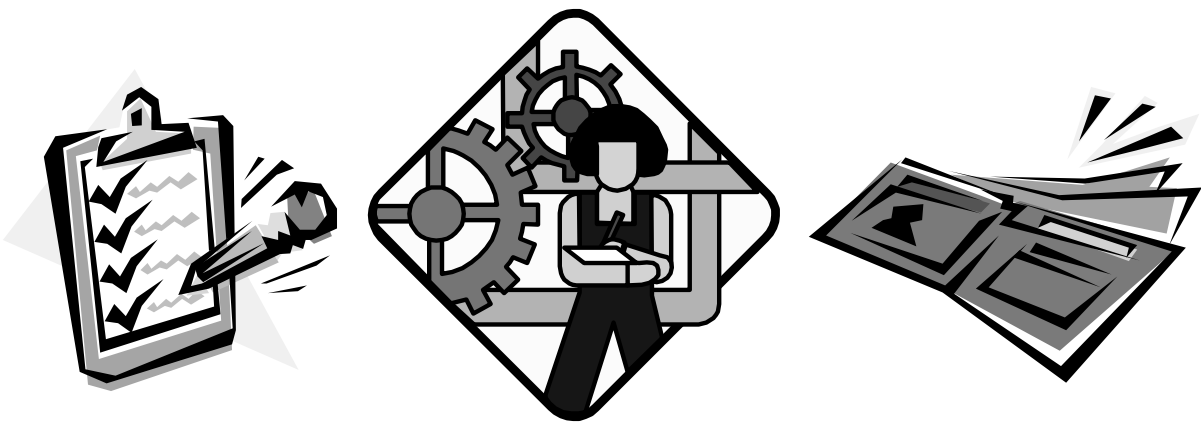


WOORINYAN EMPLOYMENT SUPPORT SERVICE



(The Green Book)

Industrial Relations

What does it mean to Me ?

2006

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MISSION STATEMENT

“Woorinyan exists to meet the individual needs of people with an intellectual disability.”

The Employment Support Service holds a commitment to the rights of people with disAbility to integrated, meaningful employment rewarded by a socially just wage. The service provides supported employment options to workers with disAbility. Employment will either be based in host companies or provided within a company using a Woorinyan owned site. Stakeholders of the organisation include people with a disAbility, carers, Woorinyan staff, contributors, host companies, their employees, community members and government departments.

INTRODUCTION

This handbook is designed to help workers at Woorinyan Employment Support Service understand the way workers with a disability are employed, their rights as employees and what they are entitled to. It also tells workers what they can do themselves to have an active role in the development of Woorinyan's Industrial Relations system. We have tried to write it in plain language so that it is easy to understand and use pictures where we can.



WHAT'S COVERED BY INDUSTRIAL RELATIONS?

This area may be better known to workers as Employment Conditions which covers the following areas:

- Enterprise Agreement
- Work Site
- Type of Employment
- Hours of Work
- Break Times
- Wages – Productivity Assessments
- Leave from Work
- Dispute Resolution/ Disciplinary Procedures



Woorinyan's Agreement

WOORINYAN INCORPORATED ENTERPRISE AGREEMENT

What is an enterprise agreement?

An enterprise agreement is an employment agreement that replaces Award working conditions. It is designed especially for Woorinyan workers and covers only Woorinyan workers with a disability.

Why have an enterprise agreement?

So that:

- working conditions are fair for all Woorinyan workers.
- working conditions, pay, and workers rights meet legal standards.
- workers have clear information about their working conditions and rates of pay.
- conditions are the same across all worksites.



HISTORY OF THE ENTERPRISE AGREEMENT

Education and discussion about Industrial Relations started with Woorinyan workers and their families in February 2000. By March 2000 Woorinyan had a draft Enterprise Agreement. On the 24 March 2000 Woorinyan released a booklet explaining the Enterprise Agreement in Plain English. Workers, families and carers were invited to meet with a Industrial Relations Adviser who answered question related to the proposed Agreement. After having the Agreement to read and discuss for one-month workers voted to accept the Agreement on the 17th May 2000.

On the 27th of June there was a hearing at the Australian Industrial Relations Commission where Justice Boulton who certified the Woorinyan Enterprise Agreement. In April 2002 and we are started the process again. The Agreement was extended until June 2005 with annual wage adjustments inline with the minimum Adult pay rate as set by the Australian Industrial Relations Commission. In February 2006 we are again looking to renew the Agreement for another 3 years, workers will be ask to vote again to accept or reject the Agreement on Thursday 16th March 2006

WORK SITES

A Woorinyan Work Site includes host company sites (enclaves) which employ Woorinyan workers. This includes enclaves based at Woorinyan and those based at the premises of host companies. Work Crews, Woorinyan work crews move around the community to completed contacts in Grounds Maintenance and Cleaning and Car cleaning.

Currently Woorinyan sites include:

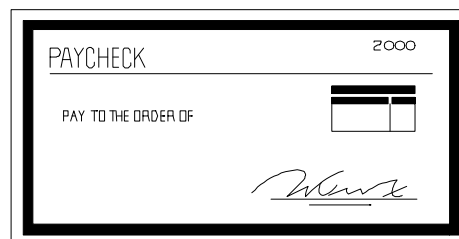
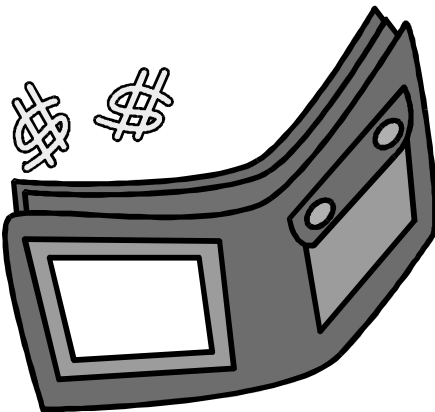
- Dept. Primary Industries - Frankston
- Dept Natural Resources - Knox
- Green Team - Grounds Maintenance
- Spotless Cleaning – On Military Bases
- Columbia Consolidated – Cheltenham
- Inghams - Somerville
- Pro Pak at Joy St. – Frankston
- Wilsolve – South Dandenong
- Woorinyan Thomastown – Mobile Work Crews

TYPE OF EMPLOYMENT

Woorinyan workers are employed as **Permanent Casuals**. This means that workers receive a 25% higher hourly rate based on the enterprise agreement. They are not paid for public holidays, annual leave, sick days or any other time off work. Workers are only paid for the hours they work

The 25% loading is included in pays so workers will need to budget for time off work. Pension payments should return to full rate when workers are not attending work.

Their days of work will be recorded in their Individual Employment Plan



HOURS OF WORK

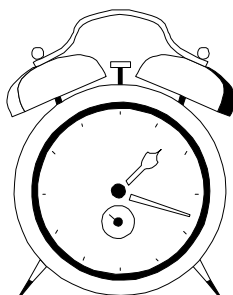
Working hours are set by each individual enclave. These may vary at times and workers will be notified of this in advance.

Generally most working hours fall between the hours of 8am and 4pm.

Workers will receive a job description sheet at the beginning of their employment outlining their hours of work and work requirements and conditions.

BREAK TIMES

All Woorinyan workers are entitled to breaks depending on the hours they work. All lunch breaks are unpaid. Morning and afternoon tea breaks, when included in enclave conditions will be part of the paid working day. This is outlined on each Enclave's operating procedures, no worker will work over 5 hours with out a lunch break.



**WAGES &
PRODUCTIVITY ASSESSMENTS**

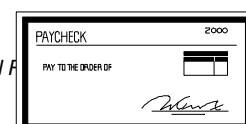
All new Woorinyan workers will be paid a training wage for 15 weeks. Training rate will be a minimum of \$4 per hour. After the training period a wage assessor will assess the worker and they will be paid according to their productivity (the amount of work they do). These rates are based on a percentage (known as pro-rata) of the full Casual Worker Minimum Adult Wage rate which is currently \$16.875 per hour effective from the 1st December 2006. This is adjusted July 1st each year following decision on minimum wages.

Productivity assessments will follow the principles of the Supported Wage System. Pro-rata rates are as follows:

			50%	\$8.44
5%	\$0.84		55%	\$9.28
10%	\$1.69		60%	\$10.13
15%	\$2.53		65%	\$10.97
20%	\$3.38		70%	\$11.81
25%	\$4.22		75%	\$12.66
30%	\$5.06		80%	\$13.50
35%	\$5.91		85%	\$14.35
40%	\$6.75		90%	\$15.19
45%	\$7.60		95%	\$16.03

Wages will be paid directly into Workers bank accounts every fortnight.

Workers will receive a pay slip detailing their wages.



PRODUCTIVITY ASSESSMENT TOOL

All Woorinyan workers are covered by the same Enterprise Agreement.

All workers are paid productivity based wages. Wages range from 5% to 100%, above 90% we will ask the Host Company to consider employing the worker directly on the Full Award wage.

Assessment will use either The Business Services Wage Tool (BSWAT) or The Woorinyan Productivity Tool. The BSWAT calculates pro-rata award based wages. Trained CRS Australia staff undertakes the wage assessments using the BSWAT. Or trained Woorinyan staff make assessment using the Woorinyan Productivity Tool in this the assessment is made against a Baseline. The Baseline is the acceptable productivity of a non disabled worker. This equals 100% for this task. Where only part of the task is completed allocated productivity may be used this means both parties agree amount of the task to be completed in some factories machines can be set to 60% output etc.

Workers output is measured on the same task, each measurement is known as an observation. Assessments are the average of at least three observations taken on separate days, from this a productivity percentage is established. Assessments are ongoing throughout the year, with wage adjustments as required. Assessment must be reviewed at least once a year under the terms of the Disability Standards but in most cases it will be at least twice.

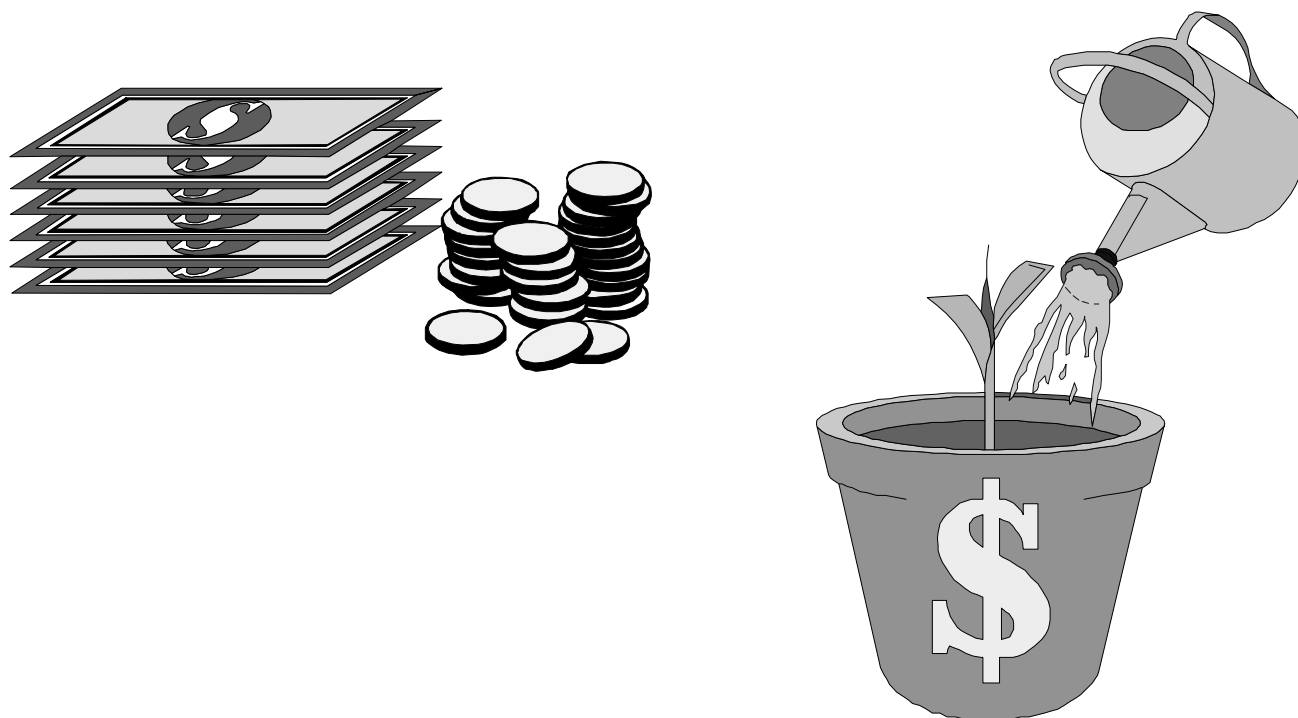
In each Enclave we try to have a variety of measurable tasks, with each worker assessed on at least 2 different tasks.

SUPERANNUATION

Woorinyan pays all of its workers superannuation. Woorinyan was one of the first Supported Employment Services to pay this benefit to all workers.

Currently this is set at 9% of workers wages this is automatically adjusted under the federal government's superannuation guarantee levy, which sets the amount of superannuation employers, must paid.

Superannuation is paid by Woorinyan. It does not come out of workers wages.



LEAVE FROM WORK

Woorinyan is closed at various times set out during the year. This time is determined by Woorinyan Committee of Management in consultation with the workers, staff and management. These are the Woorinyan Employment holiday breaks. If workers would like extra time off they can apply by filling in an Application for Leave form. *All leave is unpaid.*

Workers are not required to work on the following public holidays: New Years Day, Australia Day, Labour Day, Good Friday, Easter Monday, Anzac Day, Queen's Birthday, Melbourne Cup Day, Christmas Day and Boxing Day.

Workers receive a 25% Casual Loading and will not be paid for days off.

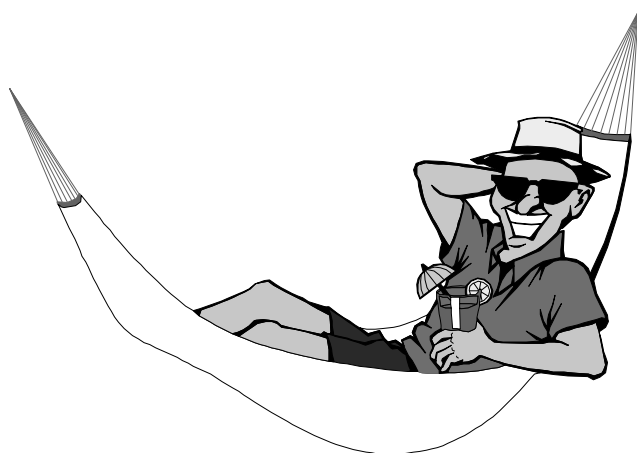


LONG SERVICE LEAVE

All workers are entitled to Long Service Leave.

Workers are eligible for 13 weeks paid leave after 15 years of employment with Woorinyan Employment Support Service.

Workers who may not be able take time off can make arrangements to have their leave paid as extra superannuation payments or other savings plan.



**WOORINYAN
EMPLOYMENT
SUPPORT SERVICE**

Industrial Relations

PENSION PAYMENTS

You will keep all your DSP when you earn **\$124.00** or less in a fortnight.
You will only stop getting your DSP when you earn **\$1,387** or more in a fortnight.

INDICATIVE RATES		
Use the table to work out what your Centrelink payment will be as you earn more money from work (based on single person, aged 21 and over)		
Your pay in a fortnight	The DSP payment you will get	The total amount you will get from your pay and your DSP (excluding tax)
\$124.00	\$505.50	\$629.50
\$140.00	\$499.10	\$639.10
\$160.00	\$491.10	\$651.10
\$180.00	\$483.10	\$663.10
\$200.00	\$475.10	\$675.10
\$220.00	\$467.10	\$687.10
\$270.00	\$447.10	\$717.10
\$320.00	\$427.10	\$747.10
\$370.00	\$407.10	\$777.10
\$420.00	\$387.10	\$807.10
\$470.00	\$367.10	\$837.10
\$520.00	\$347.10	\$867.10
\$570.00	\$327.10	\$897.10
\$620.00	\$307.10	\$927.10
\$670.00	\$287.10	\$957.10
\$720.00	\$267.10	\$987.10
\$770.00	\$247.10	\$1017.10
\$820.00	\$227.10	\$1047.10
\$833.25	\$221.10	\$1054.35
\$870.00	\$207.10	\$1077.10
\$920.00	\$187.10	\$1107.10
\$926.00	\$184.70	\$1110.70
\$970.00	\$167.10	\$1137.10
\$1020.00	\$147.10	\$1167.10
\$1070.00	\$127.10	\$1197.10
\$1120.00	\$107.10	\$1227.10
\$1170.00	\$87.10	\$1257.10
\$1212.00	\$70.30	\$1282.30
\$1220.00	\$67.10	\$1287.10
\$1270.00	\$47.10	\$1317.10
\$1320.00	\$27.10	\$1347.10
\$1370.00	\$7.10	\$1377.10
\$1387.75	Nil	\$1387.75

Centrelink – 13 10 21

Australian Taxation Office – 02 6216 1111

CONFLICT RESOLUTION / DISCIPLINARY PROCEDURES

CONFLICT RESOLUTION

Conflict resolution means sorting out any problems or concerns you have if you are not happy with something at Woorinyan.

Woorinyan Workers, staff and support staff can use the following conflict resolution procedure:

- If the conflict is with a person, talk to the person and try and work it out.
- If the conflict is with work or your program, talk to the support staff.

If this does not solve the concern

- Talk about the concern to your work group support staff or the Service Manager.

If this does not solve your concern

1. You will need to fill in a conflict resolution form.
2. After completing the conflict resolution form, the matter will be dealt with by the CEO or designate.
3. You will get a written reply to your Conflict Resolution Form within 14 days of it being received by Woorinyan Incorporated.

Conflict Resolution (cont.)

4. You will get a written reply to your concern within 14 days.
5. The Conflict Resolution Process will continue to seek a solution to the conflict.

If this does not solve your concern

- You can contact any of the services outlined in the Workers Blue Book – “All about your work and rights at Woorinyan Employment.”
- Any dispute that remains unresolved must be referred to the Industrial Relations Commission for a negotiated agreement.



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Industrial Relations

CONFLICT RESOLUTION FORM

DATE STAMP

**This Form must be posted or handed to
The CEO Woorinyan Inc. PO Box 773 Frankston 3199**

Name: _____ **Contact No:** _____

Address: _____

Date: _____

Support Person: _____ **Contact No** _____

BACKGROUND TO THE CONFLICT? (Attach additional pages if required)

WHAT IS THE CONFLICT? (Attach additional pages if required)

WHAT DO YOU WANT TO HAPPEN? PREFERRED RESOLUTION
(Attach additional pages if required)

By Signing Conflict Resolution Form I give Woorinyan permission to investigate the conflict.

Signed: _____ **Date:** _____

Signed Support Person: _____ **Date:** _____

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Industrial Relations

OFFICE USE ONLY

Section 2: TO BE COMPLETED BY CEO or designate.

INVESTIGATION OF CONFLICT: (Attach additional pages if required)

All questioning should be conducted with a support person present.

Maintain an open questioning approach; follow the principles of Natural Justice.

RECOMMEND ACTION: (Attach additional pages if required)

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Industrial Relations

Section 3: TO BE COMPLETED BY,CEO or designate.

WRITTEN RESPONSE SENT: (Copies attached)

DATE:

NAME:

SIGNATURE:

Section 4: TO BE COMPLETED BY ALL PARTIES TO THE RESOLUTION.

AGREED RESOLUTION AND FOLLOW UP ACTION:

(Attach additional pages if required)

NAME:

POSITION:

SIGNATURE:

DATE:

NAME:

POSITION:

SIGNATURE:

DATE:

NAME:

POSITION:

SIGNATURE:

DATE:

NAME:

POSITION:

SIGNATURE:

DATE:

DISCIPLINARY PROCEDURES

Disciplinary procedures may be taken when a worker is not performing their work satisfactorily or is behaving in a way that is not acceptable.

Some examples where disciplinary procedures may be taken include:

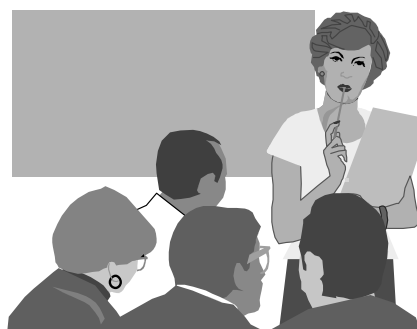
- poor work performance
- regularly being late or absent
- not following work place guidelines
- assault, violence, harassment, endangering others
- theft
- being careless in or around the work place

Disciplinary procedures may include:

- counselling
- retraining or more support
- temporary exclusion from the work place
- expulsion from the work place (as outlined in the Exit Policy in the Blue Rights Book)

The disciplinary procedure is as follows:

- A worker will be notified of a disciplinary procedure by a staff member or the Manager and will have an opportunity for discussion with the Manager (at the workers request an advocate may be present during this meeting).
- Opportunity for correcting the behaviour may be made available (this will depend on the nature of the misconduct).
- A worker may be given an official warning (Memo) or dismissed depending on the nature of the misconduct.
- Dismissal of any worker will be under the Exit Policy and must be approved by the Woorinyan Committee of Management. (Worker may be stood down without pay until COM has an opportunity to meet)



**WHAT YOU CAN DO TO BE
AN ACTIVE PART OF THIS AGREEMENT**

All Workers have the opportunity to contribute to the development of the Enterprise Agreement. This can be done in the following way:

- By having your say – looking at the draft Enterprise Agreement and giving us your feedback and ideas.
- By discussing your ideas at home, in work groups, with support staff or with your elected representative. All of these people can help negotiate on your behalf.



A worker representative was elected for each enclave.

- By voting **YES** or **NO** to the Enterprise Agreement. **All workers have the right to vote!**

HOW AND WHEN THE AGREEMENT CAME IN

Woorinyan workers voted on the first Agreement on 17th of May 2000. The majority of workers voted YES for the Agreement.

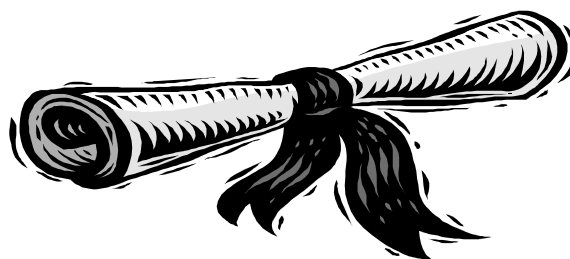
The current Agreement was certified by the 'Australian Industrial Relations Commission'

on the 19th September 2002 and remains in force.

All Supported Workers employed by Woorinyan are employed under the Certified Agreement.

All new Supported Workers coming to Woorinyan will be employed under the Certified Agreement.

The current Agreement shall remain in force until replaced.



There is a copy of the Agreement at every Woorinyan worksite.

As part of the renewal process every workers has received a copy of the Agreement and meetings with workers a each worksite to explain the Agreement are being conducted.