

KNOW YOUR rights

HAVE A BREAK



**TO PROTECT &
IMPROVE YOUR
ENTITLEMENTS BE
AN ACTIVE UNION
MEMBER**

**Please discuss
any problems with
your shop steward
or ring the union
on 03 9387 0189**



**COMMUNICATION
WORKERS' UNION**

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Due to the nature of work in the postal industry, it is very important to take your tea and meal breaks. Work in Australia Post is usually repetitive, fast paced, involves serious manual handling risks and long periods of standing.

MEAL BREAKS

Clause 16.9 of the Australia Post Enterprise Agreement 2013 states:

16.9 Meal Break

An employee shall not be employed for more than 5 hours continuously without being granted a meal break of not less than 30 minutes nor more than 75 minutes, provided that:

- a) *by agreement between Australia Post and an employee or a majority of employees in the workplace concerned a longer period for the meal break may be arranged;*
- b) *by agreement between Australia Post and an employee, the employee concerned may work in excess of 5 hours but not more than 6 hours without a meal break.*
- c) *however, where an employee is required to work in excess of 5 hours on any day or shift, a meal break must be granted.*

This means that after working for 5 hours you are entitled to at least a 30 minute meal break.

It is possible to work for up to 6 hours straight without taking a meal break under the EA. To do this, you and your manager need to agree on this. This can't be imposed on you, and you cannot force the manager to agree especially if it is not operationally viable.

The union would recommend against working more than 5 hours for health and safety reasons. The length of the meal break is usually determined by custom and practice.

TEA BREAKS

The Australia Post EA Clause 16.10 outlines that our right to tea breaks is based "on custom and practice" in the individual workplace. Generally, this means you are entitled to a 10 to 15 minute paid break for morning and afternoon tea. The length of the tea-break and the time at which you take it, is set locally by "custom and practice". Full-time staff receive two breaks and part-time staff receive one.

Management can change the time it is taken after consultation. There are many local variations. Staff in large centres often need walking time in conjunction to their break. The Melbourne Parcel Facility have arranged two 30 minute breaks by re-arranging their lunch break & tea breaks. Some workers have set tea breaks, while others (notably transport) have breaks when it suits the flow of work.

Wherever possible, the union would encourage you to have a break together with your workmates. This provides a time for you to discuss your problems and work out solutions. It is usually the only time union representatives can meet with everyone during the shift.

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HEALTH BREAKS

Some facilities have 5 minute health breaks per hour, others have micro-breaks for stretching or eye exercising. Workers working constantly with screen-based equipment (eg. video coders) have Safe Operating Procedures which require 10 minutes per hour to be spent away from the job.

It is expected that posties would have a 5 minute break per hour on outside delivery when the temperature reaches 30 degrees.

10 HOUR BREAK BETWEEN SHIFTS

A worker must have at least 10 consecutive hours off duty, (including travel time) before resuming any duty on the next day or shift.

If you are normally working during this time you must not lose pay. If you work without a 10 hour break, you have to be paid at double time until released from work and given a 10 hour break.

WASH UP TIME

It is custom and practice that staff have a 5 - 10 minute wash up time on completion of their duties.

DRIVING FATIGUE BREAKS (Standard Hours - Solo Drivers)

Legislation for Fatigue Management for Heavy Vehicles changed in September 2008 and set the following limits for drivers. The Australia Post EA 2013 applies as well as these requirements.

TIME	WORK	REST
In any period of ...	A driver must not work for more than a MAXIMUM of ...	And must have the rest of that period off work with a MINIMUM rest break of ...
5 ½ hours	5 ¼ hours work time	15 hours continuous minutes rest time
8 hours	7 ½ hours work time	30 minutes rest time in blocks of 15 continuous minutes
11 hours	10 hours work time	60 minutes rest time in blocks of 15 continuous minutes
24 hours	12 hours work time	7 continuous hours stationary rest time ¹
7 days	72 hours work time	24 continuous hours stationary rest time
14 days	144 hours work time	2 x night rest ² and 2 x night rest breaks taken on consecutive days

1 Stationary rest time is the time a driver spends out of a regulated heavy vehicle or in an approved sleeper berth of a stationary regulated heavy vehicle.

2 Night rest breaks are 7 continuous hours stationary rest time taken between the hours of 10pm on a day and 8am on the next day (using the time zone of the base of the driver) or a 24 continuous hours stationary rest break.

Leroy Lazaro – Branch Secretary

1 January 2016