



Stat Report 2022/31

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Albanese Government introduces changes to IR system

Last week the Albanese Government introduced their industrial relations legislation to put an end to 9 years of attacks on workers' rights and conditions by the Liberal National government.

The new legislation called the “Secure Jobs, Better Pay” Bill is the first major piece of industrial relations reform and represents the first tranche of legislation which the government has committed to.

The Albanese Government has indicated another tranche of legislation to be introduced in the new year.

The legislation makes several positive changes to the Fair Work Act including:

- Strengthening laws on equal pay, tackling sexual harassment and discrimination at work and the right to request flexible working arrangements.
- Tackling insecure work by limiting the use of fixed term contracts.
- Make bargaining more accessible, including by introducing and improving multi-employer bargaining streams and simplifying approval processes.
- Dealing with the termination of agreements and “sunsetting” zombie agreements.
- Strengthening compliance by lifting the cap on small claims.
- Abolishing the Australian Building & Construction Commission and Registered Organisations Commission.

The legislation also has an excellent provision that means rogue employers who attempt to break away from multi-employer bargaining can be required to participate in bargaining.

Another significant element of the new legislation, which the Union supports, is the introduction of compliance requirements which will see the cap on small claims lifted.

Right now, small claims are limited to \$20,000 which has limited the Union in pursuing a number of under payment claims.

Lifting of the small claims cap will mean the Union can pursue much larger under payment claims through the small claims court without having to engage a legal team, and of course the associated costs of engaging barristers and presenting cases in higher courts.

The legislation contains provisions to tackle sexual harassment and gendered violence at work which represent significant steps forward. These are issues the Union has been vocal about; supporting Victorian and national efforts to address them in meaningful ways.

However, if you were to listen to various employer groups, the new legislation would bring doom and gloom with endless industrial action. As always, these employer groups make unsupported claims about the impact of the legislation on business, that while wages need to increase now is not the time (even though it never seems to be a good time to increase wages) and that the legislation will result in a downturn in employment.

The reality of the new legislation is that there are no provisions that would make industrial action easier or see any increase in strike action. The legislation does not mean that there will be significant increases in wages and there is no evidence that it will result in a downturn in employment.

It's disappointing that employer groups choose to mislead and misinform the public and their own members about the nature and contents of the new legislation.

If anything, we are disappointed that the legislation does nothing to address the fact that workers in Australia are unable to pursue industrial action, unlike businesses who can take aggressive industrial action without the same limits or requirements as workers and their Unions.

The Union, along with the broader union movement, will continue to lobby the Albanese Government to address key issues. However, the legislation as it stands does provide some significant improvements.

The Union generally supports the Albanese Government's first major piece of industrial relations legislation.

We will hold our judgement about the legislation until after it has gone through a Senate inquiry which will report to the Senate on 17 November.

We would expect to see amendments proposed following the Senate inquiry, with some Senators indicating they need more information about the legislation.

Watch this space for more updates on the proposed first round of changes to our ill-suited and out-dated industrial relations regime.

Meanwhile, if you need advice or assistance with issues at work, please contact us by calling on 9623 9623 or emailing enquiry@msav.org.au

In solidarity
Matt Hammond
Secretary



Positions not backfilled?



Let us know

Union Round Up

Update on Bargaining at Dorevitch

So far Dorevitch, otherwise known as Healius, has made an offer of 3%, 2.25%, 2% & 2% in wage increases.

However, those wage increases would come with cutting redundancy provisions, the termination clause and parental leave from the agreement.

Management also responded to our claims for career progression from 1 to 2 with a proposal that would make career progression worse.

The offer from management is absolutely terrible and slap in the face to their scientific workforce, especially given the huge amounts of money the company made through the COVID-19 pandemic. It's worth reminding members that companies like Dorevitch only provided pathology services after the federal government substantially increased rebates for COVID-19 testing.

Members will receive updates via email which will include, where necessary, dates and times for meetings to discuss the progress of negotiations.

If you want to have an in-person visit at your lab, or if you have any queries about bargaining at Dorevitch please email Angus at angusm@msav.org.au

Cabrini Health Bargaining Update

Management at Cabrini Health have told the Union they are not prepared to offer any more than 2.25% in wage increases for any workers at Cabrini Health.

In response, VAHPA members have voted to take protected action.

The Union wish VAHPA members all the best with their protected action as any success they have can help improve our claims.

Any queries about bargaining at Cabrini Health should be directed to Angus at angusm@msav.org.au

Additional sixth week of leave for shift workers – Public Sector

Public Sector members will already know that our Enterprise Agreement provides all workers a minimum of 5 weeks annual leave.

If you work ordinary hours on weekends, you are also entitled to accrue an additional 6th week of annual leave.

What is the entitlement?

If you work ordinary hours on weekends, you are entitled to additional annual leave

1. The sixth week of annual leave should start accruing progressively with each weekend shift that you work
2. Additional annual leave only accrues on ordinary hours worked, not overtime hours
3. You do not need to work 10 days, before you accrue the additional annual leave
4. The hours accrue as follows:
 - A. For full-time workers: When you work more than 4 ordinary hours on a Saturday and/or Sunday: additional leave will accrue at the rate of 0.5 times the number of ordinary hours that you worked on any weekend day, up to a maximum of 38 hours, in any 12-month period.
 - B. For part-time workers: Same as above, except that if you work both a Saturday and a Sunday on the same weekend, only one shift per weekend will attract the accrual of the additional annual leave (not both). The longer shift will be used to calculate the accrual of additional leave.

Underpayments and Union Support

Over the last 6 months, we have had some members who have not been receiving their additional sixth week of leave.

We have worked with each member to resolve these underpayments and those members now have the additional leave recredited.

If you feel that you haven't been paid the additional sixth week of leave in the past, please contact us at enquiry@msav.org.au

Workplace change – What are your rights?

Over the last 6 months, a few Public and Community Health Services have started to implement workplace change.

We know that change processes can sometimes be stressful. The Union is always here to provide support to individuals and teams.

Here are our top 6 tips:

1. Know what your rights are under the Agreement before change happens
2. You have the right to be consulted about workplace change:
 - a. This means a genuine opportunity to influence the decision maker.
 - b. Merely announcing that a change will be implemented is not consultation.
3. Workplace change should be presented in writing in a Change Impact Statement (CIS) – The CIS must be presented to all impacted workers and the Union to start the consultation process.
4. The consultation process is your opportunity to raise concerns and share feedback!
5. Contact the Union to get support – enquiry@msav.org.au or 9623 9623.
6. Don't go it alone; we are stronger when we work together.

Mandatory Flu Vaccinations

Members have been contacting the Union recently about their requirement to be vaccinated against the flu.

There has been a change this year, with the Secretary of the Department of Health mandating flu jabs for the health workforce. He has done this utilising powers granted to him by parliament in 2020 under the Health Services Amendment (Mandatory Vaccination of Healthcare Workers) Act 2020.

This directive effectively covers all or most of our members as it requires health care workers who come into contact with patients, blood, body substances, or respiratory droplets to be vaccinated by August 15 and annually thereafter.

As with COVID-19 vaccinations, there is very little wriggle room for not getting vaccinated.

If you want all the details, click on this link: [Vaccination for healthcare workers](#)

Promoting the Union in your workplace

The Union is stronger with more members. Having more members means we have a more powerful voice. One of the best ways to increase the Union's membership is through members like you.

Putting up posters in your workplace, sharing STAT Report with colleagues and mentioning they have a Union that advocates for them, lobbies for them and provides professional industrial advice and assistance are great ways of helping the Union grow its membership.

We can help you with posters, social media content and more or if you want to suggest an idea for material that would work for your workplace, contact Alex on (03) 9623 9623 or at alexs@msav.org.au

Union's Reconciliation Action Plan

The Union affirms our commitment and support for Aboriginal and Torres Strait Islander people and culture. However, the Union wants to do more by developing a reconciliation action plan.

The management committees of both the MSAV and HSU 4 Branch in their June 2021 meetings very proudly adopted resolutions of support for the Uluru Statement from the Heart and support for an Indigenous voice to our national Parliament to be adopted as a constitutional reform.

If members who identify as Aboriginal and/or Torres Strait Islander are interested, please contact us so that we can develop our reconciliation action plan together.

Please contact Alex if you're interested at alexs@msav.org.au

Public Sector Healthcare Worker Wellbeing program

From 1 July to 31 December, the Healthcare Worker Wellbeing program will expand to provide free meals and refreshments to staff working night shift. To tailor to individual needs, and ensure maximum benefit to workers, health services will be given flexibility to deliver this program.

The Union strongly encourages members working night shift to enquire with their health service about the provision of free meals and refreshments and the delivery of the Healthcare Worker Wellbeing program.

We're interested to hear about responses members receive and their views on the delivery of the Healthcare Worker Wellbeing program.

Information about this program was sourced from the Department of Health at:

<https://www.health.vic.gov.au/news/healthcare-worker-winter-retention-surge-payment>

Public Holiday Pay – Melbourne Cup Day

Tuesday was Melbourne Cup Day, a public holiday so it's important to know how you should be paid for it.

Here's how your public holiday pay should be calculated:

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.

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.

This general advice mostly applies to members working in the Public Sector.

If you work in the Community and Private sectors, please contact the Union to ensure that you have received the correct public holiday pay – contact the Union at enquiry@msav.org.au

VPA PI Insurance includes cover for Private Practice

One of the benefits of joining the Victorian Psychologists Association is that membership includes Professional Indemnity Insurance.

The VPA always works to ensure members have the best possible Professional Indemnity Insurance. To keep up with changes in the insurance landscape, we've changed our coverage provider and policy.

One of the biggest changes, and one that we're really excited about, is that our **new policy covers members working in private practice!**

The new policy includes some important changes, including:

- The new policy now includes cover for private practice, where the private practice income does not exceed \$100,000 per annum

- Complaints to AHPRA, coronial inquiries, investigations etc are covered with maximum legal costs of \$100,000
- The policy includes cover for claims of 'Abuse' including sexual harassment, provided that the insurer will not pay where the accused is found to have committed the abuse. It covers legal costs of up to \$500,000
- All other complaints of professional malpractice leading to 'bodily injury' – the definition of which includes mental anguish, mental injury – is covered for up to \$2,000,000, including legal costs and compensation.
- There is run-off cover for 7 years, as required by AHPRA

Don't worry, the new Professional Indemnity Insurance policy meets the Psychology Board of Australia registration requirements and AHPRA's requirements for insurance coverage.

As a member you get access to **professional advice** and assistance with workplace issues, **representation** in the negotiation of workplace agreements, **advocacy** for the profession, and, among other things, Professional Indemnity Insurance.

By maintaining your VPA membership you will always be covered whether you work in community, public or private practice.

The VPA delivers members fantastic value. Share this great news with your colleagues so more of Victoria's psychologists can be covered at work.

Covering private practice is a major change we're proud and excited about! It's another way we're keeping members covered at work.

The new Professional Indemnity Insurance policy is provided by Tego, a specialist healthcare indemnity underwriter.

Subscribe to The New Daily



The Union is pleased to provide all members with a free subscription to The New Daily an online news service.

This news service is Australian owned, which aims to provide fair and balanced coverage of major events across Australia and around the world.

Delivered to your email box every morning you will be provided with the top stories of the day.

<https://thenewdaily.com.au/subscribe/>

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. [You can join quickly and easily here](#).

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.

Campaign Corner

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>

Organise for Equality

To make real change - the kind of change that can't be swept under the rug when the news cycle moves on - we need distributed, organised women campaigning together.

Distributed organising activates a network of self-starting supporters/campaigners in multiple locations, which can spread across geographical boundaries, interests and cultural groups. It draws on the initiative and energy of volunteer organisers to start groups and lead teams.

Help organise for equality by signing up at <https://www.weareunion.org.au/o4e>

State Election 2022

The state election is coming up fast

Join the fight for equality and fairness for all Victorians. Let's keep Matthew "lobster with a mobster" Guy and the Liberals out of parliament.

This year union activists are fighting for all Victorians to have access to:

- sick and carers leave, without losing income.
- free ambulance cover.
- a secure, comfortable place to call home.
- be free to speak out against bullying and harassment.
- have guaranteed access to meaningful training and work.

- have privacy at work and the right to disconnect at home.
- receive a high-quality early childhood education for their kids.
- have access to affordable, renewable, publicly-owned power.
- have a safe and mentally healthy workplace.

You can join local groups and get more involved with things like phone banks.

Find out other ways you can get involved in the campaign at:

https://www.weareunion.org.au/state_election_2022

Check your Enrolment

The Victorian State election is being held on Saturday 26 November. You must be correctly enrolled by 8 pm on Tuesday 8 November.

Make sure you check your enrolment in order to be able to cast your vote in the state election.

If you have changed address or name since the federal election in May, you should update your details.

If your details haven't changed since the last federal election, you won't have to worry about updating your details. Voting locations will be listed on the Victorian Electoral Commission's website from Wednesday 2 November.

Candidates will also be listed progressively as they nominate from 2 November.

It's also worth pointing out that electoral boundaries are changing.

Electoral boundaries are changing on Tuesday 1 November, affecting nearly 1 million voters. This means that you may be enrolled in a new electorate, even if you haven't changed address.

[Check your enrolment details.](#)

The Victorian Electoral Commission has election information [available in 20 languages](#).

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: Innocent victims of the great inflation conundrum

"The Economics 101 picture the Reserve Bank paints of inflation fighting doesn't tell near the full story. The people suffering from the supposed cure might rebel if they did.

What's missing is the mess of conundrums that plague the textbook central bank response of boosting interest rates to dampen demand by weakening the economy, increasing unemployment, shrinking real wages and sending some businesses broke.

Unlike the real-world experience, reducing inflation all sounds rather academically clean and remote in the RBA Governor's post-meeting statement."

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

<https://thenewdaily.com.au/finance/2022/11/02/michael-pascoe-victims-rba-inflation/>

Worth Reading: Disempowered, shut off and less able to afford healthy choices – how financial hardship is bad for our health

"Australia is facing a cost-of-living crisis. Rising costs of rent, fuel, food and power have increased financial stress for many households.

While financial pressures are now being felt by a broader section of society, for many Australians, such pressures are constant.

The health costs of such socioeconomic disadvantage are startling. A 2021 report found the most disadvantaged 20% of Australians die four to six years earlier than the least disadvantaged.

One-fifth of the country's ill-health would be avoided if everyone enjoyed the same socioeconomic circumstances as the top 20%. Internationally, more equal societies enjoy better overall health."

Read the entire article by Sarah Hill and Edward Jegasothy in The Conversation at:

<https://theconversation.com/disempowered-shut-off-and-less-able-to-afford-healthy-choices-how-financial-hardship-is-bad-for-our-health-192241>

Worth Reading: Privileged leaders need to step aside to ensure once-exploited voices are heard loud and clear

"Indigenous Business Month isn't just for October. It's an all year-round thing.

This article is going to be divisive.

It shouldn't have to be, but unfortunately it tackles not only a cultural background that has been cemented by centuries of silence, but also by a natural human reaction.

No one likes to be put on the spot for circumstances which they previously ignored, no one likes to be told they had unfair advantages in life that came at the cost of other people's suffering and exploitation."

Read the entire article by Wes Chapman in National Indigenous Times at: <https://www.nit.com.au/privileged-leaders-need-to-step-aside-to-ensure-once-exploited-voices-are-heard-loud-and-clear/>

Worth Reading: 3 things a climate scientist wants world leaders to know ahead of COP27

"World leaders and climate experts are gathering for pivotal United Nations climate change talks in Egypt. Known as COP27, the conference will aim to put Earth on a path to net-zero emissions and keep global warming well below 2°C this century.

The world must rapidly decarbonise to avoid the most dangerous climate change harms. World leaders know this. But that knowledge must urgently turn into concrete commitments and plans.

If humanity continues on its current path, we're going to leave a hotter, deadlier world for the children of today and all future generations."

Read the entire article by Andrew King in The Conversation at: <https://theconversation.com/3-things-a-climate-scientist-wants-world-leaders-to-know-ahead-of-cop27-193534>

Worth Reading: Pfizer workers walk off job in Mulgrave protesting substandard wages

"More than one hundred Pfizer manufacturing workers have walked off the job, protesting the pharmaceutical company's wages.

The 24-hour ongoing protest at the Mulgrave plant in Victoria began at 10.30pm on Wednesday.

United Workers Union members have disputed pay increases offered by the multinational company, asking for a wage increase in lieu of current and projected inflation percentages.

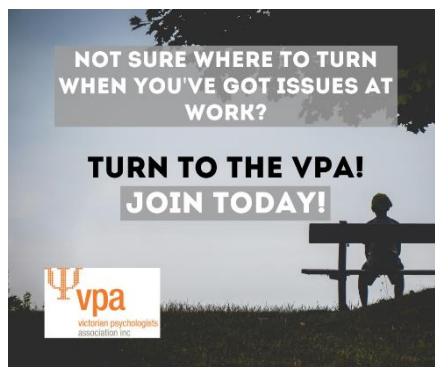
The US corporation, which reported a record \$25 billion (\$A39 billion) profit last financial year, had offered a three per cent increase in the first year of the agreement."

Read the entire article in news.com.au at: <https://www.news.com.au/finance/work/at-work/pfizer-workers-walk-off-job-in-mulgrave-protesting-substandard-wages/news-story/93ecf4b57aa3456a7e5839a8b8c4695e>

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](#)

Union Member Benefits

As a Union member you get access to some great benefits.

Motor vehicles, rental cars, cameras, computers, travel, accommodation, entertainment, wine, gift cards, jewellery, insurance and health products are just some of the categories covered with great deals for union members.

Getting access to UnionShopper discounts is free to all members of the MSAV, VPA or AHP – that means you!

[Visit UnionShopper and sign up.](#)

*Member Benefits has wound up with UnionShopper being the preferred provider of discounts for union members. Members who used Member Benefits will have to sign up at UnionShopper

Please note that UnionShopper is not run by the MSAV, VPA or AHP



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.