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Leading the way in mental health nursing reforms for all Victorians

PUBLIC SECTOR MENTAL HEALTH SERVICES  
VICTORIAN INSTITUTE OF FORENSIC MENTAL HEALTH



## EBA CAMPAIGN UPDATE 17

WEDNESDAY 13 OCTOBER 2021

# Public sector mental health nurses overwhelmingly endorse proposed Victorian mental health EBA offer

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### Bargaining meetings

Public sector mental health members overwhelmingly endorsed an improved Andrews Government EBA offer at a virtual statewide meeting on 11 October 2021.

The proposed agreement includes a 10.5 per cent wage increase over four years, plus a one-off 'nurse alignment' payment which will achieve pay parity with general public sector nurses and midwives given the delay in bargaining.

ANMF (Vic Branch) Assistant Secretary Maddy Harradence addressed the meeting and provided details of the improved offer achieved at negotiations on 5 October 2021. The statewide meeting was also attended by Branch Secretary Lisa Fitzpatrick and Assistant Secretary Paul Gilbert.

The improved offer includes 800 equivalent full time (EFT) of mental health staff and up to \$3 million of dedicated EFT for secure extended care units and aged units. Minimum staffing levels for bed-based services will be agreed and recorded within the first year of the agreement commencing operation.

Members had an opportunity to ask questions and seek clarification in relation to the improved offer.

The offer includes all the important wins from the general public sector nurses and midwives enterprise agreement negotiations including superannuation on both paid and unpaid components of parental leave, parental leave counting as service for long service leave purposes, earlier access to long service leave and improved access to the sixth week of annual leave for weekend workers.

A copy of the meeting's presentation is available <https://bit.ly/3lAqFEL>

Read the resolution passed by mental health members via <https://bit.ly/3DsiEbo>

ANMF believes the new offer addresses almost all significant member claims which will assist to retain mental health nurses and build workforce capacity so the sector can implement the Andrews Government's mental health reforms.

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### How did ANMF develop the log of claims

The development of the members' log of claims was based on reference to a combination of sources, including:

- adopting achievements secured by ANMF in the general nurses and midwives agreement 2020- 2024
- previous ANMF claims – not achieved
- member consultation including motions discussed with members and brought to ANMF Annual Delegates Conferences by mental health Job Reps and Health and Safety Reps
- workplace disputes
- ANMF's submission to the Royal Commission into Victoria's Mental Health System – July 2019
- the Royal Commission into Victoria's Mental Health System Interim report – November 2019
- incorporation of improvements from the Victorian Department of Health's workforce strengthening project

The final draft log of claims was endorsed by mental health Job Reps at the 2019 Annual Delegates Conference and endorsed by the ANMF (Vic Branch) Council.

It was subsequently tabled in a meeting with the Victorian Hospitals' Industrial Association and the Department of Health in May 2020 at the commencement of bargaining.

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### Increased wages and allowances

This updated offer includes a 10.5 per cent wage increase over a four-year agreement, plus the one-off nurse alignment payment.

The proposed wage increases are

1 July 2021 – 3% (the effect of the alignment payment is as if this increase applied from 1 December 2020)

1 July 2022 – 3%

1 July 2023 – 3%

1 July 2024 – 1.5%

The proposed agreement would expire December 2024 to ensure it stays aligned as close as possible with the general public sector nurses and midwives agreement which expires in April 2024.

See **ANMF's public sector mental health nurses'/ public sector general nurses' and midwives' wages comparison table** via <https://bit.ly/3mOxdyT>

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### 'Nurse alignment' payment

This further offer includes a one off 'nurse alignment' payment to be made at the start of the new agreement equivalent to three per cent dated back to 1 December 2020. This will be the same effect as a three per cent payment on your wages from 1 December 2020 to end of June 2021 and will be reflected in your leave entitlements and superannuation.

This payment will align mental health nurses' wages with those ANMF achieved in the general public sector nurses and midwives eight-year wages deal (2016-2024). A percentage increase is superior to a flat lump sum amount given the additional benefit that it is not only applied to your rate of pay but also to your other entitlements such as allowances and leave loading etc.

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### Community mental health

The new offer includes a provision regarding nurse for nurse replacement in community mental health teams. This important achievement will require an employer to replace existing nursing positions in community mental health teams when they become vacant. This may only be amended in specific circumstances, for example, the inability to recruit a nurse after a reasonable recruitment process or via the change process as per clause 18.

Improved backfill arrangements for leave absences, include:

- clarification and strengthening of existing process to replace staff in bed-based services; and
- a new provision for community mental health teams providing that when considering backfill employers will have regard to existing workload, team vacancies, and the availability of existing suitably trained employees, and will consult with team members and implement measure to mitigate any increase in workload if backfill is not provided.

A new Crisis Team Workload Management System (CTWMS) model for crisis teams (including ECATT, CATT, Triage or like service) will be introduced that protects non-clinical time for workers in these teams. The CTWMS will have a staggered introduction of:

- 1 January 2022 – 0.9 to 1 FTE: 2 days per month
- 1 January 2023 – 0.4 to 0.8 FTE: 1 day per month

The existing CWMS provision will continue to apply to employees working in community mental health teams with improvements to compliance and oversight from employers. Please note that integrated crisis teams will continue to use the original CWMS tool as per clause 49.

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### Additional staffing – memorandum of understanding

The new offer also includes a legally binding agreement for the following:

- 800 full time equivalent (FTE) to be implemented in the delivery of mental health services over the life of the enterprise agreement. Unions, including ANMF, will be consulted and engaged through the Victorian Department of Health's Mental Health Division in the delivery of the new positions.
- In the first 12 months of the enterprise agreement, the parties and the Department of Health will undertake work to map the staffing profiles in bed-based services. These will be recorded as a minimum staffing level for these services, subject to change through local agreements with the unions. These minimum profiles and change arrangements will be recorded in a memorandum of understanding between the department, the Victorian Hospitals' Industrial Association and both unions.
- Additional full-time equivalent staffing – up to a \$3 million – allocated to secure extended care units (SECU)/aged psychiatry staged over the life of the agreement.

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### Additional workforce measures

- A 10-day transition program for up to 550 enrolled nurses commencing in mental health allocated across the mental health services.
- Six graduate support nurses to be introduced as a trial between a metropolitan and rural health service to assess the benefit to the workforce. ANMF believes this will be an important measure to stem the high attrition rate amongst graduates and assist with retention. The Andrews Government has announced an additional 150 (EFT) graduate positions in 2022.

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### Additional improvements in the new offer:

- Loss of pregnancy under 20 weeks gestation will become a 'permissible' matter for the purpose of accessing compassionate leave for the primary and non-primary carer.
- Gender affirmation leave – up to 20 days paid leave for essential and necessary gender affirmation procedures (see clause 58 of the Victorian Public Service Enterprise Agreement 2020). Up to 48 weeks unpaid leave.
- The 'Advanced Diploma in Mental Health' to be recognised as a relevant qualification for enrolled nurses to access a four per cent qualification allowance (preservation of any employee receiving an amount above that level at the time the new agreement is made).
- Clarification of the circumstances in which health professionals are entitled to a higher duties allowance with the higher duties arrangement to be recorded in writing.
- Seven days a week (one shift per day) administrative staffing for acute inpatient services.

- All health professional and nursing weekend workers to access sixth week of annual leave. This will ensure part-time weekend workers have access to the sixth week of annual leave.
- Rename PSOs to 'mental health assistants'.
- A supplementary roster system will be introduced.
- An Alternative Dispute Resolution Panel will be introduced to address disputes relating to classifications, and by mutual agreement disputes regarding underpayment of wages. A similar dispute resolution was included in ANMF's enterprise agreement for public sector nurses and midwives.

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### Other improvements already agreed

Members who attended the September statewide meeting will be aware of the following improvements previously agreed:

1. Introduction of a Demand Escalation Policy requirement to address unexpected surges in workload.
2. An improved consultation provision.
3. Increased notice requirements for issuing a roster and changing a roster, including on-call requirements.
4. Access to six weeks annual leave for all nurses who are weekend workers.
5. Access to long service leave at seven years of service. There will be a staged introduction of this earlier benefit similar to the general public sector nurses and midwives agreement.
6. Periods of unpaid parental leave counting as service.
7. Increases in paid parental leave for primary and secondary carers.
8. Superannuation to continue to be paid through absences on parental leave, not just the paid component.
9. Confirmation when previous experience applies for an internationally-qualified nurses.
10. Provision ensuring employers cannot implement punitive performance improvement plans.
11. Provision to provide for the portability of P/CNS between employers.
12. Introduction of a clause outlining an agreed process to replace unplanned absences (in bed-based services).
13. Improved and renamed Discipline Clause i.e. managing conduct and performance.
14. Grade 4 Year 1 to receive uplift of \$450 to the amount of \$1950.00 to address the anomaly between Grade 3 Year 5 and Grade 4 Year 1.
15. Introduction of sole allowance provision for nurses comparable to allied health practitioners.
16. Increase to the existing rate for work performed on a Sunday night shift for full- and part-time employees.
17. A provision that provides that where an employer already has or introduces time keeping that utilises biometric technology, the employer will provide employees alternative forms to biometric timekeeping i.e. a swipe card.
18. Amendments to the payment of salaries provision to include additional matters on employee pay slips and employee records.
19. Introduced damaged clothing allowance for nurses.
20. Provision that includes the RPN 5 Clinical Nurse Consultant (CNC) classification descriptor in accordance with the agreed position description.
21. Ensuring that Consultation Liaison Nurses employed by public mental health services are not paid less than the applicable pay rates for that grade and classification under the Nurses and Midwives (Victorian Public Health Sector) (Single Interest Employers) Enterprise Agreement 2020- 2024.
22. Amended roster clause to require a roster in each ward/unit that accurately reflects the required staffing.
23. Clarification of rights of employees if employer seeks to terminate employment during the first six months of employment (qualifying period).
24. Amendments to the return to work clause to ensure injured workers can be represented by their union.
25. Provision that includes the newly formed position of community mental health engagement worker and descriptor in accordance with the agreed position description.
26. Provision to develop and introduce a nurse unit manager structure aligned to the general nurses and midwives enterprise agreement.
27. Provision to develop and introduce provisions for an advanced practice nursing structure.
28. Amendments to clause 92.4 high dependency units to reflect that staffing profiles in the HDU are met without detriment to low dependency units.
29. Provision that there will be a designated Mental Health Director of Nursing (DON) for each mental health service.
30. Provision to introduce up to one EFT Clinical Nurse Educator (RPN Grade 4) positions at each 6 mother baby units.
31. Improvements to back filling of leave provisions to reflect that planned absences will be backfilled.
32. Amended long service leave provision to provide a comprehensive and consistent entitlement for all nurses, including access to long service leave after seven years of continuous service and inclusion of casuals.
33. Amended roster clause to require a roster in each ward/unit that accurately reflects the required staffing and skill mix for the roster period.
34. Provision that all efforts must be made to fill vacancies in the roster with a nurse working the same hours as the rostered shift vacancy. Such efforts to be immediate, formally recorded in writing and available to the ANMF and employees.
35. Deviations from the published roster (other than one initiated by the employee) will attract the 'change of roster' allowance for each such variation.
36. Improved overtime and on-call/ recall provisions.
37. Amended meal breaks provision to ensure payment for meal breaks not taken.
38. Amended clauses to provide for overtime rates for casuals.

39. Amended ceremonial leave provision to provide for the substitution of a public holiday to enable attendance at NAIDOC events.
40. Introduced provision for paid defence service leave.
41. Introduced provision for voluntary emergency management leave.
42. Introduced provision for access to special paid disaster leave.
43. Amended personal leave provision to provide for improved portability of leave for casual employees who remain on casual bank/or as a casual employee with their previous employer.
44. Letter of appointment to be updated and re-issued when agreed changes have been made as per the provision in the general public sector nurses and midwives agreement.
45. Introduction of a training and assessment allowance to be paid where the employer requires the employee to hold a current Certificate IV TAE.
46. Amendments to the professional development leave provision to provide clarity that mandated training occurs in paid time, including for casuals
47. Clause to facilitate graduate nurses be provided with on-going employment.
48. Clause to facilitate postgraduate students to be provided with on-going employment
49. Amended Clause 93 workforce development to remove short-term employment restriction
50. Insertion of a nursing Indigenous health cadetship clause to support the funding of this successful employment model.
51. Insertion of a provision for RUSONs in mental health wards with an agreed position description.
52. Insertion of a provision for previously agreed Aboriginal Traineeship Deed
53. Increased funding for Department of Health scholarships for postgraduate study consistent with the Royal Commission into Victorian Mental Health System Interim Report.
54. Amended fixed term employment clause to limit the use of fixed term employment to genuine fixed term arrangements.
55. Amended OHS clause to ensure NUM/ANUM/supervisors to receive adequate training and support to undertake OHS incident investigations, conduct consultation with staff over OHS issues and undertake OHS risk assessments.
56. Added requirement to regularly provide ANMF with a copy of the DWG (designated work group) list, names of the health and safety reps, dates of election for HSRs, and dates that they have undertaken HSR training.
57. A four-year agreement with a nominal expiry date of 30 June 2024.
58. Introduced measures to address gender-based discrimination
59. Establishment of Best Practice Employment Commitment committee (BPEC)
60. Insertion of a Royal Commission Facilitative Clause – Royal Commission Working Group.

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## Next steps?

The resolution passed at the ANMF mental health members statewide meeting calls on all parties to meet to expedite the drafting, finalisation and implementation of this agreement.

Once all parties are agreed, ANMF will provide a further update, detailing the agreed claims and provide a frequently asked questions document for members prior to the proposed enterprise bargaining agreement going to a ballot of all public sector mental health employees covered by the Agreement. If endorsed, the agreement will go to the Fair Work Commission for approval (there is no timeframe on this process), and it will come into legal effect seven days later.

ANMF will be seeking that the improvements be implemented as soon as the drafting process is complete.

## Become a Job Rep

If you wish to nominate a colleague to be a Job Rep, or to be nominated yourself, please download the form via [anmfvic.asn.au/jobrep](https://anmfvic.asn.au/jobrep)

## Become an HSR

If you would like to become an HSR contact your ANMF Organiser via [records@anmfvic.asn.au](mailto:records@anmfvic.asn.au)

## Stay informed and involved

Members are encouraged to ensure ANMF has your correct workplace and contact details. You can update your details via [anmfvic.asn.au/memberportal](https://anmfvic.asn.au/memberportal)

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# ANMF Vic Branch Mental Health Bargaining October Wages offer - Comparison Table

CURRENT	2020		2021		2022		2023		Jul-24 To April 2024	
	MH	3.00% pub	3.00% MH	3.00% pub	3% MH	3.00% pub	3% MH	0.00% pub	1.5% MH	0.00% pub
re-entry (RPN 1)	\$ 1,188.40	\$ 1,224.10	\$ 1,224.05	\$ 1,260.80	\$ 1,260.77	\$ 1,298.60	\$ 1,298.60	\$ 1,298.60	\$ 1,318.08	\$ 1,298.60
RPN 2 Yr 1	\$ 1,255.30	\$ 1,293.00	\$ 1,292.96	\$ 1,331.80	\$ 1,331.75	\$ 1,371.80	\$ 1,371.80	\$ 1,371.80	\$ 1,392.28	\$ 1,371.80
RPN 2 Yr 2	\$ 1,322.20	\$ 1,361.90	\$ 1,361.87	\$ 1,402.80	\$ 1,402.72	\$ 1,444.90	\$ 1,444.90	\$ 1,444.90	\$ 1,466.48	\$ 1,444.90
RPN 2 Yr 3	\$ 1,394.00	\$ 1,435.80	\$ 1,435.82	\$ 1,478.90	\$ 1,478.89	\$ 1,523.30	\$ 1,523.30	\$ 1,523.30	\$ 1,546.11	\$ 1,523.30
RPN 2 Yr 4	\$ 1,465.30	\$ 1,509.30	\$ 1,509.26	\$ 1,554.60	\$ 1,554.54	\$ 1,601.20	\$ 1,601.20	\$ 1,601.20	\$ 1,625.19	\$ 1,601.20
RPN 2 Yr 5	\$ 1,534.80	\$ 1,580.80	\$ 1,580.84	\$ 1,628.20	\$ 1,628.27	\$ 1,677.00	\$ 1,677.00	\$ 1,677.00	\$ 1,702.27	\$ 1,677.00
RPN 2 Yr 6	\$ 1,613.20	\$ 1,661.60	\$ 1,661.60	\$ 1,711.40	\$ 1,711.44	\$ 1,762.70	\$ 1,762.70	\$ 1,762.70	\$ 1,789.23	\$ 1,762.70
RPN 2 Yr 7	\$ 1,678.50	\$ 1,728.90	\$ 1,728.86	\$ 1,780.80	\$ 1,780.72	\$ 1,834.20	\$ 1,834.20	\$ 1,834.20	\$ 1,861.65	\$ 1,834.20
RPN 2 Yr 8	\$ 1,746.70	\$ 1,799.10	\$ 1,799.10	\$ 1,853.10	\$ 1,853.07	\$ 1,908.70	\$ 1,908.70	\$ 1,908.70	\$ 1,937.30	\$ 1,908.70
PCNS & RPN 2 Advanced	\$ 1,750.00	\$ 1,802.50	\$ 1,802.50	\$ 1,856.60	\$ 1,856.58	\$ 1,912.30	\$ 1,912.30	\$ 1,912.30	\$ 1,940.96	\$ 1,912.30
RPN 3 Yr 1	\$ 1,800.00	\$ 1,854.00	\$ 1,854.00	\$ 1,909.60	\$ 1,909.62	\$ 1,966.90	\$ 1,966.90	\$ 1,966.90	\$ 1,996.41	\$ 1,966.90
RPN 3 Yr 2	\$ 1,880.20	\$ 1,936.60	\$ 1,936.61	\$ 1,994.70	\$ 1,994.70	\$ 2,054.50	\$ 2,054.50	\$ 2,054.50	\$ 2,085.36	\$ 2,054.50
RPN 3 Yr 3	\$ 1,943.40	\$ 2,001.70	\$ 2,001.70	\$ 2,061.80	\$ 2,061.75	\$ 2,123.70	\$ 2,123.70	\$ 2,123.70	\$ 2,155.46	\$ 2,123.70
RPN 3 Yr 4	\$ 1,900.00	\$ 1,957.00	\$ 1,957.00	\$ 2,015.70	\$ 2,015.71	\$ 2,076.20	\$ 2,076.20	\$ 2,076.20	\$ 2,107.32	\$ 2,076.20
RPN 3 Yr 5	\$ 2,000.00	\$ 2,060.00	\$ 2,060.00	\$ 2,121.80	\$ 2,121.80	\$ 2,185.50	\$ 2,185.50	\$ 2,185.50	\$ 2,218.24	\$ 2,185.50
NUM RPN 4 Y1	\$ 2,100.00	\$ 2,163.00	\$ 2,163.00	\$ 2,227.90	\$ 2,227.89	\$ 2,294.70	\$ 2,294.70	\$ 2,294.70	\$ 2,329.15	\$ 2,294.70
RPN 4 Yr 1	\$ 2,218.70	\$ 2,285.30	\$ 2,285.26	\$ 2,353.90	\$ 2,353.82	\$ 2,424.50	\$ 2,424.50	\$ 2,424.50	\$ 2,460.80	\$ 2,424.50
RPN 4 Yr 2	\$ 2,200.00	\$ 2,266.00	\$ 2,266.00	\$ 2,334.00	\$ 2,333.98	\$ 2,404.00	\$ 2,404.00	\$ 2,404.00	\$ 2,440.06	\$ 2,404.00
RPN 4 Yr 3	\$ 2,500.00	\$ 2,575.00	\$ 2,575.00	\$ 2,652.30	\$ 2,652.25	\$ 2,731.90	\$ 2,731.90	\$ 2,731.90	\$ 2,772.79	\$ 2,731.90
RPN 4 Yr 4	\$ 3,483.60	\$ 3,588.10	\$ 3,588.11	\$ 3,695.70	\$ 3,695.75	\$ 3,806.60	\$ 3,806.60	\$ 3,806.60	\$ 3,863.72	\$ 3,806.60
RPN 4 Yr 5	\$ 1,048.60	\$ 1,080.10	\$ 1,080.06	\$ 1,112.50	\$ 1,112.46	\$ 1,145.90	\$ 1,145.90	\$ 1,145.90	\$ 1,163.02	\$ 1,145.90
RPN 4 Yr 6	\$ 1,070.10	\$ 1,102.20	\$ 1,102.20	\$ 1,135.30	\$ 1,135.27	\$ 1,169.40	\$ 1,169.40	\$ 1,169.40	\$ 1,186.87	\$ 1,169.40
RPN 4 Yr 7	\$ 1,091.40	\$ 1,124.10	\$ 1,124.14	\$ 1,157.80	\$ 1,157.87	\$ 1,192.50	\$ 1,192.50	\$ 1,192.50	\$ 1,210.49	\$ 1,192.50
RPN 4 Yr 8	\$ 1,113.00	\$ 1,146.40	\$ 1,146.39	\$ 1,180.80	\$ 1,180.78	\$ 1,216.20	\$ 1,216.20	\$ 1,216.20	\$ 1,234.45	\$ 1,216.20
RPN 5 Yr 1	\$ 1,126.20	\$ 1,160.00	\$ 1,159.99	\$ 1,194.80	\$ 1,194.79	\$ 1,230.60	\$ 1,230.60	\$ 1,230.60	\$ 1,249.09	\$ 1,230.60
RPN 5 Yr 2	\$ 1,155.60	\$ 1,190.30	\$ 1,190.27	\$ 1,226.00	\$ 1,225.98	\$ 1,262.80	\$ 1,262.80	\$ 1,262.80	\$ 1,281.70	\$ 1,262.80
RPN 5 Yr 3	\$ 1,176.60	\$ 1,211.90	\$ 1,211.90	\$ 1,248.30	\$ 1,248.25	\$ 1,285.70	\$ 1,285.70	\$ 1,285.70	\$ 1,304.99	\$ 1,285.70
RPN 5 Yr 4	\$ 1,201.70	\$ 1,237.80	\$ 1,237.75	\$ 1,274.90	\$ 1,274.88	\$ 1,313.10	\$ 1,313.10	\$ 1,313.10	\$ 1,332.83	\$ 1,313.10
RPN 5 Yr 5	\$ 1,226.90	\$ 1,263.60	\$ 1,263.71	\$ 1,301.50	\$ 1,301.62	\$ 1,340.50	\$ 1,340.50	\$ 1,340.50	\$ 1,360.78	\$ 1,340.50
RPN 5 Yr 6	\$ 1,239.50	\$ 1,276.70	\$ 1,276.69	\$ 1,315.00	\$ 1,314.99	\$ 1,354.50	\$ 1,354.50	\$ 1,354.50	\$ 1,374.75	\$ 1,354.50
RPN 5 Yr 7	\$ 1,252.00	\$ 1,289.60	\$ 1,289.56	\$ 1,328.30	\$ 1,328.25	\$ 1,368.10	\$ 1,368.10	\$ 1,368.10	\$ 1,388.62	\$ 1,368.10
RPN 5 Yr 8	\$ 1,281.30	\$ 1,319.70	\$ 1,319.74	\$ 1,359.33	\$ 1,359.33	\$ 1,400.11	\$ 1,400.11	\$ 1,400.11	\$ 1,421.11	\$ 1,400.11
RPN 6 Yr 1	\$ 1,314.80	\$ 1,354.20	\$ 1,354.24	\$ 1,394.80	\$ 1,394.87	\$ 1,436.60	\$ 1,436.60	\$ 1,436.60	\$ 1,458.27	\$ 1,436.60
RPN 6 Yr 2	\$ 1,361.80	\$ 1,402.70	\$ 1,402.65	\$ 1,444.80	\$ 1,444.73	\$ 1,488.10	\$ 1,488.10	\$ 1,488.10	\$ 1,510.40	\$ 1,488.10
RPN 6 Yr 3	\$ 1,383.90	\$ 1,425.40	\$ 1,425.42	\$ 1,468.20	\$ 1,468.18	\$ 1,512.20	\$ 1,512.20	\$ 1,512.20	\$ 1,534.91	\$ 1,512.20
RPN 6 Yr 4	\$ 1,402.40	\$ 1,444.47	\$ 1,444.47	\$ 1,487.81	\$ 1,487.81	\$ 1,532.44	\$ 1,532.44	\$ 1,532.44	\$ 1,555.43	\$ 1,532.44
RPN 6 Yr 5	\$ 1,746.70	\$ 1,799.10	\$ 1,799.10	\$ 1,853.07	\$ 1,853.07	\$ 1,908.67	\$ 1,908.67	\$ 1,908.67	\$ 1,937.30	\$ 1,908.67