

EBA 2020. Fairer. Safer.

Securing a sustainable nursing and midwifery workforce for all Victorians.

2020 PUBLIC SECTOR ENTERPRISE AGREEMENT
nurses and midwives



EBA CAMPAIGN UPDATE 10

FRIDAY 10 JULY 2020

Two critical EBA steps to go

The ANMF and the Victorian Hospitals' Industrial Association, with the assistance of the Department of Health and Human Services, and their legal team are finalising the draft of the proposed Nurses and Midwives (Victorian Public Sector) (Single Interest Employers) Enterprise Agreement 2020-2024.

This involves translating into an amended version of the 2016 EBA all the changes explained to and endorsed by ANMF members at our April 16 meeting.

These agreed items are itemised in a 'Heads of Agreement'.

Before the Fair Work Commission can approve the proposed agreement, there are some critical steps that must take place:

1. **Single Interest Employer Authorisation** – the application for the Single Interest Employer Authorisation has been made to the Fair Work Commission. The first consideration of this application will be before Commissioner Katrina Harper-Greenwell on 17 July 2020. Once approved this enables a single enterprise agreement to cover nurses and midwives employed by the numerous employers that make up the Victorian public health sector.
2. **Employee approval process** – Employees who will be covered by the proposed Nurses and Midwives (Victorian Public Sector) (Single Interest Employers) Enterprise Agreement 2020-2024 must have access to the agreement, have an opportunity for it to be explained, and finally an opportunity to approve the agreement through a voting process.

The two steps above are normal steps that have taken place in many previous EBA rounds.

HSU to oppose Single Interest Employer Authorisation

The Health Services Union (HSU) agreed to the Heads of Agreement on 22 April 2020, and it was countersigned by the HSU Number 1 Branch on that date.

The HSU Number 2 Branch (commonly known as HACSU) has made an application to the Fair Work Commission for a Scope Order, basically challenging who will be covered by the proposed Nurses and Midwives (Victorian Public Sector) (Single Interest Employers) Enterprise Agreement 2020-2024.

HSU is now arguing that our Single Interest Employer Authorisation should not be made by the Fair Work Commission until its Scope

Does your ward/unit/small workplace have two Job Reps?

Workplaces with ANMF Job Reps get better outcomes. Nominate now anmfvic.asn.au/jobrep

Update your details.

So you get the information that's relevant to you. anmfvic.asn.au/memberportal



Order application is determined. The earliest hearing dates for that application are September 2020, and a decision will take a considerably longer period.

If we press ahead with the Single Interest Employer Authorisation, HSU say they will oppose the application.

Is HSU bargaining in good faith?

ANMF has formally raised concerns with HSU regarding whether they are bargaining in good faith, a requirement under the Fair Work Act. When we have the HSU signing off on the Heads of Agreement, and now opposing the conclusion of the EBA, we have reasonable grounds for concern. Nothing has changed in that interim period.

HSU argue that our proposed Nurses and Midwives (Victorian Public Sector) (Single Interest Employers) Enterprise Agreement 2020-2024 covers people it shouldn't cover, but when asked to identify an affected position they have either been unable or unwilling to do so.

What happens now?

ANMF will be pressing for the making of the Single Interest Employer Authorisation so that we can commence the finalisation of the agreement making process for the Nurses and Midwives Agreement.

This will also enable us to focus on concluding negotiations for members covered by the public sector mental health services and Forensic EBAs as well as our thousands of members in the private acute sector whose agreements expire later this year.

HSU through its HACSU Branch are intent upon frustrating the finalisation of an Agreement for tens of thousands of nurses and midwives, yet have not identified a single employee they say should be not be covered by the proposed agreement, the apparent basis for their Fair Work Commission proceedings.

ANMF will vigorously oppose any attempts to delay the approval process for the proposed Nurses and Midwives (Victorian Public Sector) (Single Interest Employers) Enterprise Agreement 2020-2024.

Please ensure that you keep up to date on these important developments. ANMF will notify members as further developments occur. Members not receiving the updates can resubscribe at anmfvic.asn.au/resubscribe