



Collective bargaining

Collective bargaining under federal and state laws refers to a process of negotiation of employment and employment related matters between employers (or their representatives) and employees (represented by a union or otherwise).

It is the position of the Australian Nursing and Midwifery Federation that:

1. As members of ANMF, nurses, midwives and assistants in nursing* have a right to be involved in all aspects of collective bargaining.
2. In all workplaces where ANMF members are employed they have the right to a collective agreement negotiated by their union.
3. Nurses, midwives and assistants in nursing have a right to be protected by a collective agreement negotiated by the State / Territory Branches of the ANMF or the ANMF Federal Office in collaboration with the relevant branches.
4. Collective agreements should cover all levels of nursing and midwifery and may apply to incorporated or unincorporated organisations across all sectors, including not for profit organisations.
5. Collective agreements should define nursing and midwifery skills, responsibilities, and educational qualifications; and provide fair and equitable remuneration and conditions of employment to enable employers to attract and retain the required levels of nursing and midwifery staff. Remuneration and employment conditions should enable nursing and midwifery employees to enjoy a comfortable and dignified standard of living, and promote secure work.
6. Collective agreements should seek to enhance and promote nurses, midwives and assistants in nursing as integral to the provision of quality health care, aged and community care. They should recognise the professional obligations of nurses and midwives as registered health practitioners.
7. Collective agreements should include provisions that facilitate and encourage union involvement in all consultative processes; enable union representation; and support union membership.
8. Collective agreements should include promote safe workloads, and encourage workers control over safe staffing practices. Collective agreements should include minimum staffing arrangements and allow the reporting of **unsafe practices** to the employer without fear of intimidation.
9. Collective agreements should include provisions that support work health and safety (WHS) laws and recognise the role of Health and Safety Representatives (HSRs) in the workplace. Collective agreements should recognise the role of the ANMF to represent its members in WHS matters.

*The term assistant in nursing also refers to care workers (however titled)



10. Collective agreements should include provisions which recognise and facilitate the participation of local union representatives in the workplace, providing access to training and reasonable paid time to perform their role. Provisions which facilitate the participation of unions in employer orientation processes should also be included to enable unions to engage with new employees in respect of the benefits of union membership.
11. Collective agreements should include provisions that support employees in achieving work life balance and managing caring and other responsibilities. For example, collective agreements should include provision for:
 - a) paid family and domestic violence leave;
 - b) the right to flexible work arrangements to accommodate carer responsibilities;
 - c) the right to flexible work arrangements to accommodate short term personal circumstances, such as moving to retirement, further study;
 - d) gender equality, for example through equal access to parental leave entitlements and improving access to superannuation benefits; and
 - e) use gender neutral language.
12. The ANMF will advise members of their rights and good faith bargaining obligations throughout the collective bargaining process.
13. The ANMF will support and act for members to achieve the best possible outcomes in collective bargaining, including making application to the Fair Work Commission or relevant state industrial body for orders to take protected industrial action or seeking any other orders or assistance.

*Endorsed August 2007
Reviewed and re-endorsed November 2010
Reviewed and re-endorsed November 2013
Reviewed and re-endorsed August 2016
Reviewed and re-endorsed November 2019*