



**Hon Bill Johnston MLA**  
**Minister for Mines and Petroleum; Energy; Industrial Relations**

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Our Ref: 71-15775

Dr Andrew Miller  
President  
Australian Medical Association (WA)  
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Dear Dr Miller

**NEGOTIATIONS FOR A REPLACEMENT MEDICAL PRACTITIONERS INDUSTRIAL AGREEMENT**

Thank you for your letter dated 28 July 2020, in which you outline the bargaining position of the Australian Medical Association (WA) (AMA) in relation to senior practitioner appointments and portability/retention of leave entitlements.

I have taken some time to consider the issues that you raised and seek advice in relation to them.

I have been advised that the AMA traded away permanency in 1996 for maximum five year contracts and other benefits including significant salary increases and improved conditions. I appreciate that your membership is unlikely to accept commensurate salary reductions to reinstate permanency.

However, the offer made by WA Health on 28 May 2020 seeks to address AMA concerns regarding the use of shorter fixed term contracts by Health Service Providers by:

- Listing legitimate reasons for engagement on contracts shorter than five years;
- Requiring the employer to automatically roll over a contract if the practitioner has not been given 12 months notice of its expiry; and
- Limiting the number of consecutive six-month short term exigency contracts that can be offered to two.

In addition, I can let you know that the Government is willing to also provide that, in respect of a 5 year contract not being renewed for a Senior Medical Practitioner, while there is no automatic right to a subsequent offer of employment, I would support an obligation on the part of the Employer to provide written advice of the reasons for the decision not to renew a contract.

WA Health has advised it is unable to accommodate all the portability/retention provisions as proposed by AMA on the grounds they are operationally unviable and would result in significant cost implications. However, the 28 May offer included a new form of "special leave" allowing practitioners to retain accrued entitlements with WA Health employers while undertaking work with contracted State entities.

I genuinely appreciate the contributions of doctors in supporting the community through the COVID-19 pandemic. I hope we are able to conclude these negotiations in the collective spirit being demonstrated across the public sector.

Yours sincerely



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