



Nurses • Midwives • Mental Health Nurses
Respect our work.

Public Sector EBA Update No 10 - 17 November 2011

Victorian Public Sector Nurses and Midwives

17 November 2011 – 9.30 am

FWA suspends our action

A Full Bench of Fair Work Australia has handed down its decision concerning the application by VHIA to terminate the protected industrial action being undertaken by ANF members employed in the single interest employer authorisation group.

FWA has decided to suspend the protected industrial action for 90 days effective from 9am on Thursday 17 November 2011. At this stage FWA has not issued its reasons for its decision in full but will do so in due course.

The Baillieu Government wanted to have our action terminated rather than suspended. They were unsuccessful. That termination would have included an order for mandatory conciliation/negotiations. If, after 21 days of conciliation talks between the parties, no outcome was reached, restrictive mandatory arbitration would commence. In this type of restrictive mandatory arbitration Fair Work Australia could not decide to include nurse-patient ratios in its determination, it could not decide the level of qualification of the nurses and midwives, and it could not decide the nursing and midwifery numbers in the health system, and it could not determine the hours and rosters of nurses and midwives.

Instead, the Full Bench of FWA has only suspended the action allowing current conciliation to continue. ANF remains committed to negotiations and will be available 24 hours a day to undertake those negotiations.

The Government has created an expensive legal limbo which won't resolve the dispute. It will only be resolved through negotiations.

Our message to the Government is they should not try bullying nurses and midwives into submission - it will only inflame the dispute making a resolution more difficult to achieve.

Members are reminded that we resolved that our industrial action would continue until an agreement was accepted at a statewide members meeting – a meeting is scheduled for Monday 21 November at 2pm at Festival Hall.

