

AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

Workplace Relations Act 1996

Section 576(E)(1) – Procedure for carrying out award modernisation process

IN THE MATTER OF

AM2008/13 Health and welfare services industry
(Excluding social and community services)

TRANSITIONAL PROVISIONS - FURTHER SUBMISSIONS OF THE AUSTRALIAN NURSING FEDERATION

1. Introduction

The Australian Nursing Federation welcomes this opportunity to provide further submissions on the content and the manner in which transitional issues should be dealt with for new modern awards, in particular, the Nurses Award 2010.

In preparing these submissions, we have had particular regard to the statement of the Award Modernisation Full Bench of 3 April 2009 at paragraph 25 where the Commission stated in part:

“We shall also consider the overall economic impact of a move to modern awards. The actual costing impact will also be relevant. Secondly, we are considering there is potential for the transitional provisions on some awards to be overly complicated. There is danger in particular where the modern award is to replace a range of desperate conditions in the pre-reform awards and NAPSA's. If transitional provisions are too complicated they will not serve the award modernisation objective and their implementation might be compromised.”

This submission complements our written submissions of 31 October 2008, 12 December 2008, 13 & 24 February 2009, 4 March 2009 and 29 May 2009.

In this submission the ANF responds to the transitional submissions of:

- The South Australian G10 Group
- The Private Hospital Industry Employer Associations
- The Commonwealth
- The Aged Care Industry Employer Associations

2. General comments

It is the submission of the ANF that in addressing the important issues on the arrangements for transitioning the Nurses Award 2010 a number of employers particularly those in the residential and aged care sectors are seeking to re-argue a range of issues that were considered by the Commission in the making of the Stage 2 awards, in particular, those covering the health and welfare services industries.

Specifically the employer submissions revisit their primary position that:

- They have an implacable opposition to a nursing occupational award;

- That the award safety net for nurses employed in the aged care sector should be less than that for nurses in all other sectors; and
- That the costs associated with the introduction of the award will be prohibitive

3. The South Australian G10 Group

The ANF notes that The South Australian G10 Group assert that the Nurses Award 2010 will result in significant additional costs that will result in an '**unsustainable cost burden to the industry**'

In response to the assertions on costs the ANF submits the following:

s.57(1) of the Fair Work Act 2009 provides

A modern award does not apply to an employee in relation to particular employment at a time when an enterprise agreement applies to the employee in relation to that employment.

The ANF understands that over 90% of the aged care industry in South Australia is currently covered by nursing collective agreements.

Attached to this submission as **Attachment 1** is a list of collective agreements between South Australian employers and nursing staff filed with the Office of the Employment Advocate since March 2006. The vast majority of these agreements cover aged care employers.

All of the "G10 Group" are currently respondent to collective agreements with their nursing employees.

The list of the G10 Group agreements with the relevant expiry dates forms **Attachment 2** to this submission.

These agreements are invariably comprehensive agreements covering a range of employment conditions and do not, as asserted by the employers, mirror the award. A selection of the "Arrangements" of such agreements forms **Attachment 3** to this submission.

The ANF notes that The South Australian G10 Group made similar submissions to the award modernisation full bench in February 2009.

We note that the G10 submission does not name the actual employers where it is asserted that such costs will be incurred. ANF believes that these are theoretical rather than actual employers as we have not been able to identify such facilities which are not currently covered by collective agreements with ANF or directly with nursing employees.

Given the foregoing it is the submission of the ANF that the actual cost to employers within the G10 group and throughout South Australia generally as a result of the introduction of the Nurses Award 2010 will be minimal.

4. The Private Hospital Industry Employer Associations

The Private Hospital Industry Employer Associations (PHIEA) submit that the AIRC should insert a standard transitional clause into all modern awards in the health and welfare services sector.

The PHIEA proposed transitional clause seeks to introduce a process(es) whereby the employer and employees are to negotiate the introduction and application of the modern award on an enterprise by enterprise basis.

The PHIEA propose that where agreement on the introduction and application of the award cannot be reached at the enterprise, the employer shall determine which clauses shall apply and when.

The ANF is opposed to the PHIEA proposals as we believe that they are inconsistent with the Ministerial Request, as well as the requirements of Part 10A of the Workplace Relations Act 1996 and are unworkable.

5. The Commonwealth

In its submissions on transitional arrangements for the aged care sector the Commonwealth urges the Commission to use the full transition period available to absorb any changes in labour costs.

It appears that the Commonwealth has the view that the treatment of awards in aged care should be different from other awards in the sectors because the aged care sector is reliant on Commonwealth funding.

If this be so it is very disappointing and appears inconsistent with the Commonwealth's position on the role of modern awards which in part is to provide an equitable and fair safety net of wages and conditions of employment.

While everyone acknowledges that the aged care sector is labour intensive and reliant on public funds it is unjust in the extreme to place at the employees feet any shortcoming there may be in levels of funding to aged care employers.

In our earlier submissions the ANF has referred the Commission to the history of the awards and difficulties in bargaining in the sector, due to some extent, to the rigidities in commonwealth funding. One consequence of this is that aged care employees are more likely to be award reliant and to be remunerated much less than their peers in other parts of the health and welfare sectors. For example in 2009 an aged care nurse can be paid up to \$300 per week less than a nurse with comparable skills and levels of responsibility in a hospital setting.

In the past the Commission has also commented on the funding arrangements in the sector. In the submission of 31 October 2008 the ANF took the Commission to a decision of a Full Bench (Munro J, Duncan DP and Eames C Print S6646) who in 1999 examined the work value changes of nurses employed in the aged care sector in the Northern Territory.

In relation to funding the full bench observed:

“The circumstances in which these RACFs operate, and the needs that they alone provide services to satisfy, should attract a practical level of support. It is not consistent with equity and good conscience for a society, or for that matter a government, to impose on those who staff such institutions an undue degree of responsibility for the dilemmas of funding and services that appear to be chronic. Nor is it consistent with good conscience to fail to address patent incapacity to deliver a relatively equivalent level of remuneration for work of equal value. Substantial differences which appear to exist in the effective remuneration available to professional aged care service providers in such institutions and comparable staff in other health and human services institutions in the public or private sectors. That circumstance should either be justified or redressed: it should not be simply ignored” (at page 17)

and further

“It is essentially unjust for the community to be so dependent on not-for-profit service providers and essential service nursing staff, but to fail to supply adequate funding to meet what we consider to be a base level movement in the rates of pay to ensure equitable treatment between comparable groups of nursing staff. (at page 23)

In that submission the ANF also made the important points that aged care workers, including nurses, are low paid workers and a predominately female workforce.

They provide a critically important role in our society often in very stressful , arduous and difficult circumstances.

While the ANF supports the Commonwealth’s stated commitment to the long term viability of the aged care sector and the importance of having appropriately skilled staff this will not be possible if employees are denied the benefits that may be available under modern awards.

6. The Aged Care Industry Employer Associations

The Aged Care Industry Employer Associations submission urges the Commission to adopt a series of complicated award schedules intended to delay the application of the award for as long as possible.

The ANF response in this submission is confined to the employer comments on the impact of the Nurses Award 2010.

In addition to the complicated nature of the employers proposals the ANF submit that on examination the proposed schedules relating to particular clauses of the Nurses Award contain a number of inaccuracies, based in part on an incorrect interpretation and application of particular award clauses or the omission of relevant information.

The following identifies examples of where the schedules are inaccurate and misleading and should not be relied upon by the Commission in determining transitional arrangements.

6.1 Transitional Provisions Schedule G – Queensland – Nurses Award 2010

A. Casual loading Transitional Provision Clause (Award Reference Clause:10.4(b))

- The aged care employers rely on a blanket statement in the “Explanatory Notes” that the new award provision means a cost increase to employers. No information is provided to support their position, particularly information on the number and usage of casual employees including actual number of hours worked. According to the NILS Report less than 1 in 5 nurses employed in residential aged care are employed on a casual basis.¹

¹ Martin B, King D., October 2008 *Who Cares for Older Australians? A picture of the Residential and Community Care Workforce, 2007* Institute of Labour studies Flinders University Adelaide Australia, Table 3.3 p.10.

**B. Travelling, Transport and Fares Transitional Provision Clause
(Award Reference Clause: 16.5)**

- In relation to the Nurses' Aged Care Award – State 2005 it is not customary for nurses employed in residential aged care facilities to be required to use their own vehicle in the course of their duties. The alleged increased cost claimed by aged care employers is unlikely to be realised.
- The Nurses' Domiciliary Services Award State 2003 contains rates that have not been updated for a number of years because nurses are covered by higher rates contained in agreements with the major providers of domiciliary services in Queensland. Further, certain domiciliary service providers supply a vehicle and do not require nurses to use their own.

**C. Meal Break payments Transitional Provision Clause
(Award Reference Clause: 27.1(b))**

- Contrary to the aged care employer submission the clause in the modern award is actually a **reduction** in the current entitlement under clause 6.2.2 (b) of the Nurses' Aged Care Award – State 2005 which provides:

*“Where an employee is required to work during a meal break and continuously thereafter they shall be paid at the rate of **double time** until released from duty for a meal break.”*

Whereas, the modern award provides for **time and half** for the first 2 hours and double time thereafter (ie Monday to Saturday).

**D. Part-time Employee Overtime Transitional Provision Clause
(Award Reference Clause: 28.1(d))**

- The ANF believes the general comment by aged care employers in relation to this clause is an incorrect interpretation and application of the provision in the modern award.

**E. Quantum of Additional Annual Leave Transitional Provision Clause
(Award reference Clause: 31.1(a))**

- First, the ANF does not agree with the aged care employers' general position that the additional week of annual leave set out in the above clause, (providing additional provisions to the entitlements under the NES), does not apply to part-time employees.
- Secondly, current provisions under the Nurses' Aged Care Award – State 2005 and the Nurses' Domiciliary Services Award State – 2003 provide for not less than 5 weeks annual leave and not less than 6 weeks annual leave if employed on shift work. The provision is applicable to part time employees and is the **same quantum** as the modern award. The only difference is in the wording re eligibility and application of the 6th week.

**F. Public Holidays Transitional Provision Clause
(Award reference Clause: 32)**

- No Comment

6.2 Transitional Provisions Schedule H – New South Wales – Nurses Award 2010

A. Casual loading Transitional Provision Clause (Award Reference Clause:10.4(b))

- The aged care employers rely on a blanket statement in the “Explanatory Notes” that the new award provision means a cost increase to employers. No information is provided to support their position, particularly information on the number and usage of casual employees including actual number of hours worked. According to the NILS Report less than 1 in 5 nurses employed in residential aged care are employed on a casual or contract basis.

B. Travelling, Transport and Fares Transitional Provision Clause (Award Reference Clause: 16.5)

- It is not customary for nurses employed in residential aged care facilities to be required to use their own vehicle in the course of their duties. The alleged increased cost claimed by aged care employers is unlikely to be realised.

C. Meal Break payments Transitional Provision Clause (Award Reference Clause: 27.1(b))

- No comment

D. Part-time Employee Overtime Transitional Provision Clause (Award Reference Clause: 28.1(d))

- The ANF believes the general comment by aged care employers in relation to this clause is an incorrect interpretation and application of the provision in the modern award.

E. Quantum of Additional Annual Leave Transitional Provision Clause (Award reference Clause: 31.1(a))

- First, the ANF does not agree with the aged care employers’ general position that the additional week of annual leave set out in the above clause, (providing additional provisions to the entitlements under the NES), does not apply to part-time employees.
- Secondly, 7 day shiftworkers currently have a minimum of 6 weeks but also have access to another 1 to 5 days depending on the number of shifts worked on Sundays +/- public holidays **(up to 7 weeks in total)**.
- Other shiftworkers have a minimum of 4 weeks and also have access to another 1 to 5 days depending on the number of shifts worked on Sundays +/- public holidays. In addition other full time shift workers can earn up to another 2 weeks leave if required to work a public holiday: (ie can elect to have one day added to annual leave and be paid an additional 50% or paid an additional 150%). If the public holiday falls on a rostered day off can elect to have one day added to annual leave or be paid an additional 100%.(Clause 15 (iii)(a) and (b)) **(ie they either access 7 weeks annual leave or receive a combination of annual leave and monetary compensation which is the equivalent value of up to 7 weeks)**.
- Day workers have a minimum of 4 weeks and can also access another 1 to 5 days depending on the number of public holidays worked. In addition employees who work on a public holiday can elect to have one day added to annual leave and be paid an additional 50% or paid an additional 150%

(Clause 15 (iii)(a) and Clause 21, Part 1 (iv)). **(It is therefore possible to access up to 7 weeks annual leave or receive a combination of annual leave and monetary compensation which is the equivalent value of up to 7 weeks annual leave).**

6.3 Transitional Provisions Schedule I – South Australia – Nurses Award 2010

A. Casual loading Transitional Provision Clause (Award Reference Clause:10.4(b))

- See earlier comment.

B. Travelling, Transport and Fares Transitional Provision Clause (Award Reference Clause: 16.5)

- It is not customary for nurses employed in residential aged care facilities to be required to use their own vehicle in the course of their duties. The alleged increased cost claimed by aged care employers is unlikely to be realised.

C. Meal Break payments Transitional Provision Clause (Award Reference Clause: 27.1(b))

- The current award (clause 6.5.1 and 6.5.2) already requires payment of overtime in similar circumstances at the overtime rate of time and a half for the first 3 hours and double time thereafter.

D. Part-time Employee Overtime Transitional Provision Clause (Award Reference Clause: 28.1(d))

- The ANF believes the general comment by aged care employers in relation to this clause is an incorrect interpretation and application of the provision in the modern award.

E. Quantum of Additional Annual Leave Transitional Provision Clause (Award reference Clause: 31.1(a))

- First, the ANF does not agree with the aged care employers' general position that the additional week of annual leave set out in the above clause, (providing additional provisions to the entitlements under the NES), does not apply to part-time employees.
- Secondly, shiftworkers already get 6 weeks annual leave under the current award.

6.4 Transitional Provisions Schedule J – Victoria – Nurses Award 2010

A. Sunday shift loading Transitional Provision Clause (Award Reference Clause:26.2)

- The Victorian award currently provides for payment of shift allowances in addition to the weekend and public holiday penalty payments. The modern award **does not** provide for payment of shift allowances for work performed on Saturday, Sunday or public holiday.

B. Meal Break payments Transitional Provision Clause (Award Reference Clause: 27.1(b))

- No specific comment
- General comment: It should be noted that a number of other clauses in the current Victorian Award provide greater entitlements than the modern award. For example the current provision for personal leave is 12 days in the 1st year of employment; 14 days in the 2nd 3rd and 4th years and 21 days thereafter with an additional 4 days compassionate leave. The modern award provides for 10 days personal leave and 2 days compassionate leave. (ie 50% less for employees in their 5th year and thereafter.)

6.5 Transitional Provisions Schedule K– Australian Capital Territory (ACT) – Nurses Award 2010

A. Casual loading Transitional Provision Clause (Award Reference Clause:10.4(b))

- See earlier comment

B. Travelling, Transport and Fares Transitional Provision Clause (Award Reference Clause: 16.5)

- It is not customary for nurses employed in residential aged care facilities to be required to use their own vehicle in the course of their duties. The alleged increased cost claimed by aged care employers is unlikely to be realised

C. Meal Break payments Transitional Provision Clause (Award Reference Clause: 27.1(b))

- The explanatory notes in this section refer to recreational activities officers and personal carers and appear to relate to the Aged Care award.
- The Nurses Private Employment (ACT) Award provides for a meal break under clause 8.16. There is no requirement to remain available or on duty.

D. Part-time Employee Overtime Transitional Provision Clause (Award Reference Clause: 28.1(d))

- The ANF believes the general comment by aged care employers in relation to this clause is an incorrect interpretation and application of the provision in the modern award.

E. Quantum of Additional Annual Leave Transitional Provision Clause (Award reference Clause: 31.1(a))

- First, the ANF does not agree with the aged care employers' general position that the additional week of annual leave set out in the above clause, (providing additional provisions to the entitlements under the NES), does not apply to part-time employees.
- Secondly, clauses 13.1.2 and 13.2.2 of the Nurses Private Employment Award are incorrectly documented in the employers' transitional schedule. Employees are entitled to 5 weeks annual leave if they normally work shift work **and/or at** weekends. In some cases the entitlement under the modern award will be **reduced** not expanded.

6.6 Transitional Provisions Schedule L – Tasmania – Nurses Award 2010

A. Casual loading Transitional Provision Clause (Award Reference Clause:10.4(b))

- The blanket statement in the “Explanatory Notes” that the 25% casual loading provided in the modern award is a cost increase for employers in Tasmania is not supported by any detail in relation to the current application of the relevant clauses and is misleading in documenting only one of a number of relevant provisions relating to casual and part-time work as outline below.
- Unlike other nursing awards included in the aged care employer’s Transitional Schedules, the definition of casual employees in Clause 4.2 of the Nurses (Tasmanian Private Sector) Award is “... a person who either relieves a full-time or part-time employee; or is engaged temporarily for specific duties for a period not exceeding 8 weeks,” and with payment of 20% loading on the ordinary rate.

Part-time employees are defined as “an employee, other than a full-time employee or casual employee, engaged to work regularly in each pay period for less hours than an equivalently classified full-time employee.” (Clause 4.13)

Part-time employees engaged to work less than 20 hours per week are paid a 20% loading in lieu of public holidays, annual leave and sick leave. (Clause 13.2.2) Where there is agreement between the employer and the employee, part-time employees engaged to work less than 20 hours per week may receive pro-rata benefits in respect to public holidays, sick leave and annual leave in lieu of the 20% loading. (Clause 13.2.5)

B. Travelling, Transport and Fares Transitional Provision Clause (Award Reference Clause: 16.5)

- The aged care employers incorrectly state in this section that a per kilometre motor vehicle allowance is not currently included in the Nurses (Tasmanian Private Sector) Award 2005. Clause 28 Travelling and Excess Fares provides at clause 28.1.5 for reimbursement on a per kilometre travelled basis in accordance with the Nurses (Tasmanian Public Sector) Award.
- However as we have noted earlier, it is not customary for nurses employed in residential aged care facilities to be required to use their own vehicle in the course of their duties. The alleged increased cost claimed by aged care employers is unlikely to be realised.

C. Meal Break payments Transitional Provision Clause (Award Reference Clause: 27.1(b))

- Day workers and shift workers are currently entitled to a penalty payment of time and a half if required to work or the meal break is interrupted by a call to duty.

**E. Part-time Employee Overtime Transitional Provision Clause
(Award Reference Clause: 28.1(d))**

- The ANF believes the general comment by aged care employers in relation to this clause is an incorrect interpretation and application of the provision in the modern award.

**F. Quantum of Additional Annual Leave Transitional Provision Clause
(Award reference Clause: 31.1(a))**

- First, the ANF does not agree with the aged care employers' general position that the additional week of annual leave set out in the above clause, (providing additional provisions to the entitlements under the NES), does not apply to part-time employees.
- Secondly, shift workers currently accrue a minimum of 6 or 7 weeks annual leave. 7 weeks applies if work not less than 10 Saturdays and not less than 10 Sundays. (Clauses 24.1.2(a); 24.2.2 and 24.2.3)

ATTACHMENT 1

	AGREEMENT	AGREEMENT TYPE	LODGED OEA	OPERATIVE	EXPIRY	AGREEMENT NO	Sector
1.	Royal Flying Service of Australia (South East Section) Cooper Basin Nurses Enterprise Agreement 2006	Union Collective	19/5/06	19/5/06	30/6/08	06121784	Private
2.	Fullarton Lutheran Homes Inc Nursing Employees (Aged Care) Workplace Agreement 2006	Employee Collective	26/5/06	26/5/06	25/5/09	06144807	Aged
3.	Helping Hand Aged Care In Nursing Employees – ANF Collective Agreement 2006	Union Collective	10/7/06	10/7/06	9/7/08	06330135	Aged
4.	Tappeiner Court Nursing Home Nursing Employees ANF (Aged Care) Workplace Agreement 2006	Union Collective	21/7/06	21/7/06	31/12/08	06400608	Aged
5.	Christies Beach Residential Care Services Nursing Employees ANF (Aged Care) Workplace Agreement 2006	Union Collective	2/8/06	2/8/06	1/7/09	06458835	Aged
6.	War Veterans Home Myrtle Bank Inc Nurses & ANF Workplace Agreement 2006	Union Collective	4/8/06	4/8/06	3/8/09	06474734	Aged
7.	Ardrossan Community Hospital Inc Nursing Staff and ANF Workplace Agreement 2006	Union Collective	1/9/06	1/9/06	31/8/09	06641173	Private
8.	Nurses – ANF- Wynwood Nursing Home Pty Ltd 2006	Employee Collective	10/7/06	10/7/06	9/7/09	06327951	Aged
9.	Klemzig Residential Care Services Nursing Employees ANF (Aged Care) Workplace Agreement 2006	Union Collective	3/10/06	3/10/06	1/7/09	06831506	Aged
10.	St Basils Homes (SA) Nursing Employees and ANF (Aged Care) Workplace Agreement 2006	Union Collective	10/10/06	10/10/06	31/12/08	06874263	Aged
11.	Hamley Bridge Memorial Hospital Nursing Staff & ANF Workplace Agreement 2006	Union Collective	11/10/06	11/10/06	10/10/08	06888641	Private

12.	Nurses (ANF) St Martins Aged Care Facility Union Collective Agreement 2006	Union Collective	16/10/06	16/10/06	31/12/08	06912678	Aged
13.	Southern Districts War Memorial Hospital Nursing Staff & ANF Workplace Agreement 2006	Union Collective	25/10/06	25/10/06	31/12/08	06982436	Private
14.	City of Onkaparinga Municipal Officers and Nurses Collective Agreement 2006	Union Collective	27/10/06	27/10/06	31/12/09	061000243	Private
15.	Nunkuwarrin Yunti of SA Inc (ANF) Nursing Workplace Agreement 2006	Union Collective	2/11/06	2/11/06	01/09/08	061037881	Private
16.	SA Baptist Homes Inc Nursing Employees Workplace Agreement 2006	Employee Collective	19/6/06	19/6/06	18/6/09	6235430	Aged
17.	Anaster Residential Care Nursing Employees ANF (Aged Care) Workplace Agreement 2006	Union Collective	6/11/06	6/11/06	1/11/09	061055223	Aged
18.	Calvary Home Care Services Ltd Nursing Employees ANF Union Collective Agreement 2006	Union Collective	20/11/06	20/11/06	1/11/08	061149941	Private
19.	Nurses-ANF-Salisbury Private Nursing Home Pty Ltd Collective Agreement 2006	Union Collective	7/12/2006	7/12/2006`	6/12/2009	061275768	Aged
20.	Nurses-ANF-Etnor Pty Ltd (t/as St Georges Park Nursing Home) Collective Agreement 2006	Union Collective	12/12/06	12/12/06	11/12/09	061308840	Aged
21.	St Louis Nursing Home Pty Ltd and ANF Union Collective Agreement 2006-2009	Union Collective	11/12/06	11/12/06	30/6/09	061297595	Aged
22.	Nurses Board of South Australia Enterprise Agreement 2006	SA IR Commission Non Union Agreement	Unknown	24/3/06	23/3/09	1850 of 2006	Private (Public Sector Conditions)
23.	ANF & Kings Park Private Nursing Home Nursing Employees ANF (Aged Care) Workplace Agreement 2006	Union Collective	13/12/06	13/12/06	1/12/09	061321164	Aged
24.	ANF & Jallarah Homes Inc Nursing Employees ANF (Aged Care) Workplace Agreement 2006	Union Collective	21/12/06	21/12/06	1/12/09	061386281	Aged
25.	Churches of Christ Life Care Inc Nursing Employees - ANF (Aged Care) Workplace Agreement 2006-2008	Union Collective	21/12/06	21/12/06	30/12/2008	061386307	Aged

26.	ANF & Matthew Flinders Home Inc Nursing Employees Workplace Agreement 2006	Union Collective	27/12/06	27/12/06	26/12/09	061409252	Aged
27.	Tullawon Health Service Inc (Nurses) Enterprise Agreement 2006	Union Collective (SAIRC)	18/12/06	18/12/06	17/12/06	7558 of 2006	Private
28.	Tanunda Lutheran Home Inc Nursing Staff & ANF Workplace Agreement 2006	Union Collective	8/1/07	8/1/07	7/1/11	071457430	Aged
29.	Onkaparinga Valley Residential Care Nurses Agreement 2006	Employee collective	11/12/06	11/12/06	10/12/10	061293721	Aged
30.	ANF & Longridge Retirement Village Nursing Employees (ANF) Aged Care Workplace Agreement) 2006	Union Collective	18/1/07	18/1/07	1/12/09	071528917	Aged
31.	Hahndorf Residential Care Services Nursing Employees Workplace Agreement 2006	Employee Collective	1/11/2006	1/11/2006	1/11/2009	61074333	Aged
32.	ANF & St Joseph's House Nursing Employees ANF (Aged Care) Workplace Agreement 2006	Union Collective	27/12/06	27/12/06	1/12/09	61409239	Aged
33.	ANF & Tolega Pty Ltd t/as Oakwood Aged Care Nursing Employees ANF (Aged Care) Workplace Agreement 2006	Union Collective	27/12/06	27/12/06	1/12/09	61409005	Aged
34.	ANF & Clayton Church Homes Inc Nursing Employees (Aged Care) Workplace Agreement 2006	Union Collective	9/2/07	9/2/07	31/12/08	071689298	Aged
35.	St Andrews Hospital Inc Nursing Employees (Theatre Suite) & ANF Workplace Agreement 2006	Union Collective	23/1/07	23/1/07	2/2/08	071689116	Private
36.	St Andrews Hospital Inc Nursing Employees (Excluding Theatre Suite) & ANF Workplace Agreement 2006	Union Collective	23/1/07	23/1/07	2/2/09	071689129	Private
37.	Uniting Care Wesley Bowden Inc Nursing Employees ANF (Aged Care) Workplace Agreement 2007	Union Collective	22/2/07	22/2/07	31/1/09	071779128	Aged
38.	Valley View Residential Care Facility Nurses - Aged Care Collective Agreement 2006	Employee Collective	9/2/07	9/2/07	8/2/10	071688063	Aged
39.	Martindale Aged Care Facility Nurses – Aged Care Collective Workplace Agreement 2007	Employee Collective	21/3/07	21/3/07	20/3/10	071994681	Aged

40.	St Paul's Lutheran Homes, Hahndorf Nursing & Personal Care Employees & ANF (Aged Care) Workplace Agreement 2007	Union Collective	23/3/07	23/3/07	22/3/11	72017964	Aged
41.	Boandik Lodge Inc Nursing Employees ANF (Aged Care) Workplace Agreement 2007	Union Collective	2/4/07	2/4/07	1/7/09	72090764	Aged
42.	Dunbar Homes Incorporated Nursing Employees Collective Agreement 2006	Employee Collective	29/9/06	29/9/06	28/9/09	6817830	Aged
43.	ANF & Sportsmed SA Hospitals Pty Ltd Nursing Employees and ANF Workplace Agreement 2007	Union Collective	11/4/07	11/4/07	1/10/09	071259807	Private
44.	ANF & Mount View Homes Inc Nursing Employees ANF (Aged Care) Workplace Agreement 2007	Union Collective	16/4/07	16/4/07	1/10/09	072193971	Aged
45.	ANF & Monreith Aged Care Facility Nursing Employees ANF (Aged Care) Workplace Agreement 2006	Union Collective	16/04/07	16/4/07	30/06/09	072193984	Aged
46.	The Kensington Residential Care Facility Nurses (Aged Care) Collective Workplace Agreement 2006	Employee Collective	09.02.07	09.02.07	08.02.10	071687894	Aged
47.	ANF & Wheatfields Incorporated Nursing Employees ANF (Aged Care) Workplace Agreement 2007	Union Collective	26.4.07	26.4.07	1.2.10	072275585	Aged
48.	ANF & Brighton Aged Care Nursing Employees (Aged Care) Workplace Agreement 2006	Union Collective	26.4.07	26.4.07	25.4.10	072275611	Aged
49.	Winchester Residential Care Nurses - Aged Care Collective Workplace Agreement 2007	Employee Collective	19.4.07	19.4.07	18.4.10	072226939	Aged
50.	Para Hills Private Nursing Home Enterprise Agreement 2007	Union Collective (SAIRC)	17.5.07	17.5.07	16.5.10	2210 of 2007	Aged
51.	ANF & Bethsalem Care Nursing Employees ANF (Aged Care) Workplace Agreement 2007	Union Collective	19.5.07	19.5.07	1.12.09	072384330	Aged
52.	Wami Kata Old Folks Home Inc Nursing Employees ANF (Aged Care) Workplace Agreement 2007	Union Collective	21.5.07	21.5.07	20.5.10	072467881	Aged
53.	Marron Nursing Home Nursing Employees (Aged Care) Workplace Agreement 2007	Employee Collective	3.4.07	3.4.07	1.12.09	072181790	Aged

54.	Warinna Homes Inc Nursing Employees (ANF) Collective Agreement 2006	Union Collective	1.6.07	1.6.07	31.5.10	072562053	Aged
55.	Nurses (ANF – ACH Group) Enterprise Agreement 2007	Union Collective	13.6.07	13.6.07	12.6.10	072631733	Aged
56.	ANF & Eyre Peninsula Old Folks Home Inc Nursing Employees ANF (Aged Care) Workplace Agreement 2007	Union Collective	14.6.07	14.6.07	1.1.10	072650843	Aged
57.	Masonic Homes Nurses (ANF) Collective Agreement 2007	Union Collective	21.06.07	21.06.07	30.06.10	072708862	Aged
58.	Kiandra Residential Aged Care and Semaphore Residential Care Centre Workplace Agreement 2007	Employee Collective	20.6.07	20.6.07	19.6.10	072697253	Aged
59.	Society of St Hilarion Inc Nursing Employees ANF (Aged Care) Workplace Agreement 2007	Union Collective	28.6.07	28.6.07	31.12.09	072763527	Aged
60.	ANF and Ridge Park Health Care Centre Pty Ltd Nursing, ANF (Aged) Care Workplace Agreement 2007	Union Collective	26.7.07	26.7.07	1.10.09	072979925	Aged
61.	ANF and Gleneagles Aged Care Facility Nursing Employees, ANF (Aged Care) Workplace Agreement 2007	Union Collective	26.7.07	26.7.07	1.01.10	072979899	Aged
62.	Moonta Health and Aged Care Services Inc Nursing Employees ANF (Aged Care) Workplace Agreement 2007	Union Collective	26.7.07	26.7.07	30.06.10	072979886	Aged
63.	Kooluna Residential Care Nurses Aged Care Collective Workplace Agreement 2007	Employee Collective	23.4.07	23.4.07	22.4.10	072251821	Aged
64.	ANF & Hyde Park Aged Care Nursing Employees ANF (Aged Care) Workplace Agreement 2007	Union Collective	15.8.07	15.8.07	14.8.10	073129152	Aged
65.	Mitcham and Oaklands Residential Care Facilities Nurses Aged Care Collective Workplace Agreement 2007	Employee Collective	29.8.07	29.8.07	28.8.10	073232398	Aged
66.	ANF & The Rural City of Murray Bridge Nursing Employees ANF (Aged Care) Workplace Agreement 2007	Union Collective	28.8.07	28.8.07	31.7.09	073225599	Aged
67.	St Catherine's Berri Nursing Employees ANF (Aged Care) Workplace Agreement 2007	Union Collective	23.8.07	23.8.07	1.12.09	073193970	Aged
68.	ANF and Whyalla Aged Care Nursing Employees ANF (Aged Care) Workplace Agreement 2007	Union Collective	28.8.07	28.8.07	1.10.10	073227887	Aged

69.	City of Holdfast Bay (Alwyndor Aged Care) and ANF, Nursing Employees Collective Agreement 2007	Union Collective	4.9.07	4.9.07	31.3.10	073279731	Aged
70.	UnitingCare Wesley Adelaide & ANF Nursing Employees Workplace Agreement 2007	Union Collective	24.9.07	24.9.07	8.6.10	073433742	Aged
71.	Gilbert Valley Senior Citizens Homes (Riverton) Inc Nursing Employees ANF (Aged Care) Workplace Agreement 2007	Union Collective	12.12.07	12.12.07	30.6.10	074079868	Aged
72.	Minda Incorporated Nursing Employees Union Collective Agreement No 4 - 2007	Union Collective	24.10.07	24.10.07	23.10.09	073667014	Aged
73.	Nurses/Midwives (South Australian Public Sector) Enterprise Agreement 2007	Union Collective (SAIRC)	2.11.07	2.11.07	30.6.10	5456 of 2007	Public
74.	Gribbles Pathology Nursing Employees ANF Workplace Agreement 2007	Union Collective	13.11.07	13.11.07	30.6.09	073817112	Private
75.	Resthaven Inc Nursing Employees ANF Workplace Agreement 2007	Union Collective	28.11.07	30.9.10	30.9.10	073951428	Aged
76.	Barossa Village Inc Nursing Employees ANF (Aged Care) Workplace Agreement 2007	Union Collective	7.12.07	7.12.07	31.12.09	074043975	Aged
77.	Ramsay Health Care (SA) Mental Health Services (ANF) Nursing Employees collective Agreement 2008	Union Collective	7.1.08	7.1.08	31.12.10	084198233	Private
78.	Adelaide Community Healthcare Alliance Nursing Employees ANF Workplace Agreement 2007	Union Collective	8.1.08	8.1.08	31.8.10	084217005	Private
79.	Calvary Health Care Adelaide Nursing Employees ANF Workplace Agreement 2007	Union Collective	24.12.07	24.12.07	30.6.10	084868435	Private
80.	Port Lincoln Aboriginal Health Service Nursing Employees ANF Workplace Agreement 2007	Union Collective	15.1.08	15.1.08	30.6.09	084603482	Private
81.	Adelaide Fertility Centre P/L (trading as Repromed) ANF (SA Branch) SA Nursing Employees Collective Agreement	Union Collective	11.12.07	11.12.07	30.5.10	074069546	Private
82.	Ridleyton Greek Home for the Aged Nursing Employees & ANF (Aged Care) Workplace Agreement 2007	Union Collective	18.12.07	18.12.07	17.12.10	074114630	Aged
83.	Narooma Retirement and Aged Care Services Nursing Employees ANF	Union Collective	18.12.07	18.12.07	17.12.11	074120285	Aged

	(Aged Care) Workplace Agreement 2007						
84.	Goel Nominees Nursing Employees ANF (Aged Care) Workplace Agreement 2007	Union Collective	19.11.07	19.11.07	30.6.09	073864042	Aged
85.	Morpeth Nursing Home Nursing Employees ANF Aged Care Collective Agreement 2007	Union Collective	18.1.08	18.1.08	18.1.11	084283890	Aged
86.	Western Hospital Nurses Agreement 2007	Employee Collective	15.1.08	15.1.08	14.1.10	084257279	Private
87.	Burnside War Memorial Hospital Nursing Employees ANF Workplace Agreement 2007	Union Collective	10.3.08	10.3.08	03.10.10	084609774	Private
88.	Keith and District Hospital Inc Nursing Employees ANF Workplace Agreement 2007	Union Collective	12.3.08	12.3.08	1.1.10	084622163	Private
89.	Royal Flying Service of Australia Central Operations Inc Flight Nurses (ANF) Agreement 2008	Union Collective	6.3.08	6.3.08	5.3.11	084587479	Private
90.	Anglicare SA Inc Nursing Employees ANF (Aged Care) Workplace Agreement No 3 2008	Union Collective	17.3.08	17.3.08	30.6.10	084643938	Aged
91.	St Andrews Hospital Inc Nursing Employees (Theatre Suite) ANF Workplace Agreement 2008	Union Collective	29.4.08	NDT passed 20/10/08 Op 27/10/08	3 years	084847531	Private
92.	Italian Benevolent Foundation Inc Nursing Employees ANF (Aged Care) Workplace Agreement 2008	Union Collective	19.3.08	19.3.08	12.3.11	084680949	Aged
93.	Barunga Village Nurses Agreement 2007	Employee Collective	18.2.08	18.2.08	17.2.11	084484883	Aged
94.	St Andrews Hospital Inc Nursing Employees (Excluding Theatre Suite) ANF Workplace Agreement 2008	Union Collective	1.5.08	NDT 23.1.09 Op 30-1-09	30.4.11	084848116	Private
95.	Australian Red Cross Blood Service ANF SA Nurses Workplace Agreement 2008	Union Collective	14.5.08	NDT passed 2/9/08 Op 9/9/08	30.6.10	084897282	Private
96.	North Eastern Community Hospital Nursing Employees & ANF Workplace Agreement 2008	Union Collective	21.5.08	NDT passed 26.1.09 Op 5.2.09	3 years	085233566	Private
97.	Nganampa Health Council Community Health Nursing Staff ANF Workplace Agreement 2007	Union Collective	6.6.08	NDT passed 19.2.09 Op 26.2.09	31.12.10	085040594	Private

98.	Homestead at Walkley Heights Nurses - Aged Care Collective Agreement 2008	Employee Collective	pending	NDT	3 years	ballot close 12/6/08	Aged
99.	James Brown Memorial Trust & ANF Registered and Enrolled Nurse Collective Agreement 2008	Union Collective	2.7.08	NDT 24.2.09 Op 3.3.09	2.3.13	085081024	Aged
100.	Nurses - Fairlux Pty Ltd - ANF Workplace Agreement 2008 - The Avenues Residential Care - Burnleigh Private Residential Care - Kirribilli @ Encounter Bay - St Peters Residential Care - Skyline Residential Care - Springfields Residential Care	Union Collective	8.7.08	NDT 26.2.09 Op 5.3.09	30.6.10	085145179	Aged
101.	Nurses - Kadina Health & Aged Care Centre Pty Ltd - ANF - WA 2008 - Peninsula Residential Care	Union Collective	18.8.08	NDT 24.2.09 Op 3.3.09	30.6.10	085325892	Aged
102.	Nurses - Miroma Residential Care Facility Pty Ltd - ANF - Workplace Agreement 2008	Union Collective	8.7.08	NDT 26.2.09 Op 5.3.09	30.6.10	085145270	Aged
103.	Royal District Nursing Service of SA Inc Nursing Union Collective Agreement 2008-2010	Union Collective	29.07.08	NDT passed 4.3.09 Op 11.3.09	31.12.10	085183607	Private
104.	Healthscope SA Private Hospitals and ANF Nursing Employees Workplace Agreement(incorporating Griffith Rehabilitation Hospital and Parkwynd Private Hospital 2008	Union Collective	relodged with signature 1.10.08 1.7.08	NDT 3.4.09 Op 10/4/09	1.1.11	085405426 Not lodged (unsigned) 085078346	Private
105.	Norwood Nursing Home Nursing Employees ANF (Aged Care) Workplace Agreement 2007	Union Collective	30.7.08	NDT 27.2.09 Op 6/3/09	31.12.08	085187611	Aged
106.	Eldercare Inc Nursing Employees ANF Collective Agreement 2008-2011	Union Collective	7.8.08	NDT 10.3.09 Op 17/3/09	16/3/12	085215847	Aged
107.	Elanora SYP Homes Inc Nursing Employees ANF Collective Agreement 2008-2011	Union Collective	7.8.08	NDT 27.2.09 Op 6/3/09	5/3/12	085216042	Aged
108.	Fresenius Medical Care Australia Pty Ltd (FME) South Australia Nurses Union Collective Agreement 2007-2010	Union Collective	17.10.08	NDT 3-3-09 Op 10-3-09	31/7/10	085472649	Private
109.	Adelaide Day Surgery Nursing Employees ANF Collective Agreement 2008	Union Collective	27.10.08	NDT 16/3/09 Op 23.3.09	22.3.12	085501028	Private

110.	Glenelg Community Hospital Nursing Employees & ANF Workplace Agreement 2008	Union Collective	20.11.08	NDT 13.3.09 Op 20/3/09	2.5.11	085592132	Private
111.	Royal Flying Doctor Service of Australia [SE Operations] Cooper Basin Nurses Agreement 2008	Union Collective	30.10.08	NDT passed 17-3-09 Op 24/3/09	30.6.11	085523999	Private
112.	Amity Group Pty Ltd (South Australia) Workplace Agreement 2008	Union Collective	3.11.08	NDT 17.3.09 Op 20.3.09	1.9.10	085529940	Aged
113.	LHI Retirement Services Nursing Staff (Aged Care) Enterprise Agreement 2008	Non-union (AIRC Variation)	23.10.08	23.10.08	22.10.11	AG847072 PR984221	Aged
114.	Southern Cross Inc Nursing Employees ANF (Aged Care) Enterprise Agreement 2008	UCEA (s170LJ AIRC Variation)	21.11.08	4.12.08	30.9.10	AG844816 PR984862	Aged
115.	Flinders & Far North Division of General Practice Enterprise Bargaining Agreement 2008	Union Collective (SAIRC)	27.11.08	29.12.08	28.12.11	0736/2008	Private
116.	Nurses (ANF -The Vales Aged Care Facility) Enterprise Agreement 2008	Union Collective (AIRC Variation)	2.12.08	11.12.08	31.12.10	AG840215 PR984054	Aged
117.	Nurses (ANF - Serene Aged Care Facility) Enterprise Agreement 2008	Union Collective (AIRC Variation)	2.12.08	11.12.08	31.12.10	AG838732 PR984961	Aged
118.	Flora McDonald Lodge Nursing Employees ANF (Aged Care) Workplace Agreement 2008	Union Collective	5.12.08	NDT passed 20-3-09 Op 27/3/09	1.7.11	085646706	Aged
119.	SHine SA Inc Collective Agreement 2008	Union Collective	23.12.08	NDT 3.4.09 Op 10/4/09	09.04.12	085696808	Private
120.	Nerrilda Aged Care Enterprise Agreement 2008 (variation)	Union Collective (AIRC Variation)	Lodged 24.12.08	20.1.09	30.9.10	AG839879 PR957638	Aged
121.	Blackwood & District Community Hospital Inc & ANF Workplace Agreement 2008	Union Collective	Lodged 21.1.08	NDT passed 23-2-09 Op 2-3--09	2.2.12	095758298	Private
122.	Tappeiner Court Nursing Home Nursing Employees & ANF Workplace Agreement 2009	Union Collective	Lodged 4/2/09	NDT 27.2.09 Op 6/3/09	31.12.11	095795322	Aged
123.	Stirling District Hospital Inc Nursing Employees ANF Workplace Agreement 2009	Union Collective	Lodged 12/2/09	NDT passed 24-2-09 Op 3-3-09	16.1.12	095819346	Private
124.	Ananda Hope Valley Residential Care Nurses-Aged Care Collective Workplace Agreement 2007	Employee Collective	Lodged 6.9.07	6.9.07	5.9.10	073304210	Aged
125.	Helping Hand Aged Care Inc Professional Collective Agreement 2009	Union Collective	Lodged 16-3-09	NDT 17/4/09 Op 24/4/09	23/4/12	095896891	Aged

126.	UnitingCare Wesley Port Adelaide Inc Nursing Employees ANF (Aged Care) Enterprise Agreement 2009	Union Collective (AIRC Variation)	Lodged 13/3/09	7/4/09	6/4/12	AG846769 PR986512	Aged
127.	Adelaide Hills Division of General Practice Inc Collective Workplace Agreement 2009	Union Collective	Lodged 23/3/09	pending NDT not passed	30.6.11	AG095919303	Private
128.	Clinpath / ANF Nursing Employees Workplace Agreement 2009	Union Collective	Lodged 24/03/2009	NDT 7/4/09 Op 14/4/09	6.3.11	AG095524633	Private
129.	City of West Torrens ANF Union Collective Agreement (Nursing Employees) 2009 (St Martins Aged Care)	Union Collective	Lodged 24/03/2009	NDT 7/4/09 Op 14.4.09	30.6.10	AG095921045	Aged
130.	Hamley Bridge Memorial Hospital Inc Nursing Staff & ANF Workplace Agreement 2009	Union Collective	Lodged 16/4/09	NDT 27/4/09 Op 4.5.09	8.4.12	AG095975151	Private
131.	Woodville Nursing Home Pty Ltd Nursing Employees ANF (Aged Care) Workplace Agreement 2009	UCEA – AIRC variation s170LJ		22.4.09	31.12.11	AG847634 PR986711	Aged
132.	Riverland Division of GP Enterprise Bargaining Agreement 2009	Union Collective		27.5.09	26.5.12	File No 3855 of 2009	Private
133.	Nunkuwarrin Yunti of SA Inc (ANF) Nursing Workplace Agreement No 3 of 2008 AG No 096085222	Union Collective	Lodged 26/5/09	NDT 29.5.09 Op 5.6.09	1.9.12	096085222	Private

AGREEMENTS COVERING MEMBERS OF THE SOUTH AUSTRALIAN G10 GROUP

Employer	Agreement Name	Expiry
ACH Group	Nurses (ANF - ACH Group) Enterprise Agreement 2007 072631733	12/06/2010
Anglicare SA Inc	Anglicare SA Inc Nursing Employees ANF (Aged Care) Workplace Agreement No 3 of 2008 084643938	30/06/2010
ECH Inc	Elderly Citizens Homes of SA Inc Nursing Employees-ANF (Aged Care) Enterprise Agr 2003	30/06/2006
Eldercare Inc	Eldercare Inc Nursing Employees ANF Collective Agreement 2008-2011 085215847	
Helping Hand Aged Care Inc	Helping Hand Aged Care Inc Nursing Employees ANF Collective Workplace Agreement 2006 OEA No 06330135	09/07/2008
Life Care Churches of Christ	Churches of Christ Life Care Inc Nursing Employees ANF (Aged Care) WA 2006-2008 061386307	30/12/2008
Lutheran Homes Inc	LHI Retirement Services Nursing Staff (Aged Care) Enterprise Agreement 2008 AG847072 PR984221	22/10/2011
Resthaven Inc	Resthaven Incorporated Nursing Employees ANF WA 2007 073951428	30/09/2010
Southern Cross Care (SA)	Southern Cross Care (SA) Inc Nursing Employees ANF (Aged Care) Enterprise Agreement 2008 AG844816	30/09/2010
UnitingCare Wesley Adelaide Inc	UnitingCare Wesley Adelaide & ANF Nursing Employees Workplace Agreement 2007 073433742	08/06/2010
UnitingCare Wesley Bowden Inc	UnitingCare Wesley Bowden Inc Nursing Employees ANF (Aged Care) Workplace Agreement 2007 071079128	31/01/2009
UnitingCare Wesley Port Adelaide Inc	UnitingCare Wesley Port Adelaide Inc Nursing Employees ANF Aged Care EA 2005	22/02/2009
Aged Care Association Australia – South Australia Incorporated		

**HELPING HAND AGED CARE INC.
NURSING EMPLOYEES – ANF
COLLECTIVE WORKPLACE
AGREEMENT 2006**

1. TITLE

This Agreement shall be known as the Helping Hand Aged Care Inc. Nursing Employees – ANF Collective Workplace Agreement 2006.

2. ARRANGEMENT

Subject Matter	Clause No
Title	1
Arrangement	2
Parties Bound	3
Date and Period of Operation	4
Relationship to Parent Award	5
Objectives of this Agreement	6
Definitions	7
No Extra Claims	8
Commitment of Consultation	9
Dispute Resolution Procedure	10
Introduction of Change	11
Performance of Range of Duties/Skills – Multi-skilling	12
Professional Development	13
Paid Professional Development Leave	14
No lift-No Injury Strategy	15
Salary Increases	16
Incremental Progression	17
Enrolled Nurse Responsibility Allowance	17.5
Efficiency Options	18
Salary Sacrifice Arrangements	19
Hours of Work and Shift Provisions	20
Part-time/Casual	21
Leave Entitlements	22
Annual Leave	22.1
Carer's Leave	22.2
Sick Leave	22.3
Purchased Leave/Self Funded Leave (44/52)	23
Paid Maternity/Adoption Leave	24
Paid Paternity/Partner Leave	25
Parental Leave	26
Leave Without Pay	27
Ceremonial/Cultural Leave	28
Compassionate Leave	29
Family Care Expenses when Travelling	30
Relocation/Removal Assistance	31
Journey Accident Cover	32
Superannuation	33
Signatories	34

Appendix A – Salaries



UnitingCare Wesley Bowden Inc

NURSING EMPLOYEES

ANF (AGED CARE)

WORKPLACE AGREEMENT

2007

1 ARRANGEMENT

By topic, the Agreement is arranged as follows:

1 - Arrangement

2. Application and operation of Agreement

- 2.1 Title
- 2.2 Parties Bound
- 2.3 Date and Period of Operation
- 2.4 No extra Claims
- 2.5 Definitions
- 2.6 Objectives
- 2.7 Anti-discrimination
- 2.8 Continuous service

3 - Consultation and dispute procedures

- 3.1 Consultation and Communication
- 3.2 Introduction of Change
- 3.3 Dispute Settlement/Resolution procedure
- 3.4 Employee Representation

4 - Employment relationship

- 4.1 Contract of hiring
- 4.2 Casual employees
- 4.3 Regular part-time employees
- 4.4 Part-time and casual employees
- 4.5 Employees Applying for Shifts
- 4.6 Performance of Range of Duties/Skills – Multi-Skilling
- 4.7 Performance Management and Disciplinary Procedures
- 4.8 Termination of employment
- 4.9 Redundancy (severance)
- 4.10 Exhibition of Agreement

5 - Rates of pay and related matters

- 5.1 Classification criteria
- 5.2 Career Structure
- 5.3 Salaries - progression and advancement
- 5.4 Allowances
- 5.5 Responsibility Provision – Enrolled Nurse
- 5.6 Payment of salaries
- 5.7 Wages
- 5.8 Superannuation
- 5.9 Salary Sacrifice Arrangements

6 - Hours of work, shift work, meal breaks and overtime

- 6.1 Ordinary hours of work
- 6.2 Shift work
- 6.3 Overtime
- 6.4 Meal breaks
- 6.5 Charges - employer provided meals
- 6.6 Hours of work and shift provisions

7 - Types of leave and public holidays

- 7.1 Annual leave
- 7.2 Personal leave (sick leave and carer's leave)
- 7.3 Compassionate leave
- 7.4 Other Leave
- 7.5 Parental leave
- 7.6 Public holidays

8 – Safety, Staffing and Development

- 8.1 Occupational Health and Safety
- 8.2 Safe Staffing and Skill Mix
- 8.3 Staff Development

9 - Signatories

Appendix 1 – Wage Rates

Appendix 2 – Career Structure

Appendix 3 – Anti Bullying Policies and Procedures

Appendix 4 – Training and Development Policy



Resthaven
Incorporated Est. 1935

RESTHAVEN INCORPORATED
NURSING EMPLOYEES
ANF WORKPLACE AGREEMENT
2007

By topic, the Agreement is arranged as follows:

PART 1. ARRANGEMENT

PART 2. APPLICATION AND OPERATION OF AGREEMENT

- 2.1 Title
- 2.2 Parties Bound
- 2.3 Date and Period of Operation
- 2.4 No extra Claims
- 2.5 Definitions
- 2.6 Objectives
- 2.7 Continuous service
- 2.8 Application of Award and Award Protected Conditions

PART 3. CONSULTATION AND DISPUTE PROCEDURES

- 3.1 Introduction of Change
- 3.2 Dispute Settlement/Resolution procedure

PART 4. EMPLOYMENT RELATIONSHIP

- 4.1 Contract of hiring
- 4.2 Casual Employees
- 4.3 Regular part-time Employees
- 4.4 Performance of Range of Duties/Skills – Multi-Skilling
- 4.5 Termination of employment
- 4.6 Redundancy (severance)
- 4.7 Exhibition of Agreement

PART 5. RATES OF PAY AND RELATED MATTERS

- 5.1 Classification criteria
- 5.2 Career Structure
- 5.3 Salaries - progression and advancement
- 5.4 Allowances
- 5.5 Responsibility Provision – Enrolled Nurse
- 5.6 Payment of salaries
- 5.7 Wages
- 5.8 Superannuation
- 5.9 Salary Sacrifice Arrangements

PART 6. HOURS OF WORK, SHIFT WORK, MEAL BREAKS AND OVERTIME

- 6.1 Ordinary hours of work
- 6.2 Shift work
- 6.3 Overtime
- 6.4 Meal breaks
- 6.5 Charges - Employer provided meals
- 6.6 Hours of work and shift provisions

PART 7. TYPES OF LEAVE AND PUBLIC HOLIDAYS

- 7.1 Annual leave
- 7.2 Personal leave (sick leave and carer’s leave)
- 7.3 Compassionate leave

7.4 Other Leave
7.5 Parental leave.....
7.6 Public holidays.....
7.7 Staff Development.....

PART 8. SIGNATORIES

Appendix 1: Wage Rates

Appendix 2: Career Structure.....

Nurses (ANF – ACH Group) Enterprise Agreement 2007 as at 5 June 2007



Nurses (ANF – ACH Group) Enterprise Agreement 2007

CLAUSE 1 - TITLE

1.1 This Agreement will be titled the Nurses (ANF – ACH Group) Enterprise Agreement 2007.

CLAUSE 2 - ARRANGEMENT

CLAUSE 1.0	TITLE.....	2
CLAUSE 2.0	ARRANGEMENT.....	2
CLAUSE 3.0	SCOPE AND PERSONS BOUND	2
CLAUSE 4.0	RELATIONSHIP TO PARENT AWARD	3
CLAUSE 5.0	DURATION.....	3
CLAUSE 6.0	DEFINITIONS.....	3
CLAUSE 7.0	OBJECTIVES OF THE AGREEMENT	4
CLAUSE 8.0	NO EXTRA CLAIMS	4
CLAUSE 9.0	CONSULTATION AND COMMUNICATION.....	4
CLAUSE 10.0	INTRODUCTION OF CHANGE	4
CLAUSE 11.0	DISPUTE SETTLEMENT PROCEDURES.....	5
CLAUSE 12.0	ANTI-DISCRIMINATION.....	6
CLAUSE 13.0	PERFORMANCE OF A RANGE OF DUTIES – MULTI SKILLING	6
CLAUSE 14.0	DEVELOPMENT OF NURSES IN ACH GROUP	6
CLAUSE 15.0	PROFESSIONAL DEVELOPMENT PAID LEAVE.....	7
CLAUSE 16.0	SALARY AND WAGE ADJUSTMENTS	7
CLAUSE 17.0	CAREER STRUCTURE	7
CLAUSE 18.0	REGISTERED NURSES LEVELS 1, 2 AND 3 ADDITIONAL POST BASIC QUALIFICATION ALLOWANCE	8
CLAUSE 19.0	ENROLLED NURSES DIPLOMA.....	9
CLAUSE 20.0	ENROLLED NURSE RESPONSIBILITY ALLOWANCE.....	9
CLAUSE 21.0	INCREMENTAL PAYMENTS.....	9
CLAUSE 22.0	RECOGNITION OF EMPLOYMENT STATUS	10
CLAUSE 23.0	OCCUPATIONAL SUPERANNUATION	10
CLAUSE 24.0	CHRISTMAS DAY FALLING ON A SATURDAY OR SUNDAY.....	10
CLAUSE 25.0	PUBLIC HOLIDAY PAY FOR CASUAL EMPLOYEES.....	11
CLAUSE 26.0	TRAVELLING EXPENSES	11
CLAUSE 27.0	SALARY SACRIFICE ARRANGEMENTS.....	11
CLAUSE 28.0	ANNUAL LEAVE.....	12
CLAUSE 29.0	PAID MATERNITY LEAVE	12
CLAUSE 30.0	CARER'S LEAVE	12
SIGNATORIES TO THE AGREEMENT		13
SCHEDULE 1	WAGE AND SALARY ADJUSTMENTS	14

CLAUSE 3.0 SCOPE AND PERSONS BOUND

3.1 This Agreement shall apply to the employment of all employees of Aged Care and Housing Group Inc. trading as ACH Group who are engaged in work covered by the Nurses (ANF-South Australian Private Sector) Award 2003.

3.2 This Agreement will be binding on

3.2.1 ACH Group

3.2.2 all nursing employees who are engaged in work covered by the Award whether members of the stated Union or not

3.2.3 Australian Nursing Federation (SA Branch).



ANGLICARE

SA

Anglicare SA Incorporated

NURSING EMPLOYEES

ANF (AGED CARE)

WORKPLACE AGREEMENT

No. 3, 2008

1 ARRANGEMENT

By topic, this Agreement is arranged as follows:

1	ARRANGEMENT	2
2	APPLICATION AND OPERATION OF AGREEMENT	5
2.1	TITLE.....	5
2.2	PARTIES BOUND	5
2.3	DATE AND PERIOD OF OPERATION	5
2.4	NO EXTRA CLAIMS AND EFFECT OF AWARD	5
2.5	DEFINITIONS	5
2.6	OBJECTIVES	8
2.7	ANGLICARE'S VISION, STATEMENT OF PURPOSE & VALUES	8
2.7.1	Vision:.....	8
2.7.2	Statement of Purpose:	8
2.7.3	Values	9
2.8	ANTI-DISCRIMINATION	9
3	CONSULTATION AND DISPUTE PROCEDURES	10
3.1	CONSULTATION AND COMMUNICATION	10
3.2	INTRODUCTION OF CHANGE.....	10
3.2.1	Notification of Intended Changes	10
3.2.2	Consultation with Employees and their Chosen Representative	10
3.3	DISPUTE RESOLUTION AND GRIEVANCE PROCEDURE.....	10
3.3.1	Individual Grievance.....	10
3.3.2	Workplace Agreement.....	11
4	EMPLOYMENT RELATIONSHIP	11
4.1	CONTRACT OF HIRING	11
4.2	PROBATIONARY AND QUALIFYING PERIOD	12
4.3	CONTINUOUS SERVICE.....	12
4.3.1	Maintenance of continuous service.....	12
4.3.2	Calculation of period of service	13
4.4	PART-TIME EMPLOYEES.....	13
4.4.1	Payment.....	13
4.4.2	Overtime	13
4.5	CASUAL EMPLOYEES	13
4.5.1	Casual Loading	13
4.5.2	Usage.....	13
4.5.3	Unpaid Recreational Leave.....	14
4.5.4	Non Acceptance of Part-time Employment Status	14
4.6	UNIFORMS.....	14
4.7	EMPLOYEES APPLYING FOR SHIFTS.....	15
4.8	PERFORMANCE OF RANGE OF DUTIES/SKILLS - MULTI-SKILLING.....	15
4.9	TERMINATION OF EMPLOYMENT	15
4.9.1	Notice of termination by employee.....	15
4.9.2	Notice of termination by Anglicare	15
4.9.3	Time off during notice period	16
4.9.4	Payment in lieu	16
4.10	REDUNDANCY (SEVERANCE)	16
4.10.1	Job Security	16
4.10.2	Discussions before Termination.....	16
4.10.3	Written Notice	17
4.10.4	Period of Notice of Termination on Redundancy	17
4.10.5	Time off during notice period	17
4.10.6	Transfer to Lower Paid Duties.....	18
4.10.7	Severance Pay	18
4.10.8	Alternative Employment.....	18
4.10.9	Employees Exempted.....	18
4.10.10	Incapacity to pay.....	18
4.11	RETURN OF PROPERTY.....	18
4.12	EXHIBITION OF AGREEMENT	19

5	CLASSIFICATION CRITERIA	19
5.1	ENROLLED NURSES	19
5.2	REGISTERED NURSES	22
5.2.1	Registered Nurse level 1 (RN-1)	22
5.2.2	Registered Nurse level 2 (RN-2)	23
5.2.3	Registered Nurse level 3 (RN-3)	23
6	CAREER STRUCTURE	24
6.1	ENROLLED NURSE	24
6.2	REGISTERED NURSE LEVEL 1 (RN-1)	24
6.3	REGISTERED NURSE LEVEL 2 (RN-2)	24
6.4	PROMOTIONAL POSITIONS	24
7	SALARIES – PAYMENT, PROGRESSION AND ADVANCEMENT, SALARY PACKAGING AND SUPERANNUATION	24
7.1	PAYMENT & CALCULATION	24
7.2	INCREMENTAL PAYMENTS	25
7.3	SALARY ON APPOINTMENT	25
7.4	HIGHER DUTIES	26
7.5	PROGRESSION AND ACCELERATED ADVANCEMENT - ENROLLED NURSES	26
7.5.1	Accelerated advancement	26
7.5.2	Deferral of Pay point progression	26
7.5.3	Appeal and review	26
7.6	ACCELERATED ADVANCEMENT - REGISTERED NURSES	27
7.7	SALARY SACRIFICE ARRANGEMENTS	27
7.8	SUPERANNUATION	27
8	ALLOWANCES AND EXPENSES	28
8.1	ON-CALL ALLOWANCES (RN-1)	28
8.2	ON-CALL ALLOWANCE (RN-2 and RN-3)	28
8.2.3	Call Out While On-Call	28
8.3	NURSE IN-CHARGE ALLOWANCE	28
8.4	ALLOWANCES FOR ADDITIONAL QUALIFICATIONS	29
8.5	RESPONSIBILITY PROVISION – ENROLLED NURSE (Applicable to Low Care Only)	30
8.6	TELEPHONE EXPENSES	30
8.7	TRAVELLING AND MOTOR VEHICLE EXPENSES	30
9	QUANTUM – SALARY INCREASES	30
10	HOURS OF WORK, SHIFT WORK, OVERTIME, TOIL, MEAL BREAKS AND JOB SHARING	31
10.1	ORDINARY HOURS OF WORK	31
10.1.1	Continuous work	31
10.1.2	Broken Shifts	31
10.1.3	Limit of Ordinary Hours of Work	31
10.1.4	Rosters	31
10.1.5	Night duty	32
10.1.6	Minimum interval between shifts	32
10.1.7	Changed duty	32
10.2	SHIFT WORK	32
10.2.1	Penalty rates	32
10.2.2	Daylight saving	32
10.3	OVERTIME	32
10.3.1	Reasonable Overtime	32
10.3.2	Calculation of payments	33
10.3.3	Recall to work	33
10.3.4	Transport	33
10.3.5	Eight hour break	34
10.4	TIME OFF IN LIEU (TOIL)	34
10.5	MEAL BREAKS	34
10.6	EMPLOYER PROVIDED MEALS	35
10.7	JOB SHARING	35
11	TYPES OF LEAVE AND PUBLIC HOLIDAYS	35
11.1	ANNUAL LEAVE	36
11.1.1	Entitlement to annual leave	36
11.1.2	Annual leave exclusive of public holidays	36

11.1.3	Accrual of annual leave entitlement	36
11.1.4	Time of taking annual leave	36
11.1.5	Payment for annual leave	37
11.1.6	Annual leave loading	37
11.1.7	Illness on annual leave	37
11.1.8	Proportionate leave on termination	37
11.2	CASH OUT OF ANNUAL LEAVE	37
11.3	FLEXIBLE ANNUAL LEAVE OPTIONS	38
11.4	PERSONAL LEAVE (sick leave and carer's leave)	38
11.4.15	Employees Requirement to Provide Proof of Absence	39
11.5	COMPASSIONATE LEAVE	39
11.5.1	Paid Compassionate leave entitlement	39
11.6	SPECIAL LEAVE	40
11.7	PARENTAL LEAVE	40
11.7.3	Conditions for Leave	41
11.7.4	Commencement of Leave	41
11.7.5	Returning to Work From Leave	41
11.7.6	Parental Leave applied for but not Commenced/Cancelled	42
11.7.7	Conditions of Employment Whilst Pregnant	42
11.7.8	Replacement of an Employee on Maternity or Adoption Leave	42
11.8	JURY SERVICE AND COURT APPEARANCES	42
11.9	LEAVE FOR ABORIGINAL AND/OR TORRES STRAIT ISLANDER EMPLOYEES	43
11.9.1	Compassionate Leave	43
11.9.2	Aboriginal and Torres Strait Islander Week	43
11.9.3	Ceremonial Leave	43
11.10	PUBLIC HOLIDAYS	43
11.10.1	Prescribed public holidays in this Agreement are as follows:	43
11.10.2	Payment and Entitlements	44
11.10.3	Casual employees	44
11.10.4	Payment for work performed by Full-time or Part-time Employees on 25 December when Christmas Day falls on a Saturday or Sunday	44
11.10.5	Seven day shift workers	44
12	OCCUPATIONAL HEALTH & SAFETY	45
12.1	NO LIFT – NO INJURY POLICY	45
12.2	CHALLENGING BEHAVIOURS	46
13	RESIDENT CARE AND STAFFING	46
14	STAFF DEVELOPMENT	46
15	ADDITIONAL FEATURES	47
15.1	EMPLOYEE ASSISTANCE PROGRAM	47
15.2	JOURNEY INSURANCE	47
16	SIGNATORIES	48
Schedule 1	SALARY RATES - Registered Nurses	49
Schedule 1	SALARY RATES - Enrolled Nurses	50
Appendix 1	CAREER STRUCTURE	51
1.	ENROLLED NURSE CLASSIFICATION RANGE (Additional Pay Point 6)	51
1.1	Implementation Date	51
1.2	Progression	51
2.	ENROLLED NURSE CLASSIFICATION RANGE (Additional Pay Point 7)	51
2.1	Implementation Date	51
2.2	Progression	51
3.	REGISTERED NURSE LEVEL 1 CLASSIFICATION RANGE (Additional Pay Point 9)	51
3.1	Implementation Date	51
3.2	Progression	51
4.	REGISTERED NURSE LEVEL 2 CLASSIFICATION RANGE (Additional Pay Point 5)	51
4.1	Implementation Date	51
4.2	Progression	51