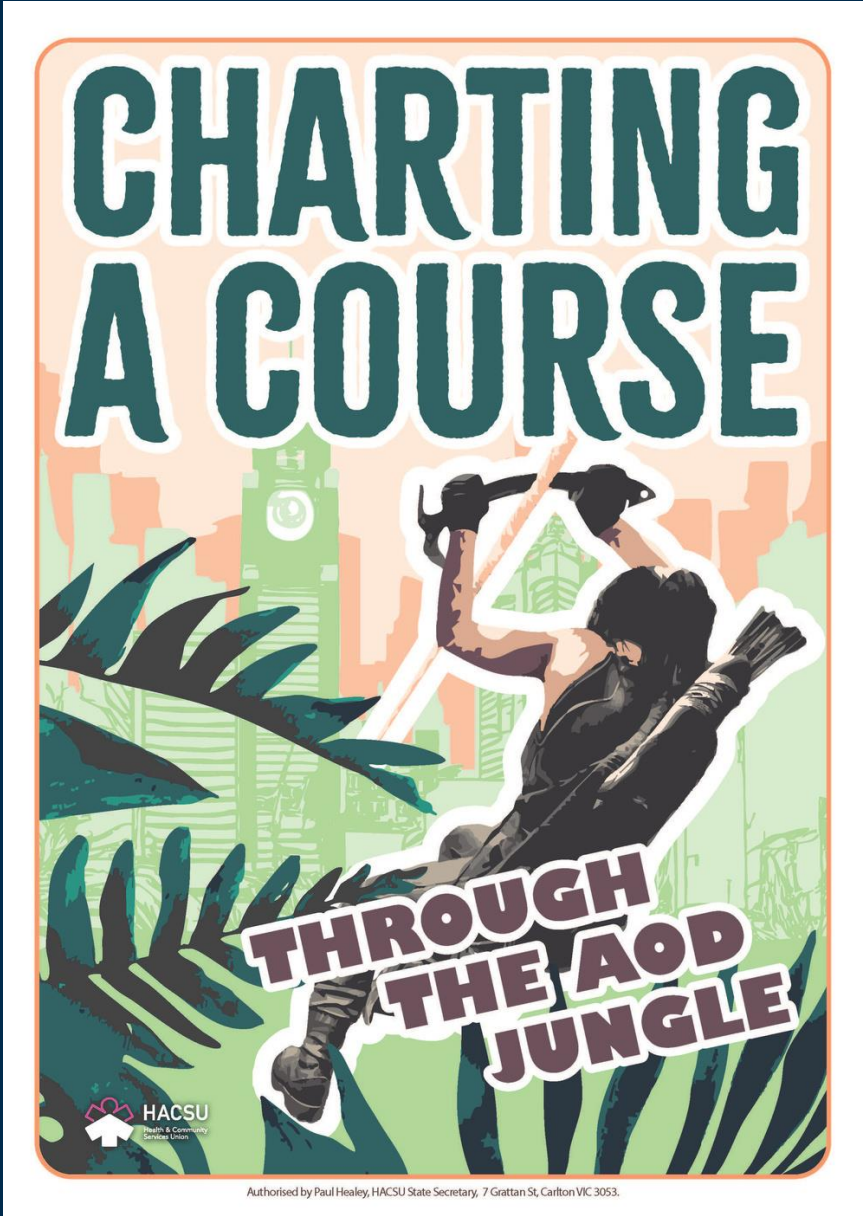
Men - 28.6%

Women: 65.7%

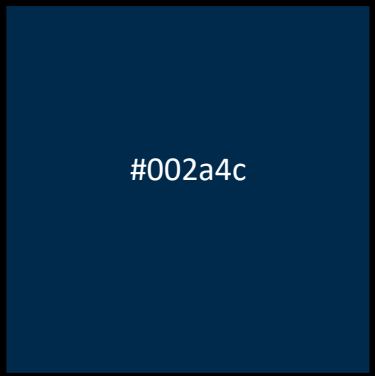
5% - trans, gender diverse or non-binary

# BEFORE WE START TO ENGAGE

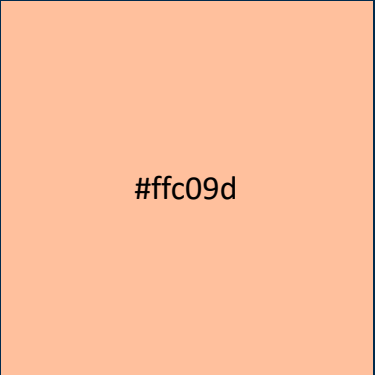
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Branding  
and Key  
Characters



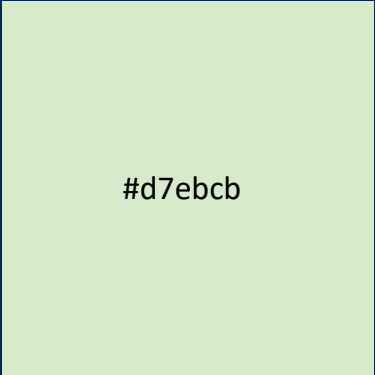
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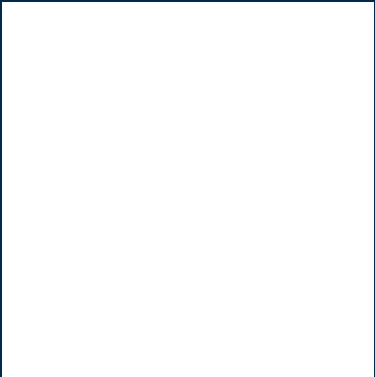
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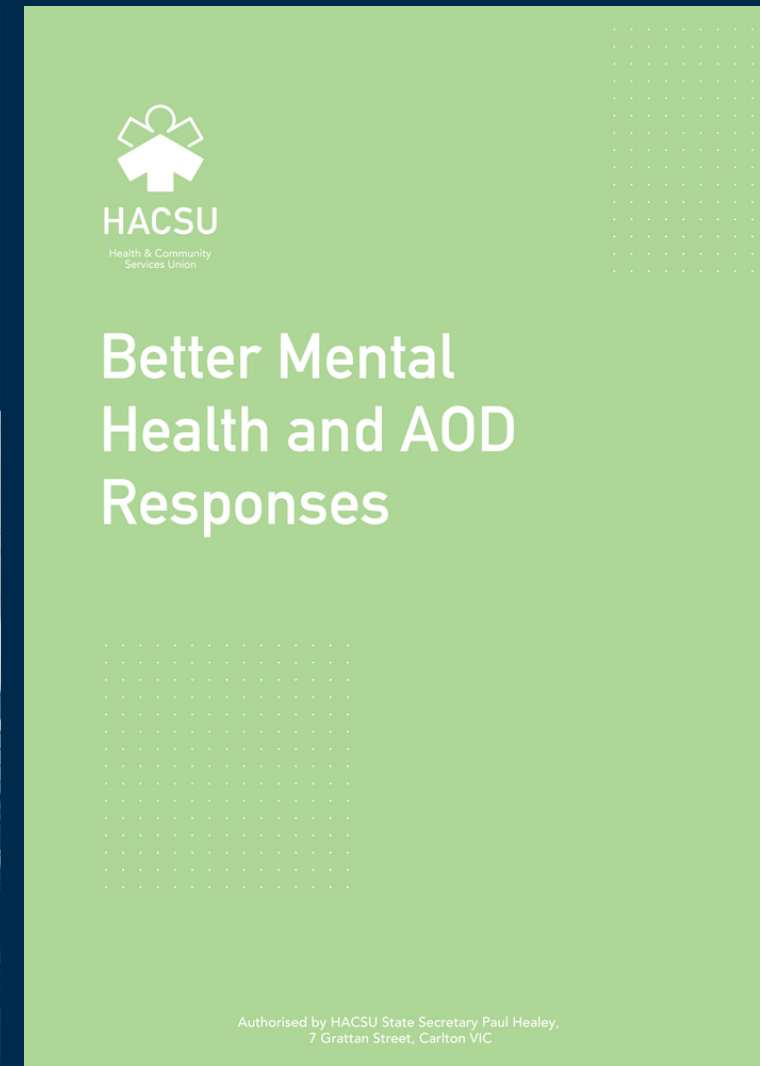
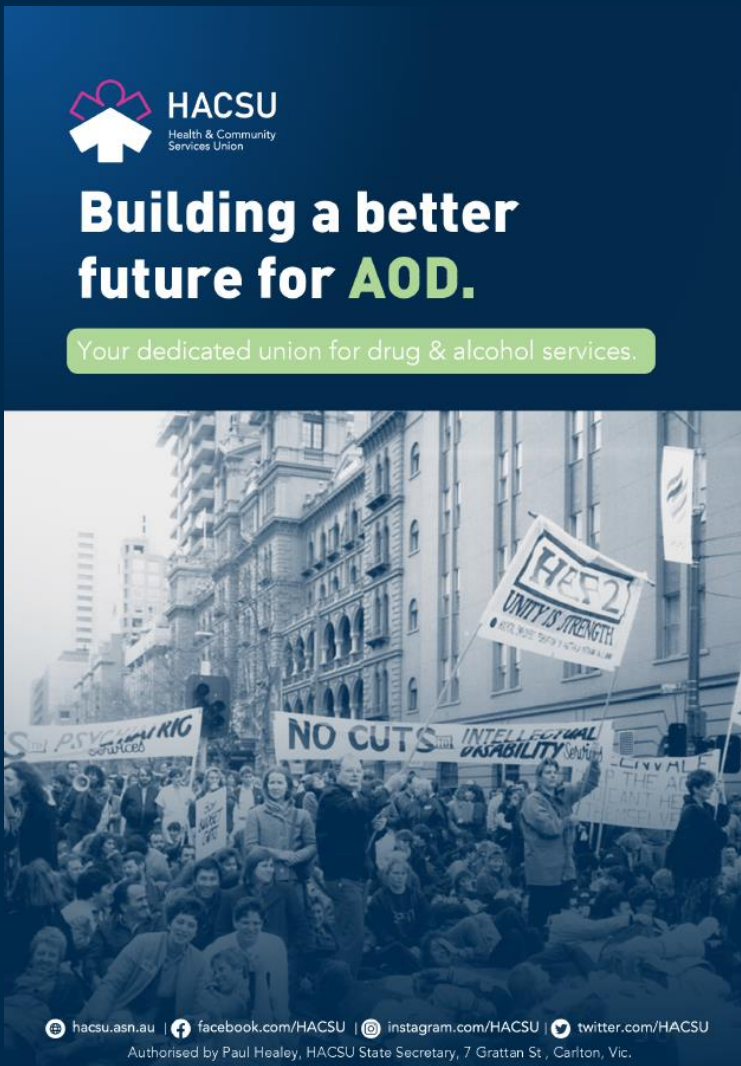


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## 00 Branding and Key Characters





# HOW WE START TO ENGAGE

01

Education

## A COLLAORATIVE, EDUCATIONAL APPROACH (WITH LOTS OF TALKING!)

To increase the education, urgency and heat on the Victorian parliament and Federal parliament HACSU have aggressively adopted the following strategy of briefings, visits and meetings occuring nearly every sitting week. For Supported bargaining this must include worker and employers.



### The Minister

This is obvious and goes without saying.



### Cabinet

We actively find ways to engage other major cabinet members and portfolios as we believe our work cannot be the sole responsibility of one Minister. This includes - IR, Women, Workcover, Industrial Relations, Youth, Tafe, Disability etc.



### Parl Secs + Caucus

We educate and involve all Labor party members in briefings, visits and meetings to empower them with education and give them the confidence to ask the tough questions of the Minister. The goal is making them care!



### The Crossbench

HACSU has an excellent working relationship with the Victorian Greens, Legalise Cannabis, Animal Justice Party, Shooters and Fishers, Liberal Democrats and engage in regular briefings with these parties to give them to confidence to fight for us.



### Unions

HACSU have an excellent working relationship with a range of unions covering a range of sectors to ensure that they understand your struggle.



### Bosses and Agencies

Organisations and Employers are constantly briefed to ensure that they can throw their support behind you when required.



# VICTORIAN STATE ENGAGEMENT - LABOR



HACSU will work with these State Labor MPs to educate them on the issues facing our members and will hold events strategically in their seats.

Per region, you are the ones who care for vulnerable consumers in their electorates therefore captains need to be in constant engagement with MPs in their catchment.

# VICTORIAN STATE ENGAGEMENT - MINOR PARTIES



Jeff - Shooters, Fishers and Farmers



Katherine - Greens



David - Cannabis



Sarah - Greens



Rachel - Cannabis



Aiv - Greens



Anasina - Greens



Gabrielle - Greens



Sam - Greens



Tim - Greens



Ellen - Greens



Georgie -  
AJP

HACSU will work with these State Minor Parties and the Greens to educate them on the issues facing our members and will hold events in AMHS strategically in their seats.

We will also do parliamentary visits at houses in their seats and bring mental health workers who support consumers in their patches to meet with them.



# HOW WE START TO ENGAGE

01

Education

We've bring members of parliament on site to their local AOD Services.



Sheena Watt MP, Bronwyn Halfpenny MP and Kat Theophanous MP visiting Northern Health members in Epping.



Social Worker and OT members with Samantha Ratnam MP, Tim Read MP and Sam Hibbins MP in parliament with the Greens.



Fiona Patten MP visiting the Forensicare members on site.

# HOW WE'LL ENGAGE

**01** We've celebrate and thanked MPs publicly for standing up for you (But this can be used against them in the agitation stage)

“

Others who I will talk a little bit more about later are members of the *workforce*, and many of us have had long, important and deep conversations with members of the workforce.

Particularly in this context I would like to thank the *Health and Community Services Union* for always being generous with their time.

”

PAULINE RICHARDS MP  
State Member for Cranbourne.



“

As the incoming *Parliamentary Secretary for Mental Health and Social Inclusion*, already I have had the opportunity to speak to the mental health and wellbeing workforce as well as the *Health and Community Services Union*.

You get an overwhelming sense of care, compassion and kindness from this sector.

**They are indeed the best parts of Victoria.**

”

TIM RICHARDSON MP  
State Member for Mordialloc.  
Parliamentary Secretary for Mental Health and Social Inclusion.



“

Can I say thank you to everyone who was involved in the Royal Commission and also particularly *our workforce*.

I, the member for Carrum and members of the *Health and Community Services Union* pulled into the Peninsula Health community care unit last week, and we were able to listen to mental health workers talk about the pressures that they are under, what they see as great about this reform and also what is on the horizon.

”

PAUL EDBROOKE MP  
State Member for Frankston.  
Parliamentary Secretary to the Treasurer.



# PERSONALISATION

02

Organisation

The personalisation of the issues facing the mental health sector has already commenced in relation to the Missing 800



- Putting a face to the name of broken promises made by the government and the department.
- All key disciplines represented.
- Letter sent to every Labor, Greens, Cannabis, Animal Justice and Shooters and Fishers Mps with a link to the video.
- This has caused a stir in parliament which tells us the strategy works and needs to be duplicated.



# BARGAINING CHARTER



Example charter built for the Disability Multi-Employer Agreement created by workers, employers and

## BARGAINING CHARTER

### Victorian Disability NGO Multi-Employer Enterprise Agreement

The named employer and union parties have agreed that the following Principles will underpin the bargaining process for the replacement for the Victorian Disability Service (NGO) Agreement 2019:

1

#### Principle 1: Commitment to Choice and Control

- We believe people living with a disability have the choice and control to make their own decisions about the supports they receive.
- We believe that it is vital that those who provide support are registered providers and skilled workers in order to ensure high quality outcomes for people living with a disability.

2

#### Principle 2: Commitment to Multi Employer Bargaining

- We are committed to finalising a replacement MEA for named registered NDIS providers.
- We reaffirm our continued support for the objectives set out in the current Agreement (see Appendix).
- We agree that a Multi-Employer Agreement enables us to effectively collaborate to ensure that the following objectives of quality disability support services are promoted:
  - quality care
  - responsiveness to client needs
  - best practice working conditions
  - job security, and
  - a well-trained professional workforce.
- We will issue a Notice of Employee Representational Rights in November 2022
  - Additional employers who share these Principles may join the process at a later date.

3

#### Principle 3: Protection of over-Award entitlements

- The current MEA contains better terms and conditions for workers than the SCHADS Award.
- We will seek to continue to include over-Award entitlements as we recognise this is important for the retention of the workforce who deliver quality care.

4

#### Principle 4: Maximise secure work and operational flexibility

- We will achieve this by enhancing the consistency, quality and flexibility of service delivery to clients.
- We support the recruitment and retention of a committed and professional workforce.
- We will include appropriate clauses regulating working hours and conditions to support these principles.
- We are committed to facilitating opportunities for, and the attractiveness of, longer term roles with adequate hours with a single employer, thereby reducing the need for workers to work for numerous employers, as sole traders, or seek work in other sectors and maximising the continuity of supports for participants.

5

#### Principle 5: Disability Workforce attraction and retention

- Improved wages are required to better recognise professional disability work to ensure high quality support and we are seeking appropriate funding to support this.
- We are committed to enhancing the professional status of disability workers and the disability sector, including through registration with the Victorian Disability Workers Commission (VDWC) and access to adequate training.
- We are committed to improving attraction and retention of disability support workers in order to provide high quality best practice supports.

## Supported by:



and Julius Roe, Facilitator

This is the basis of the argument and campaign and needs to be prosecuted by both workers and employers

# MEMBER FACING COMMS

02

Agitation

We engage in a forensic deep dive of the history of all MPs to find our champions



Tom McIntosh (Labor member for Eastern Vic) has spoken openly about supporting friends through a broken AOD system.



Sarah Connelly (Labor member for Laverton) has spoken openly about supporting an uncle through heroin misuse.



Michaela Settle MP (Parl Sec for Regional Victoria and Labor Member for Eureka) has spoken openly about the impact of gambling harm on her family.



# FINAL THOUGHTS

- ✓ The importance of **your story**, your experiences and your advocacy is the most powerful way to affect real and lasting change.
- ✓ Collaborative partnerships between trade unions, employers, workers, advocates and family members can embed **political will** into the powers that be.
- ✓ It is not acceptable that the AOD sector is treated like the poor cousin of **mental health**.





# Another interactive bit!

If the QR Code doesn't  
work, head to  
[menti.com](https://menti.com) and use the  
code  
**2666 2234** to log in.





# Questions







# JOIN HACSU TODAY

and be part of something bigger.

Get a special offer if you sign up today!



[hacsu.asn.au/join](https://hacsu.asn.au/join)

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