



MEMBER UPDATE - ENTERPRISE BARGAINING

EMPLOYER'S AGENDA BECOMING CLEARER

Monday 21 December 2020

SASMOA met on Thursday with Employer representatives from the Department of Treasury and Finance and the Department of Health and Wellbeing regarding a new Salaried Medical Officer Enterprise Agreement (SMOEA).

At our previous meeting the Employer had indicated that among its key themes would be:

- the “primacy” of public health
- job planning
- rostering, and
- professional development.

In response to the Employer wishing to emphasise the “primacy” of public health in any new Agreement, SASMOA provided a detailed briefing on the relationship between the Commonwealth Health Insurance Act, the National Health Reform Agreement, the SA Health Private Practice Agreement 2008 (updated in 2019) and the SMOEA.

SASMOA emphasised the importance of compliance with Commonwealth obligations regarding patient choice.

At Thursday’s meeting the Employer representatives also raised further matters for consideration during the negotiations including:

- dispute resolution procedures
- managerial classifications
- recall governance and operation
- removal of the human resource manual, and
- the removal of SMOEA Part D provisions relating to the “Medical Officer” classification (noting that there may be very few, if any, incumbents).

In relation to dispute resolution, the Employer will likely be seeking the removal of the ‘status quo’ provisions which require the Employer and Employees to maintain the status quo that exists immediately before a dispute while the dispute procedures are followed (except in the case of a health and safety issue).

As SASMOA Members will appreciate, these provisions ensure there is no prejudice to either party prior to the final settlement of a dispute and are of particularly important when the Employer seeks to introduce contentious major workplace change without consulting medical staff.

SASMOA will now assess all the matters raised by the Employer and at the next meeting detail our own agenda items.

More broadly, SASMOA flagged concerns regarding the substantial delays in negotiations which have occurred because the Employer had not finalised its agenda in accordance with its own timelines, and the possibility this may impact on reaching agreement on any salary increase that would



otherwise be due from the first full pay period on or after 14 April 2021. If an Enterprise Bargaining Agreement is not completed or not near completion by this date, SASMOA delegates will be seeking further instruction from Members.

SASMOA will meet again with the Employer on 5 January 2021. We will continue to keep our Members informed of progress as it occurs.

Bernadette Mulholland
SASMOA, Chief Industrial Officer