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Contact: Your HSU Delegate



Control Award Fight Moving Towards Arbitration

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There are usually three main stages to go through when fighting to create a new award: negotiation, conciliation and arbitration. The NSW Awards system is governed by the Industrial Relations Commission (IRC), where these fights often end.

Negotiation: direct discussions between the parties, in this case, the Ministry of Health and the HSU.

Conciliation: formal discussions between the parties, mediated by the IRC.

Arbitration: Hearings in the IRC. A Commissioner or a full bench will hear both sides and hand down a final decision on the log of claims. After arbitration, the award can then be written and consented to by the parties.

On Wednesday 25th of February, Control delegates met with the President of the Commission, Justice Taylor, to discuss a move towards arbitration. ADHSU made it clear to President Taylor that the process of negotiating this award with the Ministry, entered into in good faith by union members, has been extremely frustrating. At times, it's felt like Groundhog Day. Many hours across multiple meetings were spent simply reminding the Ministry of members' claims. Despite this there have been some bright spots, with delegates getting crib breaks and rostering improvements into the award. However, it's now necessary to move to a formal process to fight for the rest.

This is where Control members across the four centres must have their say. With arbitration, comes the need to refine the claims and gather evidence. This fight needs data now, and that will come in the form of members' statements and fact finding. Only Control truly understands the complexity of the work. The challenge with arbitration is ensuring this is communicated persuasively to the Commissioner.

More guidelines will come out soon about the nature of the evidence required for arbitration, but if you are passionate and keen to share your experience, make sure you contact your centre delegates and enter your details at the end of this survey, where you can also vote on the claims moving forward. **An HSU member login is required.** [SURVEY HERE](#)

In unity,

Gerard Hayes AM
Secretary, HSU NSW/ACT/QLD