

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

No. 2023/247724

HEALTH SERVICES UNION NSW

Applicant

**SECRETARY, MINISTRY OF HEALTH IN RESPECT OF NSW HEALTH PATHOLOGY AND
SYDNEY CHILDREN'S HOSPITALS NETWORK**

Respondent

RESPONDENT'S PROPOSED AWARD VARIATION

Pursuant to section 136(1)(b) and section 17 of the *Industrial Relations Act 1996* (NSW), the *Hospital Scientists (State) Award 2023 (Award)* is varied as follows:

1. The definition of "Hospital Scientist" in clause 1 of the Award is deleted and the following definition is substituted:

"Hospital Scientist" means an employee appointed as such who:

- (a) is regularly required to perform scientific work of a professional nature; and
- (b) holds a requisite science qualification.

2. The following definition is inserted in clause 1 of the Award:

"requisite science qualification" means a minimum of:

- (a) the Diploma in Medical Technology of the Australian Institute of Medical Technologists (before 1974); or
- (b) a relevant degree in science from an approved university or college of advanced education requiring a minimum of three years full-time study; or
- (c) such qualifications as the employer deems equivalent.

3. The following definition is inserted in clause 1 of the Award:

"scientific work of a professional nature" means work of a nature that requires the employee to apply their requisite science qualification to adequately discharge their duties. Without affecting this definition, scientific work of a professional nature includes some or all of the following:

- (a) conducting scientific research;
- (b) having responsibility for developing scientific procedures or methods and/or new technology or techniques;
- (c) using scientific knowledge to assess and analyse data and/or identify, diagnose and remediate issues arising in tests or investigations;
- (d) evaluating quality assurance systems and processes and addressing quality control performance issues

- (e) training and verifying competencies of other employees in the principles underlying scientific procedures;
- (f) any further or other work determined by a Credentials Committee (as defined in clause 3(iv)) constituted for that purpose.

Note: no employee classified as a Trainee Hospital Scientist, Hospital Scientist, Senior Hospital Scientist, Senior or Chief Hospital Scientist or Principal Hospital Scientist, or under the Award as at the date of this variation will be reclassified by reason of this variation.