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Commissioner Smith
Fair Work Australia
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16th October 2009

Dear Commissioner,

MATTER NO. AM 2008 / 82
INDUSTRIES NOT OTHERWISE ASSIGNED
ANIMAL CARE AND VETERINARY SERVICES

Submission in relation to *Exposure Draft – Veterinary Services Award 2010*

The Australian Veterinary Association (AVA) strongly supports the structure and coverage of the *Exposure Draft – Veterinary Services Award 2010* released by the Commission on 25th September 2009. This submission is directed at those particular clauses of the Draft Award which either the Commission has requested further consultation or the AVA believes should be the subject of further review and amendment. Where particular clauses in the Draft Award are not commented on in this submission AVA supports the retention of these clauses in their current form.

Allowances

Clause 16.1 Veterinary Surgeons (b) On Call Duty

The *Exposure Draft – Veterinary Services Award 2010* states “Where an associate is required to be on call, a minimum amount of **5.06% of the standard rate** will be paid for each period of such duty” The definition of the standard rate is given as “the minimum weekly wage for a Level 4 in clause 14.2”. Clause 14.2 refers to the Classification of employees other than veterinary surgeons. The AVA would submit that as the On Call Duty allowance applies to veterinary surgeons that it should be linked to a veterinary surgeon classification.

The AVA submits that this clause be amended to

*Where an associate is required to be on call, a minimum amount of **143.8% of the minimum hourly rate of a Level 2 in Clause 14.1***

Clause 16.1 Veterinary Surgeons (b) On Call Duty (i)

The *Exposure Draft – Veterinary Services Award 2010* states “(i) Should an associate perform active on call duty, the amount payable under this clause will be increased to at least 50% of **the relevant hourly rate** whilst on call”. The corresponding clause in the present Veterinary Surgeons Award 2001 states “Should an Associate perform Active On-Call Duty, the amount payable under this clause will be increased to at least 50% of **the professional fee charged for the work undertaken** whilst On-Call. “Professional fee” includes at least the total fee charged for consultations, surgery time and/or the procedure rate”

At present under the *Veterinary Surgeons Award 2001*, a veterinary associate is entitled to 50% of the fee that the client is charged for the consultation, surgery, or procedure performed by the associate while on call. When the *Veterinary Surgeons Award 2001* was negotiated the profession agreed that this is a reasonable basis to calculate remuneration for a veterinarian on Active On Call Duty. A change to 50% of the relevant hourly rate would greatly disadvantage the veterinary associate.

The AVA recommends that this clause be amended to

*Should an Associate perform Active On-Call Duty, the amount payable under this clause will be increased to at least 50% of **the professional fee charged for the work undertaken** whilst On-Call. "Professional fee" includes at least the total fee charged for consultations, surgery time and/or the procedure rate.*

16.3 All employees (b) Vehicle/travel allowance

The *Exposure Draft – Veterinary Services Award 2010* states "An employee required by the employer to use the employee's motor vehicle in the performance of duties must be paid the following allowances:

- Motor vehicle - \$0.74 per kilometre **with a maximum payment as for 400 kilometres per week.**
- Motorcycle - \$0.25 per kilometre **with a maximum payment as for 400 kilometres per week."**

Rural practices often require associate veterinarians to travel large distances to attend to their patients. Previous surveys have found that many rural veterinary practitioners travel up to 38,000km a year in the performance of their duties. Veterinary practices usually charge their client a fee related to the distance travelled to attend their farm. It would be unreasonable for an associate or other staff member who is required to use their own vehicle not be fully compensated and a cap placed on payments.

The AVA recommends that this clause to be amended to

An employee required by the employer to use the employee's motor vehicle in the performance of duties must be paid the following allowances:

- Motor vehicle - \$0.74 per kilometer
- Motorcycle - \$0.25 per kilometre

16.2 Other than veterinary surgeons (a) Meal allowance

The *Exposure Draft – Veterinary Services Award 2010* states "An employee who is: required to work overtime for more than **one and a half** hours".

The AVA recommends that this clause be amended to

*An employee who is: required to work overtime for more than **two** hours*

Definitions

The *Exposure Draft – Veterinary Services Award 2010* states in Clause 3.1 “residency means the structured training program for a resident”

The AVA submits that the definition for residency should be amended to

*Residency means the structured training program for a resident. **A residency will be accomplished in not more than four years.***

Transitional Provisions

The AVA supports the transitional provisions as included in Schedule A and throughout the Draft Award.

Salary Packaging

Schedule B – Classification B3 Other than veterinary surgeons

The AVA submits that the classifications and minimum wages previously agreed by the AVA, Australian Veterinary Nurse Council (AVNC) and Australian Federation of Employers and Industries (AFEI) for the first four levels at the pre drafting consultation stage are appropriate up to the level of a qualified veterinary nurse.

To become a qualified veterinary nurse under the RUV04 Animal Care and Management Training Package, an employee needs to complete Certificate II Animal Studies, followed by Certificate IV Veterinary Nursing. There is no Certificate III qualification within the veterinary nurse pathway.

The AVA submits that the new award rates should be made with consideration of the present remuneration rates within the present awards applying to veterinary nurses throughout the different states.

The AVA and AVNC encourage practices to employ qualified veterinary nurses and to support training for their staff. At present low numbers of veterinary nurses actually become qualified. It is feared that by increasing the wage rate for a veterinary nurse with qualification it may discourage practices from offering formal training to their employees or from employing qualified veterinary nurses.

The AVA submits that there should be only 5 levels. Attached are our recommended classifications.

Level 1 (Introductory)

An employee who has had no experience in this industry shall initially be engaged at the introductory level until the employee has performed satisfactory service for a period not exceeding 3 months. During this period the employer will provide on the job training to assist the employee to gain the appropriate skills. If the employee attains the level of skill required, the employee shall progress to Level 2.

Level 2

Employees at this level will perform routine tasks involving adherence to determined procedures and with only minimal scope for deviation from these procedures.

Level of Responsibility Skills and Knowledge

An employee at this Level will:

- a) work under direct supervision with regular close checking of their work;
- b) develop and then apply their knowledge and skills to a limited range of tasks and roles;
- c) work within a specified range of contexts where the choice of action is clear and restricted;
- d) normally develop and then use their competencies within established routines, where methods and procedures are predictable.

Indicative Tasks

Typical activities at this level may include:

- a) assists other employees in their duties;
- b) appropriate induction to the industry and the routines of the practice;
- c) basic animal care;
- d) grooming, feeding, cleaning and restraint as instructed.
- e) basic reception duties and telephone skills under veterinary supervision;

Level 3

A Level 3 employee will possess the competencies, of AQF Level 2 (Certificate II in Animal Studies) from the Animal Care and Management Training Package (RUV04) or other equivalent qualification. The attainment of these competencies by an individual employee will be determined through a formal assessment process carried out through a Registered Training Organisation.

Level of Responsibility Skills and Knowledge

An employee at this Level will:

- a) work under direct supervision with routine checking of their work;
- b) develop and then apply their knowledge and skills to a limited range of tasks and roles;
- c) work within a specified range of contexts where the choice of action is clear and restricted;
- d) normally use their competencies within established routines, where methods and procedures are predictable;
- e) exercise discretion and judgment against established criteria.

Indicative Tasks

In addition those outlined in Level 2:

Roles and Expectations

- a) follow OHS procedures in an animal care environment
- b) assist with general animal care; provide food and water for animals
- c) participate in workplace communications
- d) carry out reception duties under reduced supervision;
- e) supervise introductory Level 1 or Level 2 employees;
- f) carry out clinic routines; maintain clinic hygiene, carry out daily treatment of patients,
- g) assist in stock control and clinic security;
- h) prepare animals for surgery, under direction
- i) prepare theatre or surgical operating area for use
- j) provide pre and post-operative animal care
- k) Clean theatre equipment

Level 4

A Level 4 employee will possess an AQF Level 4 (Certificate IV in Veterinary Nursing) from the Animal Care and Management Training Package (RUV04) or other equivalent qualification. The attainment of these competencies by an individual employee will be determined through a formal assessment process carried out through a Registered Training Organisation.

Level of Responsibility Skills and Knowledge

An employee at this Level will:

- a) have the ability to conduct the clinic or surgery support operation when required;
- b) normally use their competencies within established routines, where methods and procedures are predictable;
- c) exercise discretion and judgment against established criteria.

Indicative Tasks

In addition to those outlined in Level 3:

- a) Coordinate clinic admissions
- b) Provide veterinary nursing care and grief support to clients
- c) Apply radiographic routines and implement procedures
- d) Perform and record pathology procedures, assist with post mortem
- e) Maintain supplies, process and prepare correspondence and accounts
- f) Prepare and provide support for surgical procedures
- g) Monitor patient anaesthesia
- h) Perform post-operative procedures
- i) Nurse hospitalised animals, monitor clinical signs, communicate with owners,
- j) Provide animal care in pain situations.
- k) Carry out medical nursing routines
- l) Prepare surgery schedules, implement surgery preparations

- m) Clean maintain and store theatre instruments, equipment and supplies
- n) Carry out post operative theatre routines

Level 5 – Practice manager

A level 5 employee will have the overall responsibility of managing the day to day operations of the veterinary practice. The possession of post secondary qualifications may be appropriate but are not essential.

Employees at this level are subject to broad guidance or direction and are responsible and accountable for their own work.

Level of Responsibility Skills and Knowledge

An employee at this Level will:

- a) exercise skills, discretion and responsibilities beyond that required at Level 5;

Indicative Tasks

In addition to those outlined in Level 4:

- a) oversee human resources, stock control, clinical administration, bookkeeping and customer management.
- b) be responsible and accountable for their own work and may have delegated responsibility for the work under their control or supervision, including, scheduling workloads, resolving operations problems, monitoring the quality of work produced and counselling staff for performance and work related matters.
- c) report to management regarding accounts, staffing, legislative requirements and/or other company activities
- d) developing, reviewing and implementing staff training programs
- e) coordinating and facilitating practice meetings
- f) developing and supporting practice marketing plans.

If you require any further information, please contact me on 02 9431 5093 or execavpma@ava.com.au.

Yours sincerely
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