

HSU Health Professionals Member Briefing Paper: Award Amalgamation

Introduction

The most important and fundamental point to make is that this is a decision of the members on the future of your Awards. To make such a decision requires understanding and engagement. The below attempts to provide clear information on the rationale for amalgamating Professional Awards, the benefits, the risks, and potential structures.

Over 12 months ago, hundreds of Health Professional members from all different professions sat down and created Industrial Advisory Committees. Ranging from Peer Work, to Hospital Scientists, Radiation Therapists, Social Workers and Dental Officers, these groups have been the engine room for the HSU's approach to fixing the out-of-date Health Awards.

In recent months, discussion has turned to the process of Award negotiations and how future awards should be structured. In a combined meeting of Professional Committees on Friday 28 July, the members of the Committees unanimously endorsed the following resolution:

The HSU Health Professionals Committee endorses investigation into the amalgamation of the currently disparate groupings of Awards and Determinations. To this end, we endorse a period of consultation with the wider Health Professional Membership to determine whether to progress this aspect of Award Reform.

The next step is consultation, providing all the information available, and seeking advice from members.

What does amalgamation mean and look like?

To answer this question, we must start with an understanding of how our Awards are currently structured and how they have been made.

New South Wales has its own industrial jurisdiction for public sector workers, meaning that the way Awards are constructed and operate is distinct from federal, private sector and interstate employees.

NSW Health Awards were first made decades ago and over many years, as new classifications have appeared, new Awards have been made (sometimes no Award is made). What this means is that across the over 40 Professions the HSU covers there are nearly as many Awards and determinations. Take the below table as an example:

Award	Professions attached
NSW HEALTH SERVICE HEALTH PROFESSIONALS (STATE) AWARD 2023	Art Therapist, Counsellor, Dietitian, Diversional Therapist, Exercise Physiologist, Genetic Counsellor, Music Therapist, Occupational Therapist, Orthoptist, Orthotist/Prosthetist, Physiotherapist, lay Therapist, Podiatrist, Sexual Assault Worker, Social Worker, Speech Pathologist, Welfare Officer
PUBLIC HOSPITALS (PROFESSIONAL AND ASSOCIATED STAFF) CONDITIONS OF EMPLOYMENT (STATE) AWARD 2022	Art Therapist, Counsellor, Dietitian, Diversional Therapist, Exercise Physiologist, Genetic Counsellor, Music Therapist, Occupational Therapist, Orthoptist, Orthotist/Prosthetist, Physiotherapist, lay Therapist, Podiatrist, Sexual Assault Worker, Social Worker, Speech Pathologist, Welfare Officer. Psychologist, Biomedical Engineer, Dental Assistant, Dental Officer, Dental Technician, Health Education Officer, Aboriginal Health Workers.
HEALTH AND COMMUNITY EMPLOYEES' PSYCHOLOGISTS (STATE) AWARD 2022	Psychologists
HEALTH PROFESSIONAL AND MEDICAL SALARIES (STATE) AWARD 2022	Hospital Scientists, Aboriginal Health Workers, Radiopharmaceuticals, Dental therapists, Dental officers, Dental assistants, Drug and Alcohol counsellors,
HOSPITAL SCIENTISTS (STATE) AWARD 2023	Hospital Scientists, Medical Physicists
PUBLIC HOSPITAL MEDICAL PHYSICISTS (STATE) AWARD 2023	Medical Physicists
HEALTH EMPLOYEES' MEDICAL RADIATION SCIENTISTS (STATE) AWARD 2022	Radiographers, Radiation Therapists and Nuclear Medicine – sometimes sonographers
HEALTH EMPLOYEES' CONDITIONS OF EMPLOYMENT (STATE) AWARD 2022	Pharmacists, Radiographers, Radiation Therapists and Nuclear Medicine, sonographers, Ward staff, security, cleaners, Pharmacists and many more.
HEALTH EMPLOYEES' PHARMACISTS (STATE) AWARD 2023	Pharmacist, Senior Pharmacist, Deputy Director of Pharmacy and Director of Pharmacy

If you were confused reading the above table, you're not alone. The ad hoc and disparate nature of the Health Professional agreements creates several problems:

- Lack of clarity and consistency which results in different outcomes for like professionals based on where they work.
- Divided bargaining power because professionals are spread across several awards without rhyme or rhythm and unable to use the same collective power as larger professional groups such as nurses.
- Slower to update and requires picking winners because you can only do so many awards at one time, resulting in some groups being lucky and resolving first while others must wait.
- Over-reliance on litigation – because there is not critical mass of members, the smaller award groupings lead to a heavy reliance on litigation which is costly, slow and unpredictable.

Models for amalgamation

The first and most fundamental position in Award negotiations will be that no Health Worker goes backwards. From here, we have an opportunity which has not occurred for a long time – to re-think the structure of our Awards to address the issues identified above. So, what could it look like?

Proposed partial amalgamation

What this table shows is a multi-levelled structure, at the core level are conditions which would/should be universal for all Health Workers, such as Long Service Leave. The next level is specific to groups (professional and services), allowing for a greater specialty focus on the key demands of each group and, while building greater collective power than one singular profession/classification can muster individually.

This step would also allow for clearer and consistent conditions and language across Awards with structures which may have different clauses but follow similar logical flows of information to increase the understanding and application of the Award.

If this is successful, it opens the door for future bargaining rounds to combine the Clinical, Dental, Scientific and Medical Imaging / Radiation Awards into one Health Professionals Award with even greater collective power for Professionals. Subject to member endorsement.

Health Conditions Award				
Applies to all Health Workers.				
Covers off conditions which all Health Workers must and should have e.g., COVID leave, Long Service Leave, status of employment.				
Clinical and Non-Clinical Health Professionals Award	Dental Award	Scientific Professionals Award	Medical Imaging and Radiation Professionals Award	Health Services Award
Conditions which are specific to this group of professionals. E.g., supervision rights and allowances, social workers on-call or continuing professional development.	Conditions which are specific to Dental workers, from assistants to specialists.	Conditions which are specific to scientists E.g., credentialing committees, shift work for principal scientists etc.	Conditions which are specific to this group of professionals. E.g., 35-hour week.	Conditions which are specific to health services workers. E.g., infectious cleaning allowance.
Classification description for each group, e.g., Health Professionals, Psychologists and Health Promotion Officers.	Classification description for each group, e.g., Dental assistants, Oral Health therapists, Dental Officers and Specialists.	Classification descriptions for each scientific group and stream, e.g., biomedical engineering, medical and forensic scientists.	Classification descriptions for each Medical imaging group such radiography and radiation professions such as RTs or Radiation Therapists.	Classification description for each group, e.g., Administration, hospital assistants, wardpersons.

An argument for amalgamation?

An important question to ask is whether this effort to restructure the Awards is worthwhile doing.

There are some important benefits to undergoing this process, which are summarised below:

- Great collective strength of similar Health Professional groups who can negotiate from a position of strength due to size for greater Award improvements.
- More effective negotiating power means potentially less litigation which takes time and can only be done for some groups at a time meaning that some would be prioritised while others must wait.
- Industrial best practice which brings our Awards into the 21st Century. Every other state has combined Awards and / or Agreements, see below:
 - Queensland Agreement: https://www.qirc.qld.gov.au/sites/default/files/2023-06/2023_cb43.pdf
 - Victorian Agreement (Psychology, Pharmacy, Medical Science, Medical Physicists, Dietitians, Perfusionists, Audiologists): <https://www.vhia.com.au/wp-content/uploads/Bul-2804-Attachment-C-Proposed-Agreement.pdf>
 - Victorian Agreement (Medical Imaging, Radiation, Allied Health, Community Health Workers): <https://vahpa.asn.au/wp-content/uploads/2023/01/AHP-Vic-Public-Sector-Single-Interest-Employers-EA-2021-26.pdf>

What risks do we have in doing this?

The same risks exist that would exist if we did not amalgamate Awards – that we get it wrong in negotiations.

Beyond this, there is some risk to professions that have specific clauses or claims that combining may mean there can be less focus on them. This can be addressed through a clear and transparent member led process, which is why your Professional Committee, made up of members, will be so important to ensuring we bring together our claims and lift everybody up.

Ultimately, there will always be risk in entering into negotiations. We can't prevent the risk, only ensure best practice and high member engagement prevents the potential bad outcomes occurring.

What is the process now?

Your committees have endorsed a consultation period, that is now open. During this period, you can provide feedback on the proposal by emailing alliedhealth@hsu.asn.au with the subject line 'Award Amalgamation Proposal'. This is also an opportunity to ask any questions that members have during the consultation period. Please email your questions to alliedhealth@hsu.asn.au.

Once the consultation period is complete and we have received feedback from members, you will be asked whether you wish to keep the Award structure as it currently is or enter negotiations with the intention to amalgamate.

Where would your profession sit in the Awards?

<p>Clinical / Non-Clinical Professional Award</p>	<p><u>Clinical:</u></p> <ul style="list-style-type: none"> • Art Therapist, Counsellor, Dietitian, Diversional Therapist, Exercise Physiologist, Genetic Counsellor, Music Therapist, Occupational Therapist, Orthoptist, Orthotist/Prosthetist, Physiotherapist, lay Therapist, Podiatrist, Sexual Assault Worker, Social Worker, Speech Pathologist, Welfare Officer. • Psychologists • Pharmacists • Aboriginal health Practitioners <p><u>Professional:</u></p> <ul style="list-style-type: none"> • Drug and Alcohol Counsellor (Graduate) • Aboriginal Health Workers, • Health Education Officer • Interpreter • Librarian, • Environmental Health Officer <p><u>Technical:</u></p> <ul style="list-style-type: none"> • Diversional therapist (non-graduate) • Sexual Assault Worker (non-graduate) • Drug and Alcohol Counsellor (non-graduate) • Welfare Officer (non-graduate) <p><u>To be determined:</u></p> <ul style="list-style-type: none"> • Pharmacy assistants and techs? • AHAs? • Library Assistant and Library Technician
<p>Medical Imaging and Radiation</p>	<ul style="list-style-type: none"> • Sonographers (Cardiac technicians) • Nuclear Medicine • Radiography • Radiation therapist • Medical Physicist • Radiopharmaceuticals
<p>Scientific</p>	<ul style="list-style-type: none"> • Technical Officer (Pathology) • Hospital Scientist • Medical Technologist • Cytology • Biomedical Engineering • Perfusionist
<p>Dental</p>	<ul style="list-style-type: none"> • Dental Assistant • Dental Officer • Dental Specialist • Dental Prosthetist / Dental Technician • Dental Therapist / Dental Hygienist / Oral Health therapist