

T14782 OF 2020



Industrial Relations Act 1984  
s55 Industrial Agreement

# DEPARTMENT OF EDUCATION HEALTH CARE PROCEDURES ALLOWANCE AGREEMENT 2020

Between the

Minister administering the *State Service Act 2000* and the

Community and Public Sector Union

(State Public Services Federation Tasmania) Inc.

Australian Education Union, Tasmanian Branch



## 1 TITLE

This Agreement shall be known as the Department of Education Health Care Procedures Allowance Agreement 2020.

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### 3 APPLICATION

- 3.1 This Agreement is made in respect of employees employed in the Department of Education as Teacher Assistants who are covered by the Tasmanian State Service Award and who agree to regularly undertake health care procedures with students in accordance with Appendix I.
- 3.2 For the period 27 February 2020 – 18 December 2020, school administration employees employed in the Department of Education will be covered by this Agreement for the purpose of undertaking the collection, storage and dispensing of prescription medication in accordance with clause 9.1(v) of this Agreement.

### 4 DATE AND PERIOD OF OPERATION

- 4.1 This Agreement cancels and replaces the Department of Education Health Care Procedures Allowance Agreement 2015 which was registered on 12 August 2015.
- 4.2 This Agreement applies with effect from the first full pay period commencing on or after 27 February 2020 and will remain in force until 31 December 2020.

### 5 PARTIES BOUND

This Agreement is between the Minister administering the *State Service Act 2000* and the Community and Public Sector Union (State Public Services Federation Tasmania) Inc. and the Australian Education Union, Tasmanian Branch.

### 6 RELATIONSHIP TO AWARDS AND AGREEMENTS

This Agreement prevails to the extent of any inconsistency that occurs between this Agreement and the *Tasmanian State Service Award* or any registered Agreement with the Minister administering the *State Service Act 2000*.

### 7 PURPOSE

The purpose of this Agreement is to establish an allowance payable to:

- 7.1 Teacher Assistants who agree to regularly undertake any of the health care procedures set out in Appendix I as part of their normal duties; and
- 7.2 School administration employees for the purpose of undertaking the collection, storage and dispensing of prescription medication in accordance with clause 9.1(v) of this Agreement from 27 February 2020 until 18 December 2020.



## 8 RATE OF ALLOWANCE

- 8.1 The rate of allowance is \$30 per week.
- 8.2 The allowance is payable to both full time and part time employees at the same rate and there are no pro rata payments.
- 8.3 The rate of allowance specified at clause 8.1 of this Agreement will be automatically adjusted upward from the first full pay period commencing on or after 1 July each year by the same percentage as the salary rate for the lowest level of the Band 4 classification of the Tasmanian State Service Award increases between 1 July in the preceding year and 30 June of that year.

## 9 TRAINING AND ELIGIBILITY

- 9.1 A Health Care Procedures Allowance will be paid to employees covered by this Agreement under the following conditions:
- (i) The employee has volunteered to undertake the health care procedure in Appendix I; and
  - (ii) The employee is required to regularly perform the health care procedure in Appendix I; and
  - (iii) The employee has completed the appropriate training by a medical professional to undertake the health care procedure in Appendix I; and
  - (iv) The employee holds a current credentialing certificate for the health care procedure in Appendix I that is being regularly performed, and has provided evidence of the credentialing to the employer.
  - (v) Notwithstanding sub-clauses (iii) and (iv) above, training for employees undertaking the collection, storage and dispensing of prescription medication shall be in accordance with the Department of Education Administration of Student Medication Procedure as amended from time to time.
- 9.2 Training for employees to undertake the health care procedure shall be conducted in paid time and shall be funded by the employer.
- 9.3 Undertaking of health care procedures is voluntary for employees and employees who elect not to undertake a health care procedure will not be discriminated against by the employer.

## 10 REVIEW OF HEALTH CARE PROCEDURES AND TRAINING AND ELIGIBILITY

- 10.1 During the life of the Agreement, the parties agree to undertake a review that will:
- (i) Determine whether there is a need to add or remove procedures from Appendix I;



- (ii) Enable health care procedures to be delivered to children in schools in an appropriate manner;
- (iii) Assess the current practice for training and credentialing to ensure the most appropriate training and credentialing is in place for health care procedures.

## 11 GRIEVANCES AND DISPUTE SETTLING PROCEDURE

11.1 The parties are committed to avoiding industrial disputation about the application of this Agreement.

11.2 If a grievance or dispute arises about the application of this Agreement:

- (i) In the first instance, it is to be dealt with at the workplace by appropriate employer and employee representatives;
- (ii) In circumstances where discussions at that level fail to resolve the grievance or dispute, the issue will be referred to appropriate union and management representatives; and
- (iii) If still unresolved, the matter will be referred to the Tasmanian Industrial Commission.

11.3 Where a grievance or dispute is being dealt with under this process, normal work will continue.

This grievance and dispute procedure does not take away an employee's rights to seek redress of a grievance either under the *State Service Act 2000* or the *Industrial Relations Act 1984*, or any other relevant legislation.

## SIGNATORIES

SIGNED FOR AND ON BEHALF OF

The Minister administering the *State Service Act 2000*

Signed.....

Name: .....

Date: .....



SIGNED FOR AND ON BEHALF OF

Community & Public Sector Union (State Public Services Federation Tasmania) Inc.

Signed:  .....

Name: Tom Lynskey .....

Date: 5 August 2020 .....

SIGNED FOR AND ON BEHALF OF

Australian Education Union, Tasmanian Branch

Signed:  .....

Name: Adam Clifford .....

Date: 6/8/20 .....



## APPENDIX I – LIST OF HEALTH CARE PROCEDURES

- Catheterisation
- Use of rectal Diazepam™/ Midazolam™
- Injection of medication in an emergency (such as a severe allergic reaction)
- Use of gastronomy tube
- Suctioning and use of a suctioning catheter
- Resuscitation
- Administration of oxygen
- Tracheostomy care
- Blood and urine testing
- Administration of oral glucosal sugar
- Stoma care
- Peg feeding
- Changing colostomy bags
- The collection, storage and dispensing of prescription medication

The above list of procedures will be regularly reviewed, and additions may be made by agreement between the parties.

