

From: Helen Carayannis [mailto:HCarayannis@clubsnsw.com.au]
Sent: Tuesday, 28 June 2016 11:07 AM
To: AMOD
Cc: Stefan Russell-Uren; r.warren@fjc.net.au
Subject: Witness Statement - AM2014/196 - Part-time employment

Dear Sir/Madam

We refer to the witness statement of Brent Williams filed by Clubs Australia Industrial in this matter. Mr Williams is no longer employed at the Castle Hill RSL Club and accordingly we seek leave to file a short updated statement from Ms Rachel Ferris, current HR Manager of the club.

Kind regards

Helen Carayannis
Workplace Relations - Special Counsel

P 02 9268 3020
M 0433 656 399
F 02 9268 3066

IN FAIR WORK COMMISSION

FWA Matter No: AM2014/196

Applicant: CLUBS AUSTRALIA INDUSTRIAL

WITNESS STATEMENT OF RACHEL FERRIS

I, Rachel Ferris of _____, Human Resources Manager say:

1. I am the Human Resources Manager of Castle Hill RSL Club Limited (**the Club**) and have been in this position for approximately 2 months. I began with Castle Hill RSL Group in December of 2012, and progressed into the Human Resources department in April 2014 as Human Resources Coordinator. I was then promoted to Senior Human Resources Coordinator in August of 2015 prior to being elevated to my current role on April 27th 2016.
2. On 7 October 2015, Mr Brent Williams, the previous Group Human Resources Manager, signed a witness statement in relation to the part time employment case, matter number AM2014/196. Annexed and marked A is a copy of this statement.
3. On or around 11th August 2015, Mr Williams resigned from his employment at the Club, and stayed on a contractor basis until 23rd February 2016.
4. I have read Mr Williams statement and confirm that the contents of it are still true to the best of my knowledge and relevant.

Signed by Rachel Ferris: Rachel Ferris

At Castle Hill RSL Club, 77 Castle St Castle Hill NSW 2154
on 27th June 2016

Before me:

Signature of Witness: M Rouse

Name of Witness: Margaret Rouse

Qualification of Witness: Office Manager, Castle Hill RSL Club

"A"

IN FAIR WORK AUSTRALIA

FWA Matter No:

Applicant: **CLUBS AUSTRALIA INDUSTRIAL**

WITNESS STATEMENT OF BRENT WILLIAMS

I, Brent Williams, of _____, Human Resources Manager make oath and say/affirm:

1. I am the Group Human Resources Manager of Castle Hill RSL Club Limited and have been in this position for 8 years. I have worked in the Registered Clubs Industry for the past 25 years in roles including Duty Manager - Parramatta RSL Club, Food and Beverage Manager and Human Resources Manager – Five Dock RSL Club, Assistant General Manager – Illawarra Yacht Club, Executive Operations Manager – Cronulla Sharks and currently Group Human Resources Manager, Castle Hill RSL Club. I hold an Advanced Diploma in Hospitality Management and am current sitting Chairman of the Board of Management Studies – Club Managers Association Australia. I have also developed and facilitated Award Interpretation training under contract to Club Management Development Australia (Registered Training Organisation) for the past 15 years.
2. Castle Hill RSL Group is modern and progressive and is led by a professional team of Managers that are aligned with a focussed and supportive Board of Directors. There are approximately 530 employees across the group. The main Club at Castle Hill has multiple bars and restaurants (indoor and outdoor dining); domestic and international entertainment; functions and conference facilities and expansive grounds. The group also comprises Parramatta RSL Club that employs 40 people and has close to 10,000 members and Lynwood Country Club employing 27 people with just over 1500 members.

3. Prior to the award restructure in July 1999 the clubs workforce comprised mostly casual employees (68%) with only 17% full-time and 15% part-time employees.
4. Post July 1999 the casual labour percentage progressively reduced to 23% and part-time labour increased to 60%.
5. Some part time staff have set rosters but the majority (more than 60%) are quite fluid. This means that their hours and roles regularly alter as trade levels, special events, employee leave, changing availabilities and unforeseen circumstances occur. These 'fluid' part-time employees are rostered to fill shift requirements based on expected trading levels and special events. Part-time staff are multi skilled and have varying availabilities due to study and family responsibilities. Part time employees know that they will always have more than 8 ordinary hours per week and not more than 37 ordinary hours however the club works hard to ensure that employee weekly hour preferences are met as closely as possible. This is important to do to be a recognised employer of choice.
6. The Club's roster coordinators, particularly in the licenced club operations departments, make alterations to rosters on a daily basis. This is due largely to employees requesting shift swaps because of study, family or sporting responsibilities. Alterations are also made to accommodate sick leave, return to work programs and fluctuations in trading patterns. In the clubs' main trading areas an estimate of 25 – 30 shift changes would occur on a weekly basis. At least 90% of these changes would be attributed to employee requests
7. Employees would be provided with 12 or more hours notice of change of roster approximately 20% of the time. The majority of roster changes are last minute due to the high levels of trade fluctuation of the hospitality industry and sick calls and shift swaps, which is unfortunately common among the largest employee demographic being tertiary students, many of whom do not consider Hospitality as their primary vocation.
8. The benefits of employing such a large proportion of employees as part timers are:

- a. Part Time employees accrue pro rata leave entitlements hence providing a sense of security and longevity of employment as a result,
 - b. The range of hours under the NAPSA flexible provisions is wide, ie, minimum 32 and maximum 148 hours over a 4 week period,
 - c. Part Time employees are more cost efficient when compared to the casual 25% loaded rate from Monday to Friday,
 - d. Shift work in hospitality can be long tiring, and often monotonous especially when shifts are set to repeat after each roster cycle. There also tends to be an aversion to set rosters as employees prefer to be able to alter their rosters, often at short notice, to accommodate study, family responsibilities and social calendars around with variety of shifts, hours and roles. The flexible part time provisions allow for this.
9. A large proportion of our part time employee base is university students, followed by local residents working second jobs to help support family and financial obligations.
10. Part Time employees appreciate that they accrue sick leave and annual leave entitlements meaning that they can have some time off from work without the worry of an interrupted income. They also appreciate having the opportunity to be trained in a variety of areas so they don't become bogged down working in the same area all the time. Being able to change rostered hours and times comes as a great support for the students holding part time roles when new timetables come out and exams approach.
11. The benefits to the Club of having employees under flexible working arrangements are as follows:
- a. Ease of coordinating staff allocations when changes are necessitated. Such changes occur almost daily when employees request shift swaps (which should not be unreasonably denied in the interest of staff retention and morale), call in sick, functions or events change in numbers, book in or cancel etc.

- b. Flexible part-time arrangements relieves the club of the burden of seeking signed change of roster documentation from each employee and shift altered. Such a process is not practical because of its time consuming nature.
- c. Often when an employee is absent it is not a simple process of replacing the shift with an on call casual or even an off duty part-timer. Not all employees' skill levels are the same. Often a sick call, for example, might require shifting several employees around to ensure the shifts are covered by suitably skilled or qualified people. Further, availability differs among employees which can further complicate the replacement strategy for absences.
- d. Employees often communicate their appreciation to HR (through general conversation and documented employee appraisals) for the flexibility afforded to them when they require shift changes, be they additional, less or changed shifts when they come into exam periods, new study semesters, family responsibilities etc. Examples currently on file are presented in Annexure A: Lynette Hood "Hr have always been so accommodating when I needed to chop and change my roster all the time because of my family commitments." Matt Toomey in his resignation letter after 5 years with the club, "I would like to thank the club for investing in me for all these years and particularly the HR department of Sarah and Hanna, who without fail, accommodated every day that I ever needed to have off without any problems." Amy Jordison in a probationary appraisal, "Hours & Shifts have been good. When I told rosters I had a uni break I got a few extra shifts." Ashleigh Fieldus in a probationary appraisal, "Hours good so far. Very accommodating." These are but a very few of many examples of similar feedback over many years.
- e. Another very significant benefit of flexible rosters for part-time employees has been demonstrated at Castle Hill RSL Club by the impressive reduction in staff turnover rates following the introduction 8 years ago of flexible part-time rostering. The percentage rate of staff turnover over the past 8 years has dropped from a figure of 51% progressively reducing each year to come down to 26% in 2014 and early 2015. These percentages are calculated by dividing the number of terminations by the total number of employees employed each year.

12. The club operates solely under the award provisions with no collective agreement in place. However an Enterprise agreement may be considered if it will assist the club to continue offering flexibility to its workforce.

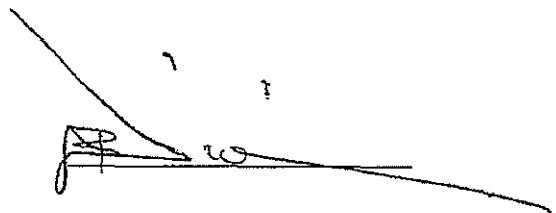
13. Castle Hill RSL Club would have no choice but to take immediate action in converting part-time labour to casual by natural attrition. The Club's recruitment strategy would change to reflect this also.

14. With a weekly wage expense of over \$200,000 (that's more than \$10,000,000 annually) the added overtime payments for part-time employees and the administrative responsibility would have a significant effect on the Club's finances.

15. We have only employed three (3) permanent part time employees since January 2015, a payroll officer who is on set hours, and two junior gymnastics coaches on a set six month program. We have hired 109 casual staff since January 2015, and 12 full time staff. Since this time, it has been the Club's policy not to take on any part-time staff unless they have a very specific role with hours that are unlikely to change. The club has engaged new employees in this way in an attempt to reduce excessive overtime caused by frequent changes to part-time rosters. Employees engaged prior to 1 January 2015 are not subject to Clause 10.4 therefore continue to enjoy roster flexibility. The 3 part-timers engaged post 1 January 2015 do not require the extent of flexibility as front line operational staff, hence, the impact of engaging these employees has been minimal.

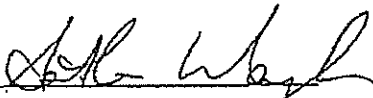
Sworn/Affirmed by the Deponent:

Declared at 8 Stanley Close, Bolwarra Heights NSW 2320



on 7th October 2015

Before me:

Signature of Witness: 

Name of Witness: Samantha Waugh

Qualification of Witness: OFFICEWORKS EMPLOYEE

From: Helen Carayannis [mailto:HCarayannis@clubsnsw.com.au]
Sent: Thursday, 7 July 2016 11:50 AM
To: AMOD
Subject: FW: Rachel Ferris and Brent Williams Statement - Annexure A

Dear Sir/Madam

Please see attached documents and correspondence below sent to United Voice today.

Kind regards
Helen

-----Original Message-----

From: Helen Carayannis
Sent: Thursday, 7 July 2016 11:48 AM
To: 'Stefan Russell-Uren'
Subject: Rachel Ferris and Brent Williams Statement - Annexure A

Dear Stefan

I refer to the witness statement of Rachel Ferris which annexes the statement of Brent Williams. The William's statement refers in para 11(d) to an annexure A which appears to have been omitted. Please see the attached documents which are the documents referred to as Annexure A of the Williams Statement.

Regards
Helen

From: Abigail Saunders [mailto:saundersa@castlehillrsl.com.au]
Sent: Thursday, 7 July 2016 10:48 AM
To: Rachel Ferris
Subject: FW: Roster



Abigail Saunders

HR ADMINISTRATOR

77 Castle Street, Castle Hill NSW 2154 | PO Box 25, Castle Hill NSW 1765
T 02 8858 4861 F 02 8858 4811 E saundersa@castlehillrsl.com.au



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From: Lynette Hood [mailto:hoodl@castlehillrsl.com.au]
Sent: 18 June 2015 10:04
To: Sarah Conlon <conlons@castlehillrsl.com.au>
Cc: Brent Williams <williamsb@castlehillrsl.com.au>; Hanna Mills <millsh@castlehillrsl.com.au>
Subject: Re: Roster

Hi Sarah,

Thank you so much for this. Kev and I have been chatting and thinking about this and we can see it working for us. Is it possible though for me to work 1000-1500 on the Wednesday as well. The kids have after school sport training and it is mid season, it starts at 6pm, so would struggle to make it in time. It will also give me an hour or two without kids to do things I might need to do, you know how much easier and quicker these things are without kids!! LOL! It would then make it 29.45 hours, which works for us. I know the Thursday/Friday shifts need to be sorted, but if we could start this after the school holidays as I have already booked some outings for the kids.

I know this is totally out there, but my main issue was working every Sunday and not having that day with my family. If there is any stage that there is a busy Saturday night or Sunday; ie: Shows, car draws, rattle and hums, bridal expos, please feel free to ask me if I am available to work. One every now and then is not going to do any harm. I understand the nature of the business at the RSL and know that sometimes there are people on leave or nights when we need all hands on deck. If I can't do it, I will let you know.

I did the other day, put unavailable for some days I have commitments on which didn't matter before, but forgot some. Can you please add me as unavailable for 31 July, 21 August and 11 December. These are the days my kids are performing for the school at their special assemblies.

I just really want to thank you all for your support and understanding. You have no idea how relieved I am, because at the end of the day I love my job, I am happy at my work place, love the people and patrons I work with and am happy there is a solution.

Many thanks

Lynette

From: Sarah Conlon <conlons@castlehillrsl.com.au>
To: <hoodl@castlehillrsl.com.au>
Cc: Brent Williams <williamsb@castlehillrsl.com.au>, Hanna Mills <millsh@castlehillrsl.com.au>
Sent: 6/16/2015 11:09 AM
Subject: Roster

Hi Lynette

As discussed with Brent and yourself please see the below proposed roster:

Monday 0900-1715 (7.45 hrs)
Tuesday 0900-160 (7hrs)
Wednesday 0900-1715 (7.45hrs)
Thursday 0930-1430 (5hrs)
Friday 0930-1430 (5hrs)

32.5 hours x \$25.00 (approx.) = 812.50 before Tax.

Please have a look and discuss with your family.
Again we will support you with any decision you are happy with.

Kind Regards
Sarah



Sarah Conlon WORK PLACE TRAINING COORDINATOR
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To Castle Hill RSL,

It is with deep sadness that after 5 years working at the club, I will be resigning. I have received an offer and an opportunity that personally and financially is too good to refuse. It has offered me an opportunity to pursue a lifestyle that I am continuously striving for.

I would like to thank the club for investing in me for all these years and particularly the HR department of Sarah and Hanna, who without fail, accommodated every day that I ever needed to have off without any problems.

Through working at the Castle Hill RSL, I feel that I have grown up as a person. I have learnt many skills through my time and use them daily. I have friends for life through working here.

My last official day will be Wednesday the 16th of September.

I would still like to stay on as an On-call casual. I still believe despite not working full time or part time I can contribute when needed.

Thank you

Matthew Toomey



Appraisal: 6 Month

Date: 30/7/15

Amy Jordison

How have you settled in?

Great thanks

Do you enjoy working with Castle Hill RSL?

Yes very much

Have you experienced any problems in your time here so far?

Nothing I can think of

What do you think the supervisors would say you could do better?

Not sure

What do you think they would say you do well?

Organised – Quiet -

Is there anything you would like to improve upon? If so what would that be?

Beer & wine knowledge

Are you happy with hours, shifts jobs etc?

They have been good. When I told rosters I had a uni break I got a few extra shifts.

Have you Identified any Hazards or Unsafe Work Practices in the Workplace?

Grate on floor back of Courtyard Kitchen front of dish washing is very slippery...

What is the Procedure to follow when identifying a hazard?

All explained and good

Do you know what the Grievance Procedure Is? Do you know where to find it and the other club policies?

All explained and understood.

How can Castle Hill RSL be a better employer for you?

30 – 50% discount off meals.

In general, out of 10 how would you rate level of satisfaction with working here? 10/10

Comments from supervisors/managers were:

- Still a little shy but Amy is fitting in nicely and has learnt what is expected of her and performs her duties with a smile and punctuality to the task at hand.
- Fits in well goes far and beyond to get tasks done. Great worker.
- No problems with Amy, she's doing well, engaging more with staff and customers. Has no problems doing anything asked of her.
- good worker positive attitude



Appraisal: 2 Month

Date: 15 June 2015

Ashleigh Feildus

How have you settled in?

Good. Everyone so friendly. Feel a sense of belonging. Been my favourite

Do you enjoy working with Castle Hill RSL?

Social and professional interaction. Yes.

Have you experienced any problems in your time here so far?

No. Got lost a few times.

What do you think the supervisors would say you could do better?

I feel like I've been OK so far. Handle tasks better myself without asking for help

What do you think they would say you do well?

Willing to have a go. Always try best. Work hard and learn stuff.

Is there anything you would like to improve upon? If so what would that be?

Are you happy with hours, shifts jobs etc?

Hours good so far. Very accommodating.

Have you Identified any Hazards or Unsafe Work Practices in the Workplace?

None I can think of.

What is the Procedure to follow when identifying a hazard?

Fix it if I can. Report to Supervisor.

Do you know what the Grievance Procedure Is? Do you know where to find it and the other club policies?

Explained well.

How can Castle Hill RSL be a better employer for you?

Staff Handbook. Google it or on website.

In general, out of 10 how would you rate level of satisfaction with working here? 8 /10

Comments from supervisors/managers were:

- Another quiet one, good worker. Follows direction well. No complaints.
- During my time training her she was a pleasure. Very bright and picked up things quickly.
- I think ash is great. She has been thrown in seating for shows and has done well. So impressed so far.
- **she works well, keeps to herself**
- **Always polite, seems to be easily distracted though.**
- **– A good worker. Friendly with patrons, always on time. If she and Declan R. are rostered on together they will constantly pair up. Once she is separated she seems to work better.**