

Fair Work Commission
Modern Award Review
AM2014/250

**Outline of submissions concerning the *Aboriginal
Community Controlled Health Services Award 2016***



Prepared by HWL Ebsworth Lawyers on behalf of



NATSIHWA
National Aboriginal and Torres Strait
Islander Health Worker Association

14 October 2016

Ref SMP:JCLB:313668

A. INTRODUCTION

1. This submission is made by the National Aboriginal and/or Torres Strait Islander Health Worker Association (**NATSIHWA**), an interested party in the modern award review of the *Aboriginal Community Controlled Health Services Award 2010 (ACCHS Award)*, and it is made in response to the Statement issued by the Honourable Justice Ross, President of the Fair Work Commission on 26 August 2016.
2. These submissions should be read in conjunction with:
 - (a) HWL Ebsworth Lawyers' letter to the Fair Work Commission (**FWC**) dated 7 October 2016; and
 - (b) NATSIHWA's outline of submissions dated 6 March 2015.
3. NATSIHWA has confirmed its intention to pursue substantial changes to the ACCHS Award through the four yearly modern award review process.
4. **Enclosed** with this outline of submissions is an indication of the changes NATSIHWA seeks to pursue in relation to the ACCHS Award. In the event that the proposed substantive changes are made, there will be numerous consequential amendments to the ACCHS Award including a variation to the award title.

B. CONTEXTUAL BACKGROUND

5. Aboriginal and/or Torres Strait Islander health workers play a vital role in the provision of accessible and culturally relevant health services to Australia's Indigenous population.
6. As one commentator has put it, "*the least educated and most poorly paid of all health care workers are being asked to tackle what is, arguably, Australia's most difficult health problems.*"¹ NATSIHWA is participating in the modern award review to assist the FWC to address this problem.
7. The work performed by Aboriginal and/or Torres Strait Islander health workers is genuinely unique. This was recognised by the making of the ACCHS Award in 2009 when the Full Bench said:

"We are satisfied that the nature of health services that are delivered in a culturally appropriate way is sufficiently different to justify a separate award. The difference is not only

¹ Sara Hudson, 'Charlatan Training: How Aboriginal Health Workers Are Being Short-Changed' (2012) *The Centre for Independent Studies* at 13.

*about the way the services are established and controlled but is critically seen in the way that employees of the services operate.*²

8. The Full Bench was not asked in 2009 to make a modern award specifically applicable to Aboriginal and/or Torres Strait Islander health workers who aid the delivery of culturally appropriate health services. NATSIHWA submits that now is the time to ensure the modern award objectives are met by recognising Aboriginal and/or Torres Strait Islander health workers as a unique, culturally distinct occupation with specific modern award recognition.
9. This will incorporate Aboriginal and/or Torres Strait Islander health workers in the industrial relations framework, provide a basis for recognising cultural differences, assist to engage Aboriginal and/or Torres Strait Islander people in the industrial relations framework, promote social inclusion and enhance enterprise bargaining. Regrettably, the current modern award framework is failing to meet its objectives pursuant to section 134 of the *Fair Work Act 2009* (Cth) in respect of Aboriginal and/or Torres Strait Islander health workers.
10. Those Aboriginal and/or Torres Strait Islander health workers employed outside of aboriginal community controlled health services have no industrial recognition or distinct career path underscored by a relevant modern award. They are outside the industrial relations system. There is a need to ensure a fair and relevant minimum safety net of terms and conditions for Aboriginal and/or Torres Strait Islander health workers.
11. Further, and to the extent that the ACCHS Award does recognise the uniqueness of the work performed by Aboriginal and/or Torres Strait Islander health workers it, amongst other things:
 - (a) inadequately incentivises education and training;
 - (b) inadequately provides for career progression;
 - (c) fails to recognise prior service with different employers;
 - (d) contains inadequate classification descriptions that fail to reflect the nature and complexity of the work performed;
 - (e) inadequately accounts for cultural differences; and
 - (f) fails to recognise the inherent role Aboriginal and/or Torres Strait Islander health workers play in educating non-Aboriginal and/or Torres Strait Islander persons about health issues particular to Aboriginal and Torres Strait Islanders.

² [2009] AIRCFB 865, 125.

C. AWARD SPECIFIC CHANGES

12. In order to address these issues and to provide a solid basis on which to continue to recognise Aboriginal and/or Torres Strait Islander health workers into the future, NATSIHWA intends to pursue the following changes.

Coverage

13. NATSIHWA intends to apply to expand the coverage of the ACCHS Award to cover both employees employed by aboriginal community controlled health services and employees employed by other private sector employers who are engaged as Aboriginal and/or Torres Strait Islander health workers.
14. NATSIHWA submits that there is currently no other modern award that accurately or adequately captures the work performed by Aboriginal and/or Torres Strait Islander health workers employed outside of aboriginal community controlled health services.

Classifications and Recognition of Service

15. In order to promote inclusion and career progression, NATSIHWA will apply to:
- (a) increase the number of 'Grades' of Aboriginal and/or Torres Strait Islander health workers to more than four;
 - (b) amend the descriptions currently contained in *Schedule B - classification definitions* to reflect the work performed by Aboriginal and/or Torres Strait Islander health workers;
 - (c) include a progression clause, in terms similar to that currently included in clause 13.3 of the *Social, Community, Home Care & Disability Services Award 2010*; and
 - (d) include a clause in terms similar to that contained in clause 13.2 'recognition of previous service' of the *Educational Services (Teachers) Award 2010* to clarify that service in the industry is recognised irrespective of an employee's movement between employers.
16. Accurately capturing the work performed by Aboriginal and/or Torres Strait Islander health workers is imperative to recognising this occupation. It an issue which has necessitated extensive, ongoing consultation with members.

17. By reason of the proposed expansion in a varied Clause 4 (Coverage) NATSIHWA anticipates the introduction of a new Classification Description Schedule. It is anticipated that:
- (a) a proposed revised Schedule B will contain the updated and accurate classification definitions for the work performed by Aboriginal and/or Torres Strait Islander health workers and practitioners; and
 - (b) the proposed new Schedule C will contain the classification definitions for Community Controlled Health Services Employees, namely for existing Administrative employees, Dental Assistants and Dental Therapists who are employed by Aboriginal community controlled health services and who are currently covered by the ACCHS Award.
18. NATSIHWA anticipates being in a position to provide the FWC with a draft variation determination containing a proposed new set of classification descriptions to include in a new "Schedule B" (as outlined above) in the next few weeks, as regrettably it has not been able to complete the consultation process in the time available.

Consultation, Dispute Resolution, Training and Job Search Entitlements

19. To accommodate and reflect the unique cultural and social experiences of Aboriginal and/or Torres Strait Islander health workers, NATSIHWA will apply to amend the standard modern award clauses concerning Consultation, Dispute Resolution and Job Search Entitlements in the ACCHS Award. In addition, NATSIHWA will apply to include a provision expressly concerning additional training obligations for employers with respect to employees covered by the ACCHS Award as varied.
20. Due to ongoing consultation, NATSIHWA anticipates being in a position to provide the FWC with a draft variation determination dealing with these changes in the next few weeks.

Allowances

21. The ACCHS Award does not provide a fair and relevant safety net of terms and conditions for Aboriginal and/or Torres Strait Islander health workers because it does not contain allowances that recognise the particularity of work performed by Aboriginal and/or Torres Strait Islander health workers and that are contained in modern awards which cover and apply to employees employed in similar occupations.
22. Specifically, NATSIHWA will seek the introduction of the following additional allowances:
- (a) a blood check allowance for persons exposed to radiation hazards in the course of their work (see clause 18.2 of the *Health Professionals and Support Services Award 2010 (HP Award)*);
 - (b) a damaged clothing allowance (see clause 18.4 of the HP Award);

- (c) a heat allowance for working in high temperature areas (see clause 18.6 of the HP Award);
 - (d) a nauseous work allowance (see clause 18.8 of the HP Award);
 - (e) an occasional interpreting allowance (see clause 18.9 of the HP Award);
 - (f) a telephone allowance (for persons required to be on call) (see clause 18.11 of the HP Award); and
 - (g) an isolation allowance to accommodate Aboriginal and/or Torres Strait Islander health workers performing services in isolated and/or comparatively dangerous areas.
23. In addition, NATSIHWA will seek the introduction of an allowance to recognise additional responsibilities performed by employees in relation to the training and education of non-Aboriginal and/or non-Torres Strait Islander people about Aboriginal and/or Torres Strait Islander health and related issues. This is a responsibility performed by Aboriginal and/or Torres Strait Islander health workers at all grades.

Ceremonial Leave

24. NATSIHWA will seek an amendment to clarify that bereavement-related ceremonies and obligations would allow a covered employee to take ceremonial leave. This amendment is sought to take account the broader concepts of family and kinship amongst Aboriginal and/or Torres Strait Islander persons.

D. EVIDENCE

25. At hearing on these substantive changes, NATSIHWA will present evidence from four to six witnesses in support of these changes. Such witnesses will be comprised of:
- (a) members of the Board of NATSIHWA and/or Senior Managers;
 - (b) Aboriginal and/or Torres Strait Islander health workers; and
 - (c) Aboriginal and/or Torres Strait Islander health practitioners.
26. In addition, NATSIHWA intends to present survey, visual and audio evidence.

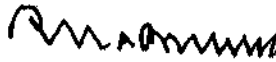
27. Should you have any enquiries in relation to the above, please do not hesitate to contact Justin Le Blond on (02) 9334 8703.

Yours sincerely



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MA000115 PRxxxxxx

Draft Determination

Fair Work Act 2009

s.156 - 4 yearly review of modern awards

4 yearly review of modern awards (AM2014/250)

ABORIGINAL COMMUNITY CONTROLLED HEALTH SERVICES AWARD 2010 [MA000115]

XXXXX

XXXXX

XXXXX

SYDNEY, XX XXXXX 2017

Further to the Full Bench decision issued by the Fair Work Commission on XX XXXX 2017, the above award is varied as follows:

1. by deleting the definition of "*Aboriginal Health Worker*" in clause 3.1 and inserting the following definitions:

Aboriginal and Torres Strait Islander Health Worker Trainee (ATSIHWT) is a person who:

- (i) identifies as an Aboriginal and/or Torres Strait Islander and is recognised by their community as such;
- (ii) is engaged in the delivery of Aboriginal and Torres Strait Islander primary health care; and
- (iii) has no direct experience in the provision of Aboriginal and Torres Strait Islander health services.

Aboriginal and Torres Strait Islander Health Practitioner (ATSIHP) is a person who:

- (iv) identifies as an Aboriginal and/or Torres Strait Islander and is recognised by their community as such;
- (v) is registered with the Australian Health Practitioner Regulation Agency;
- (vi) is engaged in the delivery of Aboriginal and Torres Strait Islander primary health care; and
- (vii) holds a minimum Certificate IV qualification in Aboriginal and Torres Strait Islander primary health care practice.

- (b) **Aboriginal and Torres Strait Islander Health Worker (ATSIHW)** is a person who:
- (i) identifies as an Aboriginal and/or Torres Strait Islander and is recognised by their community as such;
 - (ii) holds a minimum Certificate III qualification (or higher) in Aboriginal and Torres Strait Islander primary health care or, has equivalent skills and experience in providing Aboriginal and Torres Strait Islander health services;
 - (iii) is engaged in the delivery of Aboriginal and Torres Strait Islander primary health care; and
 - (iv) has a culturally safe and holistic approach to health care.

Community Controlled Health Services Employees means employees employed by a Aboriginal community controlled health services who are not employed as ATSIHWTs, ATSIHWs or ATSIHPs.

2. by deleting clause 4.1 and inserting the following:

This industry and occupation award covers:

- (a) employers throughout Australia in the Aboriginal community controlled health services industry and their employees in the classifications listed in clause 14 - Minimum Wages to the exclusion of any other modern award; and
- (b) employers throughout Australia with respect to their employees engaged as Aboriginal and Torres Strait Islander Health Worker Trainees, Aboriginal and Torres Strait Islander Health Workers and Aboriginal and Torres Strait Islander Health Practitioners.

3. by deleting clause 4.2 and inserting the following:

The award does not cover:

- (a) an employee excluded from award coverage by the Act;
- (b) employers covered by the following awards with respect to employees covered by the awards:
 - (i) Nurses Award 2010; or
 - (ii) Medical Practitioners Award 2010.

4. by deleting clause 13.1 and inserting the following:

Classification definitions are set out in Schedule B - Classification Definitions - ATSIHWT, ATSIHW and/or ATSIHP and Schedule C- Classification Definitions - Community Controlled Health Services Employees.

5. by inserting the following new clause:

13.3 Progression

- (a) At the end of each 12 months' continuous employment, an employee will be eligible for progression from one pay point to the next within a level if the employee has demonstrated competency and satisfactory performance over a minimum period of 12 months at each level within the level and:
- (i) the employee has acquired and satisfactorily used new or enhanced skills within the ambit of the classification, if required by the employer; or
 - (ii) where an employer has adopted a staff development and performance appraisal scheme and has determined that the employee has demonstrated satisfactory performance for the prior 12 months' employment.
- (b) Movement to a higher classification will occur by way of promotion or re-classification.

6. by inserting the following new clause:

13.4 Recognition of previous service

- (a) On appointment, an employee will be classified and placed on the appropriate level on the salary scale in clause 14 - Minimum Salary, according to their qualifications and experience as an ATSIHWT, ATSIHW and/or ATSIHP.
- (b) Service as a part-time ATSIHWT, ATSIHW and/or ATSIHP will normally accrue on a pro rata basis according to the percentage of a full-time ATSIHWT, ATSIHW and/or ATSIHP load undertaken in any year; provided that where the hours are more than 90% of a full-time load, service will count as a full-time year.
- (c) In the case of a casual employee, the equivalent of a full-time year of service is 200 full casual days.

7. by inserting the following new clause:

13.5 Evidence of qualifications

- (a) On engagement, the employer may require that the employee provide documentary evidence of qualifications and experience. If an employer considers that the employee has not provided satisfactory evidence, and advises the employee in writing to this effect, then the employer may decline to recognise the relevant qualification or experience until such evidence is provided. Provided that the employer will not unreasonably refuse to recognise the qualifications or experience of an employee.

8. by deleting clause 14.1 and inserting the following:

14.1 Classifications - ATSIHWTs, ATSIHWs and ATSIHPs

The following are the minimum weekly rates:

	Per \$	week
ATSIHWT- Grade 1		
Level 1	747.00	
Level 2	800.60	
Level 3	827.90	

ATSIHW- Grade 2		
Level 1	871.20	
Level 2	916.70	
Level 3	961.30	

ATSIHW- Grade 3		
Level 1	988.10	
Level 2	1014.70	
Level 3	1038.00	

ATSIHW- Grade 4		
Level 1	1062.80	
Level 2	1087.80	
Level 3	1114.10	

ATSIHP- Grade 5		
Level 1	XX	
Level 2	XX	
Level 3	XX	

ATSIHP- Grade 6		
Level 1	XX	
Level 2	XX	
Level 3	XX	

9. insert new clause 14.2 as follows:

14.2 Classifications - Community Controlled Health Services Employees

The following are the minimum weekly rates:

(a) Administrative

	Per \$	week
Grade 1		
Level 1	741.50	
Level 2	744.20	
Level 3	759.90	
Level 4	770.70	
Level 5	793.00	
Grade 2		
Level 1	805.30	
Level 2	819.50	
Level 3	833.70	
Level 4	845.80	
Level 5	860.20	
Grade 3		
Level 1	875.60	
Level 2	891.30	
Level 3	901.00	
Level 4	917.00	
Grade 4		
Level 1	931.40	
Level 2	953.80	
Level 3	971.00	
Level 4	988.90	
Grade 5		
Level 1	1008.50	
Level 2	1029.50	
Level 3	1051.00	
Grade 6		
Level 1	1063.20	
Level 2	1083.20	
Level 3	1105.60	
Level 4	1148.10	
Level 5	1182.40	
Grade 7		
Level 1	1210.50	

	Per \$	week
Level 2	1243.20	

Grade 8

Level 1	1255.90	
Level 2	1288.10	
Level 3	1331.40	
Level 4	1362.80	

(b) Dental

	Per \$	week
Dental Assistant		
Grade 1	707.00	
Grade 2	721.60	
Grade 3	736.50	
Grade 4	783.30	
Grade 5	809.70	

Dental Therapist Grade 1

Level 1	847.20	
Level 2	869.40	
Level 3	897.40	
Level 4	931.90	
Level 5	977.80	
Level 6	1023.00	
Level 7	1057.80	

Dental Therapist Grade 2

Level 1	1072.70	
Level 2	1096.90	
Level 3	1120.30	
Level 4	1140.40	
Level 5	1166.00	

(c) Ancillary

	Per \$	week
Cleaner	735.90	
Driver—Grade 1	766.50	
Driver—Grade 2	786.60	
Caretaker	786.60	

10. by inserting new clause 15.2 as follows:

15.2 Occasional interpreting allowance

- (a) An employee not employed as a full-time interpreter who is required to perform interpreting duties will receive an additional 0.11% of the standard rate on each occasion with a maximum additional payment of 1.27% of the standard rate per week.
- (b) For the purpose of clause 15.2(a) interpreting is not limited to interpreting one language from or to the English language.

11. by inserting new clause 15.5 as follows:

15.5 Damaged Clothing Allowance

Where an employee, in the course of their employment suffers any damage to or soiling of clothing or other personal effects, the employer will be liable for the replacement, repair or cleaning of such clothing or personal effects provided verbal notification is given to the employer of such damage or soiling as soon as possible.

12. by inserting new clause 15.6 as follows:

15.6 Blood check allowance

Any employee exposed to radiation hazards in the course of their work will be entitled to a blood count as often as is considered necessary and will be reimbursed for any out of pocket expenses arising from such test.

13. by inserting new clause 15.8 as follows:

15.8 Telephone Allowance

Where the employer requires an employee to install and/or maintain a telephone for the purpose of being on call, the employer will refund the installation costs and the subsequent rental charges on production of receipted accounts.

14. by inserting new clause 15.9 as follows:

15.9 Nauseous Work Allowance

An allowance of 0.05% of the standard rate per hour or part thereof will be paid to an employee in any classification if they are engaged in handling linen of a nauseous nature other than linen sealed in airtight containers and/or for work which is of an unusually dirty or offensive nature having regard to the duty normally performed by such employee in such classification. Any employee who is entitled to be paid this allowance will be paid a minimum sum of 0.27% of the standard rate for work performed in any week.

15. by inserting new clause 15.10 as follows:

15.10 Heat Allowance

An employee who works in a place where the temperature raises to between 46° and 54° Celsius must be paid an additional 3.2% of the hourly standard rate per hour or part thereof for work performed in the hot period; with an additional 4% of the hourly standard rate per hour or part thereof, where the temperature exceeds 54° Celsius.

16. by inserting new clause 15.11 as follows:

15.11 Isolation Allowance

Employees engaged to work in rural and remote areas will in addition to all other payments be paid an allowance for the exigencies of working in such areas of 4.28% of the standard rate.

17. by deleting clause 30 and inserting the following:

30. Ceremonial Leave

An employee who is legitimately required by Indigenous tradition to be absent from work for Aboriginal or Torres Strait Islander ceremonial purposes, including for bereavement related ceremonies and obligations, will be entitled to up to 10 working days unpaid leave in any one year, with the approval of the employer.

18. by deleting Schedule B and inserting:

Schedule B - Classification Definitions - Aboriginal and/or Torres Strait Islander Health Workers and Practitioners

B.1 (onwards) to be confirmed.

19. by deleting Schedule C and inserting:

Schedule C - Classification Definitions - Community Controlled Health Services Employees

C. 1 Administrative

C.1.1 Grade 1

- (a) This is the base of the administrative classification structure. There are no prescribed educational qualifications required.
- (b) Positions at this level work under close direction and initially require the application of basic skills and routines such as providing receptionist services, straight-forward operation of keyboard equipment, filing, photocopying, collating, collecting and distributing, carrying out routine checks by simple comparisons, simple coding, maintaining basic records, mail procedures,

obtaining or providing information about straight-forward matters and routine user maintenance of office equipment.

- (c) The work may involve a combination of the activities outlined above including keyboard, clerical and other duties. Keyboard tasks usually involve the straight-forward operation of keyboard equipment but may include the keying of data containing specialised or unusual technical terms or complicated tables or diagrams which demand considerable judgement about layout, and the manipulation and interpretation of data before and during entry.
- (d) Initially work is performed under close direction using established routines, methods and procedures and there is little scope for deviating from these. Tasks should be mixed to provide a range of work experience; some may be of a routine operational nature. Problems can usually be solved by reference to straight-forward methods, procedures and instructions. Assistance is available if required when problems arise.
- (e) Staff undertaking work at this grade would normally become competent in individual tasks after a limited period of training or experience.
- (f) The work performed may be routine in nature but some knowledge and application of specific procedures, instructions, regulations or other requirements relating to general administration (e.g. personnel or finance operations) and to specific departmental programs or activities may be required.
- (g) Staff at this grade may assist senior members of staff in the task being undertaken by them. Work may include drafting basic material for inclusion in reports and submissions, including form or routine letters and checking applications for benefits or grants.

C.1.2 Grade 2

- (a) This level encompasses a range of work which requires routine experience or the application of skills derived from work of a similar nature and a general knowledge of the work to be performed. This is the first level which may include a supervisory role. Staff may be required to follow and interpret rules, regulations, guidelines, instructions and procedures, and be capable of undertaking a range of duties requiring judgement, liaison and communication within the health service, with clients of the health service and with other interested parties.
- (b) Positions at this grade usually work under general direction and the work is subject to regular checks. Detailed instructions are not necessary and there is scope for staff to exercise initiative in applying established work practices and procedures.
- (c) The solution of problems may require the exercise of limited judgement, though guidance would be available in guidelines, procedures, regulations and instructions. The understanding of the information should allow decisions or policies relating to specific circumstances to be explained. Liaison within the health service, with clients of the health service, or with other interested parties may be necessary.

- (d) This is the first grade of which formal delegations may be found within the operations of the work area (e.g. approval of annual, personal and carer's leave and examination of accounts).
- (e) Secretarial/administrative support positions may be included in this grade where this is warranted, having regard to:
 - (i) the range of knowledge and skills required;
 - (ii) the degree of independence and responsibility assumed in undertaking tasks; and
 - (iii) the degree of direction given by the supervisor.
- (f) Positions where there is a frequently recurring need to take and transcribe verbatim the proceedings of conferences or deputations are included in this grade.

It is desirable that staff at this grade have Aboriginal knowledge and cultural skills—level 1.

C.1.3 Grade 3

- (a) Positions at this grade usually work under general direction and require relevant experience combined with a broad knowledge of the functions and activities of the health service and a sound knowledge of the major activity performed within the work area. Positions with supervisory responsibilities may undertake some complex operation work and may assist with, or review, work undertaken by subordinates or team members.
- (b) Positions with supervisory responsibilities may include a degree of planning and coordination and tasks such as monitoring staff attendance and work flow.
- (c) Problems faced may be complex yet broadly similar to past problems. Solutions generally can be found in rules, regulations, guidelines, procedures and instructions though these may require some interpretation and application of judgement. There is scope for the exercise of initiative in application of established work practices and procedures.
- (d) Positions at this grade may exercise delegations. Decisions made may have an impact on the relevant health service (e.g. on financial resources), but are normally of a limited procedural or administrative importance.

It is desirable that staff at this grade have Aboriginal knowledge and cultural skills—level 1.

C.1.4 Grade 4

- (a) Positions at this grade usually work under general direction within clear guidelines and established work practices and priorities, in functions which require the application of knowledge, skills and techniques appropriate to the work area. Work at this grade requires a sound knowledge of program, activity, policy or service aspects of the work performed within a functional element, or a number of work areas. The Grade 4 position is the first grade where technical or professional qualifications may be required or desirable.
- (b) Work is usually performed under general direction and may cover a range of tasks associated with program activity or administrative support to senior officers. Tasks may include providing administrative support to staff within technical or professional structures. This may include the collection and analysis of data and information and the preparation of reports, publications, papers and submissions including findings and recommendations.
- (c) Positions at this level may have supervisory responsibilities over staff operating a wide range of equipment or undertaking a variety of tasks in the area of responsibility.

It is desirable that staff at this grade have Aboriginal knowledge and cultural skills—level 1.

C.1.5 Grade 5

- (d) Positions at this level work under general direction in relation to established priorities, task methodology and work practices to achieve results in line with the corporate goals of the health service.
- (e) Positions at this grade may, under general direction of work priorities, undertake the preparation of preliminary papers, draft complex correspondence for senior officers, undertake tasks of a specialist or detailed nature, assist in the preparation of procedural guidelines, provide information or interpretation to other interested parties, exercise specific process responsibilities and oversee and co-ordinate the work of subordinate staff.
- (f) Work may involve specialist subject matter of a professional or technical project, procedural or processing nature, or a combination of these functions.

It is desirable that staff at this grade have Aboriginal knowledge and cultural skills—level 1.

C.1.6 Grade 6

- (a) Positions at this grade may manage the operations of an organisational element usually under limited direction. Positions at this grade undertake various functions, under a wide range of conditions to achieve a result in line with the goals of the health service. Immediate subordinate positions may include staff in a technical or professional structure, in which case supervision may involve the exercising of technical or professional skills or judgement.

- (b) Positions at this grade are found in a variety of operating environments and structural arrangements. The primary areas may be:
 - (i) Managing the operations of a discrete organisational element usually under limited direction;
 - (ii) Under limited direction in relation to priorities and work practices provide administrative support to a particular program or activity; or
 - (iii) Providing subject matter, expertise or policy advice, to senior employees, the Chief Executive Officer, or the Board of Management including technical or professional advice, across a range of programs or activities undertaken by the health service.
- (c) Positions at this grade would be expected to set and achieve priorities, monitor work flow and/or manage staffing resources to meet objectives.

It is desirable that staff at this grade have Aboriginal knowledge and cultural skills—level 2.

C.1.7 Grade 7

- (a) Positions at this grade, under limited direction, usually manage the operations of an organisational element, or undertake a management function, or provide administrative, technical, or professional support to a particular program or activity, across a range of administrative or operational tasks to achieve a result in line with the goals of the health service.
- (b) Positions at this grade may undertake a management function involved in the administration of a program or activity within an organisation. This includes the provision of advice or undertaking tasks related to the management or administration of a program or activity, service delivery or corporate support function, including project work, policy, technical, professional or program issues or administrative matters. Liaison with other elements of the organisation, government agencies, state and local authorities and community organisations can be a feature.
- (c) Positions at this grade may represent the health service at meetings, conferences and seminars. In some circumstances the supervisor or subordinates may be, or include staff in technical or professional structures, in which case supervision is for administrative purposes only. In all other circumstances, supervision may involve the exercise of technical or professional skill or judgement.

It is desirable that staff at this grade have Aboriginal knowledge and cultural skills—level 2.

C.1.1.8 Grade 8

Positions at this grade will be the Chief Executive Officer of an Aboriginal community controlled health service other than those classified at Grade 7 who reports to and is responsible for the administration of the health service to the Board of Management and

to whom heads of programs or activities within the health service report and are responsible.

It is desirable that staff at this grade have Aboriginal knowledge and cultural skills—level 3.

C.2 Dental

C.2.1 Dental Assistant Grade 1

Employees at this grade will have no prior experience as a dental assistant. Appointment to this level will be for a period of three months after which the employee will progress to the appropriate level. While employed at this grade employees will:

- (a) work under direct supervision;
- (b) gain familiarisation with a range of basic dental and/or clerical tasks; and
- (c) gain familiarisation with the employer's policies including health and safety.

C.2.2 Dental Assistant Grade 2 means an employee who has obtained the skills required of a Dental Assistant Grade 1 who performs solely dental assistant duties and has no formal qualifications.

It is desirable that staff at this grade have Aboriginal knowledge and cultural skills—level 1.

C.2.3 Dental Assistant Grade 3 means:

- (a) a person who has completed a dental assistant qualification performing solely dental assistant duties;
- (b) an unqualified Dental Assistant performing a combination of duties including routine clerical, reception duties and dental assistant duties; or
- (c) an unqualified Dental Assistant performing solely Dental Assistant duties who has 12 months' experience at Grade 2.

It is desirable that staff at this grade have Aboriginal knowledge and cultural skills—level 1.

C.2.4 Dental Assistant Grade 4 means:

- (a) An unqualified Dental Assistant performing solely dental assistant duties who has 12 months' experience at Grade 3 and has demonstrated competence in the following areas:
 - (i) knowledge of dental equipment;
 - (ii) sterilisation techniques with attention to infection control;
 - (iii) basic understanding of techniques and procedures;

- (iv) understanding of the set-up prior to procedures; or
- (b) an unqualified Dental Assistant performing a combination of dental assistant, clerical and reception duties who has 12 months' experience at Grade 3;
- (c) a qualified Dental Assistant performing solely dental assistant duties who has 12 months' experience at Grade 3; or
- (d) a qualified Dental Assistant performing a combination of dental assistant, clerical and reception duties.

It is desirable that staff at this grade have Aboriginal knowledge and cultural skills—level 1.

C.2.5 Dental Assistant Grade 5 means:

- (a) an unqualified Dental Assistant performing a combination of dental assistant, clerical and reception duties who has 12 months' experience at Grade 4;
- (b) a qualified Dental Assistant performing solely dental assistant duties who has 12 months' experience at Grade 4; or
- (c) a qualified Dental Assistant performing a combination of dental assistant, clerical and reception duties who has 12 months' experience at Grade 4.

It is desirable that staff at this grade have Aboriginal knowledge and cultural skills—level 1.

C.2.6 Dental Therapist Grade 1 works under the professional supervision of a higher grade professional officer as to method of approach and requirements and is a professional practitioner who performs normal professional work and exercises individual knowledge, skills, professional judgement and initiative in the application of professional principles, techniques and methods.

- (a) This grade is the professional formation phase of a professional officer. It includes new graduates generally lacking practical experience in the application of their professional knowledge.
- (b) The work requires initiative and professional judgement. Since experience is limited, this level is normally expected to apply only to established principles, techniques and methods in early postgraduate years. With professional development, it is expected that new techniques and methods will be learnt and applied to progressively more difficult problems.
- (c) Initially work is subject to professional supervision. As experience is gained, the contribution and the level of professional judgement increases and professional supervision decreases, until a wide range of professional tasks is capable of being performed with little technical direction.
- (d) When experienced, advice and guidance may be provided to less experienced professional staff. They are not required to provide general professional

guidance but may be required to provide general supervision of and/or train technical and other non-professional staff.

- (e) Staff may be required to develop and apply advanced techniques learnt during the undergraduate course or later; however, decisions to incorporate such new techniques into normal procedures would be taken at a higher level.

It is desirable that staff at this grade have Aboriginal knowledge and cultural skills—level 1.

C.2.6 Dental Therapist Grade 2 works as a professional practitioner, performs normal professional work under general professional guidance, and may perform novel, complex or critical professional work under professional supervision.

- (a) Staff at this grade perform normal professional work of an organisational unit, or of a specialised professional field encompassed by the work of the unit, and accept technical responsibility for those tasks.
- (b) Staff may also be expected to perform difficult or novel, complex or critical professional work where they are isolated from immediate professional supervision, for example, because of the remoteness of the functional work area. Staff at this grade are expected to exercise independent professional judgement when required, particularly in recognising and solving problems and managing cases where principles, procedures, techniques and methods require expansion, adaption or modification.
- (c) Staff may carry out research under professional supervision and may be expected to contribute to advances in the techniques used.
- (d) Work at this grade may include professional supervision of Dental Therapists Grade 1 together with general supervision over technical and other personnel. Dental Therapists at this level may also be required to guide Dental Therapists Grade 1 in the methods to be used, policies to be followed and standards to be observed with respect to the professional work performed by the organisational unit.
- (e) Staff may provide an advisory role up to the level of expertise.
- (f) Staff are required to understand industry problems if advice on interpretation of regulations or standards is required and to undertake associated liaison tasks.

It is desirable that staff at this grade have Aboriginal knowledge and cultural skills—level 1.

C.3 Ancillary

It is desirable that all ancillary staff have Aboriginal knowledge and cultural skills—level 1.

C.3.1 Cleaner means a person who performs tasks customarily performed by cleaners utilising a range of materials and equipment to clean a range of surfaces in order to restore or maintain buildings in a clean and hygienic condition.

- C.3.2 Driver—Grade 1** means a person whose primary duties include undertaking a range of driving activities on behalf of the employer in a vehicle that has the capacity to carry between one and 15 passengers.
- C.3.3 Driver—Grade 2** means a person whose primary duties include undertaking a range of driving activities on behalf of the employer in a vehicle that has the capacity to carry 16 or a greater number of passengers.
- C.3.4 Caretaker** means a person who is responsible for the supervision of an Aboriginal community controlled health service premises out of hours including opening and closing the premises before and after each day of business.