

38.5 **Mandatory Training**

- (a) For the purposes of clause 25.2(g) of the Award, mandatory training means:
 - (i) Compulsory training required to be delivered to all employees regardless of role or location. The training is mandated by relevant legislation, code of practice or regulation linked to legislation, Directives, Queensland Health Policies or Service Level Agreements; and
 - (ii) Training deemed compulsory for specific groups of employees when relevant to their location, occupation, speciality requirements of their position or work unit or when based upon risk assessment processes.
- (b) Mandatory training is to be completed by employees during ordinary rostered hours. Employees will not be required to undertake mandatory training in unpaid time.

39 **Sabbatical leave**

An employee may be granted leave without pay to undertake a course of study by approval of the relevant delegate. The granting of leave without pay is subject to organisational convenience and must be taken in accordance with the conditions outlined in HR Policy C7 – Special Pay “Leave without pay in other cases”.

40 **Gender Equity**

- 40.1 This Agreement satisfies the requirement under the Act that the employer has implemented, will implement or is implementing equal remuneration for work of equal or comparable value in relation to the employees covered by this agreement as follows:
- (a) The parties agree that female nurses and midwives should be represented at senior levels in Queensland Health proportionate to the number of females in the workforce. A dedicated project officer will be appointed for a period of two years to conduct a comprehensive review into the potential gender pay gap in nursing and midwifery, giving consideration to the following:
 - (i) data relating to the representation of females and males in the Queensland Health nursing and midwifery workforce;
 - (ii) current relevant legislative and policy framework and guidelines and the success or otherwise of their implementation;
 - (iii) delegated authority and processes for approving flexible working arrangements with a view to making recommendations to make this as efficient and effective as possible;
 - (iv) uptake of flexible work arrangements for men and women and the rate of approvals and barriers to approval;
 - (v) analysis of enablers and barriers to flexible working arrangements, including: return to work from parental leave; barriers to transitioning to retirement; barriers to taking annual leave at half pay; support for employees to carry out their out of work commitments, for example child and elder care;
 - (vi) current recruitment processes to consider how the processes may impact on the gender pay gap;
 - (vii) existing diversity targets within Queensland Health to consider if they should be amended for nursing and midwifery.
 - (b) The project officer will seek advice from the Special Commissioner for Equity and Diversity and the Queensland Health Diversity and Inclusion Team in conducting the review and making recommendations.
 - (c) The project officer will provide quarterly updates to NaMIG as to the progress of the above.
 - (d) Following the review, the project officer will report their findings and make recommendations to NaMIG on measures to address the gender pay gap and optimise access to flexible work arrangements in nursing and midwifery within Queensland Health.

- (e) NaMIG will review the recommendations and make recommendations to the Chief Executive.
- 40.2 The parties acknowledge that the payment of time and three quarters for working ordinary time on Sundays under the Award was less than the penalty rate payable under other Awards and Certified Agreements which apply to Queensland Public Sector employees. The penalty is increased to double time for all ordinary hours worked on a Sunday at clause 31 of this Agreement. The increase to this penalty rate will contribute to equal remuneration for employees covered by this agreement and reduce the gender pay gap.
- 40.3 Clause 40.1 provides for a project officer to investigate the gender pay inequity between males and females under this agreement and to make recommendations to address inequities.
- 40.4 The parties are committed to joint work during the life of this agreement on identifying if gender inequity exists between employees to whom this agreement applies and other employees in the Queensland public sector performing work of equal or comparable value.
- 40.5 It is recognised that the inequities may be in penalties and allowances which apply under different awards and agreements. If inequities are identified, the parties will make recommendations for how they may be remedied, however it is noted that there is no funding tied to the implementation of any recommendations.
- 40.6 Nothing in this agreement prevents a Union party to this agreement making an equal remuneration application in accordance with Chapter 5 of the Act.

41 Night shift

- 41.1 For the purposes of clause 15.12(d) and 23 of the Award, the penalty rates to be paid for a night shift before and during a public holiday are as follows:

Shift	Allowance
(a) Night shift before a public holiday until midnight	Shift penalty applicable for that day
(b) Night shift before a public holiday after midnight	Public holiday penalty rates
(c) Night shift on a public holiday until midnight	Public holiday penalty rates
(d) Night shift on a public holiday after midnight	Shift penalty applicable for that day

- 41.2 For the purposes of clause 15.12(b) of the Award, the night shift allowance payable for all employees on a Sunday night shift is 25%.
- 41.3 The Sunday penalty rate will apply up to 12.00 am (midnight) and the Sunday night shift penalty of 25% will apply after midnight on a Sunday night shift.
- 41.4 Fatigue management
 - (a) The parties agree to minimise fatigue on night shift. During allocated breaks, nurses and midwives may sleep in an appropriately safe setting, similar to other professions, where practicable. Such facilities must be in close vicinity of the clinical unit to ensure access to employees in the case of an emergency whereby minimum safe staffing models are used such as in a rural setting.
 - (b) Unless requested by an employee, annual leave and long service leave will not be rostered to commence on the day on which night shift finishes.

42 Right to disconnect

- 42.1 The employer acknowledges the importance of respecting employee’s periods of leave and rest days.
- 42.2 An employee may “opt out” of receiving communication from the employer outside of their rostered working hours i.e. request not to be contacted if additional shifts are available/are required to be filled.
- 42.3 Where an employee opts out of being contacted outside of their rostered working hours, the employee must not be contacted other than in emergency situations or genuine welfare matters.
- 42.4 Discussions should occur at the local level between employees and their line managers in relation to the local