

PROPOSED

Nurses and Midwives (Queensland Health and Department of Education) Certified Agreement (NMEB11) 2022

Schedule 9 - Conditions of employment – Department of Education - State School Registered Nurses

EXPLANATORY NOTES

THIS DOCUMENT REFLECTS THE CHANGES IN THE PROPOSED SCHEDULE COMPARED WITH THE CURRENT SCHEDULE

Introduction

i. Reference to the ‘current Schedule’ means Schedule 9 in the *Nurses and Midwives (Queensland Health and Department of Education) Certified Agreement (EB10) 2018* (current agreement) and reference to the ‘proposed Schedule’ means the proposed *Schedule 9* of the proposed *Nurses and Midwives (Queensland Health and Department of Education) Certified Agreement (NMEB11)2022* (proposed Agreement).

ii. Technical changes have been made throughout the proposed Schedule that are not included in the explanatory notes, including:

a. the proposed Schedule has been reordered and restructured into new parts that collate subject matter and related entitlements;

b. all definitions throughout the proposed schedule have been collated at clause 1.4 ‘Definitions’; and

c. changes to address grammar and clause numbering updates.

iii. This document is in numerical order of the clause numbers of the proposed Schedule. Unless specified otherwise, the explanatory notes are referring to the proposed Schedule clauses. An explanation of how the provision or entitlement has translated from the current Schedule to the proposed Schedule is included.

iv. Clause numbers vary from the current agreement due to the removal of some clauses, introduction of new clauses and reordered/restructured of existing parts, clauses and schedules.

Further information on the proposed Schedule and Agreement

If you would like further information on the proposed Schedule and Agreement please visit the OnePortal page found [here](#) or contact the Enterprise Bargaining team at EB.HUMANRES@qed.qld.gov.au.

The Structure

The proposed Schedule contains 11 parts.

Part	Title	Clauses
Part 1	Application and Operation	1.1 Title 1.2 Application of Schedule 1.3 Operation of Schedule 1.4 Definitions 1.5 Objectives of this Schedule
Part 2	Hours of Work and Overtime	2.1 Hours of Work 2.2 Hours of Duty Arrangements 2.3 Negative Balances 2.4 Overtime 2.5 Surplus Hours – ADO/TOIL 2.6 ADO and Workers' Compensation
Part 3	Health, Safety and Wellbeing	3.1 Workplace Health and Safety 3.2 Workload Management 3.3 Flexible Work Arrangements
Part 4	Dispute Resolution	4.1 – 4.4
Part 5	Wages	5.1-5.3 5.4 Cost of Living Adjustment Payments
Part 6	Professional Development	6.1 Professional Development Leave 6.2 Professional Development Allowance
Part 7	Qualifications Allowance	7.1 – 7.3
Part 8	Employment Security, Organisational Change and Restructuring	8.1 Organisational Change and Restructuring
Part 9	Salary Packaging	9.1 Salary Packaging
Part 10	Industrial Relations Matters and Consultation	10.1 Consultation 10.2 Nurses' Agency Consultative Committee 10.3 Collective Industrial Relations 10.4 Union Encouragement
Part 11	State Schools Nursing Service	11.1 Review of <i>State Schools Nursing Service Practice Guideline</i> and development of a Clinical Governance model



Parts 1 – 11: Changes Explained

Part 1. Application and Operation

This is an existing part in the current Schedule and contains existing clauses from Part 1 ‘Application and Operation’ of the current Schedule.

Subclause 1.3.2 is a new provision confirming the agreement provides for remuneration based on classification levels related to skills required to perform the role so that a female employee doing the same work as a male employee will receive equal remuneration. The classification structure and associated wages are contained in Part 5 within the proposed Schedule.

Clause 1.4 is clause 4 of the current Schedule. This clause has been updated to locate all definitions relevant throughout the current Schedule into one clause.

Part 2. Hours of Work and Overtime

This is a new part of the proposed Schedule. It consists of some existing clauses from Part 9 ‘Employment Conditions’ in the current Schedule. The title has been updated to clarify which specific employment conditions are under this Part.

2.1 Hours of Work

This is clause 21.2 ‘Ordinary Hours’ of the current Schedule. There is no change to this clause.

2.2 Hours of Duty Arrangements

This is clause 21.3 of the current Schedule. Minor wording changes have been made including reference to ADO leave meeting the needs of ‘regional’ service.

2.3 Negative Balances

This is clause 21.4 of the current Schedule. There is no change to this clause.

2.4 Overtime

This is clause 21.5 of the current Schedule. There is no change to this clause.

2.5 Surplus Hours – ADO/TOIL

This is clause 21.6 of the current Schedule. There is no change to this clause.

2.6 ADO and Workers’ Compensation

This is clause 21.7 of the current Schedule. There is no change to this clause.

Part 3. Health Safety and Wellbeing

This is a new Part of the proposed Schedule. It consists of clauses from Part 8 ‘Workplace Health and Safety’ and some clauses from Part 9 ‘Employment Conditions’ of the current Schedule. This Part also has new clauses referencing the *Nurses’ Workload Management Guide*.

3.1 Workplace Health and Safety

This is clause 17 of the current Schedule. There is no change to this clause.

3.2 Workload Management

This is clause 18 of the current Schedule. Clause 19 of the current Schedule has been removed and subclause 3.2.2 is a new provision acknowledging the *Nurses’ Workload Management Guide* to assist employees and regional line managers to effectively manage workload.

3.3 Flexible Work Arrangements

This is clause 20 ‘Balancing Work/life and Family’ of the current Schedule. The clause has a new title for consistency with the *Industrial Relations Act 2016* (QLD) amendments.

Subclause 3.3.4 of the proposed Schedule has been changed to refer to specific governing policies of flexible work arrangements – including but not limited to flexible work arrangements policy, parental leave policy, purchased leave policy – for individual organisations and their employees to support work-life balance, while increasing wellbeing and performance.

Sub clause 3.3.5 (b) wording has been changed to specify parenting and pregnancy arrangements.

There is no substantive change to this clause or the conditions/entitlements.

Part 4. Dispute Resolution

This is an existing part of the current Schedule. It consists of clauses from Part 1 ‘Application and Operation’ of the current Schedule. The title has been changed for consistency with the proposed Agreement. All other clauses remain the same.

Part 5. Wages

This is an existing Part in the current Schedule. It consists of clauses from Part 2 ‘Wages’ of the current Schedule.

5.1 This is clause 7.1 of the current Schedule. The clause wording has changed from referring to Schedule 1 of the current Agreement to referring to wages set out in the tables. The wage rates payable have been updated to reflect the wage increases of 4% on 1 April 2022; 4% on 1 April 2023 and 3% on 1 April 2024 in line with Schedule 1 of the proposed Agreement.

5.2 This is clause 7.2 of the current Schedule. The clause has been changed to reference Nurse Grade 8.

5.3 This is a new clause. The clause is subject to clause 11.1 of the proposed Schedule and allows for the establishment of additional Nurse Grades for the State School Nursing Service should it be decided following approved outcomes of the *Review of State School Nursing Service Practice Guideline and development of a Clinical Governance model*.

5.4 Cost of Living Adjustment Payments

This is a new provision that defines the entitlement to Cost of Living Adjustment (COLA) Payments model. Effect of terms to support the COLA model are available on the OnePortal page found [here](#).

Part 6. Professional Development

This is an existing Part of the current Schedule. It consists of clauses from Part 3 ‘Professional Development’ of the current Schedule and updates have been made to the proposed Schedule.

6.1 Professional development leave

This is clause 8 of the current Schedule. There is no change to this clause.

6.2 Professional development allowance

This is clause 9 of the current Schedule. The allowance pay period dates and figures have been updated in line with the duration of the agreement and increases to allowances of the proposed Agreement.

Part 7. Qualifications Allowance

This is an existing Part of the current Schedule. It consists of clauses from Part 4 'Qualifications Allowance' of the current Schedule. There is no change to this Part.

Part 8. Employment Security, Organisational Change and Restructuring

This is an existing Part of the current Schedule. It consists of clauses from Part 5 'Employment Security, Organisational Change and Restructuring' of the current Schedule. A definition has been moved from this Part, to the definition section of the proposed Schedule.

8.1 Organisational Change and Restructuring

This is clause 11 of the current Schedule. There is no change to this clause.

8.2 Contracting Out

This is clause 42 of the current Agreement. The clause has been slightly reworded at 8.2.3(a) to reference 'students' and the 'State School Nursing Service'. There is no substantive change to conditions or entitlements.

Part 9. Salary Packaging

This is an existing Part of the current Schedule. It consists of clauses from Part 6 'Salary Packaging' of the current Schedule. There is no change to this Part.

Part 10. Industrial Relations Matters and Consultation

This is an existing Part of the current Schedule. It consists of clauses from Part 7 'Industrial Relations Matters and Consultation' of the current Schedule. There is no change to this Part.

Part 11. State Schools Nursing Service

This is a new part in the proposed Schedule.

11.1 Review of *State Schools Nursing Service Practice Guideline* and development of a Clinical Governance model

This is a new provision in the proposed Schedule with the parties committing to a joint review of the *State Schools Nursing Service Practice Guideline* and development of a Clinical Governance model as follows:

The current *State Schools Nursing Service Practice Guideline* will be reviewed. The review will encompass the development of a clinical governance framework that includes consideration of clinical supervision guidelines (professional supervision and line management) and clinical structure.

A review and evaluation of the Senior Nurse Manager (NU8) position will be undertaken as part of the broader review of the current *State Schools Nursing Service Practice Guideline* and the development of the clinical governance framework. The Senior Nurse Manager position will be evaluated with reference to the Generic Level Statements set out in Schedule 2 of the *Nurses and Midwives (Queensland Health) Award – State 2015*.

The review of the *State Schools Nursing Service Practice Guideline* and development of a clinical governance framework will consider the need for establishment within the State Schools Nursing Service of an Associate Clinical Nurse (Nurse Grade 6, Band 2).

The Review of State Schools Nursing Service Practice Guideline and development of a Clinical Governance model will commence within three months from the date of certification of the proposed agreement and conclude within 24 months, unless otherwise agreed between the parties. Agreement should not be unreasonably withheld.

The review working party will be responsible for reporting the progress updates and agreed outcomes to the NACC.

The following matter will be addressed operationally:

Allocative model review

The Nurses Agency Consultative Committee (NACC) will undertake a timely review of the allocative model to ensure the system of allocating available nursing resources supports the nursing service, including an assessment of whether the model takes adequate provisions into account for growth and travel in terms of workload management.

