



HSU Health Professionals Member Briefing Paper: Award Amalgamation

Without Prejudice

Introduction

The most important and fundamental point to make is that this is a decision for 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.

18 months ago, hundreds of Health Professional members from different professions sat down and created the HSU Industrial Advisory Committees. Over 20 different Committees have been set up and are researching and discussing a huge breadth and depth of members issues requiring Award Reform.

On 14 August, the HSU including Health Professional delegates met with the Ministry to commence Award negotiations. During this meeting, a request was made for the Minister of Health and the Ministry to attend the HSU office and meet face to face with Health Professional members to progress Award Reform.

Before substantive discussion can occur, members must decide on the structure of Awards into the future.

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 to the wider membership, 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.

Most NSW Health Awards were created 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 over 40 Professions the HSU covers there is a patchwork of historical Awards which were designed in the 50s, 60s or 70s. 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	Pharmacists

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 reason causing an inability to use the same collective power as larger professional groups such as nurses.

- Awards become slower to update and requires picking winners because you can only do so many awards at one time. This results 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.
- The same clause being applied differently within and between professions despite the circumstances and entitlement being the same.

Models for amalgamation

The first and most fundamental position in Award negotiations will be that no Health Professional 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?

Partial amalgamation

Health Conditions Award			
<ul style="list-style-type: none"> • Applies to all Health Workers. • Covers off only basic and consistent conditions which all Health Workers must and should have e.g., COVID leave, LSL, casual conversion to permanent. 			
Clinical and Non-Clinical Health Professionals Award	Dental Award	Scientist Award	Medical Imaging and Radiation Professionals 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.
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 as radiography and radiation professions such as Radiation Therapists.

What this table shows is a multi-levelled structure, at the universal or core level are conditions which are identical for all Health Workers, such as Long Service leave. The next level is specific to similar professionals, allowing for a greater specialty focus on the key demands of the profession and workplace, while building greater collective power than one singular profession can muster individually.

This structure would enable clearer and consistent conditions and language across Awards.

Why would we do this?

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:

- Greater collective power 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 with substantially better outcomes, 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.

Where would my profession sit in the Awards? (these assignments are drafts for feedback)

<p>Clinical / Non-Clinical Professional Award</p>	<p><u>Clinical Professional Classifications:</u></p> <ul style="list-style-type: none"> ● Health Professionals Classification: Art Therapist, Counsellor, Dietitian, Diversional Therapist, Exercise Physiologist, Genetic Counsellor, Music Therapist, Occupational Therapist, Orthoptist, Orthotist/Prosthetist, Physiotherapist, Child life therapist, Podiatrist, Sexual Assault Worker, Social Worker, Speech Pathologist, Welfare Officer. ● Psychologists' classifications. ● Pharmacists Classifications. ● Aboriginal health Practitioners Classifications. ● Perfusionists Classifications. <p><u>Non-Clinical Professional Classifications:</u></p> <ul style="list-style-type: none"> ● Aboriginal Health Workers classifications. ● Health Education Officer Classifications. ● Interpreter classifications. ● Librarian classifications. ● Environmental Health Officer classifications. <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) ● 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) classifications. ● Nuclear Medicine Classifications. ● Radiography classifications. ● Radiation therapist classifications. ● Medical Physicist classifications. ● Radiopharmaceuticals classifications.

<p>Scientific</p>	<ul style="list-style-type: none"> • Medical, Research and Forensic classifications: Technical Officer (Pathology), Hospital Scientist, medical technologists, cytology, bioinformatics etc. • Biomedical Engineering classifications.
<p>Dental</p>	<ul style="list-style-type: none"> • Dentist Classifications: Dental Officers and Specialists • Dental and Oral Health Therapist classifications: dental therapists, dental hygienist and oral health therapists. • Dental assistants classifications. • Dental Prosthetist and Dental technician classifications.

What is the process to endorse this and move into negotiations?

Your committees have endorsed a consultation period, this consultation period will be as follows:

- Friday 18 August: Consultation period commences for member feedback.
- Friday 1 September: Consultation period closes, and member feedback reviewed.
- Monday 4 September: formal survey of members on proposal to amalgamate launched.
- Monday 11 September: formal survey closes.
- Week commencing Monday 18 September: Meeting with Minister of Health and Minister to progress Award negotiations.

During the consultation period, your Committees are seeking your views and feedback on amalgamation, this feedback will be reviewed prior to the formal survey being launched to establish the final member position on this question.

How can you provide feedback?

Please email any feedback to: alliedhealth@hsu.asn.au