



Stat Report 2022/01

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What sort of year will 2022 be?

Happy new year, welcome to 2022.

The summer break seemed all too short but we're back and ready for the new and ongoing challenges we face.

Over the close down period, and since returning for 2022, there has been a spate of enquiries about public holiday pay. It seems that there has been some confusion amongst employers given there were 6 public holidays over the course of Christmas and New Year. It's not uncommon for there to be queries about public holiday pay but with the additional 3 public holiday days, we're not surprised there have been mistakes in payments.

We cover what you should get paid for the public holiday days in the *Public Holiday Pay* item in this edition of STAT Report.

The Union was also busy over the close down period responding to the crisis in COVID-19 testing. Members may have seen reporting about the staffing crisis in testing around Australia, including here in Victoria. Sadly, the very issues being highlighted in recent media reports are the very same ones the Union has been vocal about for many years (particularly understaffing), especially in private pathology laboratories.

If you missed the reporting, you can find an [article here](#).

Members across all our disciplines are experiencing exhaustion, burnout and strain on mental and physical health, and we expect that to be even more acute over the coming weeks dealing with the Omicron surge.

That's why we are very vocal about the challenges members are facing, dangerously high levels of exhaustion, burnout and significant strain on mental and physical health.

It was really my wish to have been able to ring in 2022 with a better start and happier news to report to members. Unfortunately, we find ourselves in the middle of surging Omicron cases across Australia constrained by the failings of the federal government to protect Australians. It doesn't help when we have profit-hungry private pathology companies failing to have the scientific workforce needed to deal with the work.

Dramatic increases in the levels of furloughing of healthcare workers has seen health employers increasingly looking to have our members return from leave. The Union's preliminary advice to members in this circumstance is that whether or you return to work from leave is your decision. There are no provisions in our EBAs giving employers the right to direct a healthcare worker back to work from leave. Make sure you ask for advice if you have any concerns about this.

However, 2022 does provide opportunities for members to make sure your rights at work are protected and strengthened.

This year Victorians will head to the polls to vote in the Federal election and then head to the polls, again in November to vote in the State election. Given the unprecedented times we are living and working in, these elections present us with a unique opportunity to ensure that issues affecting members like workforce sizes and climate change are addressed.

It's also a great opportunity to remind members to report the issues you have in your workplace. If there are vacant positions not being filled or changes to your roster without warning or you have health and safety issues, we thoroughly encourage you to report them to us.

Reporting issues is the best we can resolve matters before they escalate and can alert us to what might be larger issues in your workplace.

If you have workplace issues or concerns, please contact us by calling on 9623 9623 or emailing us at enquiry@msav.org.au

I want to assure members who contacted us over our close down period that we are working through messages and will be getting in contact with you.

While 2022 has not started with the sort of optimism we were hoping for, we are prepared for the challenges for the year ahead. I look forward to working with members to protect our rights at work.

In solidarity
Paul Elliott
Secretary



Positions not backfilled? **Let us know**

Union Round Up

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

The Union has received a number of enquiries relating to public holiday pay over the Christmas New Year Period. This year has been a complex one for public holiday entitlements as there were actually six (6) declared public holidays over the Christmas / New Year period this year.

This year, 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](#).

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.

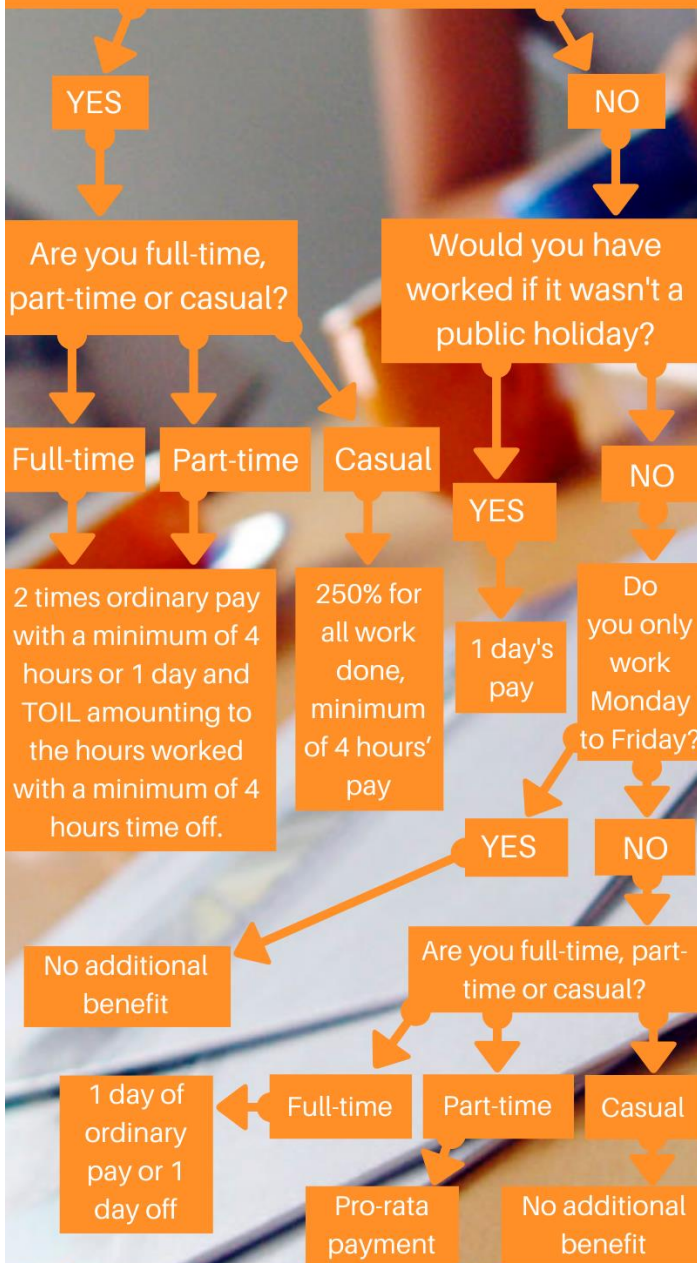
- Full-timers and part-timers who only work Monday-Friday get no benefit for a public holiday on a Saturday or Sunday.
- Full-timers and part-timers who only work Monday-Friday get a normal day's pay for a public holiday on a weekday that they would normally work.
- Full-timers who work the roster and 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 2021 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: The word from inside is that the government is a mess

"If you're wondering how the Morrison government could be so consistently late to the party – energy policy, fire-fighting equipment, multiple vaccines, the "strollout", RAT approvals, RAT supplies, Djokovic's visa – there was a big hint in the ABC's Ms Represented documentary last year.

Overshadowed by the major themes of that fine series was a telling insight from former Liberal member Julia Banks about entering Parliament.

"I assumed it would be like a slick-operating corporate machine, very much like a blue-chip company," she said.

"But in fact, it's the complete and absolute opposite. It is not the place of governance and order and control you'd expect, and professionalism."

Read the entire article by Michael Pascoe in The New Daily at:

<https://thenewdaily.com.au/finance/2022/01/14/michael-pascoe-inside-word-government-mess/>

Worth Reading: Australia's Black Summer of fire was not normal – and we can prove it

"The Black Summer forest fires of 2019–2020 burned more than 24 million hectares, directly causing 33 deaths and almost 450 more from smoke inhalation.

But were these fires unprecedented? You might remember sceptics questioning the idea that the Black Summer fires really were worse than conflagrations like the 1939 Black Friday fires in Victoria.

We can now confidently say that these fires were far from normal. Our new analysis of Australian forest fire trends just published in Nature Communications confirms for the first time the Black Summer fires are part of a clear trend of worsening fire weather and ever-larger forest areas burned by fires."

Read the entire article by Dr Garry Cook, Andrew Dowdy, Dr Juergen Knauer, Mick Meyer, Dr Pep Canadell and Peter Briggs in the CSIRO Blog at: <https://blog.csiro.au/bushfires-linked-climate-change/>

Worth Reading: Experience the spectacular sounds of a Murrumbidgee wetland erupting with life as water returns

"In the southwestern corner of New South Wales, along the Murrumbidgee river, frogs are calling in a wetland called Nap Nap. This is Nari Nari country – nap nap means "very swampy" in traditional language.

Nap Nap is one of many inland wetlands across Australia to receive so-called "environmental water": water allocated and managed to improve the health of rivers, wetlands and floodplains.

Long-term monitoring shows how these environmental flows sustain big old trees and cycle nutrients through the ecosystem. They drive breeding for frogs, waterbirds, reptiles and fish, and protect endangered species. This is a good news story for our inland waterways – but it's mostly told through scientific reports.

We wanted to use ecological data to convey not just facts but feelings, and create a vivid digital portrait of life in Nap Nap. So we recently produced The Sound of Water, using audio, images and water data to reveal the patterns and rhythms of the swamp."

Read the entire article by Mitchell Whitelaw and Skye Wassens in The Conversation at:

<https://theconversation.com/experience-the-spectacular-sounds-of-a-murrumbidgee-wetland-erupting-with-life-as-water-returns-174423>

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.](#)



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