

# Proposed Nursing/Midwifery (South Australian Public Sector) Enterprise Agreement 2022

## FREQUENTLY ASKED QUESTIONS

### Why is there a ballot?

Following a number of enterprise bargaining meetings and negotiations with the Australian Nursing and Midwifery Foundation (SA Branch) (ANMF), an offer for a new *Nursing/Midwifery (South Australian Public Sector) Enterprise Agreement 2022* (proposed Agreement) was made on 12 October 2022.

The proposed Agreement will not come into effect unless there is acceptance by a majority of employees who vote during a ballot process, and the South Australia Employment Tribunal (SAET) has formally approved the enterprise agreement.

The *Fair Work Act 1994* (SA) (FW Act) provides that “*agreement of employees to be bound by a proposed enterprise agreement may be indicated by ballot*”. Where a ballot is conducted, employees are to be given a reasonable opportunity to participate in the ballot, and if a majority of employees casting valid votes at the ballot, vote in favour of the proposal then SAET can presume that there is a majority of support.

### How is the Ballot being conducted?

The ballot is being conducted by CiVS, an independent voting service. You will receive instructions from CiVS on how to register your secure vote. You are only eligible to vote once using online voting.

### When is the Ballot being conducted?

The ballot **will commence on Wednesday 9 November 2022 at 9am and close on Friday 18 November 2022 at 12pm.**

### How does the voting work?

Voting is voluntary. All employees are encouraged to vote. If you do not receive a communique providing instructions on how to vote, or if you are away from the workplace and require assistance on how to vote, please contact your local Human Resources branch.

### What are the pay increases under the proposed Agreement?

Complete details of salary increases proposed to apply on and from the first full pay period commencing on or after 1 January 2023, 1 January 2024 and 1 January 2025, are detailed in the proposed Agreement. A copy of the proposed Agreement is available at [Nursing and Midwifery Enterprise Bargaining | SA Health](#) or can be obtained from your local Human Resources branch.

### When do the various changes in conditions apply from?

The conditions will apply from the particular date as specified in the clause. If no date is specified, the condition will generally operate from the date of effect of the proposed Agreement, namely 1 October 2022.

### For how long does the proposed Agreement operate?

The proposed Agreement will take effect from 1 October 2022 and will nominally expire on 31 July 2025. Under the FW Act, an agreement has a life beyond its nominal expiry date; namely until it is rescinded or superseded in accordance with the FW Act.

### What is in the proposed Agreement?

This is a **summary** only – details are in the proposed Agreement. If the majority of employees who vote accept the proposed Agreement and SAET approves it, in general the benefits to you include:

- 3.0% per annum general salary increases from the first full pay period (ffpp) commencing on or after 1 January 2023, 1 January 2024, 1 January 2025.
- Two one-off payments of \$1,500 (subject to conditions and criteria) payable on 1 October 2022 and 1 October 2023; pro-rata for part time employees, and casual employees who have an entitlement to take long service leave as at the applicable date.
- The professional development allowance to be increased by the same percentage and same operative dates as salary increases (ie: 3%p.a. from the ffpp commencing on or after 1 January in each of 2023, 2024, 2025) and by \$400 from the ffpp on or after 1 July in each of 2023, 2024, 2025.
- The requirement for an employee to be engaged to a minimum of 16 hours a fortnight to receive the professional development allowance will be removed.
- All allowances, including the professional development allowance, will increase by the same percentage and the same operative dates as the salary increases.
- For those employees who have a SA Health/LHN issued permit for on-site/designated hospital car parking, a maximum fortnightly charge equivalent to \$2.50 per day. For those employees who cannot access on-site/designated hospital car parking, the provision of free access to public transport upon

- presentation of valid hospital identification.
- Casuals will be paid a minimum period of engagement (3 hours), at the applicable rate, where a shift for which they were rostered is cancelled within 12 hours of commencement of the rostered shift.
  - Within 6 weeks of approval of the agreement, a public sector agency in which the employee is engaged at the time will not contact an employee for any purpose on 2 rostered days off per fortnight without the express consent of the employee or except where required by law.
  - Within 3 months of approval of the agreement, where an employee is absent from duty on a rostered shift on unplanned leave, a replacement employee will, wherever practicable and in accordance with clause 3.1.13, be engaged for the entirety of the rostered shift.
  - The ANMF 10 Point Plan to End Violence and Aggression is to be annexed to this agreement (Appendix 14) and is to be implemented.
  - Appendix 2 will be updated to reflect the current agreed staffing models in line with Business Rules Reviews conducted over the life of the existing Agreement. The period over which Nursing Hours Per Patient Per Day can be averaged will gradually be reduced to 7 days (for metro and regional sites) in order to provide a transition pathway towards legislated ratios.
  - The maternity/adoption leave provisions will be amended to incorporate gender neutral language (ie: 'maternity' replaced with 'employer paid parenting leave').
  - The hyperbaric chamber allowance to be paid per occasion of work.
  - Public holiday rates to be paid when Christmas or New Year's Day falls on a Saturday or a Sunday and is not a declared public holiday.
  - Reviews to be undertaken in respect to clauses related to on call, no fixed hours, staffing levels/mix in adult community health teams in CALHN and NALHN, rural and remote incentives, increment advancement, Workforce Renewal obligations and the Nursing and Midwifery Capability and Self Development Framework, and the utilisation of resuscitation rooms.
  - For the employer to ensure that nurses and midwives are enabled to practice to their full scope of practice.
  - An undertaking that permanent part or full time employment is the preferred form of engagement and that all reasonable measures will be taken to minimise the use of casual and/or temporary contracts.
  - A commitment that the Chief Executive, Department for Health and Wellbeing will make all reasonable efforts to engage additional Regional Nurse Educators (up to 16 FTE) across regional LHNs.

### **English is not my first language – who can help me?**

For translation of the proposed Agreement or any of the other materials you have received in relation to the proposed Agreement, translation services are available by contacting Industrial Relations and Policy in the Attorney-General's Department on telephone (08) 8226 4279. Arrangements will be made to provide these services at no cost to you.

### **Τα Αγγλικά δεν είναι η πρώτη μου γλώσσα – Ποιος μπορεί να με βοηθήσει;**

*Για μετάφραση της προτεινόμενης συμφωνίας ή οποιοδήποτε άλλου υλικού που λάβατε σχετικά με την προτεινόμενη συμφωνία, διατίθενται υπηρεσίες μετάφρασης επικοινωνώντας με τον Κλάδο Εργασιακών Σχέσεων και Πολιτικής (Industrial Relations and Policy Branch), τηλέφωνο (08) 8226 4279. Θα γίνουν διευθετήσεις για να παρασχεθούν αυτές οι υπηρεσίες χωρίς κόστος σε εσάς.*

### **Ai có thể giúp tôi - nếu tiếng Anh không phải là tiếng mẹ đẻ của tôi?**

*Về bản phiên dịch của thỏa thuận được đề nghị hoặc bất kỳ tài liệu nào khác mà quý vị đã nhận được liên quan đến thỏa thuận được đề nghị, dịch vụ dịch thuật có sẵn bằng cách liên lạc với Ngành Chính Sách và Quan Hệ Lao Động (Industrial Relations and Policy Branch) qua số điện thoại (08) 8226 4279. Sẽ có sự sắp xếp để cung cấp các dịch vụ này miễn phí cho quý vị.*

### **L'inglese non è la mia prima lingua - chi mi può aiutare?**

*Per la traduzione dell'accordo proposto o di qualsiasi altro materiale ricevuto in relazione all'accordo proposto, i servizi di traduzione sono disponibili contattando il Industrial Relations and Policy Branch (Ufficio Relazioni Industriali e Politiche) al telefono (08) 8226 4279. Si organizzeranno tali servizi senza alcun costo.*

### **Where can I get further information?**

The Agreement Explained document provides an explanation of the proposed Agreement, including the differences between the proposed Agreement and the agreement conditions currently applying to you.

The proposed Agreement can be viewed and downloaded from [Nursing and Midwifery Enterprise Bargaining | SA Health](#). Printed copies of the Agreement or other material can be obtained from your local Human Resources branch.