



**Industrial Relations
Commission**
of New South Wales

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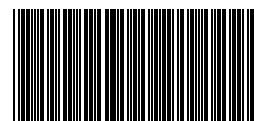
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D00022PY2Y

20 December 2024

NOTICE OF ORDERS MADE

Case number	2024/00385638
Case title	Health Secretary, Ministry of Health v Australian Salaried Medical Officers' Federation (New South Wales)

On 20 December 2024 the following orders (and/or directions) were made:

see attached Orders

Registrar

**BEFORE THE INDUSTRIAL RELATIONS COMMISSION
OF NEW SOUTH WALES****2024/00385638****HEALTH
SECRETARY,
MINISTRY OF
HEALTH**

Notifier

**AUSTRALIAN
SALARIED MEDICAL
OFFICERS'
FEDERATION (NEW
SOUTH WALES)**

Respondent

ORDERS



A. Pursuant to ss. 136(1)(c) and 137(1)(a) of the *Industrial Relations Act 1996* (NSW), the Commission makes the following dispute orders:

- 1 The Australian Salaried Medical Officers' Federation (New South Wales) ("the Federation"), its officers, employees, agents, delegates and members cease and refrain from taking any steps to co-ordinate, organise, or facilitate psychiatric staff specialists employed in the NSW Health Entities listed in Schedule 1 ("Health Entities") to resign from their employment in concert with other psychiatric staff specialists to further their industrial demands.
- 2 The Federation, its officers, employees, agents, delegates and members must not induce, advise, authorise, encourage, direct, aid or abet members of the Federation to organise or take action contrary to Order A1.
- 3 The Federation, its officers, employees, agents, delegates and members must not re-distribute to its members who are psychiatric staff specialists, the template resignation letter attached to the email of Aesha Awan of 2 October 2024 which collectively are Exhibit N9 in the proceedings, nor distribute to its members who are psychiatric staff specialists any new, amended or further templates of a resignation letter relating to further industrial demands.

- 4 The Federation, its officers, employees, agents, delegates and members must not collect from psychiatric staff specialists, nor forward to the Notifier or any other Crown entity identified as the employer on behalf of psychiatric staff specialists, any letters of resignation.
- 5 These orders take effect immediately and operate until 5pm on 14 January 2025.

DIRECTIONS

- B. Pursuant to s. 136(1)(a) of the *Industrial Relations Act 1996* (NSW), the Commission makes the following recommendations and directions:
- 1 It is recommended that staff specialist members of the Federation who are employed in the NSW Health Entities listed in Schedule 1 do not resign from their employment in furtherance of the industrial demands being made on their behalf by the Federation prior to 15 January 2025.
 - 2 It is recommended that the Federation, on behalf its staff specialists members, continue to engage in mutual gains bargaining and that it does so in good faith as required by s 129M of the *Industrial Relations Act 1996* (NSW), and, if necessary, engages in conciliation and arbitration.
 - 3 It is recommended that the Federation communicate by its website, email and in any WhatsApp group to all psychiatrist staff specialist members that it will engage in mutual gains good faith bargaining, and if necessary, conciliation and arbitration, in good faith.
 - 4 It is recommended that the Federation communicate and send by its website, email and in any WhatsApp group to all psychiatrist members a statement stating that "In the circumstances of ongoing negotiations with the Ministry of Health, the Federation recommends that you do not given notice of the resignation of your employment prior to 15 January 2025."
 - 5 The Federation is directed:
 - a. to communicate and send by its website, email and in any WhatsApp group to all psychiatrist members a link to these orders,

recommendation, and directions, by no later than 3 pm on 20 December 2024; and

- b. inform the Notifier, and its legal representatives, in writing by 6pm on 20 December 2024, of the steps taken to comply with the above directions, including providing a copy of any emails and messages.

6 The matter is listed for report back in-person at 11 am on 14 January 2024.

A handwritten signature in black ink, appearing to read 'Julian', with a stylized flourish at the end.

20 December 2024

SCHEDULE 1 - Health Entities Statewide Health Services

NSW Ambulance

NSW Health Pathology

Health Protection NSW

Shared Services

Healthshare NSW

eHealth NSW

Health Infrastructure

Single Digital Patient Record Implementation Authority

Local Health Districts and Speciality Networks

Central Coast Local Health District

Far West Local Health District

Hunter New England Local Health District

Illawarra Shoalhaven Local Health District

Mid North Coast Local Health District

Murrumbidgee Local Health District

Nepean Blue Mountains Local Health District

Northern NSW Local Health District

Northern Sydney Local Health District

South Eastern Sydney Local Health District

South Western Sydney Local Health District

Southern NSW Local Health District

Sydney Local Health District

Western Sydney Local Health District

Western NSW Local Health District

The Sydney Children's Hospitals Network (Randwick and Westmead) (incorporating
The Royal Alexandra Hospital for Children)

Justice Health and Forensic Mental Health Network

Pillars

Agency for Clinical Innovation

Bureau of Health Information

Cancer Institute NSW

Clinical Excellence Commission

Health Education and Training Institute

Other

Albury Wodonga Health