

PROPOSED NURSES (DEPARTMENT OF EDUCATION AND EARLY CHILDHOOD DEVELOPMENT) AGREEMENT 2009

FREQUENTLY ASKED QUESTIONS

SALARY AND RELATED QUERIES

What changes does the proposed agreement make to my current pay and conditions of employment?

Your general conditions, as applying under the current agreement, will not change. The proposed agreement will increase salaries and most allowances. The salary increases (first to be back-dated to 1 July 2009) will be accompanied by a lump sum productivity payment equal to 0.8% of your annual salary you were receiving on 4 May 2009, or later where your employment commenced after that date.

What is the situation with the salary increase proposed for 1 July 2009?

When the proposed agreement comes into operation the Department will arrange centrally an adjustment to the salaries of employees and back-payment from that date.

When is the first salary increase to be paid?

The Department will advise staff of the schedule of payments. It is expected that the 1 July salary increase will be able to be activated in the first available pay period commencing after the agreement comes into operation. The lump sum productivity payment will be made in the following pay period.

If I have resigned since the employment approval process commenced, will I receive back pay?

No. An employee needs to be employed on the date the agreement commences to operate (seven days after the date Fair Work Australia approves the agreement) to access the benefits of the agreement. If you are employed on the date the proposed agreement commences, but back-pay is processed after the resignation, payment will be made.

Is the lump sum productivity payment available to employees on leave without pay?

The lump sum will be paid to employees who are on pay on 4 May 2009 and to employees who commence after that, up to the date the agreement is approved by Fair Work Australia. Employees on leave without pay, but who were receiving salary on 4 May 2009 will be paid the lump sum on resumption of duty.

Is the lump sum amount pro-rata for those employed part-time?

Yes. The lump sum amount is equal to 0.8% of the salary an eligible employee is receiving on 4 May 2009 or the date employment commences, whichever is the later.

As a shift employee how will this agreement affect my current pay?

The current shift penalty rates applying to shift workers remain unchanged. They will be applied to the new salary rates. The proposed agreement removes the maximum salary against which shift penalties can be applied. This means that employees receiving a salary of greater than \$55,563 from 1 July 2009 will be better off under the proposed agreement.

How does the proposed agreement affect allowances?

The proposed agreement increases allowance amounts by the salary increase percentages other than allowances that are determined by an external body. For example, the kilometre rate for use of a private vehicle for work purposes is determined by the Australian Taxation Office and will not change as a result of the proposed agreement.

Does the proposed agreement cover casual employees?

The proposed agreement sets rates of pay for casual employees, including shift penalties. Therefore, the salary increases that flow from the proposed agreement will translate to increased casual hourly rates. Casual employees are not entitled to the lump sum productivity payment.

OTHER CONDITIONS OF EMPLOYMENT

What other conditions of employment will change under the proposed agreement?

Changes to conditions are summarised in the Information for Employees document that is an agreed statement between the Department, the Australian Nursing Federation and the Community and Public Sector Union. This can be accessed on the Department's website at: <http://www.eduweb.vic.gov.au/hrweb/employcond/res/newagree.htm>

APPROVAL PROCESS

When will the proposed workplace agreement be approved?

The proposed workplace agreement requires approval by a valid majority of employees who will be covered by the proposed agreement. The Australian Electoral Commission (AEC) will conduct a postal ballot by sending a ballot paper to the home addresses of employees with instructions on how to lodge their vote. Ballot papers will be posted to employees' home addresses on **13 October 2009**. Employees who have changed home addresses should advise the Department as soon as possible on 9637 2435 or at: tdorovski.vasko.v@edumail.vic.gov.au

Who is eligible to vote in the ballot of staff to approve the agreement?

All employees to be covered by the proposed agreement are eligible to vote. That is, nurses employed under Division 4 of Part 3 of the *Public Administration Act 2004* in schools and the Maternal and Child Health Information Line. The proposed agreement does not apply to other employees in the Department, including staff who may be employed as a nurse in a school under the education support class structure.

What is a valid majority of employees in respect to the vote?

A valid majority of voters approving the proposed agreement means more than 50% of the employees who cast a valid vote.

What happens if a valid majority approve the proposed agreement?

The Department will lodge the agreement with Fair Work Australia who will submit it to a 'no disadvantage' test. If the proposed agreement passes the 'no disadvantage' test the Department will be formally notified by Fair Work Australia and the agreement will commence operation from seven days after the date of that approval advice.

What happens if employees do not approve the agreement?

In that event the salaries, terms and condition of the current agreement [*Nurses (Department of Education and Early Childhood Development) Agreement 2008*] will continue to apply.