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9 April 2020

Niamh Wade
General Manager
BreastScreen SA

Michelle Reintals
Clinical Director
BreastScreen SA

C/- Niki Kapnistis
Workforce Business Partner
Statewide Clinical Support Services
VIA EMAIL

Dear Ms Kapnistis & Ors.

RE: BULLETIN TO RADIOGRAPHERS 8 APRIL 2020

We refer to the bulletin of 8 April 2020 ('the bulletin'), sent to Radiographers employed at BreastScreen SA ('BSSA') and note the following:

- BSSA have tried to source alternative duties and redeployment options for Radiographers currently 'absent on duty';
- Redeployment options, for whatever reason, have not 'come to fruition';
- Instead, Radiographers are considered to be on Special Leave with Pay ('SLWP'), applied retroactively from 6 April 2020;
- The total amount of SLWP available is up to 15 days;
- Once this is exhausted, employees will be required to utilise their own leave entitlements.

We respond as follows:

We are disappointed that BSSA not only appears to have come to this decision without any modicum of consultation with employees or the HSU but has already gone ahead and communicated such decision to workers. This is a breach of your obligations to adequately consult with any applicable parties under both clause 34 of the *South Australian Modern Public Sector Enterprise Agreement: Salaried 2017* ('the Agreement') and s47 of the *Work Health & Safety Act 2012* (SA). Of particular note, is that it appears BSSA has unilaterally agreed to apply the decision retroactively from 6 April 2020, meaning that affected employees have already lost 4 days of their 15 days total.

While we understand the difficulties facing the sector as a result of the COVID-19 pandemic, this does not absolve BSSA from meeting its obligations to consult with the HSU or its employees concerning change. BSSA had no difficulty in organising consultation meetings with the relevant Unions in the past, including the teleconferences held on 25 March 2020 and 27 March 2020, which were organised with minimum notice. As such, we do not accept that BSSA was unable to consult with the HSU prior to communicating the bulletin to our members.

Given the advice we are receiving from throughout the Public Sector that there appears to be a clear shortage of skilled workers due to a surge in demand as a result of COVID-19 we believe your bulletin is completely inappropriate and effectively inaccurate. We question BSSA's inability to find adequate redeployment opportunities for all affected workers, and ask that the HSU be provided with details regarding the steps taken in investigating redeployment opportunities, and confirmation from each SA Health site that they do not have the capacity to take on any radiographers.

Until such time as adequate consultation has occurred, we request the following:

- That the status quo be maintained, and Radiographers continue to be paid as 'absent on leave' until the Parties can reach agreement pending consultation;
- That any SLWP considered already taken be recredited;
- That urgent consultation occurs; and
- The following be provided urgently to the HSU:
 - A list of all affected employees;
 - A list of all SA Health sites including information regarding current workforce demands;
 - Details of the investigation undertaken by BSSA regarding available opportunities for redeployment;
 - Any other applicable documents.
- That the bulletin be immediately rescinded, and Radiographers advised that BSSA will maintain paying Radiographers as normal until consultation has occurred.

We ask that you please respond by **C.O.B. Tuesday 14 April 2020.**

Yours sincerely



Senior Industrial and Compliance Officer
HSU National
Per: Health Services Union SA/NT Branch