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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 12

MONDAY 15 FEBRUARY 2021

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Mental health EBA negotiations recommenced in 2021

As was foreshadowed in the last member update, EBA negotiation meetings with the employers' representative, the Victorian Hospitals' Industrial Association (VHIA), the Department of Health (formerly DHHS) and the Health and Community Services Union (HACSU) recommenced on 15 January 2021.

Meetings have been scheduled weekly on a Wednesday and Thursday, with the shared commitment from all parties to attempt to finalise the agreement as soon as possible. Former Fair Work Commissioner David Gregory continues to act as mediator in these discussions. Given the recent uptake in positive COVID-19 cases, these meetings have returned to an online format.

It is important to reiterate that existing conditions in the mental health agreement are not at risk and all the relevant improved outcomes achieved in the 2020-24 public sector nurses and midwives agreement are currently supported by VHIA and state government representatives.

Progress on members' EBA claims

ANMF remains resolutely committed to our claim for embedding mandatory minimum staffing levels into the agreement, for all bed-based services. Late on Friday 12 February, VHIA distributed staffing data based on their own health services member feedback. We are currently in the process of reviewing and comparing this data to the data ANMF provided to all bargaining parties on 12 October 2020.

Our members in community mental health teams will be aware of various ANMF claims aimed at improvements to nurse recruitment, replacement and skill mix in the community setting. We are the only union or representative at the table pushing for the introduction of a discipline mix for community mental health teams that would protect existing nurse positions and guarantee the gradual increase of nurses working in community teams. ANMF has a history of advancing the interest of mental health nurses in community teams, including in 2011 when we fought against the substitution and de-regulation of nurses in the 2012 enterprise

agreement. We will continue to insist that mental health nurses are replaced by nurses and that skill mix and distinction of roles is preserved within the multidisciplinary team.

On a positive note, ANMF is confident that claims relating to improved education for perinatal mental health services have been progressed. This is a critical enhancement for an area that has been highlighted through the Mental Health Royal Commission as requiring additional resources and was part of the ANMF submission to the royal commission.

ANMF has also provided EFT (equivalent full time) data in relation to high dependency unit (HDU)/low dependency unit (LDU) staffing as it relates to clause 92.4. Members would be aware that this important HDU staffing clause has at times caused angst when employers have seen fit to move LDU nurses to HDU in order to comply with this clause, leaving the LDU understaffed. VHIA has responded positively to this data and voiced a commitment to correct these imbalances through this bargaining process where they have been occurring.

Our claim for a designated mental health director of nursing for each health service has been progressed in recent meetings. ANMF is aware that many health services currently have a director of nursing (DON) for the mental health program however this role is sometimes merged with a senior psychiatric nurse position, given a mental health DON is not currently mandated.

Discussions and exchange of drafts for ANMF claims continue

ANMF continues to offer to meet with our fellow union counterparts about claims where we hold a shared view. We have worked positively on such claims such as: backfilling of leave absences, the Community Workload Management System and matters relating to LDU/HDU staffing.

HACSU industrial action

ANMF understands that HACSU continues its protected industrial action campaign.

ANMF respects the right for HACSU members to take protected industrial action. We remind ANMF members that they are not required to complete additional tasks or undertake any activities vacated by their HACSU colleagues, arising as a result of them engaging in protected industrial action.

Only HACSU members are legally entitled to take protected industrial action.

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Mental Health Royal Commission Final Report

Members would be aware that the final report was due to be handed down on 5 February 2021. The Government delayed the release given the rise in COVID cases numbers, in order to ensure it received due attention. We expect the report will be released in the coming weeks. It is likely of course that the report will contain recommendations with relevance to employment matters currently discussed in bargaining, and to that end all parties have discussed a facilitative royal commission clause to ensure that any improvements can be facilitated through the industrial agreement.

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Forensicare negotiations

Negotiations are not yet rescheduled for Forensicare. As was agreed, these discussions will resume after the finalisation of the mental health agreement given the number of common claims across both agreements.

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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

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Become an HSR

If you would like to become an HSR contact your ANMF Organiser via records@anmfvic.asn.au

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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

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