



View this EBA 2025
campaign update

ANMF makes protected industrial action ballot orders application

Status of negotiations

Despite ANMF willingness to resume bargaining meetings from the week commencing 6 January, this was not agreed to by the other parties. As a result, formal bargaining did not resume until Tuesday 14 January. Bargaining meetings are scheduled to occur weekly with all parties agreeing to extend the meeting time to close to a full day. ANMF remains available to meet more regularly to expediate negotiations for a new EBA.

All parties continue to work through priority member claims including the inclusion of staffing profiles, improved allowances and community mental health claims. We are yet to receive a revised formal offer.

Single Interest Authorisation application

On 17 January 2025, the Fair Work Commission (FWC) approved an application for a 'single interest' authorisation.

This is important as the new Victorian public sector mental health agreement will apply to 19 separate legal employer entities, and without FWC authorisation, we would have to negotiate with each individual employer to seek, effectively, 19 new EBAs. It was also important to have this application approved prior to ANMF being able to lodge an application for protected industrial action.

These 19 entities are listed below.

ANMF application for protected industrial action ballot orders

ANMF yesterday (Tuesday 28 January) made an application to the Fair Work Commission for protected industrial action ballot orders for all 19 public mental health employers.



The application is in line with the resolution that members passed at the statewide meeting on 4 December 2024 (read via anmfvic.asn.au/mhresolution).



ANMF rejected the Allan Government's inadequate 17 December offer (details are in EBA update #4 via anmfvic.asn.au/mhupdate4 or see summary below).

We advised the employers' representative, the Victorian Hospitals' Industrial Association (VHIA) and the Department of Health that ANMF would apply for a protected industrial action ballot if an acceptable revised offer was not received by Wednesday 22 January. We have not received a revised offer.

If the protected industrial action ballot is successful, members will have the option of taking a range of protected industrial actions at a future time.

It will be critical that all members vote in the ballot and that all members vote YES.

ANMF member engagement – workplace visits – members' meetings

ANMF (Vic Branch) will begin a series of visits to all public sector mental health workplaces from Monday 3 February. These workplace visits and members' meetings will provide members with an opportunity to discuss the upcoming protected industrial action ballot.

Members will receive meeting notices or text messages with more details.

How does a protected industrial action ballot work?

The Fair Work Act requires members to pass two hurdles for a successful ballot:

1. **50 per cent plus one of the eligible members in each health network must vote**
2. **More than half of those who vote must vote YES.**

The electronic ballot will ask members to vote yes or no once to a list of industrial actions. You will not be voting to take industrial action; you will only be voting to have the option to take some or all of the actions at a later time to be determined by members.

It is essential members at each of the 19 health networks or smaller workplaces pass both ballot hurdles to be able to participate in any protected industrial action campaign.

Voting is confidential.

Who gets to vote?

Once the Fair Work Commission approves our application, ANMF will use the independent, FWC-approved ballot agent, VERO Voting, to conduct the electronic ballots.

Only ANMF members at each employer will be eligible to vote.

The Fair Work Commission will issue orders requiring each of the 19 employers covered by the EBA to provide a list of employees covered by the EBA to VERO.

Similarly, ANMF will provide VERO with a list of ANMF members employed by each of the 19 employers.

VERO must keep this information confidential and your employer does not have access to the list of ANMF members.

VERO will then undertake an analysis to determine who appears on both the employer list and the ANMF member list. Those who appear on both lists will be eligible to vote in the ballot.

The vote will determine whether ANMF members can take legally protected industrial action in support of a replacement EBA.

ANMF will provide members with more detailed information, about how the ballot will work and when it will take place, once the Fair Work Commission approves our application.

Workplaces covered by the 2020-24 Victorian Public Mental Health Services Enterprise Agreement

Each employer listed below is a respondent to the *2020-24 Victorian Public Mental Health Services Enterprise Agreement* expired on 31 December 2024. There will be a separate ballot of members at each employer.

- Albury Wodonga Health
- Alfred Health
- Austin Health
- Barwon Health
- Bendigo Health
- Eastern Health
- Goulburn Valley Health
- Grampians Health
- Latrobe Regional Health
- Melbourne Health
- Mercy Hospitals Victoria Ltd
- Mildura Base Hospital
- Monash Health
- Northern Health
- Peninsula Health
- The Royal Children's Hospital
- St Vincent's Hospital (Melbourne) Limited
- South West Healthcare
- Western Health

URGENT: update your details to ensure you get to vote

If the ANMF and employer lists do not have matching correct details you will not get to vote with your ANMF member colleagues in support of a protected industrial action campaign.

Only those ANMF members who appear on both lists will get to vote.

This can be tricky if, for example, your ANMF membership is under your married name, and your employer records are under your pre-married name. This is why it is critically important that you login to the member portal (members.anmfvic.asn.au) to check the contact details we have on file, and update them if required.

Equally as important is to then ensure that your employer has the same correct details.

The details that must match include:

- **surname, first name, middle name**
- **date of birth**
- **work email, private email**
- **mobile, postal address**
- **if you work for more than one public sector employer (if you do you are entitled to a vote for each employer).**

The more ANMF members who participate, the more likely we will achieve a better outcome.

What was the Victorian Government's offer

Below is a summary of the Victorian Government's offer that ANMF rejected on 18 December 2024. This offer was detailed in EBA update #4 **and included:**

- Wages and Allowances – RN and EN – providing a 28.4% uplift (compounded) from the current rates across the life of the agreement.
- First Full Pay Period On Or After (FFPPOA) 1 January 2025 – 3.0%
- FFPPOA – 16 January 2025 – 1.86% Equity Uplift
- FFPPOA 30 November 2025 – 3.0%
- FFPPOA 16 June 2026 1.22% Equity Uplift
- FFPPOA 30 November 2026 3.0%
- FFPPOA 16 June 2027 1.20% Equity Uplift
- FFPPOA 30 November 2027 3.0%
- FFPPOA 15 June 2028 9.64% Equity Uplift

The wages and allowances for non nurses was:

- FFPPOA 1 January 2025 – 3 per cent
- FFPPOA 1 January 2026 - 3 per cent
- FFPPOA 1 January 2027 – 3 per cent
- FFPPOA 1 January 2028 – 3 per cent

Lump sum payment - \$6232 per FTE to be distributed as agreed between parties. (non nurses).

The offer also included a few agreed non-cost items:

1. Additional classifications added to section two including RUSONs, pre-qualified enrolled nurse, Indigenous nursing cadet
2. Changes to various definitions
3. Gender neutral language to be used throughout the agreement
4. Improved anti-discrimination clause to reflect gender diversity, expanding protected attributes to include intersex status
5. Improved consultation clause, to include temporary or urgent change in the definition of major change
6. Improved consultation about rostered hours of work, including additional detail about information the employer must provide
7. Confirmation that first attempt at resolving collective disputes must be at the local level
8. Further limitations on fixed term and maximum term contracts aligned to the General Nurses outcome
9. Elaboration of business grounds available to refuse extension of unpaid parental leave and requirement this be in writing along with alternative extension options and, information about the right to dispute a refusal
10. Confirmation of the right to seek additional paid work with the employer while on parental leave
11. Ability to access long service leave in days
12. Strengthening hours of work provisions to enable ADOs to be taken on dates requested
13. Other items to implement changes to the *Fair Work Act 2009*.

70 mental health nurses' claims not included in the offer

These include parity claims with the general public sector and mental health specific claims:

1. Qualification allowance to increase and provision amended to improve and streamline application, to align with general nurses EBA outcome.
2. Expansion of the change-of-roster allowance to be paid when the 28-day roster is not posted 28 days in advance and amendments to the provision to align with general nurses and midwives EBA outcome, consistent with the general nurses EBA outcome
3. Increase to night shift allowances, consistent with the general nurses EBA outcome
4. Introduce a clause for permanent night shift and associated entitlements to align with general nurses and midwives EBA outcome.
5. Amendments to the annual leave provision (including annual leave loading to be applied to five weeks annual leave entitlement), to align with general nurses and midwives EBA outcome.
6. An increase in the number of single-day absences without evidence per year (from three to five) and the occasions that a statutory declaration can be used (from three to five), consistent with the general nurses EBA outcome.
7. Improved parental leave provision, including the removal of qualifying period, consistent with the general nurses EBA outcome.
8. Improved transition-to-retirement provision, consistent with the general nurses EBA outcome.

9. Improved ceremonial leave for Aboriginal and Torres Strait Islander nurses, including recognition and support for Aboriginal and Torres Strait Islander peoples' periods of mourning.
10. Introduce foster and kinship care clause, including paid leave.
11. Weekend casual rate to be to be standardised at 187.5%.
12. Introduce redeployment (change-of-ward/unit) allowance.
13. A minimum 47-hour break following night shifts before returning to work for an AM/PM shift.
14. Improved overtime provision to align with general nurses and midwives EBA outcome.
15. Improved entitlements when working away from home to align with general nurses and midwives EBA outcome.
16. Portability of service when relocating from interstate public health sector to Victorian public health sector.
17. Ability to access a minimum of two consecutive days off a week for employees working above 0.8 EFT.
18. Simplify application of four clear days off provision by introducing an allowance to align with the general nurses and midwives EBA.
19. Amended public holiday clause to expressly refer to Easter Sunday and Grand Final Eve. Update to 'Kings' Birthday.
20. Improved definitions within the agreement, including:
 - a. consultation and roster consultation clauses
 - b. managing conduct and performance
 - c. immediate family
 - d. adoption
 - e. a year of service
 - f. a year of experience
 - g. normal weekly hours of work (LSL).
21. Superannuation to be paid during workers compensation, defence leave, jury duty and no safe job leave (whether paid or not paid).
22. Amendments to family violence leave provision to align with general nurses and midwives EBA outcome, including to be paid as if at work and extend paid entitlement to casual employees.
23. Payment of disaster leave to apply per disaster 'occasion' rather than 'per year'.
24. Telephone allowance to be rolled into on-call allowance.
25. Positive obligation on the employer to recover overpayment to salary packaging.
26. Employers to cover the cost of employer-required checks to align with general nurses and midwives EBA outcome.
27. Amendments to improve access to long service leave and annual leave records.
28. Introduce a new right-to-disconnect clause.
29. Review and consolidate clauses dealing with vacancies and backfill.

30. Improved on-call and re-call provisions to align with general nurses and midwives EBA outcome.
31. Improved access to flexible working arrangements aligned with general nurses and midwives EBA outcome.
32. Pre-natal leave to be expanded to cover assisted reproduction appointments.
33. Amendments to letter-of-appointment provision and Schedule 8 to align with general nurses and midwives EBA outcome.
34. Improved provisions addressing occupational health and safety (OHS), equal opportunity and anti-discrimination, including:
 - a. New provisions to better facilitate return to work from illness or injury, particularly psychological injury.
 - b. Lists of Designated Work Groups (DWGs), Health and Safety Reps (HSRs), their training dates and vacancies will be provided to ANMF at set points in a year.
 - c. Provisions aimed at preventing and addressing gendered violence, focusing particularly on an agreed approach to prevent sexual harassment.
 - d. Greater access by ANMF to participate in the occupational violence and aggression (OVA) prevention and management committee, including to discuss specific workplace issues relating to OVA.
 - e. Audits of manual handling incidents to take place to inform whether manual handling training can be improved.
 - f. Amend accident make-up pay to reflect WorkCover-scheme determined pre-injury average weekly earnings. New WorkCover clause.
 - g. Improved anti-discrimination clause to reflect and respect diversity i.e. expanding protected attributes and intersex status.
 - h. Improved gender based standing committee clause i.e. gender equity activities to be a standing agenda item at local WIC.
35. Improved RUSON provision to align with general nurses and midwives EBA outcome, including RUSON rate to increase to 81.5% of the graduate rate.
36. Improved criteria and application process for CNS to align with general nurses and midwives EBA outcome.
37. Review and amend professional development and associated entitlements provision to align with general nursing and midwives EBA outcome, including improvements to accessing professional development and study leave.
38. Introduce new climate change clause that acknowledges climate change as a health issue to align with general nurses and midwives EBA outcome.
39. Establish a central building consultative committee to ensure consultation on construction and refurbishment.
40. Introduction of a personal leave pool.
41. Introduce research nurse classification structure.
42. Address pay anomaly for EN level 4 commencing as RNs to avoid disadvantage.
43. NUMs to translate to two-level structure with agreed definitions.
44. Introduction of a new yearly increment for nurse practitioners and updating classification descriptor.
45. Improved descriptor for director of nurses (DON).
46. Amend senior mental health nurse provision to reflect agreed changes to descriptor
47. Expanding the obligation to maintain a staffing profile based on EFT of nurses for all community mental health teams.
48. To transition to a minimum number of nurses working in each community mental team during the life of the agreement so that the community has access to mental health nurses
49. Minimum allocation of one (1) EFT of senior nurse (RPN 4) in each community mental health team to ensure ready access to discipline leads and specific expertise.
50. Community mental health team intake roles to be classified at RPN 4.
51. Review and amend existing community workload management system (CWMS) clause to provide for an improved mechanism to measure workload and facilitate allocation of time to complete organisational and practitioner development.
52. Review and amend crisis team workload management system (CTWMS) clause to reduce ambiguity around its practical application.
53. Re-introduce standalone community assessment and treatment teams (CATT) for all mental health services.
54. Provision that clearly sets out the minimum staffing profiles for all bed-based services including all inpatient units (MBU, CCU, SECU, PARC and TSU) in accordance with previously mapped and agreed staffing arrangements recorded in MOU/Deed as part of the agreed matters to be implemented alongside the making of the current 2020–2024 enterprise agreement. *Schedule or by Incorporation
55. HITH to be included in minimum staffing profiles provision to reflect status as a bed-based service.
56. Expansion of graduate support nurse at each health service across seven days for all acute inpatient units, following the successful pilot.
57. Each HDU to have an in charge rostered on each shift and paid an allowance for being in charge.
58. ANUMs on each unit to be supernumerary.
59. Include agreed nursing positions of the previously agreed 800 EFT outcome from signed MOU between the department, VHIA and unions arising out of the outcome for the current 2020–2024 enterprise agreement.
60. The appointment of a minimum of two mental health nurse practitioner (NP) positions in all mental health services (where they do not already exist) with special consideration to regional areas.
61. Consistent number of nursing staff rostered across all shifts for mother–baby units to ensure the delivery of safe and effective 24/7 care to consumers.
62. The expansion of the successful mental health HITH program to all services, as a discipline-specific model of care.
63. Amend meal breaks clause so that meal breaks are counted as time worked.
64. Introduce a fitness-for-work clause to align with general nurses and midwives EBA.
65. Amendments to the reasonable adjustments clause to align with improvements in general nurses and midwives EBA outcome.

66. Introduce new comprehensive 12-hour rosters clause to mitigate fatigue.
67. Portion of accrued personal leave entitlement to be paid out on retirement.
68. Increase to paid parental leave.
69. Increase entitlement to paid compassionate leave from four to seven days per occasion.
70. A nominal expiry date of 30 June 2028 to align more closely with the general nurses and midwives EBA.

Become an ANMF Job Rep

Job Reps are an important communication link between ANMF and its members in the workplace. During a campaign, Job Reps work with their Organiser to help distribute information like EBA updates, promote members' meetings and encourage participation.



Members can find their Job Reps on their ANMF (Vic Branch) member portal page via **members.anmfvic.asn.au**.

If you don't have at least two, consider nominating yourself.



To find out more about the Job Rep role and how to nominate scan the QR code or visit **anmfvic.asn.au/jobrep**.