

EXPLANATION OF TERMS OF THE AGREEMENT

MEDICAL SPECIALISTS (VICTORIAN PUBLIC HEALTH SECTOR) (AMA VICTORIA) (SINGLE INTEREST EMPLOYERS) ENTERPRISE AGREEMENT 2022-2026

Clause Number	Clause Title	Summary of Proposed Amendment	Rationale
1	Title	Details the title of the proposed Agreement title and its length	Administrative amendment only
2	Arrangement	Provides a contents list of each clause contained within the proposed Agreement to make it easier for Employees to find a specific clause	Administrative amendment only
3	Definitions	Provides new definitions as follows: <ul style="list-style-type: none"> - AMA Ambassador - Stillborn Child 	Administrative amendment only Comply with FWC approval requirements – NES
4	Coverage	No changes from previous Agreement	N/A
5	Date and Period of Operation	Details that the Agreement reaches its nominal expiry date on 28 February 2026 and that renegotiation should commence six months prior to that date, 28 August 2025	Administrative amendment only
6	Application and Relationship to the NES	No changes from previous Agreement	N/A
7	Savings	Removes the requirement to establish a joint working party to review the Pre-2013 Collective Agreements and includes a process to facilitate local resolution via exchange of written material between parties.	Changes to increase efficiency and compliance.
8	No Extra Claims	No changes from previous Agreement	N/A
9	Consultation	Amendments to align process with the remainder of the Victorian Public Health Sector on matters pertaining to: <ul style="list-style-type: none"> (i) Consultation with Doctors absent on leave (ii) Content of the Change Impact Statement (iii) Right to Representation (iv) Consultation Disputes 	Administrative amendment only

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9A	Consultation about changes to rosters or hours of work	Amendments to align process with the remainder of the Victorian Public Health Sector on matters pertaining to consultation about changes to rosters or hours of work	Administrative amendment only
10	Redundancy and Associated Entitlements	Insertion of definition for “Classification/Pay Point”; a new term that prioritises Affected Doctors over other Doctors during redeployment and clarification around the payment of Relocation Allowance	Align with <i>PSP – People Centric</i>
11	Dispute Resolution Procedure	Insertion of new term that expands the scope to include disputes about the previous Doctors in Training or Medical Specialist Agreement where the dispute was notified prior to the commencement of the Agreement	Align with <i>PSP – People Centric</i>
12	Managing Conduct and Performance (Discipline)	Amendments to align process with the remainder of the Victorian Public Health Sector on matters pertaining to: <ul style="list-style-type: none"> (i) natural justice during investigations. (ii) a process of efficiently managing conduct and performance where the allegations are not in dispute. (iii) a process of managing conduct and performance of employees who are within their six-month minimum employment period. (iv) the consideration of people with disabilities when managing conduct and performance. a process to performance manage as opposed to investigate conduct or performance	Administrative amendment only Align with <i>PSP – People Centric</i>
12A	Performance Management	Insertion of a new clause providing a process to performance manage as opposed to investigate conduct or performance	Align with <i>PSP – People Centric</i>
13	Prevention and Management of Workplace Bullying	A re-draft of the current Anti-Bullying clause, provides a comprehensive definition of Workplace Bullying,	Align with <i>PSP – People Centric</i>

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		terms on prevention and management of workplace bullying.	
14	Flexible Working Arrangements	No changes from previous Agreement	N/A
15	Individual Flexibility Arrangements	No changes from previous Agreement	N/A
15A	Climate Change Mitigation and Sustainability	A new clause that provides for acknowledgement of continuous improvement and education around climate related health topics	Align with <i>PSP – Responsive to the community</i>
16	Types of Employment – Internal Locum	New term that introduces flexible labour arrangements for Internal Locums Also facilitates pro-rata CME and CME Leave based on hours worked The remainder of Clause 16 is unchanged from previous Agreement	Align with <i>PSP – People Centric</i>
16A	Internal Locum Conversion	Amendments to align with the requirements of the <i>Fair Work Act</i>	Comply with FWC approval requirements – NES
17	Rights of Private Practice Administration	No changes from previous Agreement	N/A
18	Clinical Support Time	Parties incorporated previously agreed terms to clarify existing entitlements as prescribed in the CST Implementation Guide as ratified by FWC in 2019	Align with <i>PSP – People Centric</i>
19	Physical Working Conditions	No changes from previous Agreement	N/A
20	Roster Design – Safe Hours of Work	Amendments made to the existing clause to refer to the recommendations of the National Code of Practice on breaks between successive ordinary rostered shifts	Align with <i>PSP – Responsive to the community</i>
21	Workload Management & Review	No changes from previous Agreement	N/A
22	Transition to Retirement	No changes from previous Agreement	N/A
23	Termination of Employment – Notice of Termination	No changes from previous Agreement	N/A
24	Certificate of Service	New clause to provide for the issuing of 'Employment Information' upon request of the Doctor to enable the	Changes to increase efficiency and compliance.

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		correct classification of the Doctor by another Health Service	
25	Continuous Duty (Full-Time Doctors)	No changes from previous Agreement	N/A
26	On-Call (Full-Time Doctors)	No changes from previous Agreement	N/A
27	Recall (Full-Time Doctors)	No changes from previous Agreement	N/A
28	Hours of Work (Full-Time Doctors)	No changes from previous Agreement	N/A
29	Hours of Work (Fractional Doctors)	Amendments made to the existing clause to clarify that fractional doctors are entitled to be paid for all hours required by the Health Service to be worked	Align with <i>PSP – Maintain preference for secure employment</i>
30	Fractional Allocation (Fractional Doctors)	No changes from previous Agreement	N/A
31	Remuneration	<p>Amendments to provide wage increases as follows</p> <ul style="list-style-type: none"> - FFPPOA 1 March 2022 – 2.75 percent - FFPPOA 1 September 2023 – 2.5 percent - FFPPOA 1 March 2025 – 2.5 percent <p>In addition, a new term providing a Patience in Bargaining one off payment at the commencement of the enterprise agreement/s equivalent to 2.5 percent of ordinary wages calculated between 1 January 2022 and 28 February 2022.</p>	Comply with Victorian Government Wages Policy & EB Framework
31A	Doctor Records	<p>New clause to replicate the Employer’s obligations under the Act and Regulations regarding record keeping; in addition to the provision of time and attendance records.</p> <p>Amendments to the existing clause to improve transparency where amendments are being made to a Doctor’s previous pays.</p>	Align with <i>PSP – Trustworthy and Committed</i>
31B	Daylight Savings	New clause to align with the Nurses & Midwives agreement on the management of hours of work during daylight savings cross over periods	Changes to increase efficiency and compliance.

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32	Superannuation	Amendment to the existing clause to provide Superannuation payable during unpaid parental leave from 1 July 2021	Align with <i>PSP – Promote Gender Equity</i>
33	Salary Packaging	No changes from previous Agreement	N/A
34	Accident Pay	No changes from previous Agreement	N/A
35	Recovery of Overpayments	No changes from previous Agreement	N/A
36	Shift Penalty Payments	Increase Friday night shift penalty by 0.25% for hours worked between 6 p.m. and midnight on Fridays – to be implemented in the second year of the agreement (Implemented from 1 March 2023).	Align with <i>PSP – Responsive to the community</i>
37	Telephone Allowance	No changes from previous Agreement	N/A
38	Uniforms	No changes from previous Agreement	N/A
39	Laundry Allowance	No changes from previous Agreement	N/A
40	Travelling Allowance	No changes from previous Agreement	N/A
41	Continuing Medical Education Support	Amend existing term to allow for up to \$5,000 per annum (pro-rata for Fractional) to be used for reimbursement of information technology devices or accessories	Align with <i>PSP – Build Skills and Capability</i>
42	Childcare Costs Reimbursement	No changes from previous Agreement	N/A
43	Provision of Mobile Phone or Reimbursement of Cost	No changes from previous Agreement	N/A
44	Insurance Allowance	No changes from previous Agreement	N/A
44A	Manager Allowance	New allowance to recognise Medical Specialists undertaking manager duties – 2.5 percent effective from signed HoA.	Comply with Victorian Government Wages Policy & EB Framework
44B	Rural Designated Location Attraction and Retention Allowance	Annual attraction and retention payment at agreed designated rural locations of: Specialists: <ul style="list-style-type: none"> • 2023/24 (1 January 2024) - \$9,000 • 2024/25 (1 January 2025) - \$10,000 • 2025/26 (1 January 2026) - \$12,000 	Comply with Victorian Government Wages Policy & EB Framework
45	Board and Lodging	No changes from previous Agreement	N/A
46	Breastfeeding	No changes from previous Agreement	N/A

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47	Annual Leave	No changes from previous Agreement	N/A
48	Annual Leave Loading (Full-Time Doctors)	No changes from previous Agreement	N/A
49	Personal/Carers Leave	No changes from previous Agreement	N/A
50	Compassionate Leave	No changes from previous Agreement	N/A
51	Fitness for Work	No changes from previous Agreement	N/A
52	Prenatal Leave	No changes from previous Agreement	N/A
53	Unpaid Pre-adoption Leave	No changes from previous Agreement	N/A
54	Parental Leave	Amended existing clause to: (i) Paid Parental Leave must be taken contemporaneously with the birth or placement of the child(ren). (ii) Increase paid component to 14 weeks for Primary Carer leave and 2 weeks for Secondary Carer leave. (iii) 6 months continuous service to be entitled to Parental Leave. (iv) Employee Couple can share 16 weeks (v) NES compliance amendments as agreed.	Align with <i>PSP – Promote Gender Equity</i>
55	Long Service Leave	Amended existing clause to: (I) align the provisions of the State Act and the Agreement to the greatest extent possible to produce an outcome where employees access existing benefits after 7 years and expand by picking up LSL Act definitions of what constitutes service from the Act (II) implementation of these arrangements is to be phased as follows: 9 years from 1 July 21/22; 8 years from 1 July 22/23; 7 years from 1 July 23/24 (III) address breaks greater than the allowable period of absence due to delays in registration beyond Doctors control (IV) calculation of average hours over 2 years to exclude hours under another Agreement (e.g. DIT EBA)	Align with <i>PSP – Trustworthy and Committed</i>

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56	Public Holidays	No changes from previous Agreement	N/A
57	Sabbatical Leave	Amendments to the existing clause to: (i) address the conflict between subclauses 57.4(a) and (b) by specifying the qualifying period a Doctor must work at a new Employer before being eligible to apply for Sabbatical Leave (ii) address the ambiguity with the term 'Advisory Board or Electoral College' by requiring local Sabbatical Advisory Committees (iii) require the Employer to give reasons in writing as to the refusal to an application (iv) ensure that Health Services have information relevant to the provision of safe hours	Align with <i>PSP – Build Skills and Capability</i>
58	Leave to engage in Voluntary Emergency Management Activities	New clause inserted to provide up to 2 weeks paid leave for prescribed activities subject to operational requirements.	Align with <i>PSP – Responsive to the community</i>
58A	Absences on Defence Leave	New clause inserted to provide a jury service model for make-up pay where an employee is required to be absent on defence service within the meaning of the Defence Reserve Service (Protection) Act 2001.	Align with <i>PSP – Responsive to the community</i>
58B	Special Disaster Leave	New clause inserted to provide paid special disaster leave (which is described) capped at 3 days per year where personal leave not available.	Align with <i>PSP – Responsive to the community</i>
60	Family Violence Leave	No changes from previous Agreement	N/A
61	Replacement of Doctors when on Leave	Amendments to the existing clause to require the recording of consultation in writing and the insertion of terms that deal with the reduction of workload if replacement isn't available.	Align with <i>PSP – People Centric</i>
62	Union Matters	No changes from previous Agreement	N/A
63	Best Practice Employment Commitment	Replaced the SDPPWG clause in the 2016-2020 Agreement with 'Best Practice Employment Commitment' clause requiring meetings between parties during life of the Proposed Agreement.	Comply with Victorian Government Wages Policy & EB Framework
Appx. 1	Remuneration – Fractional Doctors	From FFPPOA 1 July 2022 collapse first into second, and third in to fourth.	Comply with Victorian Government Wages Policy & EB Framework
Appx. 2	Shift Penalty Payments	Re-drafting to reflect rates as 'hourly' penalties	Changes to increase efficiency and compliance.

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Appx. 2	Night Duty Allowance	Amendment to the schedule for accuracy	Changes to increase efficiency and compliance.
Appx. 6	Agreement to take Annual Leave in Advance	Insertion of terms to align with the Medical Practitioners Award to facilitate the taking of Annual Leave in Advance	Align with <i>PSP – People Centric</i>
Appx. 7	Agreement to Cash Out Annual Leave	Insertion of terms to align with the Medical Practitioners Award to facilitate the cashing out of Annual Leave	Align with <i>PSP – People Centric</i>