

**Private and Confidential**

Mr Gerard Hayes  
General Secretary  
Health Services Union  
Level 2, 109 Pitt Street  
Sydney NSW 2000

**By email:** [secretary@hsu.asn.au](mailto:secretary@hsu.asn.au)

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### Interim request for 8-hour minimum break between rostered shifts Downer Group

Dear Mr Hayes

I am writing on behalf of Western NSW Local Health District (WNSWLHD) and Downer Group to formally request an interim agreement to continue applying an 8-hour minimum break between rostered shifts for the Wardspersons and Operations Assistants workgroup at Orange Health Service (OHS), in accordance with NSW Health Information Bulletin *Minimum breaks between rostered shifts - HSU covered Awards* (IB2026\_005).

From 28 February 2026, a 10-hour minimum break between rostered shifts will apply under the relevant Awards unless the Health Services Union (HSU) consents to the continuation of 8-hour breaks. This correspondence constitutes a formal written request for such consent. In line with IB2026\_005, Downer management confirms that this workgroup was i) routinely rostered with 8-hour breaks between shifts prior to the Award changes, and ii) requires continuation of 8 hour breaks to maintain safe and effective service delivery at OHS.

Operational assessment has identified that immediate transition to a 10-hour minimum break is not feasible without significant disruption to essential services, including patient transport, imaging, and operational coverage across the OHS campus. The workgroup operates within a service model requiring continuous coverage across clinical specialties and locations, and the current roster structure has been developed over time to balance operational needs, service continuity, employee availability and fatigue management.

With the support of the HSU, Downer Group seeks approval to continue rostering 8-hour minimum breaks on an interim basis for this workgroup. WNSWLHD and Downer confirm that this request is made prior to 28 February 2026 and therefore meets the criteria for an interim arrangement under IB2026\_005. Consistent with that Bulletin, where a request is made before 28 February 2026 and the above criteria are satisfied, an agreement is deemed to be reached on an interim basis, and the organisation may continue to roster 8-hour breaks until the HSU either formally agrees to the request or rejects it in writing with 90 days' notice.

WNSWLHD and Downer are committed to working collaboratively with the HSU to transition to implementation of the 10-hour minimum break, within the applicable timeframe should the interim arrangement not continue.

Additionally, I note the email dated 17 February 2026 regarding the HSU's notification of a formal dispute in relation to proposed roster changes impacting Wardspersons at OHS. That dispute has invoked the status quo provisions of the Award, with the result that existing roster arrangements remain in place pending resolution of the dispute process.

This interim request relates solely to the minimum break between shifts and does not seek to determine the disputed roster changes currently subject to consultation and dispute procedures.

WNSWLHD and Downer Group therefore respectfully request approval for this interim 8-hour break arrangement to ensure continuity of services, workforce stability, and safe operational coverage while broader Award compliance arrangements and consultation processes are finalised.

If you have any questions or require further information, please do not hesitate to contact Jessica McKenna, Human Resources Partner, via email at [Jessica.McKenna@health.nsw.gov.au](mailto:Jessica.McKenna@health.nsw.gov.au) or by telephone on (02) 6330 5879.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Jacqui Blackshaw".

Jacqui Blackshaw

**Acting Director People & Culture**

27 February 2026

Cc: Jessica McKenna, Human Resource Partner  
Tim Robinson, Senior Contract Manager, Downer