

VOTE NO

TO PROPOSED “TOXIC” EBA COVERING SCIENTISTS AT DOREVITCH AND GIPPSLAND PATHOLOGY

FACTS OR MYTH...YOU DECIDE!

The questions Scientists have to ask themselves as they decide

- *Are the pay rises being offered worth it for what I am losing?*
- *Are Dorevitch and Gippsland Pathology the only Private operator effected by Government funding cutbacks?*

Wages and Salary increases

- Under the proposed agreement Dorevitch and Gippsland Scientists rates of pay will fall below those of your colleagues in Victoria. Scientists employed at the Grade 1 Year 7 who make up a significant proportion of staff will see themselves at the bottom of the heap as the table indicates.

<i>Dorevitch & Gippsland weekly rate in March 2013</i>	\$1255.15	<i>MODERN AWARD will be applied</i>	<i>Proposed Agreement expires in October 2013</i>
<i>SJOG Pathology in March 2012</i>	\$ 1268.60	<i>Private Sector Award 2004 retained</i>	<i>SJOG EBA expires in June 2012</i>
<i>Cabrini Pathology in October 2011</i>	\$1327.87	<i>Private Sector Award 2004 retained</i>	<i>Cabrini EBA expires in March 2012</i>
<i>Melbourne Pathology in June 2012</i>	\$1306.66	<i>Private Pathology Award 2003 retained</i>	<i>Melb Path expires in June 2012</i>
<i>Gribbles Pathology in January 2013</i>	\$1309.96	<i>Private Pathology Award 2003 retained</i>	<i>Gribbles expires in January 2013</i>

FACT ; All other EBA's will have expired well before the last wage increase is applied to Dorevitch and Gippsland Pathology Scientists wage rates. By that stage the MSAV will be well into EBA Negotiations with all the other major market competitors. The disparity apparent above in the wage rates does not take this into consideration. By the time October 2013 comes around, the differences will be greater !

Modern Award to radically reduce entitlements

- The Private Pathology Award 2003 which underpins the current EBA is being discarded for the Modern Award which drastically reduces terms and conditions of employment which Scientists are currently entitled to.
- **FACT:** None of the other major market competitors have done this to their Scientists nor sought it during negotiations with the MSAV.
- **FACT:** Dorevitch and Gippsland Pathology do not have to use the Modern Award, they want to use it because it cuts conditions.

Classifications/Structure

- CEO to determine structure 'by appointment'. Dorevitch and Gippsland Pathology are seeking to dismantle the current structure and introduce a 'master & servant' structure for Scientists.
FACT: A careful analysis of the proposed Agreement shows no evidence of the Gippsland Grade 2A classification...it seems to have just disappeared!
FACT; No other Private Sector employer dismantled nor sought to alter the Scientists classification structure.
FACT: The CEO could veto promotions.

Disciplinary Procedure

- There is **NO DISCIPLINARY PROCEDURE** in the proposed agreement!!!
FACT: A disciplinary procedure included in a Agreement is 'enforceable' – it is mandatory for an employer to adhere to the steps – 1st Warning 2nd Warning ,Final Warning and instant dismissal for serious and wilful misconduct. Company policy is just that, company policy! It is 'not enforceable' and there is no guarantee or assurance that staff will not be terminated for 'some reason' other than serious and wilful misconduct.
FACT: You currently are protected by the disciplinary policy in your existing agreement.
FACT: You will no longer have the right to representation in disciplinary procedures.

Mandatory Access to 'arbitration' in Fair Work Australia HAS BEEN REMOVED

- Under the current existing agreement (2004 -2007) 'either party' can seek access to arbitration by Fair Work Australia – the neutral umpire – to resolve a dispute with the decision being binding to both the Union and Dorevitch Pathology and arbitration will take place
FACT: In the proposed agreement if Dorevitch Pathology don't agree to a dispute going to arbitration then FWA won't be able to deal with the dispute. The company would be able to Veto Fair Work Australia dealing with any dispute. The proposed agreement would be unenforceable in Fair Work Australia.
No other Private Sector employer sought to remove access to arbitration in any EBA's negotiated with the MSAV.

In the MSAV's view no amount of monetary payment can compensate scientists for the loss of fundamental rights that you now have including the right to fair treatment in disciplinary processes, the right to be represented in such processes; the right to be consulted over redundancy and redeployment, and the right to be represented; the right to have disputes arbitrated by FWA and the right to be properly classified.

It is important that you vote and that you VOTE NO. Failure to lodge a NO VOTE may mean that the agreement is approved by a majority of those who vote which is all that is required.

Any questions? Contact the MSAV offices.