

Changes to roster requirements

On Friday 16 December 2016, the Fair Work Commission approved the new Nurses and Midwives (Victorian Public Sector) (Single Interest Employers) Enterprise Agreement 2016-2020, and it became legally enforceable seven days later. The new EBA contains a number of significant new conditions and obligations and the ANMF has developed materials to assist members and managers to understand and comply with its requirements.

Changes to roster requirements

Ordinary hours of work (i.e. not overtime) for both full-time and part-time employees must be worked according to a roster of at least 28 days duration, posted at least 14 days before it comes into operation. The roster must set out:

- your daily ordinary working hours;
- starting and finishing times; and
- meal intervals.

With the new EBA, the roster must also:

- have a staffing and skill mix that complies with the *Safe Patient Care Act* if applicable to that ward or unit; and
- allocate a registered nurse/midwife to be in charge of each shift.

Fixed rosters

While many employees happily work shifts as rostered, or via a version of self-rostering or request rostering, many employees find this challenging from the perspective of family responsibilities for example.

Under the new EBA, where you can demonstrate a regular and systematic pattern of work, your employer cannot unreasonably refuse a written request to have your roster 'fixed'.

Regular and systematic pattern of work means working set days or shifts in a demonstrable pattern over the preceding six months (recognising that additional ordinary shifts may be worked around that fixed pattern), but does not include shifts worked because the employee who usually works them is on extended leave.

Unilateral changes to your rostering arrangements

Where your employer proposes to change your usual rostering arrangements on an ongoing basis, they must consult with you and other affected employees, and the ANMF (if requested) about the proposed change. Ad hoc changes are covered by the Change of Roster provisions.

Your employer must consider health and safety impacts including fatigue, provide any relevant information and invite you and other affected employees/ANMF to give our views about the impact of the proposed change (including any impact in relation to your family or caring responsibilities), and must give consideration to any views about the impact of the proposed change that is given by the affected employee/s or ANMF.