

NEW ENTERPRISE AGREEMENT OFFER RECEIVED FROM STATE GOVERNMENT

EB BULLETIN #25 - 1 December 2021

Following a meeting with the Treasurer last week and subsequent meetings with the Department of Treasury and Finance, SASMOA has now received formal terms of offer for a new SA Health Salaried Medical Officers Enterprise Agreement 2021.

It is only by SASMOA members' preparedness to take industrial action and send a clear message to the Government that many of the employer's agenda items were unacceptable that this offer has been achieved.

Make no mistake the original agenda of the employer was an attack on your current terms and conditions. As a reminder please see the attached SASMOA Update from March 2021 [here](#). The SASMOA negotiating team would like to thank you for your hard work.

NEW OFFER

The key aspects of the new offer from the State Government include:

- A 3-year Enterprise Agreement commencing from the date of approval by the South Australian Employment Tribunal
- Four salary increases (including backpay) of 1.5% per annum from the first full pay commencing on or after:
 - 14 April 2021
 - 14 April 2022
 - 14 April 2023
 - 14 April 2024
- Increases to allowances consistent with the salary increases
- Trainee Medical Officers to have minimum fixed term contracts of three years
- Inclusion of a clause in the Enterprise Agreement confirming that Trainee Medical Officers will be paid for all the hours that are worked
- Inclusion of a respectful behaviour clause
- Increasing Partners Leave for the birth of a child to 2 weeks
- Increased access to carers leave, and
- Inclusion of a paid breastfeeding break.

While not included in the Enterprise Agreement itself, there will also be an exchange of letters between the parties in relation to the provision of appropriate personal protective equipment (PPE) for all Salaried Medical Officers.

Following the meeting with the Treasurer, the Employer advised it would **no longer be seeking**:

- A short 2-year Enterprise Agreement to expire after the State Election (after which we believe SA Health intended to pursue an aggressive industrial agenda)
- An increase in the Rights of Private Practice ("RoPP") Administration and Indemnity Fee from 9% to 25%

- Consultants required to work contracted hours across seven days (in addition to recall and no additional staffing)
- Direct reporting by the Clinical Directors to the Executive Directors Medical Services rather than the relevant LHN CEO
- Removal of Clause 41 from the SMOEA which provides that the RoPP can't "be altered or withdrawn without the consent of both parties"
- Removal of the SA Health Human Resources Manual which contains a number of terms and conditions for doctors
- Consultants be required to "pay back" all time spent with SA Health patients who elect to be private patients (i.e. "primacy of public health").

The Employer is characterising the offer as being a minimal change "roll over" type Enterprise Agreement.

WHAT'S NOT IN THE OFFER

While the offer has substantially improved since the meeting with the Treasurer, disappointingly he was not prepared to agree increasing the minimum hours off duty from 8 to 10 hours.

The Treasurer indicated that the cost implications of such a provision were prohibitive, particularly as other employees, such as Nurses and Midwives and Allied Health might seek to use it as a precedent.

SASMOA intends to conduct a review of a 10-hour break and speak to interstate colleagues to discuss progression of this matter.

PROCESS FROM HERE

SASMOA Council met last night and endorsed recommending the offer in principle to members. The next stage will require SASMOA to work with the employer to ensure the exact wording of new clauses reflects the offer.

HOLD IN DIARY: A meeting of SASMOA members to discuss the offer will be held at 6pm next Tuesday evening, 7 December, at the Adelaide Convention Centre. Further details of the meeting arrangements will be provided in the coming days.

Pending the outcome of the meeting, the Department for Health and Wellbeing will subsequently distribute appropriate documents to allow members to vote on the offer for a new Agreement.

Bernadette Mulholland
Chief Industrial Officer
1 December 2021