

## **TASMANIAN INDUSTRIAL COMMISSION**

### **Industrial Relations Act 1984**

s 55 application for filing an industrial agreement

### **Minister administering the State Service Act 2000**

### **Australian Nursing and Midwifery Federation (Tasmanian Branch)**

### **Health Services Union, Tasmania Branch**

### **Tasmanian Salaried Medical Practitioners' Society**

### **Community and Public Sector Union (State Public Services Federation Tasmania) Inc.**

### **United Workers Union**

(T14956 of 2022)

## **TASMANIAN HEALTH SERVICE COVID 19 ESCALATION AGREEMENT 2022**

DEPUTY PRESIDENT N M ELLIS

HOBART, 26 July 2022

**Industrial agreement – application approved – operative from 26/07/2022 - 31/07/2022 – forwarded to Registrar for registration**

## **REASONS FOR DECISION**

**[1]** On 15 July 2022, the Minister administering the State Service Act 2000 (MASSA), the Australian Nursing and Midwifery Federation (Tasmanian Branch) (ANMF), the Community and Public Sector Union (State Public Services Federation Tasmania) Inc (CPSU), the Health Services Union, Tasmania Branch (HSU), the Tasmanian Salaried Medical Practitioners' Society (TSMPS) and the United Workers' Union, Tasmania Branch (UWU) lodged with the Registrar, pursuant to Section 55(2) of the *Industrial Relations Act 1984* (Tas) (the Act), the *Tasmanian Health Service COVID 19 Escalation Agreement 2022*.

**[2]** At the hearing in Hobart on 25 July 2022, Oliver Clark and Elise McCarthy, appeared on behalf of MASSA, Ms Caroline Saint appeared on behalf of the Australian Nursing and Midwifery Federation (Tasmanian Branch) (ANMF), Tom Lynch appeared on behalf of the Community and Public Sector Union (State Public Services Federation Tasmania) Inc (CPSU), James Milligan appeared on behalf of the Health Services Union, Tasmania Branch (HSU) and Lara Giddings appeared on behalf of Tasmanian Salaried Medical Practitioners' Society.

**[3]** The Agreement provides financial compensation to relevant employees exposed to differing levels of a higher risk of infection, prevention and control in a COVID-19 response. This occurs when Escalation Level 3 or higher is declared by a Regional Health Commander.

**[4]** The employees are covered by various awards and undertake duties in the Department of Health, in the Tasmanian Health Service, the Department of Communities in the Ashley Youth Detention Centre or the Department of Justice in the Tasmanian Prison Service.

**[5]** Clause 8 provides definitions and outlines the requirements and eligibility to receive the allowance. Clause 9 outlines the payments and conditions and states the allowance will be paid for all declarations of Escalation Level 3 or higher on or after 1 April 2022.

**[6]** All of the Parties who appeared confirmed their approval of the Agreement. All Parties submitted the Agreement was in the public interest and that no employees were disadvantaged by the approval of the Agreement. The United Workers Union provided consent by email on 22 July 2022.

**[7]** I am satisfied that the Agreement is consistent with the public interest requirements of the Act, does not disadvantage the employees concerned, and obviously the term of the Agreement does not exceed 5 years. I am satisfied that there is genuine consent to the Agreement by the parties.

**[8]** Pursuant to s 55(4), the Agreement is approved with an operative date from the date of registration and it will remain in force until 31 July 2022.

**[9]** The file will now be referred to the Registrar for registration of the Agreement in accordance with the requirements of s 56(1) of the Act.



Neroli Ellis  
**Deputy President**

**Appearances:**

O Clark and E McCarthy for MASSA  
C Saint for ANMF  
T Lynch for CPSU  
J Milligan for HSU  
L Giddings for TSMPS

**Date and place of hearing:**

2022  
25 July 2022  
Hobart