

# THE ACCA UPDATE

NEWSLETTER DATE: 15 SEPTEMBER 2004

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Clean is just the beginning



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## WORKCOVER BLITZES INDUSTRY

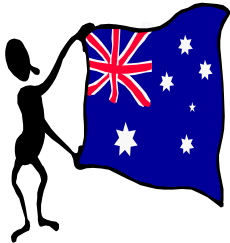
As you have all heard by now, the NSW WorkCover Authority has begun an all out blitz of the cleaning industry. This goes back to the NSW Government's efforts to bring in "Grouping Provisions" to the Workers' Compensation arena.

Whilst the Government was attempting to round up those companies which had separate companies for each category of staff other forces were at work to stop this from happening. In the end the Minister announced that the Grouping Provisions would be put on hold because it was too difficult for them to distinguish between "legitimate" companies and those which had these separate companies purely to avoid the intent of the law. When making this announcement the Minister did say that the cleaning industry and the labour hire industry would be particularly checked on to ensure no avoidance of Workers' Compensation liability was being made.

The result is that those large companies which had multiple companies to avoid premium costs will be targeted along with the rest of us and carefully audited to ensure compliance. This is an unhappy situation but one over which we have no control. My only suggestion is that you ensure you have done everything correctly, in particular in the area of Subcontracting, and that you follow the information we have provided to cover all bases.

Again, they are physically checking your jobs, so ensure all equipment is in good condition, correctly tagged, that all chemicals are in properly labeled containers, spray bottles are printed with the correct products, everything is stowed safely, containers are dammed and maybe you will not suffer too much.

They want and need your money to make up for what the large companies have cost them. I suggest you talk to our new members, Honans, and look at their policy for WorkCover Audits.



## INDUSTRIAL MATTERS

**NSW** The NSW Industrial situation has reached a point where the Union has begun taking unilateral action to get what they want without paying any attention to the correct industrial process. In all my years in the industry I have never before seen the Union in NSW do some of the things they are presently doing.

A strike of school cleaners was called for, commencing on 7 September 2004 and to last for four days. This was in the middle of Court Hearings to determine the rights or wrongs of their claim for security of employment in NSW Government Schools.

The Union has been promoting a line that, under the proposed new cleaning contract effective from October 2005, the schools will be cleaned by smaller companies. If so, the story goes, then all cleaners, who are mainly migrants over 45 years old, will not be given jobs.

Our reply has been that there is not 7000 trained cleaners out there in all areas of the state, waiting on a job as a school cleaner, and happily willing to deprive existing people of their work. It is simply ridiculous to expect that the majority of current staff will not keep their jobs.

Our view is that the Union is desperately trying to retain its income stream because the largest employer has the largest number of Union members and smaller contractors won't have the same attitude to continuing union membership, so the union is forcing its members to lose four days pay so the Union officials can keep their job.

Anyhow it looks as if the Government has crumbled and the next contract will have some provisions within it requiring the incoming contractor to take all steps possible to ensure existing staff are given first right of refusal for any jobs. As further information comes to hand we will keep you up to date with developments.

**QLD** We are now registered to operate in Queensland in relation to the "Cleaning Contractors' Award-State" and will be representing members whenever negotiations are required on that award. We are also trying to obtain agreement from the Union for a Certified Agreement similar to the one currently operating but which will be to the benefit of our members.

**ACT** We note the Education folk in the ACT are now calling tenders for school cleaning and requiring tendering companies to have signed the unpopular and unjust Code of Conduct or undergo a searching review of their operations in order to be deemed acceptable to tender. We will keep our representations on the boil as this should not be allowed to continue.

## Cavers Corner

ACCA conducts a number of training courses during the year, at various venues, where a whole range of topics pertaining to our industry are discussed in detail. One of the areas that seems to confuse employers is annual leave entitlements.

Firstly, Annual Leave is a Statutory Act of Government and so a Full Time or a Part Time employee who has completed 12 months of continuous service has an entitlement to 4 weeks leave, which has to be taken within 6 months of the anniversary date.

So, what rate of pay is paid to Full Time and Part Time employees when taking annual leave?

**ANSWER:** The worker is entitled to the gross wage **NOT** including any overtime, plus any shift allowance and weekend penalties for the **ORDINARY** time that would have been worked if annual leave had not been taken. Because their hours of work may vary during the year there is no average system once the person has completed 12 months. Sometimes workers will lose money when going on annual leave.

**EXAMPLE:** A Part Time employee working 4 hours a day, 7 days weekly would earn:

Mon–Fri : 20 hours Normal	\$16.07	= \$321.40
Sat: 4 hours overtime (7 paid hours)		= \$112.49
Sun 4 hours overtime (8 paid hours)		= \$128.56
Total		\$562.45

If that same employee were to take one weeks' annual leave he would be paid:

Mon–Fri: 20 hours Normal		= \$321.40
plus 17.5% Annual Leave Loading		= \$ 56.24
Total		\$377.64

If an employee leaves or is terminated prior to 12 months completed service payment is 1/12th of total **ORDINARY** earnings, excluding overtime and **NO** loading is payable.

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Financial assistance for employers may be available for eligible new and existing employees enrolled in the course.

Whatever your training needs.....LENNOX INSTITUTE  
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## WEBSITES

These and other websites are useful for your business:

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[www.cleantec.com.au](http://www.cleantec.com.au)    [www.research-products.com.au](http://www.research-products.com.au)  
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[www.tenders.nsw.gov.au](http://www.tenders.nsw.gov.au)    [www.incleanmag.com.au](http://www.incleanmag.com.au)  
[www.market.fairfax.com.au/tenders/smh.html](http://www.market.fairfax.com.au/tenders/smh.html)  
<http://www.lennoxinstitute.org/>

## OUR MISSION STATEMENT

Our aim is to provide a range of services specifically designed to meet the needs and aspirations of the small to medium sized companies operating in the Property Services Industry. We know and understand just how difficult it is to operate in such a competitive market and we aim to supply services which will assist in achieving your aims and in doing that part of your job which you do best.

John Cavers is available to assist with any Industrial problem from Unfair Dismissal to Award Interpretation and you can get him at the office or on 0417 251200.

John Laws can help with Tenders, Costing, Documentation, QA, OHS & IM, Cleaning Software etc.  
Get him on 0418 225 180 to come and help.

## FOR ALL YOUR PERSONAL CARE NEEDS

JohnsonDiversey's offer their customers a complete hand hygiene range. **Soft Care** is the name of the brand. The range covers alternative BULK and CARTRIDGED systems. Our personal care solutions are formulated to cover all applications including hygienic hand, hair and body washing. This enhanced range of products incorporates known and trusted brands.



The Soft Care Line Dispenser is the latest state of the art dispensing system. The dispenser offers:

- One dispenser for all products
- Ergonomic push dispense design
- Tamper proof
- Strong ABS construction
- Compact
- Nozzle replacement

The unique 800ml cartridge is a hermetically sealed pouch which can be changed in seconds.

Listed below is JohnsonDiversey's complete Personal Care Package:

APPLICATION	SOFT CARE NAME	PACK SIZE
Non Perfumed Hand Wash	SOFT CARE S.S	6x800ml
	SOFT CARE FOOD INDUSTRY HAND SOAP	12x1000L 4x5L
Alcohol Based Hand Gel	SOFT CARE M	6x800ml
		12x500ml
Frequent Hand Wash	SOFT CARE MILD	6x800ml
	SOFT CARE DOVE CREAM WASH	6x800ml
Wash Room	SOFT CARE FRESH	6x800ml
	ENHANCE	4X5L
	BLUE HANDSOAP	4x5L
Hair & Body Gel	SOFT CARE LUX SHAMPOO & SHOWER	6x800ml
Re Conditioning Cream	SOFT CARE DERMASOFT	6x800ml
Heavy Duty Hand Cleaner	LIQUID SOLVOL	2X5L

For more information regarding JohnsonDiversey's Personal Care range please contact Mike Legoff on 0411 173 512.