

EA 2016



BIGGER LOUDER STRONGER

GUIDE TO EA 2016
SUMMARY OF CHANGES

**CASINO
UNION**

Unity. Support. Respect.

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voice



EA 2016 - BIGGER, LOUDER, STRONGER

In 2016, Casino Union members working at Crown came together to campaign for our new enterprise agreement (EA).

It's been a huge campaign. Thousands of Crown staff have taken action: telling their stories; speaking up and even hitting the streets to stand up for respect, recognition and reward.

For many years now, Casino Union members at Crown have been the best paid casino workers in the country. But it's no coincidence. It's because of our big, strong union. Since 2010, our Casino Union EA has meant wages for all Crown staff have grown each year by at least 4%, and there have been lots of other improvements too.

Crown as a business has gone from strength to strength. In 2016, Crown made record profits and has grown to become one of the biggest tourist resorts in the world. And Crown staff? We're responsible for that success. That's why it was so important for us to win respect, recognition and reward in 2016. **And we did.**

But we had to fight for it. Crown's initial offer was to increase wages by only 2.25%. They rejected our proposal for the introduction of a new allowance to recognise our sacrifices. They pushed back on proposals to improve career paths, job security through redundancy and giving staff a real opportunity to convert to full time work.

But Casino Union members stood up. We knew we deserved what we were asking for. So thousands of us told our stories, we took action, we attended mass meetings, and we even hit the street with two massive public demonstrations in August and September.

Every time Casino Union members took action, casino management increased their offer. And eventually, we won a deal which means our sacrifices working at Crown are going to be recognised and respected, and our work rewarded fairly.

THIS BOOKLET outlines how the new EA will improve conditions for Crown staff across the board. It is not a detailed outline of every change.

YOU SHOULD TALK TO YOUR UNION DELEGATE FOR MORE DETAIL.



HOW IS AN EA MADE?

An EA is made by Casino Union members negotiating with casino bosses for a package of employment conditions, which is then registered with the Fair Work Commission.

Our EA process started in late 2015, when hundreds of Casino Union members working at Crown participated in an EA survey to identify possible improvements that could be made to our EA.

We refined responses down to our ten point plan to win respect, recognition and reward. Then we elected a bargaining team, made up of members from across the casino. This team met with Crown over 30 times between April and November 2016 to negotiate the EA.

In the meetings, the bargaining team explained each of our proposals and pushed for agreement by using arguments and examples of what working at Crown is really like, and why our plan should be accepted.

Most importantly, members outside the meeting room continually demonstrated our commitment to each other, and our plan.

After each meeting, the bargaining team reported back to members about progress, through updates on site & online, and lots of conversations on site.

The Crown Union Leader Council also met during the process to monitor progress and plan next steps.

The Fair Work Act governs how an enterprise agreement is made. It says both parties have to bargain in “good faith” but that neither party can be forced to agree to anything they don’t want to. There’s no compulsion on either party to make an agreement at all. So it was up to Casino Union members to keep the pressure on casino management to agree to our ideas.

In late October, the bargaining team asked Casino Union members to indicate whether they were ready to vote on the EA, after casino bosses came to the table with an offer that was close to what we were asking for. An overwhelming 84% of Casino Union members said yes.

An EA can be approved by Fair Work Australia after a vote of employees. Once a majority of people who participate vote in favour, the EA can be approved.

EA 2016 will be voted on from December 10 - 15. Prior to the vote, the EA will be available for preview for at least 7 days on site.

IMPROVED SAFETY IN OUR WORKPLACE

The current EA already requires casino management to take steps to ensure Crown is a safe workplace (as does OHS legislation) and recognises the role of health and safety and Casino Union representatives to enforce health and safety standards.

The new EA will introduce measures designed to improve safety in our workplace, including mandatory safety inductions in each area or outlet, in which new staff are provided with access to their relevant safety representative.

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Your work area should have a health & safety rep. **Do you know who yours is?**

ACCESS TO SICK LEAVE WITHOUT HARASSMENT

While the current EA says that no employee will be subject to harassment by the company at any time in connection with taking sick leave (clause 13.1.4), Casino Union members often report managers making inappropriate comments in so-called “welfare check” meetings after someone takes legitimate sick leave.

Our campaign has moved Crown to review its policies around sick leave, including:

- Additional protections to ensure that no staff member can be denied employment benefits or advancement opportunities as a result of taking sick leave.
- Confirmation that no staff member is required to disclose private medical information to anyone.
- Facility to request leave at short notice to deal with an emergency situation.

THE RIGHT TO ENFORCE OUR AGREEMENT

It's crucial that we hold casino management to account in relation to each term of our EA. The role of Casino Union delegates and leaders in that process is key. The new EA will improve our ability to enforce our agreement by providing Casino Union members with additional training leave and improved access for delegates to assist members in disciplinary meetings.

THE RIGHT to have a representative in meetings with casino management was a big issue in our negotiations. Often casino staff report being forced to have meetings with managers without a representative present. The new EA says that Casino Union members can have a union representative present in any meeting with management under Crown's Conduct and Counselling Policy, where there is a possibility of a verbal warning or higher sanction.

RECOGNITION OF OUR SACRIFICES

Working at Crown often means working shifts; late nights or early mornings, on weekends and on public holidays. Winning recognition from Crown for this was a crucial part of our campaign.

Eventually, we were able to push Crown to agree to a new allowance – the “Recognition Allowance” – which will be paid to all Crown staff twice yearly, to recognise sacrifices made working at a 24/7 operation.

The Recognition Allowance will be paid around the first pay period of June and December each year. At this time, each staff member will be paid an additional amount with 0.5% of their earnings.

This will include all paid leave (annual leave, sick leave and all other types of paid leave) and HD allowances.

Money earned from other allowances like first aid allowance, mean allowance or uniform allowance won't count.

The allowance works like any other type of income – it counts for superannuation and tax purposes.

The allowance is not paid to former staff or on termination of employment (except in the case of redundancy).

The allowance will be paid as part of the back-payment calculation for all staff which will occur once the EA is approved by the Fair Work Commission.

FAIR SHIFT SWAPS (TABLE GAMES)

- The personal shift swap system in table games is not a formal part of the old EA. The new EA will make the shift swap system part of the EA, so the rules are clear.
- The EA will also tidy up the rules in relation to shift swaps and shift give-aways on public holidays between full and part time employees.

FAIR AND TRANSPARENT CAREER PROGRESSION AND PROMOTION

The current EA explains what different people in different departments get paid, and how people can progress through the structure as they gain more skills and experience.

Our EA will make some important changes to the system, which will improve access to career progression and promotion in some areas, and recognise the value of work already being performed by some staff.

For more information on these improvements, check the draft EA itself or talk to a union delegate.

The changes include:

- Security officers will automatically progress to level 9 after seven years of service.
- Existing level 9 security officers will progress to level 10 when the new EA is approved (and thereafter, by appointment).
- A review will be conducted in hotels to deal with issues concerning the bell desk department.
- A review will be conducted in guest services, arising from a dispute about multi-tasking requirements in the department.
- A new level four cook role will be introduced, allowing cooks to progress to this new level.
- Food and beverage attendants will automatically progress to Level 2 after six months of service.
- Crown have accepted there is a need to promote some food and beverage attendants from level 2 to level 3. A review will be conducted to identify where these new roles are required, and then a recruitment process will occur.
- The pay rate for employees in cage and count who have 20 years of service or more will increase by \$0.50 cents per hour.

IMPROVED ACCESS TO ANNUAL LEAVE

New working parties will be created under the new EA in each department to investigate ways to minimise annual leave blackouts and open up more opportunity to access annual leave, including at peak periods.

The response time for annual leave requests has also been clarified, so that all annual leave requests must receive a response within seven days.

DOMESTIC AND FAMILY VIOLENCE LEAVE

The new EA will introduce a new entitlement to paid leave for people suffering from domestic or family violence.

Employees can access up to twenty days per year of paid leave.

The person may be a victim of violence or a person providing support to someone else.

REAL OPPORTUNITY TO CONVERT FROM FULL TIME TO PART TIME

For the first time, the new EA introduces a system requiring casino management to upgrade staff from part-time to full time, or to upgrade their band if they meet certain criteria.

Even if you don't meet the criteria, you will be allowed to apply for an upgrade each cycle and there are factors Crown must take into account when assessing your application, which mean that some staff will be able to access an upgrade even if they fall short of meeting the strict criteria.

The expectation of the bargaining team is that this new clause will open up many more opportunities for Crown staff to access extra hours.

This is a complex new system. For more information or if you have questions, talk to a union delegate.

MANDATORY UPGRADE

You will qualify for a mandatory upgrade (if you want one) if you work a certain number of hours for a certain number of successive cycles.

Remember – even if you don't qualify for a mandatory upgrade, you can still apply for a discretionary upgrade (details below).

You must be allowed to upgrade either into a higher band or full time employment if you meeting the following criteria:

HOW MANY HOURS DO I HAVE TO WORK IN THE CYCLE?	HOW MANY CYCLES DO I HAVE TO WORK?	PART-TIME BAND POST SUCCESSFUL REVIEW
80 hours	13	Part- time band 2
112 hours	13	Part- time band 3
136 hours	13	Part- time band 4
152 hours	12/13	Full time

DISCRETIONARY UPGRADE

Even if you don't meet these criteria, you can still apply for an upgrade, and Crown must assess your application fairly, according to certain rules set out in the EA.

These considerations include:

- Where the employee has worked the minimum hours per cycle for all but one roster cycle; or
- Where the employee has been absent from work, or has not worked the minimum hours per cycle as a result of extenuating circumstances, which have impacted on the employee's ability to meet the conditions; or
- Where the employee has taken reasonable steps to accept additional hours offered by the company and has been declined; or
- Where the employee's average hours over 13 consecutive roster cycles meets or exceeds the minimum hours per cycle.

JOB SECURITY THROUGH IMPROVED REDUNDANCY

The new EA will improve redundancy entitlements for all Crown staff and introduce some important new rights to improve job security at Crown:

- Redundancy pay will increase for employees who are made redundant after more than 15 years' service with Crown.
- All employees who are made redundant will receive an additional 2 weeks' notice (on top of the notice already required).

There will also be new rights, including:

- The introduction of a "search for work day" equal to one day each week during your notice period where you can receive paid leave to search for work.
- The right to funded outplacement services during and after the redundancy period.

FAIR PAY

The new EA will mean a 3.75% pay increase for all Crown staff each year in 2016, 2017 and 2018.

The 2016 pay increase will be backpaid until 1 July 2016 and a back-payment paid.

The new recognition allowance (worth an additional 0.5% paid on gross earnings) will also be backpaid to 1 July and paid twice annually.

Allowances will also be increased by 3.75% from commencement.

OTHER CHANGES

The new EA will see some redundant positions under the EA phased out. Staff currently holding those roles will have their conditions preserved (and will continue to be fully covered by the EA). These positions include linen room attendant, concierge attendant and food and beverage attendant level 5.

The new EA will clarify that outside of table games where a person works in a higher duties role, they must work in that role for at least 15 minutes to qualify for a higher payment.

WHAT IS A “REQUESTED DAY OFF” (RQD)

For some time at Crown, staff have had access each year to a certain number of days each year they can use as a requested day off.

An RQD request is made to workforce planning. Six times a year (or twelve times a year in table games) you're guaranteed to have your requested day off granted, subject to business demands and blackout periods.

Rights to RQDs have been extended under the new EA. Now all staff outside table games can access six RQDs per year, and table games staff have access to 12 days per year.



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