

How to read the Nurses Award 2020

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The minimum wages and conditions of most practice nurses are set out in the Nurses Award 2020.

The award defines the classifications ('descriptors') that attach to the minimum pay rates, setting out the indicative duties for the different types and levels of nurse. As the award sets out the safety net for most private sector nurses in Australia, the descriptors are necessarily broad as they need to apply to various sectors of nursing. In the case of practice nursing, the descriptors are not detailed enough to refer to the specific duties that practice nurses commonly perform.

Members of APNA and the Australian Nursing and Midwifery Federation (ANMF) frequently ask for advice on where they fit in the award structure. It is not possible to give categorical advice as to where particular nurses should be classified. However, we can provide some relevant indicators.

The award sets out five levels (RN1 to RN5) for registered nurses. The most important descriptor to note in RN Level 1 is that 'an employee at this level performs their duties ... under the general guidance of, or with general access to, a more competent registered nurse (RN) who provides work related support and direction'. The ANMF is aware that some practices classify RNs at Level 1 on the basis that there is access to a doctor. However, we argue this is incorrect. As many practices have only one RN on duty at any particular time, in many cases RNs should be classified as RN2 or higher.

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Whether a particular practice nurse is RN2 or RN3 is more difficult to determine. The whole range of duties performed by the nurse needs to be taken into account in reaching a conclusion.

Nurses at RN2 are more engaged in using assessment tools and clinical procedures. They often work autonomously and may have postgraduate qualifications. Nurses at RN3 deliver more complex care, information and advice, and will almost always have postgraduate qualifications; however, there may also be some who have learned relevant skills on the job.

Nurses are more likely to be properly classified at RN3 if they prepare chronic disease care plans (diabetes education, asthma education, coronary care) or provide women's health advice (sometimes including Pap smear provision, depending on the level of advice provided) or external immunisation clinics. The key point is that, in most cases, the nurse at this level will be performing complex work independently, without the direct supervision or attendance of a doctor (subject to normal collaborative arrangements).

The award specifies five pay points for enrolled nurses (ENs) and provides that progression to the next pay point is annual, or in the case of a part-time or casual employee upon completion of 1,786 hours of experience. The ANMF's view is that 'years of experience' refers to experience in the industry of nursing, not practice nursing nor experience with the particular employer. The award makes no allowance for ENs who can administer medications or who have supervisory responsibilities beyond the usual EN role. We strongly urge ENs with these qualifications or responsibilities to negotiate a higher rate of pay with their employer. The ANMF's 2012 application to the Fair Work Commission for an authorisation to bargain on behalf of practice nurses was unfortunately unsuccessful due to limitations in the Fair Work Act. However, the application led to productive negotiations with several employers for an enterprise agreement to apply to their practice nurses. In-principle agreements between a few employers and the ANMF were reached. Enterprise agreements have produced classification structures more suited to the practice nurse sector. For example, the *Fullerton Health Medical Centres and ANMF Practice Nurses Enterprise Agreement 2021* and the *Foster and Toora Medical Centre Practice Nurses Enterprise Agreement 2020* provide classification structures more aligned to the work of practice nurses.

Agreements additionally provide affected nurses with a clearer career path plus wages closer to those of nurses performing comparable duties in the acute sector. Agreements also often provide entitlements such as paid professional development leave and paid family and domestic violence leave. The aforementioned agreements contain both of these.

Agreements provide higher rates of pay when compared to the Award. For example, the Fullerton agreement will provide rates from mid-2022 as follows:

- Enrolled nurses: approximately \$26.37–\$30.38 per hour
- Registered practice nurse (Level 1): approximately \$35–\$40 per hour
- Clinical nurse specialist (Level 2): approximately \$44–\$48 per hour
- Nurse practitioner: \$60 per hour.

These agreements demonstrate the value of entering into enterprise agreements with your employer. Not only can agreements deal with wages and classification structures, but they can deal with conditions as well, for example, leave, professional development, and health and safety.

For further information on agreement-making, or for interpretation of the Nurses Award 2020, contact APNA or the ANMF branch in your state/territory.

The Nurses Award 2020 is available

at: <https://awardviewer.fwo.gov.au/award/show/MA000034>.

Download APNA's 'Negotiation Guide' for advice on how to ask for a pay rise: www.apna.asn.au/nursing-tools/negotiation-guide-for-primary-health-care-nurses.

Source: <https://www.apna.asn.au/hub/primary-times-articles/primary-times-winter-2022/how-to-read-the-nurses-award-2020>