

Enterprise bargaining: Arbitration update

Hearing Adjourned

Due to the interference of John Howard's extreme federal legislation the QNU's case to obtain fair and reasonable wages for nurses working at St Vincent's has been adjourned.

The hearing was due to resume on Tuesday, 30 May 2006 to determine if St Vincent's was a trading corporation covered by the federal legislation which would prevent this type of matter about wages and conditions proceeding in the State Commission. Although both parties have made submissions it would appear that until the High Court case is determined it is not clear if St Vincent's, a not-for-profit private hospital, is an employer to whom the federal legislation applies.

The High Court case is examining not only the constitutional validity of the legislation's use of the corporation powers but during proceedings it has also been raised as an issue which employers would be captured by the definition of "trading corporation".

It is not known when the High Court will hand down its decision and when the case in the State Commission is able to resume.

Isn't there any other way?

Due to the uncertainty of the arbitration being able to proceed, the QNU put to St Vincent's management that nurses at St Vincent's were still concerned about their inadequate wages and conditions, (particularly in light of Queensland Health's significant wages offer to nurses in the public sector), and that the parties should therefore agree to have the matter mediated by the Commission.

Mediation differs from arbitration in that it is not subject to the Federal legislation. Mediation would allow the Commission to fully inform itself about the respective parties' claims and positions and make an informed recommendation about how the dispute at St Vincent's could be resolved. The employer rejected this proposal.

The Employer's Position: Its Impact on Nursing

The employer has put to nurses that it is unable to have any meaningful discussions about wage increases until it knows the outcome of its negotiations with the Health Funds. Members have now been waiting almost 18 months for the employer to recognise that it must prioritise keeping its nursing workforce.

If the public sector accepts their agreement, nurses at St Vincent's, (based on RNL1.8 rate base rates only), will be earning \$132.56 less a fortnight even with the 3% increase from April 2006. If St Vincent's increases wages by 1% in October 2006, with the public sector expecting another increase, nurses at St Vincent's will be earning almost 10% less than public sector nurses. Nurses at St Vincent's will be starting off 10% behind the pace by the time the employer starts to negotiate about wages. Public sector nurses have also been offered a further 11.5% in the coming 2 years. For St Vincent's to keep pace they would need to offer 21.5% wage increase over a 2 year agreement.

Some nurses from St Vincent's have already stated that they are just not willing to wait and see. Many are concerned that if the employer was only able to offer 6% over 2 years last time it will never increase wages over 2 years by 21.5%. Why be paid less for the same work? Some are upset and feel betrayed that they did stand by their employer during enterprise negotiations 4 years ago when the employer said it was in financial difficulty. Nurses expected that during the last round of negotiations when the employer was in a much better financial position that St Vincent's would honour the commitment it made to public sector parity, or at least narrow the gap rather than widen it with the pitifully low wage increases of 3% per annum.

Nurses are also aware that more positions for nurses are being made available in the public sector and are applying for them.

What can you do?

All of these issues will be discussed at meetings. Please contact your local workplace representatives or your QNU organiser to find out dates, times and locations.

Nurses. Worth listening to.