

Ref: A6122513

4 July 2024

Gerard Hayes
Secretary
Health Services Union
Level 2, 109 Pitt St
SYDNEY NSW 2000

Re: Baseline wages and cost of living adjustment offer

Gerard
Dear Mr Hayes,

I write in response to your letter of 19 June 2024 seeking clarification of the wages offer currently available to health workers under HSU classifications employed by NSW Health.

Wages

I confirm the following baseline wages offer as outlined in our correspondence of 19 May 2024. It comprises a three-year industrial instrument with increases to remuneration of up to 10.5 per cent over three years, complemented by an additional one-off cost of living adjustment dependent on inflation.

Salary Packaging

On acceptance of the wages offer, the NSW Government would accelerate the delivery of the election commitment to salary packaging reform. Subject to agreement to this wages offer, the return of salary packaging benefits to employees under HSU classifications would increase from 70 per cent to 85 per cent this financial year and from 85 per cent to 100 per cent as of 1 July 2025.

General Awards

I confirm that alongside a newly formed three year award for general health service classifications, NSW Health would enter into a Memorandum of Understanding (MoU) to allow negotiations around ongoing award reforms.

This MoU would enable ongoing discussion of the following matters identified in your correspondence on 19 June 2024:

- a) A requirement for NSW Health to ensure workplaces are sufficiently staffed and resourced.

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- b) Enforceable rights to uninterrupted meal breaks, and a ten-hour break between shifts and recalls to duty.
- c) Ten days additional personal leave in recognition of the risks associated with working in Health.
- d) An additional week of annual leave for all employees to recognise the stress associated with working in NSW Health.
- e) Higher duties are paid after two hours.
- f) All workers to have access to the same core conditions.
- g) No one is worse off as a result of Award reform.
- h) Improved rights for Union Delegates to advocate for and support their colleagues, including paid time to undertake union activities.
- i) The right to attend union meetings in paid time.
- j) Improved rights for new workers to meet with Union Delegates face to face during their orientation.
- k) Improved consultation about workforce changes.

Any agreed reforms resulting from these discussions could be actioned by a consent award variation.

Allied Health Awards

I understand you are having ongoing discussions with members employed under a range of allied health and health professional classifications. I can advise the Government would be open to considering a one year award for these classifications to allow ongoing work and discussions of award reform.

No Extra Claims Clause

All awards will contain the following no extra claims clause:

“Other than as provided for in the Industrial Relations Act 1996, there will be no further claims/demands or proceedings instituted before the NSW Industrial Relations Commission for extra or reduced wages, salaries, rates of pay, allowances or conditions of employment with respect to the Employees covered by the [Award/Enterprise Agreement] that take effect prior to the nominal expiry of the [Award/Enterprise Agreement] unilaterally made by a party to this [Award/Enterprise Agreement] unless otherwise agreed by the parties.

This clause does not prevent the Parties from continuing collaborative discussions during the life of the [Award/Enterprise Agreement] to deliver additional enhancements to remuneration and/or conditions of employment, and to achieve additional industry wide and systemic efficiencies and productivity improvements to the delivery of Government services to the public. Changes to conditions or salaries may be jointly progressed and, if agreed, an application to vary the [Award/Enterprise Agreement] may be made by consent prior to the nominal expiry of the Award.”

For avoidance of doubt, this clause will allow the awards to be varied by consent of both parties including those specific areas to be outlined in the proposed MoU. This clause will not preclude the HSU from arbitrating claims in the Industrial Relations Commission subject to the outcome taking effect after the expiry of the nominal term of the relevant award.

Sincerely,

A handwritten signature in black ink, appearing to read 'ADP', with a long horizontal stroke extending to the right.

Simon Draper
Secretary