



Stat Report 2022/02

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Victoria's Code Brown declaration

Members will have undoubtedly seen the reports about the Victorian Government declaring a "Code Brown".

The Union has actively been in discussions and briefings with the Department of Health regarding the "Code Brown" declaration. We expressed concerns and strong reservations about the potential impacts and implications for members as the declaration may involve recalls from leave and deferment of leave.

As members can appreciate, our concerns are about making sure your rights at work are not compromised by the declaration.

At this point, I'm happy to report, that the Department of Health has accepted that Enterprise Agreement terms and conditions cannot be over-ridden by the declaration of the "Code Brown".

The Department has confirmed that any proposed changes will still require consultation with the Union.

Make sure to get advice from us if you are being told that the Code Brown means you can be directed by management to change how you work, for example rosters and duties, as this is not the case. We have raised our concerns with the Department that some managers will use the Code Brown to force a change they actually don't have the authority to determine.

The "Code Brown" will be in effect for between four (4) and six (6) weeks and officially commenced on 19 January 2022.

If you have workplace issues or concerns, please contact us by calling on 9623 9623 or emailing us at enquiry@msav.org.au Reporting issues is the best way we can resolve matters and if you don't report your issues, we won't know about it.

In solidarity
Paul Elliott
Secretary



Positions not backfilled? Let us know

Union Round Up

Forensicare Bargaining Update

We have an offer!

Meetings with members will happen next Monday at 12:30 to get your feedback. An email was sent to psychologists on Friday providing a summary.

If you have any questions, please contact Lisa at lisaa@msav.org.au

Special Leave for COVID-19 vaccines

Below is what is being advised by the Victorian Department of Health with respect to employees in the public sector who have an adverse reaction after receiving a COVID-19 vaccine (emphasis is ours):

Where an employee experiences an adverse event after receiving a COVID-19 vaccine

Employees may experience minor side effects after receiving the COVID-19 vaccination. There is some overlap between an expected adverse event following immunisation (AEFI) following the COVID-19 vaccination and the presenting symptoms of COVID-19. This can lead to uncertainty around requirements for testing and isolation in a person with symptoms following vaccination.

The Department of Health has issued Recommendations for testing and isolation following COVID-19 vaccination which provide guidance on distinguishing AEFIs from other symptoms of illness that an employee may experience.

Where an employee is required to isolate in the circumstances described in the Recommendations for testing and isolation following COVID-19 vaccination, the employee has access to paid Special Leave for the requisite period of isolation.

Paid Special Leave should also be made available to an employee who was prioritised in Group 1A or Group 1B to receive a COVID-19 vaccination and who suffers an AEFI that does not require them to isolate but does result in them being unable to attend work because of the symptoms experienced. To access paid Special Leave in this circumstance, the employee is required to provide a medical certificate confirming that the reason for not attending work is due to an AEFI that does not require them to isolate.

In this instance, **paid Special Leave will be capped at a maximum of two days per COVID-19 vaccination received, or four days of leave in total per employee across all COVID-19 vaccinations received by the employee in 2021.**

Employers should retrospectively authorise paid Special Leave to an employee who has already received a COVID-19 vaccination as part of the Group 1A or Group 1B vaccinations and took Personal Leave for any absence that resulted from an AEFI that did not require them to isolate. The evidentiary requirement may be waived in such cases and the employee may have their Personal Leave recredited.

Employers should assess such situations on a case-by-case basis.

Casual workers: Have you been offered casual conversion?

Earlier this year, the National Employment Standards were changed to insert casual conversion provisions.

Additionally, employers were required to assess whether existing casual employees were eligible to be offered permanent employment under the new entitlements by *27 September 2021*.

If you are a casual employee, you should have received correspondence from your employer around this date, offering or denying permanent work.

If you work permanent hours and didn't receive this invitation, or you received advice that your employment would not be converted, get in touch if you would like support. Email enquiry@msav.org.au

Public Holiday Pay

Next week there will be a public holiday for Australia Day. Unlike the public holiday days over the Christmas and New Year period, we hope payment for next week's public holiday will be easier for our health services to process.

Unfortunately, it appears that members are still not being paid correctly for the public holidays over the Christmas and New Year period.

If you're finding your health service hasn't paid you correctly it could be because Christmas Day, Boxing Day and New Year's Day all fell on the weekend, additional days were declared by the Victorian government on the 27th and 28th of December and 3 January. You can find the list of Victorian public holidays [here](#).

Here's how you should be paid to cover the public holidays over the Christmas and New Year period.

For time worked on a public holiday occurring on a weekday, the pay rate is 200% of the normal rate. For time worked on public holidays on a weekend day, the rate is 250% of normal pay. For casuals, the loading is paid on top of these rates.

If you worked on both Christmas Days, both Boxing Days or both New Years Days, you receive the weekend penalty for the actual day (not the public holiday rate) and the public holiday rate for the additional day.

If you work part of the day on a public holiday, you must receive a minimum of four hours pay at the public holiday rate.

For days not worked, it gets a bit more complex.

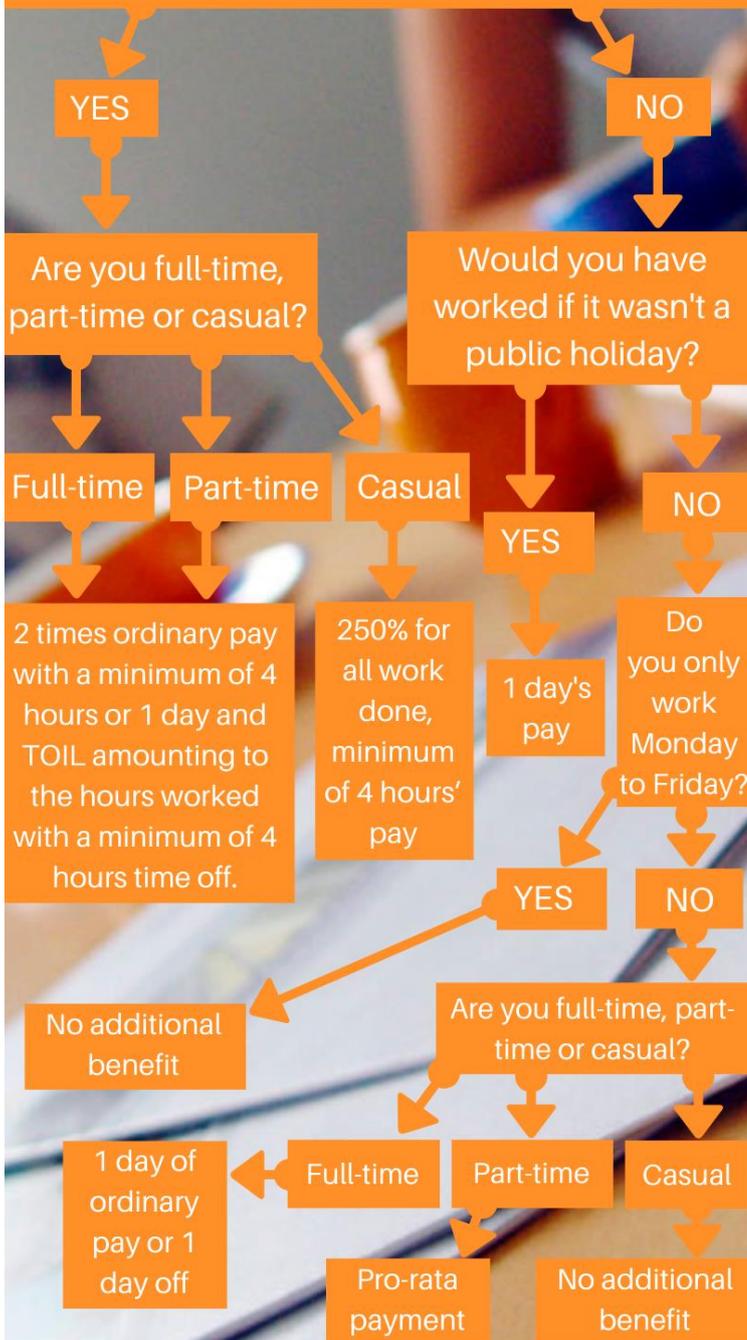
- Full-timers and part-timers who only work Monday-Friday get no benefit for a public holiday on a Saturday or Sunday.
- Full-timers and part-timers who only work Monday-Friday get a normal day's pay for a public holiday on a weekday that they would normally work.
- Full-timers who work the roster and have an RDO on a public holiday receive an additional day's pay or a day in lieu (your choice)
- Part-timers who work weekends get pro-rata pay according to the formula in the table for public holidays occurring on a day which they would not normally work.
- Part-timers who work **weekdays only** get pro-rata pay for weekday public holidays occurring on a day which they would not normally work
- Casuals receive no payment for not working on public holidays.

The flow chart below provides a visual representation.

While this mostly applies to members working in the Public Sector, if you work in the Community and Private sectors, contact the Union to ensure that you have received the correct public holiday pay – contact the Union at enquiry@msav.org.au

Public Holiday 2022 Payments

Did you work that day?

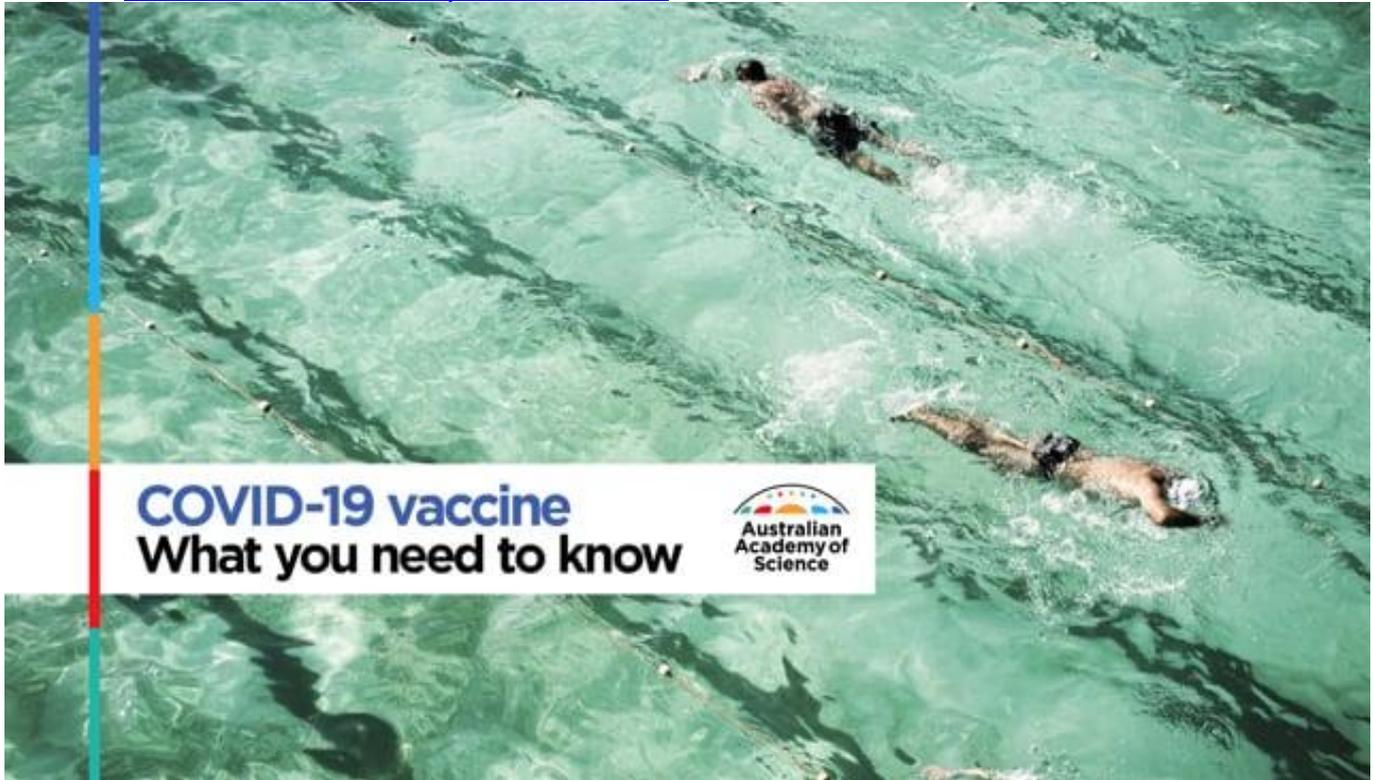


COVID-19 Vaccinations

With the Omicron variant rapidly spreading and the seemingly increasing threat it poses, the Union strongly supports members getting a COVID-19 vaccine as soon as you can; after all we support science and the science that's behind the vaccines.

There are special leave provisions available to help you get a COVID-19 vaccine, which we've covered in *Union Round Up*

Check out this great video from the Australian Academy of Science on what you need to know about COVID-19 vaccine - [COVID-19 vaccine: What you need to know](#)



The Australian Academy of Science has some great resources about COVID-19 and the vaccines, which you can access and share with your family and friends. [You can find those resources here.](#)

If you have any queries regarding the vaccine rollout and how it may impact you, please contact the Union at enquiry@msav.org.au

Contacting the Union

Members can ring the Union to seek support, advice and assistance with workplace issues.

MSAV: (03) 9623 9623

VPA: (03) 9623 9625

AHP: (03) 9623 9624

As always members can raise workplace issues by emailing the Union at enquiry@msav.org.au

Membership Issues – Experiencing hardship?

Non-Members

For non-Union members who work in workplaces across our coverage; **we will give advice immediately over the phone if they join.**

In the spirit of supporting health workers through this unprecedented time we hope you might have a quiet word to colleagues who are not members and suggest that there has never been a more important time to join a Union. Let them know that it is as simple as going to our website and [clicking on the 'JOIN' link.](#)

Members

If you are in the unfortunate position of being stood down or forced on to unpaid leave, [contact us to move your membership payments to a 'non-working' subscription rate of \\$8.26 per month.](#)

Psychologists: If you need help at work you need the VPA Inc.

If you are a psychologist and not in the VPA, you are taking unnecessary risks with your reputation and career. [Download an application form and join today.](#)

Common beaches of employment entitlements and negotiation of enterprise agreements

The VPA routinely assists members over issues such as harassment and bullying, under classification, organisational re-structuring, incorrect calculation of leave entitlements and health and safety. In addition, it negotiates enterprise agreements for psychologists in the public and private sectors to ensure that rates of pay and conditions remain up to date.

Support the Healthy Futures campaign



The Union strongly believes that climate change is union business. We know that climate change threatens our health by increasing the risks of heatwaves, bushfires, droughts and storms, displacing people and straining our health systems.

Right now, Aware Super, Australia's biggest health industry super fund, is investing our money in fossil fuels - oil and gas. While they have plans to divest from fossil fuels, it's vital that we maintain the pressure to make sure they divest faster to ensure a reduction in financial issues posed by stranded assets like fossil fuelled power stations.

Join us in asking Aware Super to divest from fossil fuels at

<https://www.healthyfutures.net.au/awaresuper>

Stopping Gendered Violence at Work

Far too often women are attacked, harassed and threatened in their workplaces. And it needs to stop. That's why the Union is fighting back against gendered violence in the workplace – it's a very serious occupational health and safety issue.

Gendered violence is like a disease in our workplaces. Working women's experience of violence at work indicates that the problem of gendered violence is endemic in our workplaces.

Sign up to support the campaign at: <http://www.unionwomen.org.au/stopgv>

Do you need access to Domestic Violence services?

If you're experiencing domestic violence and need help, here is a list of Victorian services which may be able to assist you.

[Safe Steps \(formerly Women's Domestic Violence Crisis Service of Victoria\)](#)

[Aboriginal Family Violence Prevention and Legal Service Victoria \(FVPLS\)](#)

[Centre Against Sexual Assault \(CASA\) Forum](#)

[Community Legal Centres](#)

[Court Network](#)

[Domestic Violence Victoria](#)

[Elder Rights Advocacy \(ERA\)](#)

[Elizabeth Morgan House Aboriginal Women's Service](#)

[inTouch Multicultural Centre Against Family Violence](#)

[Men's Referral Service](#)

[No To Violence](#)

[QLife Australia](#)

[Seniors Rights Victoria \(SRV\)](#)

[The Jewish Taskforce Against Family Violence](#)

[Victoria Legal Aid \(VLA\)](#)

[Victorian Aboriginal Child Care Agency](#)

[Women with Disabilities Victoria \(WDV\)](#)

[Women's Housing Ltd](#)

[Women's Information Referral Exchange \(WIRE\)](#)

[Women's Legal Service](#)

[Women's refuges](#)

Worth Reading: First impressions count, and have an impact on the decisions we make later on

"Picture yourself standing at the edge of a road, trying to decide if it's safe to cross. It's night time and rain is falling, making it difficult to see what's up ahead. After looking both ways, you step onto the road.

But what if this was a poor choice? Perhaps you've misjudged the speed of an approaching car. How does your brain realise its error and correct things before it's too late?

Experiments in cognitive psychology and neuroscience have taught us we make decisions by integrating information over time – that is, our brains collect and “add up” information across a very brief window of time, often only tens to hundreds of milliseconds, to form a clearer picture before committing to an action."

Read the entire article by William Turner, Daniel Feuerriegel and Stefan Bode in The Conversation at: <https://theconversation.com/first-impressions-count-and-have-an-impact-on-the-decisions-we-make-later-on-175034>

Worth Reading: Summer of our discontent changes political calculus

"So much for the lazy, hazy days of summer giving the nation a break from our politicians and providing a reset for the bungling Morrison government.

Scott Morrison has scarcely been absent from our TV screens, where he frantically lays blame elsewhere and looks on the bright side of a very dark situation he had done little to adequately plan for.

The ill-considered and premature opening up of our domestic borders with a lifting of restrictions on mask wearing and social distancing has by any measure been a disaster.

Sure the states share the blame here, but they were urged on by the Prime Minister who shunned an effective national leadership.

The rising death toll and explosion in infections are a direct result of the failure to provide adequate safeguards to cope with these new “freedoms”."

Read the entire article by Paul Bongiorno in The New Daily at: <https://thenewdaily.com.au/news/2022/01/18/paul-bongiorno-morrison-discontent/>

Worth Reading: A short history of the Aboriginal Tent Embassy – an indelible reminder of unceded sovereignty

"Often people think about the Aboriginal Tent Embassy as something historic, dating back to the 1970s. But it should also be thought of as a site of the longest protest for Indigenous land rights, sovereignty and self-determination in the world.

In fact, this year, the Tent Embassy is set to celebrate its 50th continuous year of occupation. Demonstrating its significance to Australian history, it was included on the Commonwealth Heritage List in 2015 as part of the Old Parliament House precinct.

In this momentous year, it's worth remembering how the Tent Embassy came to be and what it has continued to stand for since its erection in 1972 – and the significance it still has today."

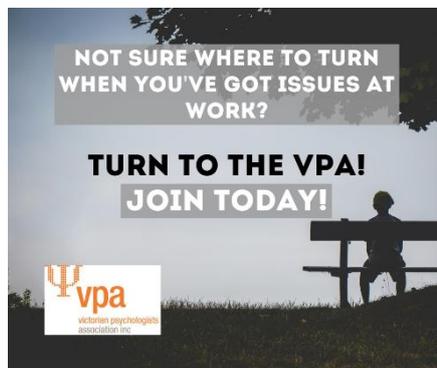
Read the entire article by Bronwyn Carlson and Lynda-June Coe in The Conversation at:

<https://theconversation.com/a-short-history-of-the-aboriginal-tent-embassy-an-indelible-reminder-of-unceded-sovereignty-174693>

Join the Union

Are your workloads increasing? Are your stress levels increasing? [Join the Union today!](#)

To protect our professions, we must strengthen our collective voice by increasing our membership. You can help by sharing the image below on Facebook, Twitter, Instagram, Reddit or your favourite social media platform.



Your Union is on Facebook

Keep up to date with what's happening by liking us on Facebook

[Medical Scientists Association of Victoria](#) | [Victorian Psychologists Association Inc](#) | [Association of Hospital Pharmacists](#)

Australian Unions Member Benefits app

As a Union member you get access to exclusive Member Benefits. The program has expanded to include:

- Discounted movie tickets for Village, Hoyts, Palace and Event cinemas.
- Discounted electronic gift cards including 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 – that means you! If you have not got a login and would like join in [register for Member Benefits now.](#)



Share STAT Report

Is there a copy of STAT Report on your Union noticeboard or in your staff room?

If not print out a copy and leave it on the noticeboard or in the staff room for your colleagues.