



*Industrial Relations Act 1984*  
s 55 Industrial Agreement

# Tasmanian Health Service COVID 19 Escalation Agreement 2022

Between the

Minister administering the State Service Act 2000

and the

The Australian Nursing and Midwifery Federation (Tasmanian Branch)

The Health Services Union, Tasmania Branch

Tasmanian Salaried Medical Practitioners' Society

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

United Workers Union, Tasmania Branch



## 1 TITLE

This Agreement shall be known as the Tasmanian Health Service COVID 19 Escalation Agreement 2022.

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### 3 APPLICATION

This Agreement is made in respect of those employees covered by the *Health and Human Services (Tasmanian State Service) Award, Nurses and Midwives (Tasmanian State Service) Award, Ambulance Tasmania Award, Medical Practitioners (Public Sector) Award*, and the *Custodial Officers Award* who are undertaking duties in accordance with clause 9 on or after the date of registration of this Agreement in:

- (i) the Department of Health in the Tasmanian Health Service;
- (ii) the Department of Communities Tasmania in the Ashley Youth Detention Centre; or
- (iii) the Department of Justice in the Tasmanian Prison Service.

### 4 PURPOSE

This Agreement is to acknowledge the requirement for Tasmanian Health Service employees, detention centre employees working in health service environment, and correctional employees working in health service environments, to operate in an environment which includes higher levels of risk for infection prevention and control in a COVID-19 response when Escalation Level 3 or higher, which is declared by A Regional Health Commander or the State Health Commander for a facility or region, is in place for an extended period of time.

### 5 DATE AND PERIOD OF OPERATION

This Agreement applies with effect from registration and will remain in force until 31 July 2022.

### 6 PARTIES BOUND

This Agreement is between the Minister administering the *State Service Act 2000* and the Australian Nursing and Midwifery Federation (Tasmanian Branch), Tasmanian Salaried Medical Practitioners' Society, the Health Services Union, Tasmania Branch, the Community and Public Sector Unions (State Public Services Federation Tasmania) Inc, and the United Workers Union, Tasmania Branch.

### 7 RELATIONSHIP TO AWARDS AND AGREEMENTS

This Agreement prevails to the extent of any inconsistency that occurs between this Agreement and the *Health and Human Services (Tasmanian State Service)*





*Award, the Nurses and Midwives (Tasmanian State Service) Award, the Ambulance Tasmania Award, the Medical Practitioners (Public Sector) Award, the Custodial Officers Award or any registered Agreement with the Minister administering the State Service Act 2000.*

## 8 ELIGIBILITY FOR COVID-19 ESCALATION ALLOWANCE

8.1 For the purposes of this Agreement, the following definitions apply:

- (i) "Escalation Level 3" means the Tasmanian Health Service response to COVID-19 as defined in the THS COVID-19 Escalation Management Plan and declared by the State Health Commander.
- (ii) "eligible Tasmanian Health Service employee" means a Tasmanian State Service employee, covered by this Agreement, undertaking ordinary hours in a Red or Amber Zone of a Tasmanian Health Service facility or Tasmanian Health Service hospital as defined, where the State Health Commander has declared the facility or region at Escalation Level 3.
- (iii) "eligible Ambulance Tasmania employee" means a Tasmanian State Service employee, covered by this Agreement, undertaking ordinary hours of work as a paramedic or patient transport officer, who is:
  - a. working in an Ambulance Tasmania Region that includes a Tasmanian Health Service hospital where the State Health Commander has declared the facility at Escalation Level 3; or
  - b. required to undertake a patient transfer to or from a Tasmanian Health Service facility that has been declared at Escalation Level 3.
- (iv) "eligible Department of Communities employee" means a Tasmanian State Service employee, covered by this Agreement, undertaking ordinary hours of work in the Ashely Youth Detention Centre in a health service environment, where the State Health Commander has declared the facility or part thereof at Escalation Level 3.
- (v) "eligible Department of Justice employee" means a Tasmanian State Service employee, covered by this Agreement, undertaking ordinary hours of work in a Tasmanian prison facility in a health service environment, where the State Health Commander has declared the facility or part thereof at Escalation Level 3.
- (vi) "region" has the same meaning as in the Tasmanian Emergency Management Arrangement, established under the *Emergency Management Act 2006*
- (vii) "Tasmanian Health Service facility" means a clinical worksite with inpatient facilities within the Tasmanian Health Service and includes Tasmanian Health Service hospitals as defined.
- (viii) "Tasmanian Health Service hospital" means the Mersey community Hospital, the



North-West Regional Hospital, the Launceston General Hospital, and the Royal Hobart Hospital.

- (ix) "Health service environment" means the facility of part thereof in the Ashley Youth Detention Centre or Tasmanian prison facility, that the State Health Commander has declared at Escalation Level 3.
- (x) "Red Zone" means any ward, unit or operational area designated as such by the State Health Commander in their declaration of Escalation Level 3.
- (xi) "Amber Zone" means any ward, unit or operational area designated as such by the State Health Commander in their declaration of Escalation Level 3.

## 9 PAYMENT OF COVID-19 ESCALATION ALLOWANCE

- 9.1 An allowance of \$60 per shift is to be paid to an eligible Tasmanian Health Service employee who is undertaking duties in a Red Zone as defined.
- 9.2 An allowance of \$20 per shift is to be paid to an eligible Tasmanian Health Service employee who is required to enter a Red Zone as defined to perform specific work functions, but who is not specifically rostered to work in the Red Zone.
- 9.3 An allowance of \$30 per shift is payable to an eligible Tasmanian Health Service employee who is undertaking duties in an Amber Zone as defined.
- 9.4 An allowance of \$60 per shift is to be paid to an eligible Ambulance Tasmania employee.
- 9.5 An allowance of \$60 per shift is to be paid to an eligible Department of Communities employee.
- 9.6 An allowance of \$60 per shift is to be paid to an eligible Department of Justice employee.
- 9.7 All payments of the COVID-19 Escalation Allowance are made on a per shift basis and do not form part of hourly base remuneration for the purpose of any remuneration calculations other than in accordance with statutory obligations.
- 9.8 The allowance is not payable on any form of leave or on hours of work subject to overtime penalties. For the avoidance of doubt, where a part time employee undertakes an additional shift at ordinary time rates below full-time equivalency, the allowance would apply.
- 9.9 The allowance is to be paid to eligible employees from 12:01am of:
  - 9.9.1 the 30th consecutive day that Escalation Level 3 declared for that facility or region and until 11:59pm the day that facility's Escalation Level is downgraded from Level 3; and
  - 9.9.2 The day that Escalation Level 4 is declared from that facility or region and until 11:59pm the day that facility's Escalation Level is downgraded from Level 3.
- 9.10 The allowance is to be paid in accordance with sub-clause 9.9 for all





declarations of Escalation Level 3 or higher on or after 1 April 2022.

## 10 GRIEVANCES AND DISPUTE SETTLING PROCEDURE

- 10.1 The parties are committed to avoiding industrial disputation about the application of this Agreement.
- 10.2 If a grievance or dispute arise 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.
- 10.3 Where a grievance or dispute is being dealt with under this process, normal work will continue.
- 10.4 This grievance and dispute procedure does not take away an employee's right to seek redress of a grievance either under the *State Service Act 2000* or the *Industrial Relations Act 1984*, or any other relevant legislation.

## 11 NO EXTRA CLAIMS

The parties to this Agreement undertake that, for the life of this Agreement, they will not initiate any additional claims regarding salary or conditions of employment.



SIGNATORIES

SIGNED FOR AND ON BEHALF OF

The Minister administering the *State Service Act 2000*


Signed: 

Name: Jane Hanna

Date: 15/07/2022

SIGNED FOR AND ON BEHALF OF

The Australian Nursing and Midwifery Federation (Tasmanian Branch)

Signed: 

Name: Emily Shepherd

Date: 8 July 2022

SIGNED FOR AND ON BEHALF OF

The Health Services Union, Tasmania Branch

Signed: 

Name: Tim Jacobson

Date: 8/7/2022

SIGNED FOR AND ON BEHALF OF

Tasmanian Medical Practitioners' Society

Signed: 

Name: Lara Cuddings

Date: 15/7/22

SIGNED FOR AND ON BEHALF OF

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

Signed: 

Name: Thirza White

Date: 11 July 2022

SIGNED FOR AND ON BEHALF OF

United Workers Union, Tasmania Branch

Signed: 

Name: Godfrey Moase

Date: 29/06/2022





## Factsheet – operation of the COVID-19 Escalation Allowance

Four eligible employee groups working in the following working environments when declared by the State Health Commander:		Group 1- doctors, nurses, midwives, and allied health professionals, Assistants in Nursing, health support officers or patient technicians providing direct care or support for patients	Group 2 - Ambulance Tasmania paramedics and Patient Transport Officers	Group 3 – - doctors, nurses, midwives, and allied health professionals, Assistants in Nursing, health support officers or technicians not providing direct care or support for patients	Group 4 – employees at the Ashley Youth Detention Centre and employees in the Tasmanian Prison Service, working in a health service environment
RED ZONE	Care of patients in Intensive Care Units in COVID-19 streaming health services	\$60 per shift	\$60 per shift	\$20 per shift	\$60 per shift
	Care of COVID-19 patients in hospital or health settings (and COVID-@Home settings where face-to-face visits are deployed), including in detention centre or correctional facility setting				
	Emergency departments and maternity services in hospitals				





	Ambulance Tasmania responders (including any shifts where patient transfer includes COVID-19 positive patient) and patient transfers				
AMBER ZONE	<p>Care of patients in Intensive Care Units in non-COVID-19 streaming health services</p> <p>Care of non-COVID-19 patients in all other hospital or inpatient settings</p> <p>Care of patients in suspected COVID (sCOVID) areas</p>	\$30 per shift	-	-	-

