

## **TASMANIAN INDUSTRIAL COMMISSION**

### ***Industrial Relations Act 1984***

s55(2) application for approval of an industrial agreement

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

and

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

and

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

(T14763 of 2020)

## **NURSES AND MIDWIVES (TASMANIAN STATE SERVICE) AGREEMENT 2019**

PRESIDENT D J BARCLAY

HOBART, 20 MAY 2019

**Industrial agreement – application approved – agreement to effect salary increases – day worker overtime rates – defined career pathways – agreement operative from 1 July 2019 and will remain in force until 30 June 2023 – forwarded to registrar for registration**

## **DECISION**

**[1]** On 27 April 2020, the Minister administering the *State Service Act 2000* (MASSA) lodged with the Registrar, pursuant to Section 55(2) of the *Industrial Relations Act 1984* (the Act), the Nurses and Midwives (Tasmanian State Service) Agreement 2019 (the Agreement). The Application also sought the cancellation of the Nurses and Midwives (Tasmanian State Service) Agreements 2014, 2016 (No. 2) and 2018.

**[2]** At the hearing in Hobart on 15 May 2020, Ms Lucy Ross appeared on behalf of MASSA, Ms Caroline Saint and Ms Emily Shepherd appeared on behalf of the Australian Nursing and Midwifery Federation (Tasmanian Branch) (ANMF) and Mr Lucas Digney appeared on behalf of the Health Services Union, Tasmania Branch (HSU).

**[3]** The Agreement effects salary increases over the life of the Agreement. It provides for an increase in the professional development allowance. On and from December 2022 a portion of the increase in the allowance will be rolled over into salary.

**[4]** The Agreement also addresses an imbalance between day workers working overtime and shift workers working overtime in the same area. Previously the day worker would be earning a lesser overtime rate than the shift worker for the same work. That imbalance has been addressed.

**[5]** Clause 12 of the Agreement includes a major part of the negotiations relating to career pathways.

[6] In respect to the agreements to be cancelled, any operative clauses from those agreements have been carried over into the Agreement. As such no employee is disadvantaged by the cancellation of the old agreements. Accordingly I order the cancellation of the Nurses and Midwives (Tasmanian State Service) Agreements 2014, 2016 (No. 2) and 2018.

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

[8] Pursuant to s55(4) the Agreement is approved with an operative date from 1 July 2019 and will remain inforce until 30 June 2023. The file will now be referred to the Registrar for registration of the Agreement in accordance with the requirements of s56(1) of the Act.



**Appearances:**

Ms L Ross for MASSA  
Ms C Saint and E Shepherd for ANMF  
Mr L Digney for HSU

**Date and place of hearing:**

2020  
15 May  
Hobart