

Campaign update #33 public sector mental health enterprise agreement

31 October 2016

Comprehensive wage rate information and next steps

Historic public mental health agreement (includes Forensicare EBA)

After 125 days of protected industrial action and 44 negotiation meetings between ANMF, DHHS, HACSU and VHIA a statewide mental health members meeting unanimously endorsed the proposed public sector mental health EBA settlement on 21 September 2016. **ANMF protected industrial action ceased with the in principle agreement.**

Following a further negotiation meeting in relation to the Forensicare EBA, Forensicare members met with ANMF officials on Friday 21 October and also endorsed the proposed agreement.

Members should be proud of the significant achievements, including:

- agreement on an additional 128.8 eft of which 125.8 eft are allocated as nursing positions (to directly assist with workload problems in bed-based services) including 17.8 for Thomas Embling Hospital (to provide clinical support and assist with early intervention and de-escalation measures). These additional nursing positions are as a result of claims that only the ANMF proposed for improvements within all areas of adult acute units (HDU and non-HDU) and specialist mental health units such as perinatal bed-based units, as well as aged acute and aged residential services. ANMF members' commitment to this outcome reflects the importance of having transparent and consistent levels of nursing care for people admitted to mental health services in the same manner as the general hospital — **another step towards removing some of the historical barriers for people with mental illness accessing specialist nursing care**
- an agreed Community Workload Management System (CWMS) that will provide fair and transparent industrial mechanisms for nurses and allied health practitioners working in community mental health services
- a process for discussions and review of the discipline mix within community services either initiated by the ANMF or when statewide nursing levels in community services fall to 64% (in this instance the Department of Health and Human Services would be directly involved)
- improved OHS provisions that include the mechanisms within the *ANMF 10 Point Plan* as well as new provisions for additional rest breaks and transport when working double shifts
- insertion of the long awaited (nurse unit manager) clause into the mental health agreements
- removal of the industrial restriction for mental health nurse practitioners' access to paid overtime, penalties and other allowances
- improved nursing terms and conditions consistent with those achieved by ANMF members working in the general public sector
- pay parity with your nursing and midwifery colleagues in the general public sector. View rates here: <https://goo.gl/jb9OOR>

The negotiations are far more complex than those in the general public sector due to the additional parties involved and the additional classifications of workers covered by the agreement.

Thank you to all members who participated in your campaign, whether that was via protected industrial action, writing to Victoria's Mental Health Minister Martin Foley, signing the petition, supporting on social media and wearing the red T-shirt everywhere including the supermarket to increase community awareness. Thank you also for your patience during a lengthy and very frustrating process at times.

View the new wage rates: <https://goo.gl/jb9OOR>

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What happens next?

1. An intensive legal process is now underway between ANMF, the Victorian Government and HACSU to redraft the mental health agreements. The agreements have a significant number of changes and this legal process needs to be thorough. ANMF will be working hard with the parties to ensure this process is as quick and efficient as possible.
2. The final documents will go to the Victorian Cabinet for approval.
3. The final proposed agreements will go to a ballot of all public mental health employees covered by the agreements. Your employer will be required to provide you with a copy of your proposed agreement and a summary of key changes seven days prior to the opening of the ballot.
4. If a ballot of employees approves the proposed agreement it will go to the Fair Work Commission for approval.
5. The agreement becomes legally enforceable seven days after the Fair Work Commission's approval.
6. Following a positive vote for the agreement, wages increases and the one-off good faith payment will flow.

When will pay rises start?

See the process above.

What about backpay?

Given the lengthy delays in negotiations, mental health nurses will receive a one off good faith payment based on 1.5 per cent total remuneration including salary and allowances as at the commencement of this agreement. The timing of this is unknown at this stage of the process as it relies on the completion of the steps above.