



ASMOF NSW Award Reform Claims

ASMOF NSW has met with members to identify their key priorities for Award reform. The working conditions of ASMOF members are directly tied to patient care. These claims are designed to bring about needed changes so that our members can continue to provide high-quality patient care. The claims encapsulate what an ideal Award would look like as the starting point for our negotiating position.

These claims represent the broad principles and changes sought during the Award Reform process. They are not designed to be prescriptive clauses to be added to the Award. The clauses will be drafted with both parties during Bargaining. We seek to maintain all conditions currently enjoyed by members employed by NSW Health, except where the following claims enhance those. ASMOF reserves the right to amend and add claims during Bargaining, as is standard practice during the negotiation of collective Awards.

Table of Claims & Interests

Applicable to all doctors	3
Promoting NSW Health as an employer of choice.....	3
Remuneration Increases.....	3
Penalty Rates for Unsociable Hours	4
Parking	4
Overpayment of Salaries	4
Childcare costs reimbursement	4
Salary Weighting for Hard-to-Recruit Areas	5
Fairer Salary Sacrifice	5
Permanency of Employment.....	5
Clinical Support Time	5
On-Call / Recall.....	6
Professional Development.....	6
Performance Management & Misconduct	7
Safe Medical Staffing Levels	7
WHS.....	7
Pandemic Preparedness and Response	7
Revised Management and Higher Duties Allowances	8
Award Flexibility.....	8
Extended Continuity of Service	8

ASMOF NSW Award Reform Claims - Member ballot version 12 August 2024

Emergency Deployments	8
Union Rights.....	9
Improved Leave	9
Flexible Working Arrangements.....	10
Miscellaneous.....	10
Applicable to Doctors in Training (medical officers).....	11
General.....	11
Classification.....	11
Staffing.....	11
Penalty Rates for Unsociable Hours	12
Safe Working Hours	12
Rostering.....	13
Accommodation & Travel on Rotation	13
Overtime	14
UROT.....	14
Applicable to Staff Specialists	15
General.....	15
Remuneration.....	15
Facility and Equipment.....	15
Office Accommodation	15
Career Progression.....	16
Overtime	16
Support for administrative work	16
Medical Administrators	16
Emergency Physicians	16
Retrievalists	17
Interventional Radiologists.....	17
Applicable to Career Medical Officers.....	18
Education of Other Staff.....	18
Senior Career Medical Officer.....	18
Applicable to Medical Superintendents	18
Overtime	18
On-call/Recall	18
Applicable to Clinical Academics	18
ATTACHMENT 1 ASMOF TESL Log of Claims	19

Applicable to all doctors

The rights and entitlements of all ASMOF members are to be comprehensively expressed in the Award(s). Where policies and guidelines affect ASMOF members, they are only to be made or varied by agreement and after consultation with the Union.

All terms and conditions of employment contained in the Award(s) will be prescribed in plain language.

On engagement, all members will receive an employment instrument (including a current position description) that is comprehensive, clear, precise, and written in plain language. It will also include a designated facility as their usual place of work.

If there is an inconsistency between a claim, the more beneficial claim shall apply.

Promoting NSW Health as an employer of choice

Workplace Culture

- **The Employer** shall establish and maintain a workplace culture free from bullying, harassment, and discrimination, including implementing robust reporting and grievance procedures with clear timelines for investigation and resolution.

Work-Life Balance

- The Employer shall ensure safe working hours for all members, complying with all relevant fatigue management guidelines. Workloads must be allocated fairly and be commensurate with skill level and experience.

Fair Compensation

- All time worked by members must be appropriately compensated, including overtime, on-call, and other out-of-hours work.

Flexible Work Arrangements

- The Employer shall offer a range of best-practice flexible work arrangements to accommodate the diverse needs of members, including part-time work, job sharing, flexible start and finish times, and opportunities to work remotely (where applicable).

Remuneration Increases

We believe it is essential that salaries are sufficient to attract and retain the best doctors in the NSW public health system. We must ensure pay parity with salaried doctors in Queensland, Victorian or Western Australia (whichever is higher).

We seek a 30 per cent pay increase to be negotiated as part of an overall package and subject to achieving other significant claims.

Penalty Rates for Unsociable Hours

Members will receive an extra 50% of their pay for working between 6pm and midnight on weekdays.

Members will receive significantly higher penalty rates for working evenings, nights, and mornings on weekends and public holidays.

Any hours worked between the following hours shall be paid at the appropriate ordinary time or overtime plus the appropriate penalty rate:

- **Weekdays (Monday - Friday):**
 - 6pm to Midnight: 50% loading
- **Weekends (Saturday & Sunday):**
 - 6pm to Midnight: 250% loading
 - 7am to 6pm: 200% loading
- **Public Holidays:**
 - 6pm to Midnight: 300% loading
 - 7am to 6pm: 250% loading

Parking

Safe and secure after-hours parking facilities are available for members working outside their ordinary rostered hours. Cab charge vouchers will be made available if parking cannot be provided. Members will receive a free opal card for free public transport to and from work to assist with parking availability during normal hours.

Overpayment of Salaries

The Employer will treat any overpaid member with respect and dignity.

It is the Employer's responsibility to establish to the satisfaction of a member and the Union that an overpayment has occurred and the legal basis upon which the Employer relies to recover the overpayment.

A recovery of overpayment can only occur with the member's written agreement.

In deciding whether to request a member to repay or partially repay an overpayment of wages, the employer should consider the personal circumstances of the member and their dependents, the member's ability to repay and the period over which the repayment should occur.

The Employer has the discretion to waive all or part of any overpayment having regard to all the circumstances surrounding a specific overpayment, including the nature of the Employer's role in any error.

Childcare costs reimbursement

Where a member is required to work outside their ordinary rostered hours of work and where less than 24 hours notice of the requirement to perform such overtime work has been given by the Employer, other than recall when placed on call, the member will be reimbursed for reasonable childcare expenses incurred.

Salary Weighting for Hard-to-Recruit Areas

- Weighting should be a percentage of remuneration and vary based on the difficulty of recruiting to an area, considering recruitment and retention difficulties and the area's remoteness.
- Maximum weighting should be higher than rural and remote allowances other states offer.
- Individuals should receive bonus weighting the longer they remain in a hard-to-recruit area, increasing over time to reward the length of service in hard-to-recruit areas.

Fairer Salary Sacrifice

- Currently, the NSW government keeps 50% of the tax benefit when a member chooses to salary package. We aim to end this practice by giving members 100% of the benefit.

Permanency of Employment

- All members are to be employed on a permanent basis with continuity of employment subject to satisfactory performance.
- Fixed-term employment is only allowed in limited/exceptional circumstances to meet genuine short-term needs and will be subject to consultation with ASMOF.

Clinical Support Time

- **Definition:** Establish a clear definition of clinical support time (CST) as protected, remunerated time dedicated to activities that improve the quality of patient care and ensure compliance with training requirements that are not directly related to individual patient care.
- **Examples of CST Duties:** Include a non-exhaustive list of CST duties, such as teaching, quality assurance, research, lecture preparation, committee work, developing training programs, continuing professional development activities, trainee assessment and management tasks, report preparation, service improvement and design, and complaint management.
- **Allocation of CST:** Mandate that each member's department allocates a set amount of time for CST activities.
- **Minimum CST Percentages:** Establish minimum CST percentages for different staff categories, considering factors like college accreditation standards:
 - Staff Specialists: 30% of the workload is dedicated to CST activities unless relevant College standards mandate a higher percentage.
 - Doctors in Training and Career Medical Officers: Minimum of 10% of ordinary hours for CST, or a higher percentage as required by college accreditation standards (whichever is greater).
- **Additional CST for Leadership Roles:** Specify that members holding leadership roles will be granted additional dedicated CST to recognise their broader responsibilities.
- **Enforcement and Escalation:** Include clear procedures for enforcing these CST provisions, outlining an escalation process to address concerns about inadequate CST allocation.

On-Call / Recall

- **Rostering:** On-call rosters must be proportional to a member's employment fraction and ensure safe working hours.
- **On-Call Frequency:** Maximum on-call frequency should be determined by specialty group, location, and workload, considering factors such as recall frequency and complexity of potential consultations. Establish a maximum on-call frequency for staff specialists (e.g., 1 in 5).
- **On-Call Rates:** Fair and reasonable on-call rates will be negotiated, including compensation for time spent on-call.
- **On-Call Exemptions:** On-call exemptions will be available for members with caring responsibilities and those with relevant medical conditions, with appropriate alternative rostering arrangements.
- **On-Call Facilities and Amenities:** Suitable sleeping facilities, dedicated parking spots, and access to necessary amenities must be provided for on-site and proximate on-call.
- **On-Call Allowances:** Differentiated allowances will be provided for on-site, proximate, and general on-call requirements.
- **Travel and Recall Compensation:** Travel time to the hospital will count as time on duty, and costs for recall to site will be reimbursed.
- **Monitoring and Review:** The Employer will document the frequency of on-call telephone consultations and recalls to duty. If members believe these are excessive, a review of staffing and working hours will occur involving members and ASMOF.
- **Recall Pay:** Minimum recall payments shall be four hours of overtime pay.

Professional Development

This claim builds upon the ASMOF NSW [DiT Campaign Priorities](#) and ASMOF TESL Log of Claims (Attachment 1). In the interests of patient and doctor safety, all members must access the professional development necessary to maintain and enhance professional knowledge, skills and scope of clinical practice. To further enhance professional development opportunities for members, we propose the following:

Funding and Support:

- **Full Treasury Funding for TESL:** Secure full funding from the Treasury for all TESL.
- **NSW Health Provided or Funded CPD Home:** Ensure all members have access to a CPD home directly provided by NSW Health or funded by them.

Leave Entitlements and Access:

- **Increased TESL Allocation:** Allocate a minimum of 25 days of TESL per year for all members (not just staff specialists), with an additional five days' leave and an increase allowance for those working in rural, remote, and regional locations.
- **TESL Approval Based on Available Balance:** Guarantee TESL approval is solely based on the available leave balance at the time of leave request and is not contingent on other leave types or future availability.
- **Transparent and Timely Approval Process:** Establish a clear and time-bound process for TESL application approval. Deferral of leave should only occur under exceptional circumstances with a demonstrably significant impact on essential services and no other practical solutions.

ASMOF NSW Award Reform Claims - Member ballot version 12 August 2024

Expanded TESL Coverage:

- **Registration Fees:** Allow members to claim APHRA and other registration-related fees under TESL.
- **TESL Transferability for DiTs:** Ensure accrued TESL from a medical officer role transfers upon transition to a Staff Specialist position, incentivising retention within NSW Health.
- **Caregiver Support:** Expand TESL-eligible expenses to include costs associated with caring responsibilities, such as childcare.
- **Equal Opportunity for Part-Time Doctors:** Eliminate discrimination against part-time employees by ensuring TESL accrual at the same rate regardless of employment fraction.
- **No Cap on TESL Accrual:** Allow TESL leave to accrue indefinitely without an expiration date.

Enhanced Flexibility for Learning:

- **Increased Rest Days for Multi-Event Attendance:** Increase the number of allowable rest days between conferences or training events, particularly when rescheduling is not possible.

Mandatory Training:

- Where NSW Health or the Local Health District requires mandatory training by a member, the Health Service must provide time within paid working hours to complete the training. In exceptional circumstances where members are required to complete mandatory training outside their ordinary hours, they will be paid overtime.

Performance Management & Misconduct

- Award enforceable rights to ensure natural justice.

Safe Medical Staffing Levels

- Transparent staffing models should be developed with ASMOF to ensure minimum safe staffing and skill-mix levels.

WHS

- The Award(s) will include a WH&S clause that commits the Employer to provide a safe workplace free from discrimination, bullying, and harassment and ensures that members' workloads are safe, realistic, and achievable.

Pandemic Preparedness and Response

- **Special Paid Pandemic Leave:** Members shall be entitled to paid leave for pandemics or other public health emergencies declared by the NSW Government. This leave can be used for self-isolation or quarantine due to suspected or confirmed infection, caring for a dependent with suspected or confirmed infection, or other circumstances related to a pandemic response outlined by NSW Health in consultation with the Union.
- **Pandemic Hazard Pay:** Members shall be entitled to receive hazard pay when required to work in situations where the risk of contracting a pandemic disease cannot be reasonably eliminated through control measures. This hazard pay will be a fixed daily/hourly rate on top of the base salary.
- **Personal Protective Equipment (PPE) and Testing Supplies:** The Employer shall ensure adequate supplies of appropriate PPE (as determined by NSW Health guidelines) to all

ASMOF NSW Award Reform Claims - Member ballot version 12 August 2024

members throughout a pandemic. A readily accessible and sufficient PPE stockpile must always be maintained. Members shall be consulted on the type and fit of PPE provided.

Revised Management and Higher Duties Allowances

Enhanced Management and Higher Duties Allowances

This claim aims to incentivise members to pursue leadership roles and ensure fair compensation for higher duties. We propose the following:

Management Allowance:

- Establish a **competitive Management Allowance** calculated as a **percentage of base salary**.
- This allowance should be directly tied to the **level of leadership responsibility** assumed in the management role.
- The goal is to financially recognise the additional commitment and expertise required for medical leadership positions.

Salary Maintenance:

- Guarantee **salary maintenance** for members transitioning to management roles to ensure their **overall compensation** is not negatively impacted by the change.
- Salary maintenance incentivises members to pursue leadership opportunities without financial disincentives.

Higher Duties Allowance:

- For situations where members are required to perform duties within a **higher classification for more than three days**, they shall receive a **Higher Duties Allowance** in addition to their base salary.
- This allowance and all other applicable rates and allowances associated with the higher classification ensure fair compensation for the increased responsibilities and workload.

Award Flexibility

- Award Flexibility Agreements that provide unique conditions of employment that may supplement award conditions can be entered into by consent of all parties to the relevant Award. These Agreements are subject to time limitations and must be published for transparency.

Extended Continuity of Service

- Service is deemed continuous if further employment with NSW Health commenced within three years of the previous engagement.
- Award recognition of interstate public health service to encourage people to move to NSW.

Emergency Deployments

- Additional payment for members deployed away from home to assist with emergencies
- Additional payments for domestic and international deployments for the duration of these deployments

Union Rights

- Comprehensive rights for Union delegates and the Union.

Improved Leave

Streamlined Leave Approvals:

- Mandate a 14-day timeframe for leave application approvals or denials. Written reasons must be provided for any refusals, allowing for the review of unreasonable decisions.

Enhanced Annual Leave:

- Five weeks Annual Leave for all salaried medical staff.

Enhanced Sick Leave:

- **Immediate Eligibility:** Guarantee access to sick leave from the first day of employment, aligning with the Fair Work Act.
- **Top-Up Provision:** Provide an additional ten days of paid sick leave if the existing entitlement is exhausted.

Expanded FACS Leave:

- Extend and increase the FACS leave entitlements to cover both bereavement leave and unavoidable medical care of a pet.

Parental Leave Improvements:

- Include all improvements currently contained in NSW Government Policy, including parental leave for altruistic surrogacy and permanent out-of-home care placement of a child.
- Qualitative and quantitative improvements to parental leave, including extending paid leave to 26 weeks and offering greater flexibility in its use.
- Negotiate better lactation breaks in terms of duration and frequency, along with mandated lactation facilities that are private, safe, quiet, and close to work areas, with access to washing and sterilising equipment.
- Secure automatic extensions for fixed-term contracts expiring during parental leave and establish the right to work reduced hours until the youngest child enters high school.
- Guarantee superannuation contributions on all parental leave (paid and unpaid, up to a reasonable maximum) and facilitate continued access to TESL during parental leave.
- Ensure all interstate service is recognised when calculating parental leave entitlements.

Additional Leave Categories:

- **Domestic Violence Leave:** Include the enhanced Family and Domestic Violence Leave provisions, including the 20 days paid leave in the Award.
- **Prenatal/Pre-adoption Leave:** Dedicated leave for prenatal and pre-adoption appointments.
- **Reproductive Health and Wellbeing Leave:** Members experiencing reproductive health issues are entitled to up to 15 days of paid reproductive health leave per year.
 - This leave is in addition to any personal leave.
 - Leave can be used for treatment and management of related illnesses or symptoms.
 - Reproductive health is defined as any condition relating to menstruation, perimenopause, menopause, polycystic ovarian syndrome and endometriosis, In Vitro

ASMOF NSW Award Reform Claims - Member ballot version 12 August 2024

Fertilization and other forms of assisted reproductive health services, vasectomy, hysterectomy and terminations.

- **First Nations Cultural Leave:** Recognise the importance of cultural obligations by incorporating First Nations Cultural Leave into the Award.

Shift Workers:

- Increased Annual Leave for members working shifts to compensate for potential disruptions to personal time.

Special Leave:

- Incorporate all relevant special leave provisions from the Leave Matters policy into the Award(s) for greater clarity and enforceability.
- Interstate Service Recognition:

Flexible Working Arrangements

- Work from home should be allowed where work can reasonably be performed from home or another location. The Employer cannot restrict work-from-home arrangements unless it can demonstrate that doing so is necessary due to operational or clinical requirements.
- Other Flexible Working Provisions to mirror the Fair Work Act.

Miscellaneous

- Members should be paid for actual hours worked during the adjustment to Daylight Saving Time.
- Paid Time for Court Attendance - Members subpoenaed to attend court to provide evidence as part of their official duties.
- Flexibility to work multiple modes of employment within and between multiple LHDs. Including SS and VMO within the same LHD.
- A clause dealing with the conversion of VMOs to staff specialists.
- Notice Period 4 weeks.
- Redundancy provisions from Managing Excess Staff of the NSW Health Service PD.

Applicable to Doctors in Training (medical officers)

General

- **Streamlined Recruitment:** Implement a simplified application process to minimise duplication and ensure consistency.
- **Accreditation for All Positions:** Accreditation by a relevant college or external body is required for all positions, ensuring strong clinical governance.
- **Award Continuity Across Term Changes:** Recognise that award requirements regarding working hours and rostering remain in effect during term changes. The receiving healthcare facility must roster accordingly.
- **Paid Meal Breaks:** Guarantee all meal breaks are on paid working time. While members can be recalled during a paid break, reasonable efforts must be made to allow sufficient time for refreshment.

Classification

- **Enhanced Registrar Career Progression:** Advocate for extending registrar increments to the 9th year, with corresponding salary increases beyond current registrar pay scales.
- **Separate Penalty Rates for Unsociable Hours:** Negotiate additional penalty rates for working unsociable hours on top of existing overtime penalty rates.
- **Automatic Pay Increase Upon Specialist Qualification:** Upon obtaining a specialist qualification, members should transition to either the equivalent salary of a first-year staff specialist or a dedicated "Post-Graduate Fellow" (PGF) grade (if automatic staff specialist appointment is not offered). The PGF grade should sit above the current top registrar level.
- **Management Allowance for Registrars with Management Duties:** Grant a management allowance to registrars who assume leadership responsibilities.
- **Rural Generalist** recognition, to reflect the Medical Officers' (Queensland Health) Certified Agreement (No. 6) 2022.

Staffing

- **Safe Workload and Hours:** Ensure sufficient staffing to guarantee safe working hours and reasonable workloads for all members.
- **Shift-Specific DiT Staffing Minima:** Establish minimum staffing levels for each shift, considering clinical needs, supervision requirements, member-to-patient ratios, and potential unplanned absences.
- **Workload Management for Training:** Implement strategies to manage individual workloads in a way that optimises training opportunities, supervision, teaching, and feedback.
- **Transparency and Accountability in Staffing:** Require transparent tracking and benchmarking of staffing levels, with data accessible to the Union for review and challenging unsafe staffing situations.
- **Independent Escalation Process:** Establish a transparent and independent process for escalating concerns about unreasonable workloads.
- **Employer Responsibility for Leave Cover:** Acknowledge the Employer's responsibility for identifying and organising leave coverage for members.

Penalty Rates for Unsociable Hours

Members will receive an extra 50% of their pay for working between 6pm and midnight on weekdays.

Members will receive significantly higher penalty rates for working evenings, nights, and mornings on weekends and public holidays.

Any hours worked between the following hours shall be paid at the appropriate ordinary time or overtime plus the applicable penalty rate.

- **Weekdays (Monday - Friday):**
 - 6pm to Midnight: 50% loading
 - Midnight to 7am: 100% loading
- **Weekends (Saturday & Sunday):**
 - 6pm to Midnight: 250% loading
 - 12am to 7am: 350% loading
 - 7am to 6pm: 200% loading
- **Public Holidays:**
 - 6pm to Midnight: 300% loading
 - 12am to 7am: 400% loading
 - 7am to 6pm: 250% loading

Safe Working Hours

Building on Priorities:

This claim complements the **ASMOF NSW DiT Campaign Priorities** by advocating for essential improvements to DiT working conditions. Our proposals ensure safe working hours, promote wellbeing, and benefit patient care.

Key Proposals:

- **Legally Enforceable Award Provisions:** We seek enforceable award provisions to guarantee safe working hours for DiTs, including:
 - **Maximum Shift Length:** A 14-hour cap on the maximum duration of any single shift.
 - **Mandatory Rest Periods:** A mandatory minimum 10-hour break between shifts (including overtime and recalls).
 - **Consecutive Work Limits:** Caps on the number of consecutive days and nights a DiT can work.
 - **Rest-Optimised Rostering:** Rosters designed to maximise rest and sleep time between shifts.
 - **Workload Management and Fatigue Protection:** Procedures for managing workloads and preventing fatigue, including an independent appeals process for challenging unreasonable workloads.
 - **Right to Refuse Unsafe Work:** The clear right for DiTs to refuse unsafe work without fear of retribution.
- **Guaranteed Funding for DiT Recruitment:** A commitment from the NSW Government to increase funding dedicated explicitly to DiT recruitment, ensuring safe staffing levels across healthcare facilities.

ASMOF NSW Award Reform Claims - Member ballot version 12 August 2024

- **Transparent and Collaborative Rostering:** A prohibition on rostering practices that violate the Award or established policies. We propose that regular reviews of rosters be conducted collaboratively with the Union.
- **Exhaustive Exploration of Alternatives:** All other staffing options must be immediately exhausted before requesting a DiT to work an additional consecutive night shift. Documentation of efforts to find alternative staffing should be readily available for review.
- **Rest Period Protection:** Days allocated for rest and recuperation (rest periods) should not be rostered as Additional Duties Only (ADO) days, nor should they be mandated as leave days.

Rostering

- Rostering practices must be based on cooperation between rostering managers, members and the Union to promote fairness in rostering and deliver appropriate care to patients.
- Term allocation is to be provided two months in advance
- Rosters are to be provided four weeks in advance; if a roster is supplied with less than four weeks in advance, all shifts in that period shall incur overtime penalties.
- Changes only to be made in exceptional circumstances to ensure safe patient care
- Changes within a week of a shift and changes within 24 hours incur payment of a roster change penalty in addition to unsociable hours and overtime rates that may otherwise apply.
- Rosters must ensure that sufficient and appropriately skilled staff are rostered to work to provide appropriate patient care and meet anticipated service demands.
- Rosters must conform to regulatory frameworks, including anti-discrimination, work health and safety legislation, the Award, and applicable policies.
- Rostering processes should ensure members are rostered fairly while providing appropriate flexibility to meet unit staffing needs.
- Rosters must make appropriate provisions for adequate staff supervision, training, and clinical handover.

Accommodation & Travel on Rotation

This claim complements the ASMOF NSW DiT Campaign Priorities.

Private Accommodation with Amenities:

Accommodation to be provided, or out-of-pocket accommodation costs reimbursed, when a member is seconded to a facility more than one hour away from the home facility and the rotation period is shorter than thirteen months. Accommodation must meet minimum standards and include the following:

- **Comfortable Bedroom:** A separate, well-furnished bedroom with individual climate control (heating and cooling). The room will include a dedicated study area with a desk, chair, and lamp.
- **Relaxation Space:** This private space provides a comfortable environment for studying and unwinding during off-duty hours.
- **Self-Catering Facilities:** A kitchenette or access to a shared kitchen for preparing light meals and refreshments.
- **Laundry Services:** Access to laundry facilities, including a washing machine, dryer, and ironing board, for personal laundry care.
- **On-Site Parking:** Adequate and secure parking options for a personal vehicle.

ASMOF NSW Award Reform Claims - Member ballot version 12 August 2024

Secure and Hygienic Living:

The hospital will thoroughly inspect the accommodation to ensure it meets high safety standards. This assessment will focus on:

- **Equipment and Furnishings:** Checking for proper functioning, good condition, and safe use of all appliances and furniture.
- **Cleanliness and Hygiene:** Verify the living space adheres to acceptable hygiene standards and has appropriate cleaning procedures.
- **Security Measures:** Evaluating the overall security of the accommodation, including considerations for potential risks associated with isolation or shared living arrangements.

Spousal Accommodation:

Medical officers on secondment exceeding six weeks can request accommodation for their spouse. Please note that this benefit is subject to availability.

Relocation Expenses:

This section outlines the financial support available for medical officers relocating:

- **Travel Expenses:** Reimburse travel costs for those not provided with accommodation or those who choose not to utilise provided accommodation.
- **Accommodation Costs:** Payment for accommodation expenses incurred during the relocation process.

Overtime

- All hours worked over ordinary hours per week will be deemed overtime.
- Overtime may be either rostered or unrostered.
- Where overtime is rostered, the time must be automatically paid according to the roster without requiring the member to make a claim.

UROT

- Prior approval of unrostered overtime is not required when the overtime is necessary as a result of the following:
 - Medical emergency;
 - Transfer of a patient;
 - Extended shift in theatre;
 - Patient admission/discharge (and associated paperwork);
 - Completion of outstanding patient transfer;
 - Late ward rounds;
 - Early Ward Rounds;
 - Mandatory Training;
 - Sick Relief;
 - Mandatory Departmental Meetings and prep for these.
 - Clinical handover; and
 - Hospital-based outpatient clinics (Hospital-based includes all facilities, whether on designated hospital sites or otherwise).

Applicable to Staff Specialists

General

- Include in the Award the agreement between ASMOF and the Ministry to indemnify members from Medicare billing liability.
- Staff specialist accreditation applies across all LHDs
- A member is entitled to be absent from their employment on a day or part-day that is a public holiday in the place where the member is based for work purposes. The Employer may request that a member work on a public holiday if the request is reasonable.

Remuneration

- The base remuneration is year 1 RoPP level 5 with maximum drawings.
- Staff Specialists are paid for unsociable hours, on-call/recall, and actual hours worked above ordinary hours, resulting in those working in specialities that require onerous hours being compensated accordingly
- Staff Specialists can choose between a Non-Private Practice Option and a Private Practice Option.¹
- Staff Specialists will not be required to do their own billing.
- Non-Private Practice Option (Majority of Staff Specialists)
 - All private billings go to the Employer
 - Guaranteed income
 - Remuneration greater than Level 4 RoPP
- Private Practice Option (Those currently on Level 5 RoPP)
 - Equivalent to Level 5 RoPP but with uncapped earnings potential
 - Similar to Western Australian
 - Precise model to be developed in consultation with relevant specialities
- Superannuation on all remuneration up to SGC cap.
- Rights to remain on the current Level Arrangement, but new staff specialists can only elect to be on the new award arrangements.

Facility and Equipment

- Facility fees to be fair and equitable.
- Facility fees are to be established by a joint ASMOF/NSW Health committee.
- Equipment over ten years old should be phased out to ensure no equipment crosses the capital sensitivity threshold.
- Departments must have fit-for-purpose rooms for reporting with appropriate soundproofing, adjustable desks and associated equipment, such as IT equipment and software.

Office Accommodation

- All staff specialists are to be provided with suitable office accommodation to ensure privacy for conversations, phone calls, and reflection about work matters.

¹ See Clauses 28 & 29 of *WA Health System - Medical Practitioners - AMA Industrial Agreement 2022* for basis <https://www.health.wa.gov.au/~media/Corp/Documents/Health-for/Industrial-relations/Awards-and-agreements/Doctors/Medical-practitioners-AMA-industrial-agreement-2022.pdf>

ASMOF NSW Award Reform Claims - Member ballot version 12 August 2024

- When building or renovating facilities, provisions must be made to provide suitable office accommodation for all staff specialists, including projected increases in staffing numbers.
- The Employer must provide such accommodation where a staff specialist role currently exists and cannot access office accommodation.
- Where the physical constraints of the facility do not allow for this accommodation to be provided, then suitable office accommodation must be provided as part of any relocation or renovation of a facility.

Career Progression

- Increased progression opportunities beyond automatic increments. These classifications will be Senior Staff Specialist, Eminent Staff Specialist, and Pre-eminent Staff Specialist.
- Senior staff specialist annual automatic increments 1 – 3 for additional progression for senior staff specialists
- Eminent and Pre-Eminent Staff Specialist grades are required to allow employment under Award to recruit and retain leaders in their field.
- Transparent and objective pathways to obtain these senior classifications.
- Grading of senior staff specialist to be determined by MDAC with the progressions not unreasonably withheld
- Once a member has been granted a senior classification, it is automatically applied to all future appointments.

Overtime

- Overtime payable to staff specialists for all hours worked in addition to ordinary hours per day (10) and per week (40).
- Additional hours of duty in excess of the ordinary hours specified in the Award will be paid at 270% of the relevant base rate for such excess duty hours.
- The calculation of overtime shall include work other than direct clinical work that may also occur after hours. This includes but is not limited to clinical support work, administrative work and directly relevant research.

Support for administrative work

- Mandated level of administrative support determined by the role's and specialty's administrative requirements.
- As a matter of routine, members shall not be required to perform administrative duties that clerical classifications could reasonably perform.
- Guaranteed administrative support for medical managers.

Medical Administrators

- Remove senior staff specialist and managerial allowance prohibitions.

Emergency Physicians

- Interns to be supernumerary for ED staffing arrangements.
- Special allowance to continue to be applied with no requirement to reapply every six months.
- Special allowance to apply to all emergency physicians regardless of whether they undertake shiftwork or not.

ASMOF NSW Award Reform Claims - Member ballot version 12 August 2024

Retrievalists

- Life insurance is to be paid for by the Employer as it is for paramedics.
- Fair remuneration for emergency deployments (See General)
- Amend the current Special Allowance to apply to all retrievalists, regardless of whether they are emergency physicians or otherwise.
- The following penalties for retrievalists working from 12am to 7am will apply.
 - Work performed from 12am to 7am will attract a 150% loading.
 - Work performed from 12am to 7am Saturday to Sunday will attract a 350% loading.
 - Work performed from 12am to 7am on Public Holidays will attract a 400% loading.

Interventional Radiologists

- Admitting rights for all interventional radiologists by application.

Applicable to Career Medical Officers

Education of Other Staff

- Members who are required to teach and/or participate in workplace-based assessments of medical officers or career medical officers will be paid 20 per cent in addition to the salary and relevant allowances provided by the Award.
- The Employer will ensure that sufficient time and resources are allocated to members required to teach or assess medical officers or career medical officers to enable them to conduct those duties and responsibilities effectively.

Senior Career Medical Officer

- A career medical officer with at least seven years of post-graduate experience working in a senior role with minimal supervision will be appointed as a senior career medical officer.

Applicable to Medical Superintendents

Overtime

- Medical superintendents are to have the same overtime provisions as medical officers.

On-call/Recall

- Medical superintendents must have the same on-call/recall provisions as medical officers.

Applicable to Clinical Academics

- The relevant sections of the NSW Health Services Policy Directive for Clinical Academics will be incorporated into this Award where they offer superior conditions.
- If an employee has been granted sabbatical leave by their employing university, NSW Health will provide corresponding sabbatical leave. For the first two months of the sabbatical, this leave should be paid.

ATTACHMENT 1 ASM OF TESL Log of Claims