



**Nurses • Midwives •
Mental Health Nurses**

**Respect
our
work.**

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**A guide to the 2011
public sector nurses',
midwives' & mental
health nurses'
enterprise bargaining
agreement campaign**



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Respect our Work

Lisa Fitzpatrick, ANF (Vic Branch) Secretary



The public sector and mental health enterprise bargaining agreements (EBA) are due to expire in November this year. During the associated EBA campaign the ANF (Vic Branch) will be calling on employers and the Baillieu Government to acknowledge and respect the high quality of health care delivered every day by nurses and midwives to the Victorian community.

Victorians respect the work nurses and midwives do, they respect your professional skills and experience and recognise the health benefits and support you bring to the community.

Working with members ANF (Vic Branch) has improved the employment, workload and professional conditions of Victorian nurses and midwives, helping you provide safe and high quality care.

ANF has submitted the 2011 public sector and mental health sector log of claims to employers and we hope to begin negotiations this month. The 2011 logs of claims acknowledge the skills and experience of nurses and midwives and seeks to further improve workloads, encourage and support education and CPD and assist nurses and midwives achieve a better work/life balance.

The ANF is calling on the State Government and employers to value nurses and midwives, respect their work and agree to deliver the ANF (Vic Branch) log of claims.

In the past the ANF and its members achieved significant improvements for Victoria's health system, however employers and government continue to demand efficiency improvements, shorter patient stays, and money savings. During this EBA we will receive claims from your employer that seek to further increase productivity and make the care that nurses and midwives deliver cheaper.

As negotiations build and things get busier it will be important for you to receive regular updates. To ensure you do please update your membership details with your home email and mobile phone number. It's easy to do, just go to the member's area of the ANF website, log in and click on 'Update your membership details online'.

Over the last 20 years the ANF (Vic Branch) has grown to over 60,000 members. Many new and younger members may not have been involved in an EBA campaign. The following information outlines the process for EBA claim development and negotiations.

I look forward to continuing to work with you during this busy and challenging year, as together we make sure public sector nurses and midwives and mental health nurses continue to be respected for the work they do.

Lisa Fitzpatrick

What is an enterprise bargaining agreement (EBA)?

An EBA is a legally enforceable agreement setting out the terms and conditions of employment negotiated between the employer and the ANF. Employees have the right to be represented by their union when negotiating an employment agreement and the ANF (Vic Branch) is committed to representing members in the negotiation of their agreement wherever they work.

You will shortly receive a letter from your employer or see notices in your workplace advising or requesting that you nominate a bargaining representative for the 2011 EBA. If you are an ANF member you are not required to nominate a representative because the ANF is automatically your bargaining representative.

Evidence consistently shows that EBAs negotiated by unions deliver better wages and conditions for employees. In fact, on average union members earn 10% more than non members because they have the strength that comes with standing together and the experience and expertise of the union at the negotiating table.

ANF negotiated agreements are not only about wages, they are also about the employment conditions of nurses and midwives taking into account professional advocacy, educational, industrial and OHS concerns, as well as balancing their personal, family and working lives.

ANF (Vic Branch) understands that high quality, safe health care needs a robust nursing and midwifery workforce delivered through high standards in education, professional and industrial relations and working conditions. Public sector nurses and midwives have seen significant advancements in these areas over the past four EBAs.

Victoria now has one of the best nursing retention rates in Australia, despite 80,000 nurses and midwives working in a busy and pressured health care system. This is because through public sector EBAs Victoria has gained:

- mandated minimum nurse/midwife patient ratios,
- improved wages,
- improvements to employment, workload and professional conditions, and
- recognition of the professional skills and educational requirements of nursing work.

This means Victorian nurses and midwives working in Victoria are better able to provide the safe and high quality patient care they want their patients to receive.

Despite these achievements, demands on the health system continue to rise. In the 2011 Budget and Health Plan the Baillieu Government indicated productivity and efficiency as a focus in health and committed to delivering an extra 100 beds over the 2011/2012 Budget and 800 extra beds over four years.

The Government must ensure there is an effective strategy for workforce retention and expansion and work with the ANF by agreeing to key initiatives in the log of claims.

The Baillieu Government has also signalled it will only offer a 2.5 per cent wage increase for public sector workers which includes all nurses and midwives working in the public sector; anything additional will only come from 'agreed and bankable productivity gains'. This is not a fair wage offer and will result in wages falling below interstate benchmarks. This demonstrates the Baillieu Government does not respect your work or the professional skills and the health benefits you bring to the community.

How is the log of claims developed?

The detailed claims were developed during a thorough process that includes:

- close consideration of resolutions from the Annual Delegates Conferences of 2007, 2008, 2009 and 2010 (Motions debated at the 2011 conference will be considered in the 2015 claim),
- examination of the problems, disputes and issues that members experienced in the workplace over the life of the last EBA,
- examination of the enquiries members make to the ANF Information Line,
- examination of what is happening in other states and territories, and
- consideration of the future workforce needs - what ANF believes the nursing and midwifery workforce will look like in 2015 and what its members want the workforce to look like.

Claims are also being developed and finalised for the Royal District Nursing Service, the Australian Red Cross Blood Service, the private acute sector and private aged care. Negotiations for these agreements will commence once Job Representatives have discussed the log of claims and the ANF (Vic Branch) Council has endorsed them.

This is the same process ANF has gone through when finalising the public sector and public mental health agreements.

Nursing and midwifery are skilled professions that require a high standard of education. There is an obligation on nurses and midwives to maintain their skills and competence and they should be paid a wage and work under conditions that reflect their professional skills and experience.

The log of claims seeks to address wage discrepancies and where necessary improve nurse to patient ratios as well as improve workloads in mental health nursing. It also seeks to improve various employment conditions for nurses and midwives.

2011 EBA key claims

The key claims of the 2011 public sector and mental health sector EBA are:

- 18.5 per cent increase to wages and allowances over the life of the agreement
- improvements to ratios in key areas
- abolition of the 50 per cent rule in respect to ratios where it still exists
- qualifications allowance to be paid on all hours worked, including overtime and recall
- improved on-call allowance
- improved night duty allowance
- improved education/professional development leave
- access to 14 weeks paid parental leave and 2 weeks partner leave for nurses/midwives
- a new enrolled nurses career structure reflecting changes in educational preparation and increased scope of practice.

These claims are designed to:

- provide nurses and midwives with the opportunity to improve the health care benefits they bring to the community by improving and extending nurse patient ratios
- ensure the nursing and midwifery career structure reflects current and future workforce needs
- ensure changes to the education and role requirements of nurses and midwives are reflected in their career structure and associated remuneration
- ensure the wages of Victorian nurses and midwives keep pace with their counterparts in other states and territories
- ensure employers and the Baillieu Government show respect for the work Victorian nurses and midwives do through a real commitment to this EBA
- to assist in future recruitment and the ongoing retention of an experienced and skilled nursing and midwifery workforce.

How do negotiations begin?

Before negotiations begin the ANF (Vic Branch) develops a log of claims. This outlines new claims and amends the previous EBA where issues have arisen. This new log of claims is served on employers by the ANF.

Public sector negotiations require comprehensive and thorough logs of claims as they cover the largest group of nurses and midwives in the State and influence subsequent claims in the private sector and aged care.

A précis of the 2011 public sector and the mental health logs of claims has been distributed through July *On the Record* and both are available through the ANF website. Members are encouraged to look at the current EBA and the précis log of claims for the new agreement.

How does my employer respond?

Either directly or through the Department of Health or VHIA, a number of counter claims are usually made to the ANF. These claims are generally aimed at cost savings.

What happens now?

Below is a brief timeline outlining how the claims will progress. Members will be updated in *On The Record*, the website www.anfvic.asn.au, Newsflashes, EBA update newsletter and members meetings.

What's already happened?

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| April | ANF public sector Job Reps finalised log of claims at a meeting on 29 April 2011. |
| May | ANF mental health members finalised log of claims at a meeting on 4 May 2011. ANF (Vic Branch) Council endorsed public sector general claim and public sector mental health claim. |
| June | ANF prepares a comprehensive claim on public sector and public sector mental health employers. This document is more than 100 pages. |
| July | ANF serves the comprehensive public sector claim on employers. The public sector general and mental health claim summaries are printed in OTR and published at www.anfvic.asn.au . Information about the claim was also emailed to members' home email addresses. |

What happens now?

July/August ANF (Vic Branch) Secretary Lisa Fitzpatrick and Assistant Secretary Paul Gilbert will start formal negotiations with the employer and Government Department representatives and a nurse employer representative.

VHIA represents 146 public sector employers and 22 mental health public sector employers. Negotiations will be scheduled regularly to discuss the ANF claims and the employers' and Victorian Government's counter claims.

Separate negotiations will be conducted for the mental health public sector agreement. ANF (Vic Branch) Assistant Secretary Pip Carew, Industrial Officer Andrew Prendergast and Mental Health Nursing Officer Donna Hansen as well as HACSU representatives will negotiate their claims with employer and Government Department representatives.

What if negotiations fail?

ANF is committed to negotiating with the State Government and employers in good faith and reaching an acceptable outcome for members. In the past ANF members have instigated industrial action where negotiations have failed despite best efforts of ANF.

As the campaign develops ANF will send members regular updates and information about how negotiations are progressing and what you can do to help.

It is in your best interest to be as involved as possible in the campaign.

In the event that members resolve to take any action, this is always discussed at a statewide meeting first.

What nurses and midwives have achieved over the past decade

The following summary of key wins from over the past decade gives members a snapshot of how far nurses and midwives have come by working collectively. There is, however, still much more that we need to achieve...

1997 Public Sector Agreement

After five years of budget cuts, Victorian nurses and midwives were caring for 190,000 more patients with 3500 less staff. Negotiations between the Kennett Government and ANF were failing, so members voted to close one in five beds across the state.

With the Australian Industrial Relations Commission's (AIRC) assistance the parties agreed to:

- an 11 per cent wage increase over three years
- maintain all existing award terms and conditions lost under the Howard Government's 1996 Workplace Relations Act
- 225 (EFT) additional CNC and Nurse Educators
- increased nursing hours on the roster
- two weeks paid maternity leave (for the first time)
- maintain all existing Director of Nursing positions
- reinstate specialist nursing positions lost via budget cuts.

2000 Public Sector Agreement – winning nurse patient ratios

By 2000 the Victorian workforce was in crisis with 1300 permanent full-time vacancies across the state and more permanent staff resigning, reducing their hours or moving to agency work. Lengthy talks between ANF and the Bracks Government stalled. After a short industrial action campaign, with nurses closing one in four beds, the Australian Industrial Relations Commissioner Wayne Blair was asked to decide on the agreement.

Commissioner Blair's decision included:

- the world's first mandated minimum nurse patient ratios
- 12.5 per cent wage increase over three years
- reintroduction of the 8:8:10 roster & safe handover period
- paid maternity leave increase from two to six weeks
- reinstatement of ADOs abolished under the Kennett Government
- a \$15 increase in the night shift allowance
- a 2.5 per cent increase in the on-call allowance
- additional 50 ADONs, 50 Nurse Educators and 50 CNCs
- two days study/conference/seminar leave per year & three days professional development leave for full-time nurses.

2004 Public Sector Agreement

Between 2000 and 2004 the numbers of nurses and midwives in public health increased by over 4000 employees, however unfortunately in 2004 the State Government still wanted to scrap minimum ratios for a computerized patient dependency system, remove the requirement for a NUM on every ward and restrict access to CNS positions.

The State Government rejected ANF's entire claim but, after nurses and midwives closed almost 1700 beds, ANF members secured an agreement that:

- maintained nurse patient ratios
- provided a 12 to 15 per cent wage increase over three years
- provided an additional wage increase for NUMs
- increased paid maternity leave from six to eight weeks
- provided for the retention of at least 700 CNS positions
- protected the 8:8:10 roster
- protected study leave and professional development leave
- stopped widespread annualised salaries.

2007 EBA – a significant victory under the pressure of WorkChoices

2007 public sector negotiations were marred by the introduction of the WorkChoices industrial laws. These draconian laws created significant problems for Victorian nurses and midwives.

Despite this the 2007 collective agreement was a significant victory. The Brumby Government's original offer rejected all our claims, offering poor wages and cutting ratios. After a nine-day industrial dispute over 5500 nurses and midwives at Festival Hall voted to endorse a settlement that:

- secured a 16 to 24 per cent wage increase over 4 years
- achieved a single agreement with common wages and conditions for all public sector nurses and midwives, protecting regional Victorian nurses and midwives
- significantly increased the graduate nurse entry rate
- maintained and improved nurse patient ratios and midwife ante- and post-natal ratios
- increased paid maternity leave from eight to ten weeks

Mental Health Services

ANF Public Sector Agreement outcomes in 1997, 2000, 2004 and 2007 flowed on to Mental Health Nurses.

The Victorian Psychiatric Services Agreement includes the following improvements:

- additional mental health nurses
- arrangements to manage workloads for inpatient and community settings
- comparable wage increases
- paid maternity/adoption leave increases
- professional development/conference leave
- shift allowances
- improved qualification allowances
- ADOs for full-time staff
- 8:8:10 roster or limited short shifts
- Inpatient Units to have 5 EFT Deputy Unit Managers
- High Dependency Unit rostering principles
- additional Increments for RPNs and PSENs
- increased community nurse positions
- improved OH&S
- alternative 4 clear days off arrangements
- Volunteer Emergency Relief Provisions
- increases to on-call allowances (CATT and non-CATT)
- Telephone Allowance
- reimbursement of child care expenses when less than 24 hours notice (except on-call)
- access to salary packaging
- Psychiatric Clinical Nurse Specialist Criteria
- Mental Health Graduate and Postgraduate Nurse Programs
- Psychiatric CNEs and CNCs in each Area Mental Health Service (AMHS)
- Mental Health Nurse Practitioner classification.

The 2007 Agreement has also provided for committees to be established both within the workplace and on a state level to monitor and ensure that the Agreement is fully implemented.

Separate from the 2007 Agreement is the establishment of a Mental Health Workforce Strategy Committee: Sustainability, Recruitment and Retention, on which ANF is represented.

How you can be part of the campaign

As the process of negotiation moves forward the ANF will issue regular updates and information and organise members meetings. During this campaign email and text messages will become a major form of contact with members as the negotiations progress. Members are urged to ensure ANF has your most up-to-date email address and mobile phone number.

There are a number of ways you can make sure you stay informed about what is happening in negotiations, for example what employers have included in their log of claims and what this means for you. This information will help you to better understand what the agreement will mean for you, your colleagues and your workplace.

To ensure that you stay better informed:

1. Make sure your membership details are up to date, including your home email address and mobile number so you can get email and SMS updates (reading emails at work can be difficult).

To do this:

- a. visit the ANF website at www.anfvic.asn.au and logon to the member only area;
- b. click onto the Update your membership details online link; and
- c. click on the link general membership details update form and update the relevant information, making sure you include your preferred email address.

Alternately you can email the membership department at the ANF (Vic Branch) from your home email with a subject heading 'membership details update' and list your membership number or date of birth and mobile phone number. Please also make sure you include your mobile phone number.

2. Make sure your ward or unit has two ANF Job Reps. If not, nominate yourself or a colleague. Your ANF Job Rep will be a good source of information about the progress of the claim and how you can get involved. For more information on nominating a Job Rep call the ANF (Vic Branch) on 9275 9333 or download the ANF job Rep brochure from www.anfvic.asn.au
3. Visit the ANF (Vic Branch) campaign website regularly, save the link to your favourites and add updates to your social networking page so colleagues and family and friends can support the campaign.
4. Keep an eye out for and attend ANF (Vic Branch) meetings and rallies.