Form 1
Application

BEFORE THE INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

or as required by Schedule 1

No. IRC 2019/00216541 and 2020/00166390

APPLICATION FOR AN AWARD VARIATION

Filed by:

NSW Ministry of Health

Contact name:
Blake Robson

Address:
1 Reserve Road
St Leonards NSW 2065

Telephone:
02 9391 9862

A. The applicant claims:

A variation to the ***Health Professional and Medical Salaries (State) Award 2019***

B. under:

Section 17 of the ***Industrial Relations Act 1996***

C. In the terms stated in the attached Schedule 1.

D. Award affected:
Health Professional and Medical Salaries (State) Award 2019

E. Grounds and reasons:

1. The current classification structure for Hospital Scientists no longer meets the business needs of NSW Health Pathology.

2. A more integrated model which accommodates operations conducted across multiple sites or facilities is required.

3. The proposed new classification structure contained in Schedule 1 of the accompanying application to vary the *Hospital Scientists (State) Award* provides progression pathway for employees appointed to positions with management functions.
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4. The proposed variation to pay schedules contained in Schedule 1 to this application should be considered alongside the accompanying application referred to in 3 above

F. Particulars:

1. The proposed variation in 3. above seeks to include a new classification pay structure for Medical Scientist Managers and amend the classification titles of all other scientists to delete the word 'hospital' in the *Health*

Professional and Medical Salaries (State) Award 2019.

2. This new classification will replace the following:

a. Chief Hospital Scientist
b. Senior Hospital Scientist In-Charge of Section; and
c. Senior or Chief Hospital Scientist In-Charge of Lab

3. It is proposed that the Medical Scientist Manager will have four classifications levels to reflect the varying complexity and scope of services delivered across NSW Health Pathology and level of managerial responsibility required.

4. Levels 1 to 3 are operational roles. Level 4 is a strategic role operating state wide.

5. In order to be classified as a Medical Scientist Manager, an employee must be appointed as such by NSW Health Pathology.

6. Progression to pay points within each level will occur, following satisfactory completion of hours of service equivalent to 12 months full time in the respective classification. There is no automatic progression from one level to another.

7. Terms and conditions of employment applying to the classification of Medical Scientist Manager will be those applying to Hospital Scientists and Senior Hospital Scientists under the *Health Professional and Medical Salaries (State) Award 2019, the Hospital Scientists (State) Award 2019* and NSW Ministry of Health Policy Directives, as varied from time to time.

8. Salary increases payable to Hospital Scientists and Senior Hospital Scientists resulting from variations to the *Health Professional and Medical Salaries (State) Award 2019* shall also be applied to the rates of pay for the classification of Medical Scientist Manager.

G. Applicant:

1. Name:
NSW Ministry of Health

2. Capacity in which applicant applies:
Employer

3. Address:
1 Reserve Road
ST LEONARDS NSW 2065

4. Address for service.
As above

H. Respondents:
Health Services Union NSW

Level 2, 109 Pitt Street
SYDNEY NSW 2000

Australian Salaried Medical Officers Federation
Suite 46, Level 3
330 Wattle Street
ULTIMO NSW 2007

…….
Blake Robson
Workplace Relations Advisor

Filed: 16 December 2020

TO THE RESPONDENT(S):

Health Services Union NSW
Level 2, 109 Pitt Street
SYDNEY NSW 2000

Australian Salaried Medical Officers Federation
Suite 46, Level 3
330 Wattle Street
ULTIMO NSW 2007

IMPORTANT NOTICE:

(1) The respondents are required, under the Rules of the Industrial Relations Commission, to file a notice of appearance at the Industrial Registry within 7 days of service of this notice *(or as the case may be)* on you.

(2) If you do not enter an appearance, or if there is no attendance by you or your counsel, solicitor or agent at the time and place specified in this notice or as notified to you subsequently, the proceedings may be heard in your absence and an order may be made against you.

(3) Unless the time, place and date of hearing are endorsed on this application, the parties will be subsequently advised of the date time and place when the Commission will hear this application. Any enquiries should be made to the Industrial Relations Commission List Clerk, telephone (02) 4925 3953.

(Add, where necessary, form of Appointment for Hearing)

Schedule 1

1. Delete the following from Table 1 in PART B- MONERTARY RATES:

Hospital Scientists/Medical Technologists			
Chief Hospital Scientist			
If sole Hospital Scientist in a hospital or in-charge of other Hospital Scientists or trainees at Hospitals having an A.D.A. of occupied beds of:			
Chief Hospital Scientist <200 ADA			
1st Year	(per week)	2,207.13	2,262.31
2nd Year	(per week)	2,268.53	2,325.25
3rd Year	(per week)	2,345.50	2,404.14
If in-charge of other Hospital Scientists or trainees at hospitals having an A.D.A. of occupied beds of:			
Chief Hospital Scientist >200 ADA			
1st Year	(per week)	2,345.50	2,404.14
2nd Year (per week)	(per week)	2,416.85	2,477.27
3rd Year (per week)	(per week)	2,477.62	2,539.57

Allowances (Hospital Scientist)			
Fellowship of A.I.M.T. Allowance	(per week)		
Provided that where a Chief Hospital Scientist is the holder of a Fellowship of the Australian Institute of Medical Technology shall be paid an allowance of:		60.30	61.80
Senior Hospital Scientist (Senior Medical Technologist in-charge of section)			
1st Year	(per week)	1,872.78	1,919.60
2nd Year	(per week)	1,935.29	1,983.68
3rd Year	(per week)	1,989.22	2,038.96
Hospital Scientist (Medical Technologist)			
1st Year	(per week)	1,201.91	1,231.96
2nd Year	(per week)	1,246.81	1,277.98
3rd Year	(per week)	1,323.68	1,356.78
4th Year	(per week)	1,414.29	1,449.66
5th Year	(per week)	1,511.86	1,549.67
6th Year	(per week)	1,608.32	1,648.53
7th Year	(per week)	1,686.53	1,728.70
8th Year	(per week)	1,740.96	1,784.48
Hospital Scientist (Medical Technologist) - United Dental Hospital			
1st Year	(per week)	1,201.91	1,231.96
2nd Year	(per week)	1,246.81	1,277.98
3rd Year	(per week)	1,323.68	1,356.78
4th Year	(per week)	1,414.29	1,449.66
5th Year	(per week)	1,511.86	1,549.67
6th Year	(per week)	1,608.32	1,648.53
7th Year	(per week)	1,686.53	1,728.70
8th Year	(per week)	1,740.96	1,784.48
Hospital Scientist (Scientific Officer)			
1st Year	(per week)	1,872.78	1,231.96
2nd Year	(per week)	1,935.29	1,277.98
3rd Year	(per week)	1,989.22	1,356.78
4th Year	(per week)	2,207.13	1,449.66
5th Year	(per week)	2,268.53	1,549.67
6th Year	(per week)	2,345.50	1,648.53
7th Year	(per week)	2,416.85	1,728.70
8th Year	(per week)	2,477.62	1,784.48
Senior or Chief Hospital Scientist (Senior Scientific Officer)			
1st Year	(per week)	1,872.78	1,919.60
2nd Year	(per week)	1,935.29	1,983.68
3rd Year	(per week)	1,989.22	2,038.96
4th Year	(per week)	2,207.13	2,262.31
5th Year	(per week)	2,268.53	2,325.25

6th Year	(per week)	2,345.50	2,404.14
7th Year	(per week)	2,416.85	2,477.27
8th Year	(per week)	2,477.62	2,539.57
Allowances			
Provided that a Senior Hospital Scientist shall not progress beyond the salary prescribed for the third year of the scale unless such officer holds a post-graduate degree in Science at least equivalent to the degree of Master of Science of an approved university or has been admitted as a Member of the Australian Association of Clinical Biochemists or holds such qualifications as are deemed equivalent.			
Provided further that any Senior Hospital Scientist in receipt of the fourth year of service rate and above or Principal Hospital Scientist who holds the degree of Master of Science or is a Fellow of the Australian Institute of Medical Laboratory Scientists or holds appropriate equivalent qualifications shall be paid the following allowance:			
Senior/Principal H.S. Master of Science	(per week)	64.20	65.80
Principal Hospital Scientist (Principal Scientific Officer)			
1st Year	(per week)	2,654.44	2,720.80
2nd Year	(per week)	2,720.65	2,788.68
3rd Year	(per week)	2,793.94	2,863.79
4th Year	(per week)	2,860.46	2,931.98
5th Year	(per week)	2,929.86	3,003.11
6th Year	(per week)	2,998.33	3,073.30
7th Year	(per week)	3,067.52	3,144.21
8th Year	(per week)	3,137.72	3,216.16
9th Year	(per week)	3,205.79	3,285.94
10th Year	(per week)	3,276.72	3,358.65
Provided that a Principal Hospital Scientist shall not progress beyond the salary prescribed for the fourth year of the scale unless such officer holds a post-graduate degree in Science at least equivalent to the Degree of Doctor of Philosophy of an approved university or has been admitted as a Fellow of the Australian Association of Clinical Biochemists, or holds such qualifications as are deemed equivalent.			
Trainee Hospital Scientist			
1st Year	(per week)	650.15	666.40
2nd Year	(per week)	703.35	720.93
3rd Year	(per week)	809.14	829.37
4th Year	(per week)	927.31	950.50
5th Year	(per week)	1,043.24	1,069.32
6th Year	(per week)	1,149.01	1,177.75
The Commencing salary of the Trainee Hospital Scientist who on appointment has completed part of a degree course shall be fixed having regard to that part of the course that has been successfully completed. Provided that each year of full-time or part-time study for an appropriate degree combined with employment as a Trainee Hospital Scientist shall be considered for salary purposes as the equivalent of one year's service in the Trainee Hospital Scientist scale.			
Senior Hospital Scientist In-Charge of Section			
1st Year	(per week)	1,872.78	1,919.60
2nd Year	(per week)	1,935.29	1,983.68
3rd Year	(per week)	1,989.22	2,038.96
Senior Or Chief Hospital Scientist In-Charge Of Lab			
Less than 200 ADA			
1st Year	(per week)	2,207.13	2,262.31
2nd Year	(per week)	2,268.53	2,325.25
3rd Year	(per week)	2,345.50	2,404.14
More than 200 ADA			
1st Year	(per week)	2,345.50	2,404.14
2nd Year	(per week)	2,416.85	2,477.27
3rd Year	(per week)	2,477.62	2,539.57
Transferred Hospital Scientist (Scientific Officer) - Oliver Lathan Laboratory			
5th Year	(per week)	1,511.86	1,549.67
6th Year	(per week)	1,608.32	1,648.53
7th Year	(per week)	1,686.53	1,728.70
8th Year and Thereafter	(per week)	1,740.96	1,784.48
Transferred Senior or Chief Hospital Scientist (Senior Scientific Officer) - Oliver Latham Laboratory			

1st Year	97,719	100,162
2nd Year	100,981	103,506
3rd Year	103,795	106,390
4th Year	115,165	118,044
5th Year	118,369	121,328
6th Year	122,385	125,445
7th Year	126,108	129,261
8th Year and Thereafter	129,279	132,511

Transferred Hospital Scientist (Scientific Officer) - I.C.P.M.R.			
8th Year	(per week)	1,740.96	1,784.48
Transferred Senior Hospital Scientist (Senior Scientific Officer) - I.C.P.M.R.			
1st Year	(per week)	1,872.78	1,919.60
2nd Year	(per week)	1,935.29	1,983.68
3rd Year	(per week)	1,989.22	2,038.96
4th Year	(per week)	2,207.13	2,262.31
5th Year	(per week)	2,268.53	2,325.25
6th Year	(per week)	2,345.50	2,404.14
7th Year	(per week)	2,416.85	2,477.27
8th Year and Thereafter	(per week)	2,477.62	2,539.57

2. Replace the deleted section with:

Medical Scientists/Medical Technologists			
1st Year	(per week)	1,201.91	1,231.96
2nd Year	(per week)	1,246.81	1,277.98
3rd Year	(per week)	1,323.68	1,356.78
4th Year	(per week)	1,414.29	1,449.66
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7th Year	(per week)	2,416.85	1,728.70
8th Year	(per week)	2,477.62	1,784.48
Senior Medical Scientist (Senior Scientific Officer)			
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2nd Year	(per week)	1,935.29	1,983.68
3rd Year	(per week)	1,989.22	2,038.96
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6th Year	(per week)	2,345.50	2,404.14
7th Year	(per week)	2,416.85	2,477.27
8th Year	(per week)	2,477.62	2,539.57
Allowances			

Provided that a Senior Medical Scientist shall not progress beyond the salary prescribed for the third year of the scale unless such officer holds a post-graduate degree in Science at least equivalent to the degree of Master of Science of an approved university or has been admitted as a Member of the Australian Association of Clinical Biochemists or holds such qualifications as are deemed equivalent.

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Provided that a Principal Scientist shall not progress beyond the salary prescribed for the fourth year of the scale unless such officer holds a post-graduate degree in Science at least equivalent to the Degree of Doctor of Philosophy of an approved university or has been admitted as a Fellow of the Australian Association of Clinical Biochemists, or holds such qualifications as are deemed equivalent.

Medical Scientist Manager		
Level 1		
	1st Year (per week)	1,919.60
	2nd Year (per week)	1,983.68
	3rd Year (per week)	2,038.96
Level 2		
	1st Year (per week)	2,089.93
	2nd Year (per week)	2,152.63
	3rd Year (per week)	2,206.45
Level 3		
	1st Year (per week)	2,404.14
	2nd Year (per week)	2,477.27
	3rd Year (per week)	2,539.57
Level 4		
	1st Year (per week)	2,666.55
	2nd Year (per week)	2,720.80
	3rd Year (per week)	2,788.68

Trainee Scientist		
1st Year (per week)	650.15	666.40
2nd Year (per week)	703.35	720.93
3rd Year (per week)	809.14	829.37
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The Commencing salary of the Trainee Scientist who on appointment has completed part of a degree course shall be fixed having regard to that part of the course that has been successfully completed.

Provided that each year of full-time or part-time study for an appropriate degree combined with employment as a Trainee Scientist shall be considered for salary purposes as the equivalent of one year's service in the Trainee Scientist scale.

Transferred Scientist (Scientific Officer) - Oliver Lathan Laboratory		
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8th Year and Thereafter	(per week)	2,477.62	2,539.57