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Letter sent to Premier Ted Baillieu from the Australian Nursing Federation (Victorian Branch) and Victorian nurses and midwives

28 November 2011

The Hon Ted Baillieu MLA
Premier of Victoria
Level 1
1 Treasury Place
MELBOURNE VIC 3000

Dear Premier

On Friday 25 November 2011 Victorian public sector nurses and midwives complied with the Fair Work Stop Orders and ceased their industrial action from 9am on Saturday 26 November 2011. A significant influence on this decision was the commitment that you gave to the Victorian community in Parliament on Thursday 24 November. ***"The Government remains committed to negotiating a fair outcome with nurses and the nurses union to the benefit of nurses, the benefit of the health system and the benefit of all Victorians. We remain committed to that."*** You have further confirmed that promise in various media reports including ABC News Saturday 26 November ***"We want to negotiate with the nurses to get an outcome for the benefit of everybody"***.

Nurse/midwife to patient ratios, and their application, are the key difficulty in reaching a negotiated settlement. The VHIA, on behalf of public health services, and Government representatives refuse to budge from their desire to allow individual health services total flexibility to deviate from the prescribed nursing numbers and skill mix, although they state publicly that existing nurse to patient ratios are not under threat. Victorian nurses and midwives seek to both maintain and in some areas improve the existing ratios in light of the increased acuity and number of patients accessing our health system.

Due to limitations on Fair Work Australia's power under the Australian Constitution this impasse cannot be fairly resolved by 'formal and full' arbitration. It can only be resolved by genuine negotiation, or by reaching agreement on a process allowing a Fair Work Australia member to decide through less formal 'consent' arbitration.

I have placed a lot of trust in your commitments as I believe they reflect a genuine desire to resolve this dispute. Many nurses and midwives are concerned about that level of trust I have placed in you, however I see your statements above as a genuine desire to reach agreement.

On behalf of Victorian public sector nurses and midwives I request that you agree to a process for resolution of all matters, including nurse patient ratios and their application, to be determined by a member of the independent tribunal, Fair Work Australia. The ANF and its members have a long history of supporting and abiding by the independent umpire's EBA outcome decisions. We reiterate that commitment.

The ANF stands ready and willing to negotiate an agreement that will be to the benefit of all Victorians, and to meet with you to facilitate an outcome immediately.

Yours sincerely



Lisa Fitzpatrick
Secretary
Australian Nursing Federation (Victorian Branch)

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