

# Proposed Queensland Health Building, Engineering & Maintenance Services Certified Agreement 2022 (BEMS8)

## Transcript for consultation slide pack

### Slide 1 – Information session

Welcome to this information session about the proposed Queensland Health Building, Engineering and Maintenance Services Certified Agreement (No.8) 2022, known as BEMS8.

During this presentation, you will be provided with an overview of BEMS8 and what happens when it's time to vote on the agreement.

If you have any questions you can speak to your local HR managers and/or ballot officers as a first point of contact.

Later in the slides we provide you with a QR code to be able to access the enterprise bargaining internet page, or you can go to QHEPS and search enterprise bargaining/building, engineering and maintenance services.

### Slide 2 – Background

To provide you with some background to these negotiations, the current agreement, BEMS7, nominally expired on 31 August 2022, and the parties commenced negotiations for a replacement agreement in April 2022.

Queensland Health reached an in-principle agreement with the relevant unions on 1 February 2023 and having finalised the drafting of the proposed agreements content, it's now time for Queensland Health to consult with our employees.

The title of the proposed agreement is *Queensland Health Building, Engineering & Maintenance Services Certified Agreement 2022* (BEMS8).

### Slide 3 - Consultation

Queensland Health are pleased to share the proposed BEMS8 with you.

During the consultation period, Queensland Health will inform employees to be covered by BEMS8 of the content of the proposed agreement through these information sessions, and provide updates via QHEPS, e-alerts and all-staff emails.

The *Industrial Relations Act 2016* sets the rules around the making of certified agreements, including the need to provide a minimum 14-day period of reasonable access to the proposed written agreement and an explanation of the terms of the agreement.

To meet this legislative obligation to inform BEMS employees about the content of the proposed agreement before you vote, the consultation tools provide employees with an opportunity to make an informed choice when voting on the proposed BEMS8.

## Slide 4 – Agreement Structure

This presentation will touch on the major features of the proposed agreement, including a focus on the significant changes from the current BEMS7 Agreement.

However, it's crucial that you consider the Agreement in full so that you can make an informed decision when you vote.

If you require more detailed information, please refer to the full Agreement which is available online or in hard copy.

The structure of BEMS8 has not changed from BEMS7, the parts are:

- PART 1: PRELIMINARY MATTERS
- PART 2: WAGE AND SALARY RELATED MATTERS
- PART 3: HOURS OF WORK, BREAKS, OVERTIME, SHIFT WORK, WEEKEND WORK
- PART 4: LEAVE OF ABSENCE AND PUBLIC HOLIDAYS
- PART 5: RESTRUCTURING AND RECLASSIFICATION
- PART 6: EMPLOYER AND EMPLOYEES' DUTIES, EMPLOYMENT RELATIONSHIP AND RELATED MATTERS
- PART 7: EMPLOYMENT SECURITY AND CONTRACTING
- PART 8: COMMUNICATION, CONSULTATION, DISPUTE RESOLUTION AND INDUSTRIAL RELATIONS MATTERS

## Slide 5 – Agreement Structure Cont.

- PART 9: FLEXIBILITY
- PART 10: TRAINING AND RELATED MATTERS
- PART 11: OCCUPATIONAL HEALTH AND SAFETY MATTERS, EQUIPMENT, TOOLS AND AMENITIES
- PART 12: NO FURTHER CLAIMS

In addition to the body of the proposed agreement, there are five schedules which provide detailed information about:

- SCHEDULE 1: WAGE RATES
- SCHEDULE 2: GENERIC LEVEL STATEMENTS
- SCHEDULE 3: HUMAN RESOURCE POLICIES
- SCHEDULE 4: CONTRACTING CONSIDERATION TEMPLATE
- SCHEDULE 5: PERFORMANCE APPRAISAL AND DEVELOPMENT AGREEMENT

## Slide 6 – Parties to the Agreement

The parties to the proposed BEMS8 comprise of the employer which is:

- Queensland Health

And the four unions, namely:

- AMWU;
- CFMEU;

- PGEU; and
- ETU.

## Slide 7 – Application/Coverage of Agreement

The proposed BEMS8 will cover building, engineering and maintenance services employees who are employed by Queensland Health.

If the proposed agreement is approved by employees, we will apply to the Queensland Industrial Relations Commission to certify the agreement as soon as possible after the ballot.

## Slide 8 – Date of effect and period of operation

BEMS8 will be a three-year agreement that will operate from the date of certification to the nominal expiry date of 31 August 2025 and many of your employment terms and conditions will be determined by the provisions of the agreement.

In the meantime, BEMS7 continues to operate until BEMS8 is certified.

The parties to BEMS8 will commence discussions for a replacement Agreement at least six months prior to the nominal expiry date of BEMS8 (i.e. 1 March 2025).

## Slide 9 – Relationship with the Award

There is one relevant Award for BEMS8:

- *The Building, Engineering and Maintenance Services Employees (Queensland Government) Award – State 2016*

A certified agreement provides additional entitlements supplementary to the Award. To the extent of any inconsistency, the certified agreement prevails over the Award. There are a number of entitlements included in BEMS8 that will apply to the exclusion of provisions contained in the Award.

## Slide 10 – Contents of the Agreement

Now we are going to look at the contents of the proposed BEMS8. This is a summary of the main changes and inclusions within BEMS8. You are encouraged to refer to the full copy of the proposed agreement before voting.

## Slide 11 – Wage increases and related matters

The proposed BEMS8 provides wage increases of:

- 4% from 1 September 2022
- 4% from 1 September 2023; and
- 3% from 1 September 2024.

The new wage rates can be found in Schedule 1 of the proposed. The wage offer is consistent with the public sector wages policy. The new wage rates, including associated back pay, will

be payable to all employees for whom classifications and rates of pay are prescribed in BEMS8 and who are employed by Queensland Health as at the date of certification.

In addition to the wage increases, employees will be entitled to a cost of living adjustment payment.

The cost of living adjustment, also referred to as COLA, will be payable to employees if, for the relevant agreement year, the Brisbane CPI in the March quarter exceeds the wage increase under the Agreement and is capped at 3%.

An example of how COLA will be paid is as follows:

- The wage increase for the first year is 4% paid from 1 September 2022.
- In April 2023, the ABS releases the CPI figure for the March 2023 quarter, in this example CPI is 7.5%, which is 3.5% higher than the wage increase provided on 1 September 2022.
- As the COLA payment is capped at 3%, eligible employees will be entitled to a 3% COLA based on the employee's base wages for the first year of the agreement.

The COLA payments are one-off payments and will not form part of your base salary and will be taxed according to applicable law. Further details are outlined at clause 2.14 of the proposed BEMS8.

## Slide 12 – Retention of Existing Conditions

A number of entitlements are carried forward from the current BEMS8. For example:

- Attraction and retention allowance
- General Principles
- Work in the rain allowance
- Clarification that Paid mileage is to be paid for all recall whether or not the employee is rostered on call.

## Slide 13 - New Employment Conditions

### Classification Structure

Now we move into the new or change employment condition that are proposed be introduced in BEMS8.

The introduction of a new classification structure for employees is outlined as follows:

For classifications HBEA13 to HBEA5 (including Engine Drivers), the increment levels will be collapsed from 3 or 4 to one single increment for each classification as at 1 September 2022.

The new single wage rate will be based on the current highest increment level of each classification as at 31 August 2022.

Employees who are not currently receiving the highest increment level will automatically be progressed to the new single wage rate as at 1 September 2022.

## Slide 14 – Changed Employment Conditions

### Apprentices

There will be an increase to apprentice percentage relativities to align with Federal Award modernisation process and the current award variation application made by unions to the Queensland Industrial Relations Commission.

This increase will apply from 1 September 2022.

Relativities will be Year 1 moving from 40% of the trade rate to 55% and Year 2 moving from 55% of the trade rate to 65%.

Retaining the commitment to maintain 40 apprentices over the life of the agreement.

## Slide 15 – New Employment Conditions

### Live Sewer Allowance

Live sewer work is currently paid at the rate of time and one-half for such work.

An employee required to undertake such work will now receive a minimum of one hour's work for each time the employee performs such duties.

Provided that should the employee be required to again undertake live sewer work within that one-hour period, no further minimum payment shall apply.

## Slide 16 – New Employment Conditions

### Mobile Devices

All workers covered by the proposed BEMS8 (including apprentices) shall be provided with a mobile device by the employer where it will assist in the performance of the duties of the employee. If an employee elects to use their private mobile device in lieu of the provided mobile device, no reimbursement shall apply.

Hospital and Health Services will have implemented the provision of mobile devices to employees within 12 months of certification.

Until such time that an employee is provided with a mobile device by the employer, an employee will be eligible to be paid a mobile phone allowance paid at a fortnightly rate of \$30.

This will replace clauses 2.10.3 (g) and (h) of BEMS7.

## Slide 17 – New/Changed Employment Conditions

### Correctional Centre Allowance

A new allowance will apply to all BEMS employees who provide maintenance of clinics within a correctional centre or youth detention centre.

The allowance shall be paid at the rate of time and one quarter for the duration of actual hours worked. Actual time worked shall not include travelling time to and from the centre.

However, the allowance will not apply to employees in receipt of the HR Policy C29 Mental Health Allowance or the HR Policy C30 Environmental Allowance.

## Slide 18 – New/Changed Employment Conditions

### Medical Gas Training

The parties recognise that current legislation exempts public sector employees from the mandatory requirement of completing the unit of competency in medical gas installation and testing.

Queensland Health acknowledges that it is best practice to provide relevant employees with training in this field.

All BEMS staff who, at certification, are maintaining the medical gas systems at the HHSs shall be provided funding to complete training in the Unit of competency CPCPMS3034 - Install and test medical gas pipeline systems (Release 3).

## Slide 19 – New/Changed Employment Conditions

### Skill Infrastructure Delivery and Maintenance Allowance

A new all-purpose allowance, the Skill Infrastructure Delivery and Maintenance Allowance, of \$45 per fortnight payable to all workers covered by the proposed BEMS8, including apprentices. The allowance will be indexed in line with annual headline wage increases and paid on a pro-rata basis for part-time and casual employees.

This new allowance is proposed in recognition of the unique labour market challenges associated with this workforce, including the comparatively high rates of pay in the private sector, coupled with economic pressures associated with the increasing cost of living.

## Slide 20 – New/Changed Employment Conditions

- Reclassification process

A commitment to protect BEMS employee's reclassification process HR Policy B51 and to review this policy within 6 months of certification.

- Leading hand allowance

To be expanded from 'more than one day' to 'one day or more', to be paid on higher duties for all time so certified as a Leading Hand or Trade Coordinator.

- Fares and Travel compensation

CPI increase to the current allowance, from \$11.50 to \$12.19, for compensation for fares and travel.

## Slide 21 – New/Changed Employment Conditions

- On site allowance

The on site allowance is currently being paid at the legally minimum payable rate of \$36.85 per week which will now be paid at the rate of \$7.37 per day, in accordance with the current eligibility requirements of clause 2.10.4 of BEMS7.

- Tool Allowance

A single tool allowance is to be paid to all trades in accordance with the indexed tool allowance for Carpenter and/or Joiner, Fitter, Plumber and Gasfitter, Electrical Mechanic, Refrigeration Mechanic and Serviceperson.

## Slide 22 – New/Changed Employment Conditions

- Underpayments

Review HR Policy C13 Payment of salary and wages and payroll deductions within 6 months of certification.

- Domestic and Family Violence Leave

A commitment to domestic and family violence leave and to protect HR Policy C73 Support for employees affected by domestic and family violence under the Agreement.

- Special Leave

The Ministerial Directive 05/17: Special Leave will apply to employees covered by this Agreement. It is noted that this Directive includes discretionary special leave and access to bereavement and compassionate leave.

## Slide 23 - Gender Equity

The parties are aware of and committed to their obligations in terms of gender equity as provided for in legislation, regulation and directives.

The parties agree to investigate ways in which employees who are secondary caregivers/spouses can be encouraged and supported in taking a greater role in caring responsibilities, such as parental leave, part-time work and flexible work.

The parties agree to investigate ways in which further efforts can be made to increase gender diversity across all levels of the organization.

The parties agree to explore ways to increase the gender diversity of people in entering apprenticeships and roles within building, engineering and maintenance services.

## Slide 24 – Additional commitments

A HED will be issued to apply to the qualified technical person for an all-purpose allowance of \$79.80 per week to be paid for the QLD Health Electrical Contractors License.

## Slide 25 – Forums for implementation

The BEMS SBU was formed to deal specifically with BEMS issues that cannot be resolved at the local consultative forums (LCF/HCF).

Other consultative forums, include the Reform Consultative Group, Health Service Consultative Forums and Local Consultative Forums.

## Slide 26 – Dispute Resolution

Procedures for the prevention and settling of disputes are contained at clause 1.11 of BEMS8.

The parties will use their best endeavours to co-operate in order to avoid disputes arising between the parties. The emphasis will be on finding a resolution at the earliest possible stage in the process.

## Slide 27 – BEMS8 Agreement Summary

This presentation so far has provided a high level overview of all key inclusions in the BEMS8.

Employees are strongly encouraged to read the agreement which is available on the Queensland Health enterprise bargaining QHEPS page, which can be found by searching and enterprise bargaining/ building, engineering and maintenance services, or scan the QR code on this slide to take you to the QH internet page with further documents.

## Slide 28 – Consultation, Ballot and Certification

In this part of this presentation, we will give an overview of the next steps for consultation, balloting and certification.

## Slide 29 - Consultation

As mentioned at the start of this presentation, the information provided today is part of the consultation process for the proposed BEMS8.

As required by the *Industrial Relations Act 2016*, employees will be provided with at least 14 days to access the proposed agreement before the ballot.

The consultation period has now commenced.

## Slide 30 – Ballot

- After the consultation period, you will be able to vote on whether you accept the proposed BEMS8.
- All BEMS employees working for Queensland Health can vote in an electronic ballot, on whether or not they accept the proposed agreement. Voting will be open to all Queensland Health building, engineering and maintenance services employees. We encourage you to vote.
- Ballot information, including full instructions on how to cast a vote, will be sent to the email account associated with your myHR account. If you don't have an email account, GoVote will mail the voter information pack to your postal address.
- How-to-Vote information will be available online, and GoVote will provide a 24/7 telephone enquiry line for any questions on the ballot.
- Voting will be open to all Queensland Health Building, Engineering and Maintenance Services, we encourage you to vote.
- Eligible voters will be able to vote by phone, SMS or internet.
- The electronic ballot will open at 8.00am on Monday, 15 May 2023 and close at 5pm on Tuesday, 23 May 2023.

## Slide 31 – Certification



If a valid majority (that is 50% + one) of employees who vote, approve the proposed BEMS8, the parties will make an application to the Queensland Industrial Relations Commission for certification of BEMS8.

Once this has occurred, the new wage rates and other conditions will take effect, with back pay to 1 September 2022 for wages.

Should a majority vote not be achieved, Queensland Health and the relevant unions will meet and discuss options.

## Slide 32 – Additional information

If you would like more information about the proposed BEMS8, or on the consultation, ballot or certification processes, there is a list of places on this slide where you can access this information.

Full copies of the proposed BEMS8 and additional information is available on QHEPS or accessible by the QR code.

For questions please contact your local ballot officer, your union or email, [EB@health.qld.gov.au](mailto:EB@health.qld.gov.au).

Thank you for your attendance.