

## Closure of Swan District Hospital

### *Contracts offered to Senior Practitioners*

Further to the information provided to members in Issue 9 of this Bulletin, in which the AMA (WA) advised of its concerns about a dual standard of contract being offered to medical practitioners, the AMA understands that following strong representation from the AMA in discussions with St John of God Health Care (SJOG), the issues appear to have been resolved.

Practitioners transferring from Swan District Hospital (SDH) to Midland Public Hospital (MPH) will be transferred on the terms and conditions of the *Department of Health Medical Practitioners (Metropolitan Health Services) AMA Industrial Agreement 2013* (the 2013 MHS Agreement), which becomes a "Copied State Instrument" and continues to cover transferring practitioners until the 2013 MHS Agreement notionally expires on 1 October 2016.

Non-transferring Practitioners employed from places elsewhere than SDH, initially offered conditions inferior to the 2013 MHS Agreement conditions, have received revised contracts which are on a par with transferring practitioners. This analysis is on the basis of contracts seen by the AMA and information provided by members.

The AMA has been advised by HCN that transferring practitioners will receive transition payments and outstanding entitlements in the pay period 3 December 2015 provided HCN receives the names of transferring practitioners from the Department of Health (DOH) by 19 November 2015.

**Concerns still remain** about practitioners currently employed at SDH who applied for positions with SJOG at MPH and were offered contracts at MPH on reduced hours than current contracts. The AMA is negotiating with DOH to ensure those practitioners are redeployed within WA Health for the proportion of their contract for which they have not been offered employment at MPH. This approach is consistent with commitments made over a number of years during the transition phase.

The AMA urges any practitioner not certain about their contractual status or entitlements to contact Josephine Auerbach or Marcia Kuhne at the AMA.

### *Secondments for Doctors in Training*

The AMA has always argued that DiTs should remain employees of WA Health throughout their training period and be seconded to MPH as the need arises for training rotations.

In the absence of any commitment by DOH or SJOG in relation to secondments, the AMA has also been seeking confirmation from the DOH for over 12 months on the breakdown of FTE likely to continue to be employed by WA Health and seconded to MPH and those likely to be directly employed by SJOG.

For over a year the DOH and SJOG have promised to provide information and a commitment about the transfer of entitlements for doctors, mainly registrars, who accept a short term contract with SJOG (directly employed by SJOG) and then move back to the public sector 6-12 months later to complete training requirements. The AMA has been seeking a commitment from DOH for continuity of service for leave entitlements purposes, during the direct employment at SJOG period, so that previous service in the public sector can be relied upon for purposes such as parental leave.

In response to increasing exasperation by DiTs at SDH who have not been informed about contracts, who their employer will be from 24 November 2015, whether they will have leave entitlements transferred or paid out and hence what their access to leave will be in the future and DiTs reconsidering future training options in other hospitals, the AMA sent an email to the Director General on 16 October 2015 seeking urgent answers to the above issues.

By the end of that day the AMA had been assured that all DiTs would be offered the opportunity to accept employment at MPH on the basis of a secondment from WA Health and thereby remain employees of WA Health. This would remove any doubt about continuity of service for future leave purposes. This advice has not at the time of writing been received in writing.

The AMA understands that DOH was to write to DiTs on the weekend of 17-18 October to the above effect.

The AMA encourages any DiT currently working at SDH who has not received any information about their future employment at MPH or within WA Health to contact Leah Pantelis or Marcia Kuhne at the AMA.

Members will be kept informed of developments.