

# Roster changes

## FAQS and your rights



**Tip:** Do not sign anything unless you fully understand it. Get advice and get to know your Award or Enterprise Agreement ('EAs').

**Tip:** Your Delegate plays a vital role in resolving working hours and rostering issues, get to know your Delegate and get their advice.

### 1. Consultation

#### **Q: Is the employer required to consult workers about the proposed change?**

**A: Yes.** It is a minimum Award condition and is (now) in most Enterprise Agreements ('EAs').

*'Consultation' is not the same as 'notification'.*

### 2. Notice

#### **Q: Is the employer required to give (written) notice of the change?**

**A: Yes.** Most EAs and Awards require a minimum of seven day's written notice of a roster change and fourteen days if the roster change is disputed.

*These notice periods can vary between different EA's and Awards.*

### 3. Mandatory Protections

#### **Q: Are there some changes my employer cannot make?**

**A: Yes.** Every EA and Award contains minimum conditions which must be observed. For example, minimum and maximum shift lengths, breaks between shifts and maximum working days in a week.

*Your employer cannot make changes which violate the minimum conditions in your EA or Award.*

### 4. Discretionary considerations

#### **Q: Are there some things which the employer is required to consider when making a roster change?**

**A: Yes.** It is common for the employer to be required to genuinely consider the effect of roster changes on family responsibilities and safe travel to and from work.

*Your employer must genuinely consider these issues and make changes where necessary to accommodate these needs.*

### 5. Grievance Procedure

#### **Q: What if the worker objects to the change? Do they have any rights?**

**A: Yes.** Every EA and Award contains a detailed disputes or grievance procedure. This procedure must be followed by the employer and the worker to resolve the dispute and, if unresolved, refer the matter to the Fair Work Commission.

*You have the right to dispute any proposed changes to your roster.*

### 6. Status Quo

#### **Q: If the worker objects to the change, can the employer require them to work the new roster?**

**A: No.** You can notify your employer that the proposed change is 'in dispute' and you wish to discuss your roster under the dispute / grievance procedure. During this time you must continue to work your current roster, i.e. 'the status quo' until the dispute is resolved.

*Be wary of bullying tactics to push through changes.*

For advice and support speak with your Delegate who will be able to help you with most things. If you are unable to resolve a dispute with the assistance of your Delegate, contact the SDA on 1300 SDA HELP (1300 732 4357) or [secretary@sdan.org.au](mailto:secretary@sdan.org.au)