

ACT EBA update: Health Professionals

Dear Member,

As previously reported bargaining has been going reasonably well for the *ACT Public Sector Health Professionals Enterprise Agreement*.

Attached is our log of claims (Attachment A) that has been developed from the input of members.

At this stage we have achieved the following improvements in the Agreement:

1. Retention of EBA Allowances that affect Medical Imaging, Pathology and Sonography. These allowances will no longer be reviewable and will be included as part of salary.
2. Including Attraction and Retention Incentives (ARIs) into the Agreement;
3. Eight hour break after recall and a fatigue provision included into the Recall to Duty clause of the Agreement (Attachment B);
4. Payment of overtime and on call at the clinicians substantive rate when employees are performing their usual clinical role. In addition, the removal of the words 'exceptional circumstances' for the approval of overtime (Attachment C);
5. Medical Imaging Classification structure, including allowance (Attachment D);
6. Perfusionists Classification structure, including ARIn (Attachment E);
7. Classification review of the Health Professional Classification structure, as well as these new classification structures (clause still subject to negotiation).

In addition, ACT Health has agreed to a claim for a Professional Development Allowance that was sought by another bargaining representative but supported by all reps (Attachment F).

The HSU and other bargaining representatives have also sought an increase to night shift penalties. However, ACT Health has refused this claim and has only offered to continue the payment of the 30% night shift penalty in circumstances where the Directorate breaks continuity by temporary shift changes (Attachment G).

Meetings of members are being arranged to report to members the outcomes of bargaining for Health Professionals and to obtain your feedback/comments. Please find attached the schedule of meetings for TCH for Friday 5 October 2018. If you would like to organise a meeting in your area please contact HSU Industrial Officer, Julie Gordon on julie.gordon@hsu.asn.au.

In unity,



Gerard Hayes
Secretary, HSU NSW/ACT/QLD

HSU Health Professional EBA meetings – *The Canberra Hospital*
Friday 5 October 2018

10 - 10:20am	Radiation Therapists	C1
10:20 - 10:40am	Radiation Therapists	C1
12:30 - 1pm	Medical Imaging	ACTH-TCH-CR1(B2L3-25s-EWB-Sc)
1:15pm - 2pm	Pathology	Level 3 Conference room, Building 10



**ACT Government – Health Professionals
Enterprise Agreement Negotiations 2017
Log of Claims
“Without Prejudice”**

The proposed Agreement will contain all legally allowed conditions in the existing Agreement (except where varied by this claim), as well as those mandated by the Fair Work Act 2009.

- **Health Professional On-Call Allowance:** Removal of HP3.3 cap for HPs working as clinicians at the HP4 and HP5 level.
- **Roll all SEAS / ARIns into salary.**
- **Radiation Therapists:** Alignment of salaries with NSW Award.
- **ACT Pathology:** Non-management career progression path.
- **Perfusionists:** To be separated into their own classification structure.
- **Psychologists:** To be separated into their own classification structure.
- **Uniforms:** Provision of uniforms.
- **Retention of free parking.**
- **Update clauses necessary for Fair Work certification.**

Rights Reserved: The Health Services Union reserves its right to add, remove or change its log of claims based upon the negotiations and matters raised by the ACT Government or Calvary Health Care.

NOTE: The Health Services Union NSW/ACT will provide draft clauses (where required) to support these claims during the negotiations.

Draft – Without Prejudice

20180814

Redrafting of HPEA Clause C16**C.16 REST RELIEF FOR ON-CALL OR CLOSE CALL SITUATIONS**

- C16.1 Where an employee who had been placed in an on-call or close call situation under clause C14 or clause C15 is recalled to duty, the employee ~~must, other than in exceptional circumstances, is entitled to be absent from duty, without loss of pay until they have, from the time they ceased duty, been off duty for a continuous period of~~ be given a genuine opportunity for having eight ~~continuous hours rest in the twenty four hour period where there is a recall to duty.~~
- C16.2 In addition to the eight hours rest relief, the employee must be allowed reasonable time to travel to and from the employee's place of work.
- C16.3 In exceptional circumstances, if an employee is required by the head of service to resume or continue ordinary work time without having the rest relief as set out in subclause C16.1, plus reasonable travelling time, the employee must:
- be paid an additional single time at the employee's ordinary hourly rate of pay until the employee is released from duty for that period; and
 - the employee will then be entitled to be absent until the employee has had eight consecutive hours off duty plus reasonable travelling time, without loss of pay for any ordinary working time occurring during that absence.
- C16.4 ~~Irrespective of any entitlement an employee may or may not have under this clause, an employee should not be required to resume duty or continue duty particularly where, if due to work already performed, the employee is fatigued such that they may be unable to function in an effective, efficient and safe manner. No loss of pay will occur as a consequence of any rostered duty not performed as a result of this clause.~~
- C16.5 There is a need for appropriate roster management processes to enable the effective implementation of subclause C16.1.

Draft – Without Prejudice

20180814

ACT Health redrafting of HPEA Clause Q11Running Sheet Item 8**Q.11 ON CALL AND OVERTIME ARRANGEMENTS**

Q11.1 Clause Q11 only applies to staff classified as Health Professionals.

Q11.2 In accordance with subclauses C9.5 and C14.3, the head of service may approve the payment of on-call and overtime to employees at or above the HP4 level where exceptional circumstances exist.

Q11.3 The head of service may also approve overtime payments calculated on the employee's base rate of pay in such circumstances, but only for those staff that are performing overtime in their usual clinical role.

Q11.4 Where overtime is approved for work other than their usual clinical role, including where they were participating in a clinical roster which would normally be filled at a lower level, the employee will only be eligible for payment in accordance with C9.6.

Q11.5 Any such approval must be granted on a case by case basis.

Further Redraft (20180814, following discussions on 20180802)

Q11.1 Clause Q11 only applies to staff classified as Health Professionals.

Q11.2 In accordance with subclauses C9.5 and C14.3, the head of service may approve the payment of on-call and overtime to employees above the HP3 level.

Q11.3 Where staff are on-call and/or performing overtime in their usual clinical role, the employee will be eligible for payments calculated on the employee's base rate of pay.

Q11.4 Where on-call or overtime is approved for work other than their usual clinical role, including where they were participating in a clinical roster which would normally be filled at a lower level, the employee will only be eligible for payment in accordance with C9.6.

Q11.5 Any such approval must be granted on a case by case basis.

Medical Imaging/Sonography			Current Allowances in EA		20180801	
	Current Base		Sonography	Medical Imaging	New Structure	
HP1.1	2 yr Qual	57,941			NA	
HP1.2	3 yr Qual	61,784			NA	
HP1.3	4 yr Qual	65,757	0	0	65,757	
HP1.4	5 yr Qual	70,197	0	0	70,197	
HP1.5	6 yr Qual	73,823	0	0	73,823	
HP2.1		61,784			NA	
HP2.2		65,757			NA	
HP2.3		70,197	0	0	70,197	
HP2.4		73,823	0	0	73,823	
HP2.5		75,913	0	0	75,913	
HP2.6		78,096	0	0	78,096	
HP2.7		80,141	0	0	80,141	
HP2.8		82,334	0	0	82,334	
HP2.9		84,816	0	0	84,816	
HP3.1		87,257		8,726	95,983	
HP3.2		89,343		8,934	98,277	
HP3.3		91,942		9,194	101,136	
HP3.4		94,749		9,475	104,224	Personal Upgrade N3
HP3.5		96,502		9,650	106,152	
HP4.1		100,462	9,819	10,046	110,508	
HP4.2		108,140	2,140	10,814	118,954	Note 1
HP5.1		118,319		5,916	124,235	
HP5.2		124,436		6,222	130,658	
HP5.3		133,197		6,660	139,857	
HP6		137,415		6,871	144,286	
Note 1: This rate does not apply to Sonographers						

Without prejudice

Perfusionists				20180801	
		Current Base	ARIns	New Structure	
HP1.1	2 yr Qual	57,941		NA	
HP1.2	3 yr Qual	61,784		NA	
HP1.3	4 yr Qual	65,757	0	NA	
HP1.4	5 yr Qual	70,197	0	NA	
HP1.5	6 yr Qual	73,823	0	NA	
HP2.1		61,784		NA	
HP2.2		65,757		NA	
HP2.3		70,197	0	NA	
HP2.4		73,823	0	NA	
HP2.5		75,913	0	NA	
HP2.6		78,096	0	NA	
HP2.7		80,141	0	NA	
HP2.8		82,334	0	NA	
HP2.9		84,816	0	NA	
HP3.1		87,257	8,057	95,314	
HP3.2		89,343	9,153	98,496	
HP3.3		91,942	9,298	101,240	
HP3.4		94,749		NA	Personal Upgrade N3
HP3.5		96,502		NA	
HP4.1		100,462	22,542	123,004	
HP4.2		108,140	17,957	126,097	
HP5.1		118,319		NA	
HP5.2		124,436	10,660	135,096	
HP5.3		133,197	5,269	138,466	
HP6		137,415	0	NA	
Note: Rates do not include the NSW increase of 1/7/2018 nor the proposed ACT increases to 1/7/2018					

N4 Professional Development Support

- N4.1 The head of service will grant funding to an employee to undertake professional development training and educational activities subject to meeting the following criteria:
- (a) the application is deemed relevant to the employee's field of practice by the relevant profession lead;
 - (b) operational requirements permit the absence of the employee;
 - (c) the training or educational activities to be funded are relevant to the employee's professional development and the achievement of objectives as set out in the employee's performance agreement;
 - (d) the employee's mandatory training is up to date or will be at the time the professional development is to be undertaken;
 - (e) funding can be granted for the purposes relevant to both the employee and the Directorate, at the discretion of the employee, within or outside Australia, subject to approval by the head of service; and
 - (f) for any year, the support granted does not exceed the equivalent of a percentage of the employee's base salary, namely 1% until 30 June 2019, 1.5% until 30 June 2020, and 2% thereafter, including all professional development time provided or to be provided in-house within the current year as agreed with the Health Professional.
- N4.2 Applications involving overseas travel must be submitted for approval to the head of service.

Draft – Without Prejudice

ACT Health redrafting of HPEA Clauses

C8 PAYMENT FOR SHIFT WORKERS

C8.2 An employee who is a shift worker and who is required to work ordinary hours continuously for a period exceeding four weeks on a shift falling wholly within the hours of 6:00 pm and 8:00 am, will be paid an additional 30% of the ordinary hourly rate of pay for that shift. Temporary shift changes at the initiative of the Directorate will not break continuity for eligibility purposes for the 30% penalty rate.