

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 15 FRIDAY 12 NOVEMBER 2021

EBA ballot expected in December

A ballot of all public sector nurses and midwives, to accept the 2020-24 Victorian public sector nurses and midwives enterprise agreement, is expected to be held in December.

Members endorsed the proposed agreement at a virtual statewide members meeting on 16 April 2020. The agreement is the result of ANMF's negotiations based on our members' log of claims developed from motions passed by Job Reps and HSRs at our annual delegates conferences, Branch Council and ANMF's identification of issues and solutions from our work resolving workplace disputes on behalf of members.

The agreement includes significant improvements to entitlements. Some are historic such as superannuation to be paid on the unpaid component of parental leave.

It also includes the final three pay rises of the 2016 eight-year-wages deal which lifted Victorian nurses and midwives to net pay parity with their NSW colleagues in 2019. Since then Victorian public sector pay rises have been higher than NSW.

The legal steps to finalise the agreement have been delayed because of a dispute over who was covered by the agreement. To ensure nurses and midwives were not negatively impacted by the delays, the Andrews Government authorised the administrative implementation of the EBA in June 2021. Nurses and midwives also had earlier access to the new parental leave entitlements for leave commencing after 1 April 2021.

This means public sector nurses and midwives have been able to access the benefits of the improved entitlements and conditions despite the agreement not having the final approval of the Fair Work Commission (FWC).

Potential timeline to ballot

3 November 2021: draft agreement finalised. Download the draft agreement via <https://anmfvic.asn.au/2020EBA> (pdf 2.6MB)

9 November 2021: employers issue the notice of employee representational rights (NERR). This is an administrative step required as part of the delays caused by the lengthy dispute over who should be covered by the new enterprise agreement. This dispute is now resolved.

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30 November 2021: employers will put the enterprise agreement out for the seven-day access period. ANMF will also provide members with a key summary document.

8 December 2021: an electronic ballot will start. ANMF will be recommending a YES vote.

If the majority of those who vote, vote YES then an application for approval will be made to the Fair Work Commission. If approved by the FWC, the agreement would become legally enforceable seven days later.

What are the improvements in the proposed 2020-24 enterprise agreement?

Improvements ANMF members achieved include:

1. Further wage rises of three per cent in December 2020, December 2021 and December 2022. ANMF negotiated the 2020-24 public sector nurses' and midwives' wage increases in 2016, resulting in an historic eight-year wage deal that elevated Victorian public sector nurses' and midwives' wages to net pay parity with your NSW counterparts.
2. From 1 July 2021 you can access your long service leave (pro-rata) at nine years' service (was 10 years), from 1 July 2022 this will be from eight years, and from 1 July 2023 from seven years of service.
3. From 1 July 2020, paid and unpaid parental leave will count as service and accrue long service leave. On FWC approval of the new EBA this will be backdated to parental leave after 1 November 2018 – but you will need to follow ANMF advice that will be issued as soon as the EBA is approved.
4. From 1 July 2022 part-time nurses and midwives can access a sixth week of annual leave if they work weekends.
5. From 1 July 2023 the Sunday night shift rate will increase for full- and part-time staff from \$89.90 (currently \$84.80) to \$154.60 as an incentive to fill the roster.
6. Improved parental leave from 10 weeks to 14 weeks for leave commencing on or after 1 April 2021. The qualifying period will reduce from 12 months to six months. Secondary carer leave pay to increase from one week to two weeks.

7. Superannuation payments will continue throughout all paid and unpaid parental leave.
8. Mandatory crib time (paid meal break) where you are regularly unable to take your meal breaks (including because you are not entitled to leave the ward for the meal break).
9. Improvements to post incident support for nurses and midwives involved in a violent or aggressive incident, including mandating the provision of information regarding worker's compensation claims and reporting to police.
10. Nursing and midwifery managers will receive OHS education and/or support in risk assessment, incident investigation and staff consultation.
11. A ban on ward amalgamations that result in an increased workload or patient risk without the agreement of ANMF.
12. A comprehensive structure to be developed to address classifications for advanced practice, liaison nurses/midwives and clinical coordinators, clinical nurse consultant descriptors and the three-level nurse and midwife unit manager structure.
13. Any requirements to continue to meet the clinical nurse/midwife specialist criteria must occur during rostered time.
14. Any education or training deemed compulsory or mandatory by the employer must occur within an employee's paid time. No deduction will be made to an employee's professional development leave for mandatory training.
15. Up to two weeks paid voluntary emergency management leave. Currently this leave is unpaid.
16. The introduction of three days special paid disaster leave due to an event such as flood or fire.
17. Rosters, including on-call rosters, must be posted 28 days in advance instead of 14 days. Currently nurses and midwives receive a \$34 allowance if their roster is changed without seven days' notice. This will now apply for eight to 14 days' notice, and doubles to \$68 if seven days' or less notice is given.
18. A lead apron allowance of \$8 per shift.

Further detail about improvements members achieved can be found in EBA update #8 (16 April 2020) via <https://bit.ly/3n5ckAT> and our frequently asked questions document (17 April 2020) via <https://bit.ly/3opomUW>

Note: nurse/ midwife patient ratios have not been a part of the enterprise agreement since they were enshrined in legislation in 2015. Two concurrent phases of ratio amendments are underway and will be fully implemented by 2023.

JOB REPS AND HSRs ARE ENCOURAGED TO DISPLAY THIS EBA UPDATE ON WORKPLACE NOTICEBOARDS