



TASMANIAN INDUSTRIAL COMMISSION

CITATION: Filing of the Allied Health Professionals Public Sector Union Wages Agreement No.2 of 2022 [2023] TASIC 28

PARTIES:

Minister administering the *State Service Act 2000*

Australian Education Union, Tasmanian Branch

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

Health Services Union, Tasmanian Branch

SUBJECT: *Industrial Relations Act 1984*, s 55(2) application for filing of Industrial Agreement

FILE NO: T15036 of 2023

HEARING DATE(S): 27 June 2023

HEARING LOCATION: Hobart

DATE REASONS ISSUED: 28 June 2023

COMMISSIONER: Deputy President Ellis

CATCHWORDS: Industrial agreement – consent application – classification and structural adjustments - various allowances - overtime-hours of work - personal impact days-non contact time – cancellation of old agreement - application approved with effect from 1 July 2022 and remains in force until 30 June 2025.

REPRESENTATION:

Jane Fitton, David Appleyard and Kendra Strong for the Minister administering the *State Service Act 2000*

Steve Smith for the Australian Education Union, Tasmanian Branch

Natalie Jones for The Community and Public Sector Union (State Public Services Federation Tasmania) Inc

James Milligan for the Health Services Union, Tasmanian Branch

FILING OF THE ALLIED HEALTH PROFESSIONALS PUBLIC SECTOR UNION WAGES AGREEMENT NO.2 OF 2022 [2023] TASIC 28

REASONS FOR DECISION

28 JUNE 2023

[1] On 19 June 2023, the Minister administering the *State Service Act 2000* lodged with the Registrar, pursuant to Section 55(2) of the *Industrial Relations Act 1984* (Tas) (the Act), an application to file the Allied Health Professionals Public Sector Union Wages Agreement No.2 of 2022 (the Agreement), and the cancellation of the Allied Health Professionals Public Sector Union Wages Agreement No.1 of 2022.

[2] The Agreement will take effect from 1 July 2022 and remains in force until 30 June 2025.

[3] The Agreement cancels and replaces the Allied Health Professionals Public Sector Union Wages Agreement No.1 of 2022 (the old Agreement). The parties submitted this was an interim Agreement and it did not provide the full offer and terms and conditions negotiated.

[4] The Agreement contains the following updates from the offer:

- a. Clause 7- Structural adjustments within the Salary Increases Clause
- b. Clause 8 - New and Additional Classification Structure and Classification Standards for both Allied Health Professionals (AHPs) and Radiation Oncology Medical Physicists (ROMPs)
- c. Clause 9 - Competency Progression Barrier (Level 1-2) – Schedule 1 and 2 – Note this clause now covers Forensic
- d. Clause 10 - Uncapped Overtime provisions for AHPs
- e. Clause 11 - Amended Qualifications Recognition
- f. Clause 13 - Night Shift Allowance – updated percentage payable to 27.5%
- g. Clause 14 - On Call Allowance – Updated hourly allowance and updated minimum payment per day to \$4.82 per hour and \$38.56 minimum payment per day
- h. Clause 15 - Availability Allowance – updated hourly allowance to \$3.78 per hour
- i. Clause 17 - Hours of Work - Span of Hours – Agreement to extend for flexitime and other arrangement in writing for a period of up to 12 months
- j. Clause 18 - Professional Development – updated Professional Development Fund allowance to \$1000 per annum
- k. Clause 19 - New Preceptor Allowance of \$2.84 per hour
- l. Clause 23 - Appointment Salaries – updated
- m. Clause 24 - AHP Level 3 Personal Upgrade Scheme
- n. Clause 25 - Market Allowance – updated percentage payable up to 20%
- o. Clause 26 – New Department for Education, Children and Young People (DECYP) Ten days per year of non-contact/non-attendance time during school holidays
- p. Clause 27 – New Personal impact days up to five days – child safety and advice and referral line
- q. Clause 28 – New AHP Level 2 Personal Progression Pathway
- r. Clause 29 – New Forensic Scientist Service Tasmanian Serious Crime Qualification and Capability Allowance.
- s. Schedule 1 and 2 - updated in line with the offer

- t. Schedule 3 – New Allied Health Professional Classification Standards (includes forensic scientists)
- u. Schedule 4 – New Radiation Oncology Medical Physicist Classification Standards
- v. Schedule 5-7 – The salary tables include the agreed structural adjustments
- w. Schedule 10 – AHP level 2 new Personal Progression Pathway

[5] The parties submitted that no employees covered by the Agreement would be disadvantaged by the Agreement, the approval would be in the public interest and it is made with the consent of the parties.

[6] Having regard to the submissions of the parties and the terms of the Agreement, I am satisfied that the agreement is consistent with the public interest, and it does not disadvantage the employees concerned. I am satisfied that there is genuine consent to the Agreement by the parties to it and that the Agreement is not for a period of more than five years.

[7] Pursuant to s 55(4)(a) of the Act, the Agreement is approved, effective from 1 July 2022. The Allied Health Professionals Public Sector Union Wages Agreement No.1 of 2022 is cancelled, effective from today.

[8] The file will now be referred to the Registrar for registration in accordance with s 56 of the Act.

