

**Deregulation of Industrial Relations will further impact on the Aged Care Sector and will deter nurses from seeking employment in this sector. This will inevitably impact on the community as the sector continues to provide services with unregulated, unskilled staff.**

Thankyou for an opportunity to put forward a submission into the Workplace Relations Amendment (Workchoices) Bill tabled in Parliament on 2 November 2005.

I will declare upfront that I work for the Australian Nursing Federation – ACT Branch; however, my submission is as an individual and as a concerned citizen. It is based on some of my experiences in dealing with members and employers in the aged care sector. I have worked for the Federation for a period of three years. Prior to this I have worked as a Human Resources manager in the private sector. My current role has been my first experience with the aged care sector.

The Private Nurses Award ACT which currently forms the safety net and from which the no disadvantage test is applied for Aged care nurses in the ACT is very basic in nature. The Award was simplified in 2002 and the basic safety net allows for penalty rates for weekend work, additional annual leave for shift, weekend and public holiday work, personal leave, higher duty allowances, ordinary hours, meal breaks, redundancy payments, classification structures and wage rates. The wages rates are set at a point-in-time. As the Award was made in the Federal jurisdiction the wage rates can only be varied through the safety net adjustments arising from the national wage cases.

Around eight aged care facilities in the ACT have instituted collective enterprise bargaining agreements. These have not generally provided an enhancement of the current safety net for conditions of employment but have provided pay increases. These pay increases are still substantially below those of the acute sector. The difference depending on the facility is between \$100 and \$200 per week.

A positions vacant advertisement in the Canberra Times on Saturday October 29 2005 pg E 14 by Jindalee Aged Care Residence highlights that the basic entitlements currently applied to aged care nurses are about to be diluted. The positions are for Registered Nurses, Enrolled Nurses and Assistants in Nursing and state “*above award wages are paid and other conditions are negotiable*”.

I am unsure how many Registered or Enrolled Nurses applied for these positions; however, I imagine that it would not be attractive in the short term. As other aged care employers begin to move in the same direction the lack of ability to make up pay and conditions through penalties and overtime will inevitably impact on those considering aged care as a career choice.

The argument that market forces will tip the balance in favour of the employee particularly in an area of skills shortage has not eventuated in the aged care sector. The inability to attract and retain aged care Enrolled and Registered Nurses into the sector has already begun to impact on the various facilities, and they are responding by replacing the workforce with unskilled and unlicensed workers. These workers are mostly reliant on the minimum Award wage.

The work is hard and heavy in aged care and the nurses I speak to tell me they do the work because they love what they do, love the residents and believe they make a difference. They have made it clear they will not condone a reduction in their conditions or pick up the fallout from further inability to attract and retain staff. Facilities will not be able to fill their staffing needs.

The fear is the sector will become a workplace of last resort, attracting only those who have no other choices available to them. This will impact on the level of skill and knowledge which will inevitably impact on the residents.

The industrial relations changes will be detrimental to the aged care sector, those who chose to work in the sector and members of the community who are reliant on the sector.