



Stat Report 2015/35

Why Union PI cover is Important & Why Managers Should Stay Out of Union Business

I don't know why some health services managers want to meddle in union business, particularly when it involves giving gratuitous and inaccurate advice about a union's service. On the one hand it is frustrating that members are misled about a particular matter, but on the other it is amusing to see membership grow as a result of ham-fisted comments from managers.

For some inexplicable reason, the head of Austin Health's pathology department recently felt the need to issue a memo to tell medical scientists they don't need professional indemnity (PI) insurance cover, which comes with MSAV membership, essentially because Austin Health is insured by the Victorian Managed Insurance Authority (VMIA) against medical malpractice claims which allegedly also covers Austin Health employees.

There are a number of problems with this advice, not least of which is that the VMIA does not guarantee it will pay for an Austin Health employee's independent legal representation. Austin Health is the insured under the policy and of course will have the costs of legal representation to defend an action covered by the VMIA. At best, the employee who does not have his/her own PI insurance cover would have to rely on the support of legal representatives who are ethically required to represent Austin Health's interests, and of course these may not necessarily be their own. At worst, the employee will need to pay for their own independent legal representation.

In addition, union PI insurance covers damages awarded by a court against an employee up to an amount of \$5,000,000 in any claim (\$10,000,000 in any year). It is highly unlikely VMIA insurance will cover damages costs for both a health service and an employee if separate damages amounts are awarded by a court.

An important part of a union member's PI insurance is that it also covers employment related matters and claims. This cover is used to run significant claims for members, including in the Federal Court, and has resulted in significant pay outs for union members involved. The latest of these involved an action by 25 members and has resulted in a very large payments for each individual member.

Professional Indemnity insurance is a critically important protection for anyone working in the health sector, including for scientists employed in pathology services at Austin Health. The fact that it comes with union membership means it is a truly great benefit for members.

Austin Health's "critique" of the MSAV's PI insurance cover is misleading and inaccurate. Thankfully, scientists sought our advice and were set straight about our PI insurance benefit.

-- Paul Elliott, Executive Officer

No Pay? No Way! 2015 Survey

The Union's continuing advocacy efforts around workforce issues has resulted in the State Government becoming more acutely aware of workload issues, rostering problems and ineffective management.

And to make our advocacy work stronger, the Union wants to be able to better understand the nature and extent of unpaid work, and more importantly, how unpaid work has changed and the impact it has on members over time.

That's why the Union is repeating our survey from 2014. [Do the survey today.](#)

We're regularly witnessing managers no longer thinking about how staff will cope with the extra work, and instead try to build an expectation that if you don't do unpaid work, you're letting everyone else down – your colleagues, the patients and the management.

In 2015, we know that members will work hundreds of thousands of hours of unpaid time to cope with unreasonably high workloads. You'll tell yourself you're doing it because you're a professional, that if you don't you aren't supporting your colleagues or that you care for patients. The reality is that it isn't professional and you aren't supporting your colleagues or caring for patients if you're over-worked, stressed and tired. That's when mistakes happen and it's when mistakes happen that you'll find management starting to raise questions about competency rather than whether workloads are too high.

Based on the results of last year's survey, there is growing evidence that health services are relying on you to do unpaid work to keep many services afloat. And we suspect that this situation has become worse since we last did our "No Pay? No Way!" survey.

We want to be able to use our research to continue lobbying and advocating for proper workforce planning that takes into account the ever growing workloads and the increasing demand on health services.

[Please take a few minutes to do our survey and help us continue to highlight the issues.](#)

Turnbull Government disingenuous about superannuation

Australia's newest Treasurer, Scott Morrison, has suggested that the Turnbull Government will look at allowing women returning to work after maternity leave the ability to top-up their superannuation accounts. Apparently, this proposal is being promoted as a way to "improve flexibility for people who have disruptions in their working lives".

The reality of such a proposal is that it is completely and utterly rubbish. And especially so when you take into consideration the detrimental changes the Abbott-Turnbull Government have made to superannuation. Chiefly among these changes has been to slash the Low Income Superannuation Contribution scheme which helped millions of Australians top-up their superannuation accounts. Another major change has been the freezing of superannuation contributions to 9.5% which ensures smaller contributions being made and lower retirement incomes. And we cannot forget the fact that the Abbott-Turnbull Government have refused to tackle the massive tax incentives and advantages for high-income earners.

It is galling that the new Treasurer, Scott Morrison, is so out-of-touch with reality that he thinks his proposal is actually good policy; that it'll actually make a difference. For starters, and the really telling element to this so-called proposal, among those taking maternity leave, who will have spare income lying around to put into their superannuation account? In our experience there will be very few people in such a privileged position.

It's clear that the Treasurer, and Prime Minister, Malcolm Turnbull, have no interest in addressing the yawning gap in retirement incomes when such a proposal is put forward as

legitimate policy. If Turnbull and Morrison were actually serious they'd restore the Low Income Super Contribution scheme, unfreeze superannuation contributions and remove the grotesque tax benefits for high-income earners.

Psychologists call for inquiry into occupational violence at the Thomas Embling Hospital

The Victorian Psychologists Association is very concerned that an assault on a psychiatrist at the Thomas Embling Hospital (TEH) on 20 October is just the latest in a series of incidents at Forensicare in which clinical staff have been assaulted by patients in the course of their duties.

The Auditor General handed down a report on occupational violence experienced by health workers in Victoria in May 2015. In that report the Auditor General says that WorkSafe has been slow to identify occupational violence in the health sector and rarely uses its inspection or enforcement tools to address incidents of occupational violence.

And in August the County Court found that Forensicare was in breach of its duty of care to provide a reasonably safe place of work and a safe system of work to the employee of a contractor. Forensicare had failed to recognise that the use and placement of a plastic water jug on a ledge in an acute unit at The Thomas Embling Hospital was unsafe and potentially risky. The employee was injured when endeavouring to restrain a patient who had thrown the plastic water jug at a nurse.

The Victorian Workcover Authority (WorkSafe) must immediately undertake a thorough and wide-ranging investigation into the incidence of occupation violence at TEH and ensure that Forensicare acts to protect workers' safety.

The response from Forensicare to assaults on psychologists has been reactive and defensive. And Forensicare is still placing clinicians in danger by not properly assessing and mitigating risks while WorkSafe is looking the other way. It's clear that Forensicare feels no pressure to alter its approach to occupational violence risk.

Not even the judgement in August in the County Court, which rejected Forensicare's view that the therapeutic advantage to patients of a particular practice outweighed its duty of care to staff in assessing potential risks, seems to be enough for Forensicare to protect workers' safety.

The VPA's view is that it is not an either/or situation between taking a therapeutic approach and protecting clinician safety. It is possible to design systems and processes that both reduce and manage risks to staff safety and provide a therapeutic environment for patients.

The VPA calls on the Minister for Mental Health to initiate an urgent inquiry by WorkSafe into unacceptable levels of occupational violence at the Thomas Embling Hospital and other Forensicare sites, to ensure that Forensicare meets its duty of care to staff and that the incidence of occupational violence is mitigated.

Western Health failing on pathology services

The Union is alarmed that the management of Western Health is more concerned about looking after the commercial interests of a private pathology provider than they are ensuring that private provider is delivering pathology services as contracted.

Last week the Union was involved in 2 days of hearings in the Victorian Civil and Administrative Tribunal (VCAT) arguing that pathology services information is public information which should be released under the FOI Act.

Dorevitch Pathology's legal team spent most of that time telling VCAT that the company's commercial interests needed to be protected and therefore the information should not be released.

Western Health's sole contribution was a short statement saying that it (WH) supported Dorevitch's case – that was it!

The Union believes that Dorevitch Pathology does not want such information released because it will show they are failing to perform pathology services to the levels fixed in the contract and particularly that it has failed to comply with pathology test turn-around time KPIs.

The Union is interested in turn-around times because they will show how workloads have exploded in the past 24 months, putting greater pressure on fewer scientists. And we suspect the turn-around times information we have asked to see will show that Dorevitch Pathology is significantly compromising the quality of pathology services being delivered to Western Health patients.

It really makes you wonder why Western Health is supporting a private provider ahead of its obligation to deliver world-class healthcare.

Serious questions must be raised by the Victorian Government about a public health organisation supporting a private provider's bid to keep hidden from public scrutiny vital information like turn-around times for tests.

People living in Melbourne's western suburbs deserve quality healthcare, not this kind of contempt.

Climate change: where a health threat presents enormous opportunities

In 2009, the prestigious medical journal *The Lancet* stated "climate change is the greatest health threat of the 21st century". The evidence is irrefutable – climate change poses unprecedented risks to human health and wellbeing. The old mantra that "prevention is better than a cure" has never resounded as clearly as in the instance of climate change. Taking strong action to protect our land, our water, our food and our communities is critical to protecting health and wellbeing of Australians and people around the globe.

Here in the "land of drought and flooding planes", we are all too frequently reminded of the vulnerability of human health and wellbeing to the wrath of nature. Climate change in Australia is likely to contribute to increased deaths and injuries, particularly among children and the elderly, related to worsening heat waves and other extreme weather events. In a single week of January 2009, 374 Victorians died from causes attributable to high temperatures. Heatwaves primarily affect the very old and the very young, those with pre-existing medical conditions and heat-exposed workers.

As weather patterns change, we will face increased water scarcity and food insecurity from drought and floods. Already, changes to the climate mean that winter and spring rainfall across south-eastern Australia is likely to decrease by up to 15% before 2030, regardless of whether greenhouse gas emissions are reduced. As temperatures rise and rainfall patterns change, there will be a spread of food, water, and mosquito-borne infectious diseases in Australia. It has been estimated that by 2050 there will be between 205,000 and 335,000 new cases of bacterial gastroenteritis in Australia each year, and up to 870,000 cases by 2100. An additional 335,000 cases could result in \$92.3 million in health and surveillance costs and 1.6 million lost workdays.

The increased demand on health and emergency services during extreme weather events is difficult to calculate, as extreme weather can aggravate pre-existing illness. However the 2014 heatwaves in Victoria contributed to 203 heat-related deaths, a 20-fold increase in the number of ambulance call-outs, a four-fold increase in calls to nurses-on call and a four-fold increase in calls to locum doctors. The cost associated with damage to hospitals and health infrastructure from extreme weather events is likely to be immense. Indeed \$18.1 million was allocated by the Queensland and Federal governments to repair damage to health facilities caused by the 2011 floods in Queensland. The response to the severe psychological trauma resulting from the floods involved a further \$12.6 million in funding for specialist mental health support.

The mental health implications of climate change are broad and varied. It has been estimated that the relative risk of suicide can increase by up to 15 percent for rural males aged 30-49 as the severity of drought increases. Much of the mental health burden is borne by individuals in under-serviced communities with limited access to appropriate support services.

The most marginalised groups in Australia will feel the effects of a changing climate most acutely and most severely. Rural and indigenous Australians, low-income individuals and families, and people with chronic diseases will be the first to experience the physiological implications of climate change. Climate change is a disease amplifier, and will exacerbate many of the health inequities that plague Australia today.

As our neighbours in the Pacific Islands are threatened by rising sea levels, Australia will have to determine how to respond to an influx of climate refugees. The combined challenges of food and water insecurity and mass displacement are likely to pose significant national security threats.

Fortunately, many the strategies to tackle climate change have the added benefit of improving human health. For example, it is estimated that particulate air pollution, both indoor and outdoor, contributes to the deaths of up to 2,400 Australians every year, which exceeds the annual road toll. Indeed, pollution from coal combustion and motor-vehicles in Australia have been estimated to carry health impact costs of \$2.6 and \$2.7 billion respectively per annum. A move away from fossil-fuel combustion thus has resounding benefits for reducing the burden of disease in Australia.

We have the tools available to us to tackle climate change. A transition to a renewable energy economy will drastically reduce the burden of respiratory disease, and provide tens of thousands of sustainable jobs in regional areas. Ensuring the efficiency and resilience of our agriculture systems will safeguard the access of all Australians to high quality, nutritious foods. Revolutionizing our urban spaces to make them more bike and pedestrian friendly will drastically cut the burden of non-communicable diseases. By making sincere commitments to greening our hospitals and healthcare systems, we will minimize waste, maximize efficiency and enable our limited healthcare budget to be spent supporting our valuable workforce in their contributions to the community.

The impetus for action is clear. The longer it takes for our government to commit to strong action to mitigate climate change, the larger the burden of disease in the community will be. As health professionals we have a duty to advocate for the health and wellbeing of our patients. Ours is a respected and valued voice in the community; the voice of evidence-based insight and of demonstrated compassion. We must use that voice to send a resounding message to decision makers: a sincere commitment to the protect health and wellbeing of Australians requires a genuine, urgent effort to tackle climate change.

This article is by Grace FitzGerald from the Australian Medical Students Association. The Union is working with AMSA and other health & health-related organisations and unions to address climate change.

People's Climate March – Melbourne

The People's Climate March will be held across Australia on 27-29 November.

Over that weekend, People's Climate Marches will take place in hundreds of major cities around the world with the goal of creating a massive mobilisation to call for real action on climate change. And it comes at a crucial time when the world's leaders and diplomats are in Paris to negotiate the kind of cuts and assistance required to make deep cuts in our emissions.

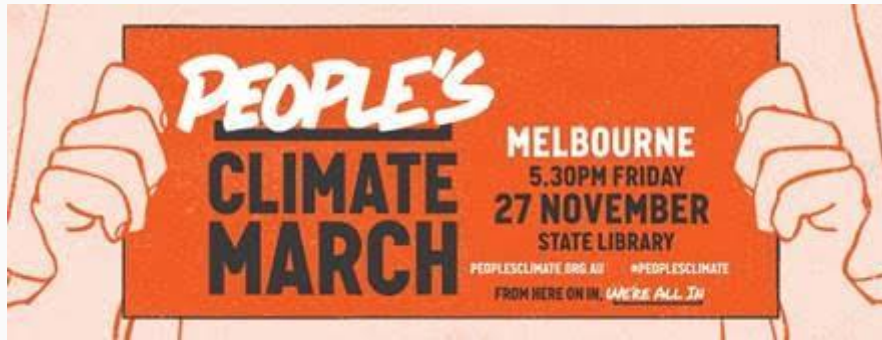
The Melbourne march will be at 5.30pm on Friday 27 November.

A coalition of unions, environmental and other organisations is being built to facilitate the march.

Make sure you join the Union's contingent to help send a message to Australian and world leaders that we want and must take urgent action to avoid a global climate catastrophe. It's up to

us in the health system that know better than most how climate change will have a serious negative impact on the health and lifestyles of all Australians.

Get more information at: <http://www.peoplesclimate.org.au/>



Special Screening of *This Changes Everything*

What if confronting the climate crisis is the best chance we'll ever get to build a healthier world?

ANMF (Vic Branch), Healthy Futures, Climate and Health Alliance and Doctors for the Environment Australia are pleased to invite you to a special community screening of *This Changes Everything*.

View the trailer here: https://www.youtube.com/watch?v=lpuSt_ST4_U

Date: Tuesday 10 November

Time: Welcome drinks from 6.00pm for a 6.30pm start – 8.00pm

Place: ANMF House, Level 7, 540 Elizabeth Street (opposite Vic Market, 10min walk from Melbourne Central)

Cost: \$15 (\$10 for students/concession)

Tickets available at: <http://www.trybooking.com/JNBV>

Read about *This Changes Everything* here: <http://thefilm.thischangeseverything.org/about/>

Questions? Contact Bree Taplin on 03 9275 9333 or btaplin@anmfvic.asn.au

Get the most out of the Union's website

You might have noticed that the Union has a new website. The new website has a number of special features for members. These features like the Members section and the Forums, require you to have a log-in and password.

But to ensure that your privacy is protected we have created the website in such a way that you will need a separate log-in and password for the Members section and the Forums section. It might seem to be inconvenient but it does better protect you and your private information. It also means that we can be more certain about the source of a hack if such an event is ever to arise.

Worth Reading: The private pathology industry emerges as major Tasmanian Liberals donor

"Pathology Australia – the peak lobby group for private pathology operators – along with the medical diagnostics behemoth Sonic Healthcare Group and its smaller competitor Healthscope, remain coy about why they have become major donors to the Tasmanian Liberals. However, at least one company – Sonic Healthcare's Tasmanian subsidiary Diagnostic Services – has been lobbying the Tasmanian Government for the outsourcing of Tasmania's public hospital's pathology services.

Pathology Australia's CEO, Liesel Wett, stated via email that the lobby group occasionally met with Tasmanian Ministers but provided no details on who it met and whether the outsourcing of public hospital pathology services to the private sector had been discussed. Sonic Healthcare, its Tasmanian subsidiary Diagnostic Services, and Healthscope did not respond to a request for comment."

Read the entire article by Bob Burton in the Tasmanian Times at:

<http://tasmaniantimes.com/index.php?%2Fweblog%2Farticle%2Fthe-private-pathology-industry-emerges-as-major-tasmanian-liberals-donor%2F#sthash.hd33oONs.dpuf>

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Benefits for Union Members

As a union member, you can take advantage of the collective buying power of more than 1.9 million members to get discounts on a great range of products and services.

Australian Unions Member Benefits makes sure the products and services are from companies you can rely on to deliver high-quality products with reliable customer service.

There is more information about a range of other benefits union members can access at

<http://www.memberconnect.com.au/> or you can call Australian Unions Member Benefits on 1300 362 223.

New Australian Unions Member Benefits app

Over the last month Australian Unions launched some new and exclusive Member Benefits - did you see our recent email telling you about this? If not, check your inbox! Search for "Lifestyle Rewards" for your login code.

Our program has expanded to include:

- Discounted movie tickets for Village, Hoyts, Palace and Event cinemas.
- Discounted electronic gift cards - for JB Hi-Fi, Rebel Sport, Dick Smith, iTunes and My Fun (which includes major theme parks, zoos and aquariums).
- A discounted accommodation booking site.
- A new secure member only website and smart phone app.

All this is free to all members of affiliated unions. If you have not got a login and would like join in [register for Member Benefits now](#).



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