**WHAT’S DIFFERENT ABOUT THE**

**ACT Public Service Nursing and Midwifery Enterprise Agreement 2013-2017**

This document will help staff understand the key changes between the previous ACT Public Service Nursing and Midwifery Enterprise Agreement 2011-2013 and the new ACT Public Service Nursing and Midwifery Enterprise Agreement 2013-2017.

GENERAL

A number of changes to the new enterprise agreement sought to clarify minor technical and operational requirements relating to existing entitlements and processes. Among these are important changes to the workplace behaviour sections (discipline, underperformance, internal review and appeals). These changes give a special focus on resolving matters as quickly as possible through counselling or other means without recourse to formal processes. The new provisions will be supported by the development of best practice guidance material for managers, delegates and investigators; all of which will greatly assist in the timely resolution of issues as they occur.

REMUNERATION

* All employees of the Health Directorate and Calvary Health Care ACT Inc. to whom the new Agreement applies will receive increases to their salary and allowances as below:

**Year 1 (2013-2014)**

* A single $2,550 flat increase across all classifications OR a 3% increase to salary rates, whichever is the greater, with effect from the first pay period on or after 1 July 2013; and
* 3% increase to most allowances, with 2% increases to allowances common with the rest of the ACTPS – Overtime Meals, Motor Vehicle and Linguistic Availability and Proficiency from the first pay period on or after 1 July 2013.

**Year 2 (2014-2015)**

* A 1.5% increase in salary rates and applicable allowances with effect from the first pay period on or after 1 July 2014; and
* A 1.5% increase in salary rates and applicable allowances with effect from the first pay period on or after 1 April 2015.
* Increases in allowance rates (Schedule 9) will be aligned with annual pay increases.

**Year 3 (2015-2016)**

* A 1.5% increase in salary rates and applicable allowances with effect from the first pay period on or after 1 October 2015; and
* A 1.5% increase in salary rates and applicable allowances with effect from the first pay period on or after 1 April 2016.
* Increases in allowance rates (Schedule 9) will be aligned with annual pay increases.

**Year 4 (2016-2017)**

* A 1.5% increase in salary rates and applicable allowances with effect from the first pay period on or after 1 October 2016; and
* A 1.5% increase in salary rates and applicable allowances with effect from the first pay period on or after 1 April 2017.
* Increases in allowance rates (Schedule 9) will be aligned with annual pay increases.
* Night shift penalties will increase from 22.5% to 25% from the first pay period on or after 1 January 2014 (Clause 55).
* Continuity of Care Midwifery Model (formally Canberra Midwifery Program) increase in loadings by 5% from the first pay period on or after 1 January 2014 (Schedule 3).
* Casual loading increases from 20% to 22.5% from commencement of agreement, with a further increase to 25% from 1 July 2015 (Clause 65).

ENTITLEMENTS

* There has been no reduction to existing entitlements under the new enterprise agreement, including Qualification Allowance.
* Flexible working arrangements, in line with amendments to the Fair Work Act, the Government has supported an increase in the circumstances that will allow an employee to seek flexible working arrangements; for example, caring, disability and being over the age of 55. Additionally, the entitlement to seek flexible work arrangements to support an employee’s work life balance has been simplified (Section 2).

LEAVE

* No Safe job leave

This is a new provision where pregnant employees who cannot be relocated to appropriately safe jobs during their pregnancy will be able to absent themselves from work with no loss in entitlements (Clause 115).

* Domestic Violence leave

An entitlement of 20 days per annum paid domestic violence leave has been introduced. This will apply to employees suffering from domestic violence to support them in attending counselling appointments, legal/court proceedings, police appointments and to access alternative accommodation and/or make arrangements involving children (Clause 138).

* Fostering, short term caring, adoption and permanent care arrangements

New ‘fit for purpose’ leave clauses provide both paid and unpaid entitlements relating to fostering and short term caring arrangements, and adoption and permanent care arrangements

(Clause 137).

* Defence Reserve Leave

A new Defence Reserve leave clause will provide a 20 day paid entitlement to align with the Defence Reserve Service (Protection) Act 2001 and the Defence Reserves Support Council’s recommended leave template (Schedule 10).

* Paid maternity leave, primary care giver and adoption and permanent care leave calculation.

In order to ensure the equitable application of paid Maternity, primary care giver and adoption and permanent care leave the method by which the entitlement is determined has changed.

The hours worked in the 12 months immediately prior to the leave period commencing will be averaged (Clause 130).

* Bonding leave

The entitlement to bonding leave has increased to a maximum eight week period providing for additional periods of concurrent unpaid leave that will build on the existing paid entitlement (Clause 134).

* Cash out of leave

Annual leave can now be cashed out multiple times throughout the year, provided one week of leave has been taken in the past six months, or in conjunction with the cash out and the remaining balance of annual leave is not less than one year’s credit (Clause 121).

Long service leave can now be cashed out in full or partially up to the accrued credit (Clause140).

   OTHER MATTERS

* The nominal expiry date for the Agreement is 30 June 2017 (Clause 4).
* Rostering guidelines and efficiencies have been added to ensure fairness and equity when creating rosters and to also provide effective, efficient and safe levels of client care and to promote employees safety, health and welfare (Clause 79).
* Changes have been made to Schedule 2 – Attraction and Retention Incentives (ARIns), formally Special Employment Arrangements (SEAs). The ARIns will automatically cease, after 15 months, unless they are reviewed and extended or renewed.
* Probation has been extended to 6 months, from the current 3 month duration (Clause 68).
* Leave planning (Clause 142) has become more simplified with fewer restrictions on timeframes for staff to apply for leave, with guidelines for managers and staff outlined in schedule 6.
* Purchase leave provisions for school nurses have been made clear with specific time frames and conditions. (Schedule 4).

If you have any questions, please contact the Industrial Relations Unit of the Health Directorate (Steven Linton on 6207 5569) or HR of Calvary Health Care ACT Inc (David Prior on 6201 6120). Or you can send in a question to [Health EBA](mailto:health%20EBA?subject=Question%20re%20Proposed%20Nursing%20Agreement).