

Variation to the Public Health System Nurses' and Midwives' (State) Award

Summary This Information Bulletin advises variations to the Public Health System Nurses and Midwives (State) Award in relation to CPI adjustments of expense related allowances and amendments to update references to organisations, policies and relevant legislation.

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VARIATION TO THE PUBLIC HEALTH SYSTEM NURSES' AND MIDWIVES' (STATE) AWARD

PURPOSE

This Information Bulletin advises variations to the *Public Health System Nurses' and Midwives' (State) Award* in relation to Consumer Price Index (CPI) adjustments of expense related allowances and amendments to update references to organisations, policies and relevant legislation.

KEY INFORMATION

There is an agreement between the NSW Nurses and Midwives' Association and the NSW Ministry of Health that the Climatic / Isolation and the Uniform and Laundry allowances, being an expense related allowances, shall be increased annually to reflect increases of the weighted average for the eight capital cities of the CPI.

The CPI increase since 1 March 2015 up to and including 1 March 2016 is 1.3%.

Following a decision by the NSW Industrial Relations Commission on 3 August 2016, the Award was varied to incorporate CPI increases to the specified allowances and to update references to organisations, policies and relevant legislation.

The 1.3 % CPI increase is effective from the first full pay period on or after 1 July 2016.

The details of the varied Award clauses are as attached.

ATTACHMENT 1

1. Clause 4A (Multiple Assignments) (k) and (l) are replaced with the following new subclauses:

- (k) Where an employee:
1. has elected to receive the benefits set out in subclauses (ii)-(iv) of Part IV – Savings Provisions of Clause 29, Part-time, Casual and Temporary Employees, in relation to an assignment, and
 2. after the date this clause was inserted into the Award the employee commences in a second or further permanent part time assignment and their combined total number of ordinary hours worked in all assignments is less than those set out in subclause (c) of this subclause;
- subclauses (i)-(iv) of Part IV – Savings Provisions of Clause 29, Part-time, Casual and Temporary Employees, shall cease to apply and the employee will be a permanent part time employee for the purposes of the Award.
- (l) Where an employee:
- (1) has elected to receive the benefits set out in subclauses (ii)-(iv) of Part IV – Savings Provisions of Clause 29, Part-time, Casual and Temporary Employees, in relation to an assignment, and
 - (2) his/her combined total number of ordinary hours worked in all assignments is equal to or more than those set out in subclause (c) of this subclause, subclauses (i)-(iv) of Part IV – Savings Provisions of Clause 29 Part-time, , Casual and Temporary Employees, shall not apply to any of their assignments.

2. Clause 20 (Mobility, Excess Fares and Travelling) (ii) (d) and (iv) (c) are replaced with the following:

- (ii) (d) Where the employee is required to report to an alternative place of work and has the prior approval of the employer to travel by their own mode of conveyance, the employee shall be paid a kilometre allowance for kilometres travelled in excess of the kilometres the employee normally travels between the accustomed place of work and home. The kilometre allowance will be as prescribed by Item 6 of Table 1 of the Treasury Circular Industrial Relations NSW TC 15/17 Review of Meal, Travelling and Other Allowances (as amended or replaced).
- (iv) (c) Where a reliever, with the prior approval of the employer, travels by their own mode of conveyance and incurs travelling costs in excess of the amount as set in Item 12 per day to and from the relief site, such excess shall be reimbursed. The rate applicable shall be the kilometre allowance prescribed by Item 6 of Table 1 of the Treasury Circular Industrial Relations NSW TC 15/17 Review of Meal, Travelling and Other Allowances (as amended or replaced).

3. Clause 21 (Car Allowance) is replaced with the following:

An employee who, with the approval of the Chief Executive Officer or their nominee, uses on official business a motor vehicle maintained primarily for other than official business, shall be paid an allowance based on the rates prescribed by Item 6 of

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Table 1 of the Treasury Circular Industrial Relations NSW TC 15/17 Review of Meal, Travelling and Other Allowances (as amended or replaced).

4. Clause 25 (Overtime) (ii) (b) and (vii) (b) of subclause (vii) is replaced with the following:

- (ii) (b) Employees employed pursuant to Part 1 of Clause 29, Part Time, Casual and Temporary Employees, (i.e. Permanent Part-Time Employees) shall be entitled to payment for overtime in accordance with the arrangements set out in NSW Health Policy Directive PD2014_039 Nurses and Midwives – Permanent Part-time – Overtime provisions for on call roster, as amended from time to time. Overtime shall be paid for at the rate of time and one half for the first two hours and double time thereafter except that on Sundays such overtime shall be paid for at the rate of double time and on public holidays at the rate of double time and one half.
- (vii) (b) The allowance per meal shall be the average of the allowances for breakfast, lunch and dinner as determined by Item 19 of Table 1 of the Treasury Circular Industrial Relations NSW TC 15/17 Review of Meal, Travelling and Other Allowances (as amended or replaced).

5. Clause 27 Payment and Particulars of Salaries (iv) is replaced with the following:

- (iv) On each payday an employee, in respect of the payment then due, shall be furnished with a written statement containing the following particulars; employee's name, the amount of ordinary salary, the total number of hours of overtime worked, if any, the amount of any overtime payment, the amount of any other monies paid and the purpose for which they are paid, and the amount of the deductions made from the total earnings and the nature thereof.

6. Clause 34 Maternity, Adoption and Parental Leave Section D (iv) (c) is replaced with the following:

- (c) All requests are to be considered having regard to the terms of NSW Health Policy Directive No. 2014-029 Leave Matters for NSW Health Service, as amended from time to time.

7. Clause 43 (Medical Examination of Nurses) is replaced with the following:

43. Medical Examination of Nurses
See NSW Health Policy Directives No PD2014-029 Leave Matters for NSW Health Service and PD2015-026 Recruitment and Selection of Staff to the NSW Health Service as amended from time to time.

8. Clause 51 Salary Packaging is replaced with the following:

- (i) By agreement with their employer, employees may elect to package a part or all of their salary in accordance with this Clause, to obtain a range of benefits as set out in NSW Policy Directive PD2016_009 Salary Packaging Policy and

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Procedure Manual, as amended from time to time. Such election must be made prior to the commencement of the period of service to which the earnings relate. Where an employee also elects to salary sacrifice to superannuation under this Award, the combined amount of salary packaging/sacrificing may be up to 100 per cent of salary.

Any salary packaging above the fringe benefit exemption cap will attract fringe benefits tax as described in paragraph (iv) below.

9. Part B Monetary Rates Table 2 - Other Rates and Allowances, Items 10 and 11 Climatic /Isolation Allowance has been replaced with the following:

Item	Clause	Allowance	1/07/2015	1/07/2016
		Climatic/Isolation		
10	14(i)	Climatic Allowance - per week	\$3.65	\$3.70
10	14(ii)	Isolation Allowance - per week	\$7.18	\$7.27
11	17(i)	Special rate for RN - Tibooburra and Ivanhoe Hospitals - Per week	\$32.22	\$32.64
11	17(i)	Special rate for EN, AIN - Tibooburra and Ivanhoe Hospitals - per week	\$14.04	\$14.22

10. Part B Monetary Rates: Table 2 - Other Rates and Allowances, Items 13 and 14 Uniform and Laundry Allowance has been replaced with the following:

Item	Clause	Allowance	1/07/2015	1/07/2016
		Uniform and Laundry Allowance		
13	23(iii)(a)	Uniform Allowance - per week	\$7.24	\$7.33
13	23(iii)(a)	Shoes Allowance - per week	\$2.25	\$2.28
13	23(iii)(a)	Uniform (including shoes allowance) - per week	\$9.49	\$9.61
13	23(iii)(a)	Cardigan or Jacket Allowance - per week	\$2.17	\$2.20
14	23(iv)	Laundry Allowance - per week	\$6.04	\$6.12