

Exam and professional development leave improvements

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.

Examination leave improvements

You are entitled to five days paid exam leave in any one year, with a day being your normal shift length. Exam leave is now available for major assessment tasks, take home exams and other methods of student assessment.

To be eligible for examination leave:

- you must be employed to work, on average, at least three shifts or 24 hours per week; and
- have been employed for at least eighteen (18) months by your current employer immediately prior to the taking of the examination leave; and
- the course of study must be relevant to advancement through the career structure and to employment at the establishment. Such a course of study would normally be undertaken in a tertiary institution.

Time of taking leave

Examination leave can be taken at a time (or times) as agreed between you and your employer. Your employer cannot unreasonably withhold approval for such leave.

Professional development leave improvements

Professional development leave (PDL) is now payable even if the event is not on a day that you would normally work.

Your employer will either:

- pay a day's PDL paid at the ordinary rate of pay; or
- provide time off in lieu on a mutually agreed day within 28 days. Where time off in lieu is not agreed or does not occur within 28 days, the employer must instead pay an additional day's ordinary pay; or
- provide an additional day's annual leave (which will not attract leave loading).

Nurse practitioners now have an additional 10 hours of PDL per annum, in addition to the five days paid PDL available to all employees (pro rata of the 5 days for part-time employees).

PDL is available only on application by you, and at your sole discretion. Your employer cannot require you to utilise your PDL for employer provided or required training.

An application for PDL will be approved unless there are exceptional circumstances that justify non-approval.

Your employer must notify you in writing within seven days whether the leave request is approved.