



11 November 2021

Sujay Capoor
Head of Workplace Relations
33 Lakeside Drive, East Burwood 3151
Emergency Telecommunications Authority

By Email: sujay.capoor@esta.vic.gov.au

Dear Sujay

Re: AEAU RESPONSE REGARDING ESTA PROPOSAL FOR PANDEMIC ARRANGEMENTS

We write in response to the proposal put forward by Emergency Services Telecommunications Authority (**ESTA**) regarding pandemic arrangements. Ambulance Employees Australia Victoria (**AEAV**) understands that ESTA faces significant pressures during the pandemic and appreciates the work ESTA is doing in attempting to alleviate some of these pressures.

However, while subject to our conditions being met, the AEAU is willing to enter into a memorandum of understand (**MOU**) regarding the pandemic measures, the AEAU notes that many of these pressures are not new and have been consistently raised with ESTA. The AEAU will not agree to the long-term erosion of hard-fought employee rights and entitlements due to a failure by ETSA to address long term issues. Please see the AEAU responses to each of the proposed measures set out below.

PROPOSAL 1 – ADDITIONAL SHIFT ALLOWANCES AND LOADINGS

The AEAU is willing to agree to the introduction of surge penalties to be in place until the end of April 2022 with the potential for extension until June 2022 subject to the conditions set out below.

Firstly, the AEAU requires ESTA to provide further information regarding how it will determine whether the surge penalties will be extended until June 2022.

Secondly, the AEAU requires that ESTA ensure that the surge penalties are separately recorded in the MOU and on employee payslips. Ensuring the surge penalties are separate from existing penalties, means the basis for the surge penalty is accurately recorded and not

confused with the basis for any current penalty employees receive for working unsociable hours.

Finally, while the AEAU appreciates the additional payment for members, paying surge penalties does not alleviate workload pressures. Further, the AEAU have concerns that the times when the surge penalties have been proposed do not correlate to peak workload periods.

PROPOSAL 2 – ROSTERING FLEXIBILITY

The AEAU is willing to agree to the proposed demand-based rosters (**proposed rosters**) subject to the following:

- No existing staff member be directed to work on the proposed rosters. Any uptake of the proposed rosters is on a voluntary basis only;
- Existing staff working on the proposed rosters will be moved back to their regular roster (as per clause 12 of the *ESTA Operational Employees Enterprise Agreement 2019 (Agreement)*) after 6 months; and
- New staff working on the proposed rosters be moved onto a regular roster (as per clause 12 of the Agreement) after 6 months. The roster the employee is moved onto shall be determined in consultation with the employee.

PROPOSAL 3 – RECRUITMENT

While the AEAU welcomes additional staffing resources, the lack of consultation with staff regarding the benefit or detriment of NETCOMM only call takers causes us great concern.

Further as previously stated to ESTA, the AEAU views the engagement of labour hire NETCOMM only workers as a deliberate attempt to avoid the obligations under clause 25.6.3 of the *ESTA Operational Employees Enterprise Agreement 2019 (Agreement)*.

Consequently, any agreement regarding the use of labour hire would require the following:

- AEAU to have access to any risk assessment conducted regarding this proposal and that AEAU be satisfied that the proposal will not result in additional harm to callers and call takers;
- That the use of labour hire employees be for a specified duration only; and

- An undertaking from ESTA that it will not use labour hire employees again for call taking duties for the duration of the Agreement.

In relation to student paramedics and their role as “pre-triage call takers”, the AEAU will need to see any risk assessment of the proposed pre triage structure including the impact on call takers and callers before it can agree to a MOU regarding this proposal.

LONG TERM STRATEGIES AND CONSULTATION

As stated above, the AEAU is concerned about the lack of consultation with staff regarding the effectiveness of these proposed measures. The AEAU proposes that the MOU include an obligation for ESTA to meet with and work with delegates and the AEAU to discuss and develop long term solutions in relation to staffing, training and other measures that can be implemented to alleviate the consistently extreme workload pressure faced by employees.

The AEAU understands that the ability to implement measures will be dependent upon funding, however we feel that it is important for Delegates to receive the opportunity to discuss how changes will impact their work at ESTA at all meetings. It is also important for ESTA to acknowledge the lived experience of staff and to work collaboratively with Delegates to determine what funding the service will seek in the future, and how this funding will be sought.

We look forward to receiving your response.

Yours faithfully



Brett Adie
Secretary
Ambulance Employees Australia - Victoria (AEAV)