

Public Hospital Dental Assistants (State) Award - New Classification Structure and Salaries

Document Number IB2008_059

Publication date 08-Oct-2008

Functional Sub group Personnel/Workforce - Industrial and Employee Relations
Personnel/Workforce - Salaries

Summary The new Public Hospital Dental Assistants (State) Award varies the classification structure, including a new Grade 3 Dental Assistant and new supervision allowances.

Author Branch Workplace Relations and Management Branch

Branch contact Workplace Relations & Management 9391 9357

Applies to Area Health Services/Chief Executive Governed Statutory Health Corporation, Board Governed Statutory Health Corporations, Affiliated Health Organisations - Non Declared, Affiliated Health Organisations - Declared, Public Health System Support Division, Dental Schools and Clinics

Audience Administration

Distributed to Public Health System, Dental Schools and Clinics, Health Associations Unions, NSW Department of Health

Review date 08-Oct-2013

File No. 08/6361

Status Active

**PUBLIC HOSPITAL DENTAL ASSISTANTS (STATE) AWARD
NEW CLASSIFICATION STRUCTURE, SALARIES AND ALLOWANCES**

A new consent award for Dental Assistants was made in the Industrial Relations Commission by Commissioner Bishop on 23 September 2008. At the same time, salaries for the relevant classifications were varied in the Health Professional and Medical Salaries (State) Award.

The new rates of pay and classification structure are effective from the first pay period commencing on or after 9 May 2008. The new classifications and salaries are provided at Attachment 1 and a copy of the new award is at Attachment 2.

Unqualified but Experienced Dental Assistants

The award now makes provision for the employment of experienced dental assistants who do not hold any formal qualifications. This Award provision is contained in Clause 3.2.

Supervision Allowance

There is a new supervision allowance to recognise the responsibilities of supervising employees and performing administrative tasks associated with clinical operations. It is intended that the position of senior dental assistant (which was removed from the award in 2003) will equate to the current grade 2 with the relevant supervision allowance. This allowance is not available to the new Grade 3 dental assistant. The Award provision for the supervision allowance is contained in Clause 3.4.

Dental Assistant Grade 3

It is expected that there will be one or two level 3 dental assistants in each Area Health Service and there may be a number at large teaching hospitals. However positions which require employees to perform the duties listed in clause 3.4 (c), either across a number of clinics or in a large clinic, will be graded at level 3.

Rates of Pay

The new rates of pay are contained in Table 1 to the Award. The rates of pay, together with the new Micropay and Supero codes are contained at Attachment 1 to this Information Bulletin.

Micropay and Supero Codes have not been created for transferred employees who work a 35 hour week for the Supervision Allowance, nor the Grade 3 Dental Assistant. If these codes are required, Areas should provide details of the effected employees (the basis of their entitlement, including the commencement date of employment). This information should be sent to the Director, Workplace Relations and Management Branch of the Department (email address emprel@doh.health.nsw.gov.au).

Title: Public Hospital Dental Assistants (State) Award - New Classification Structure, Salaries and Allowances

Non Declared Affiliated Health Organisations

Non-declared affiliated health organisations are not a party to the new Award. However, the Determination of Conditions of Subsidy requires (to the extent permitted by law) non-declared affiliated health organisations to provide to staff the same conditions of employment as those set out in industrial instruments applicable to staff employed in the NSW Health Service.

Supplementation

Funding supplementation will be provided for existing positions based upon the HIE profile. Funding for any further positions will be based upon the appointment of additional employees.

Professor Debora Picone AM
Director-General

Title: Public Hospital Dental Assistants (State) Award - New Classification Structure, Salaries and Allowances

Attachment 1

Micropay Code	Supero Code	Position Description	FFPP on or after 9.5.08 \$ pw	FFPP on or after 9.5.08 \$ pa
Dental Assistants				
Grade 1				
36.061.01	36DEAS101	1st year	788.70	41153
36.061.02	36DEAS102	2nd year	807.80	42150
36.061.03	36DEAS103	3rd year	825.90	43094
36.061.04	36DEAS104	4th year	845.70	44127
Grade 2				
36.062.01	36DEAS201	1st year	864.10	45088
36.062.02	36DEAS202	2nd year	896.80	46794
36.062.03	36DEAS203	3rd year	925.80	48307
36.062.04	36DEAS204	4th year	951.40	49643
Grade 3				
36.063.01	36DEAS301	1st year	1044.70	54513
36.063.02	36DEAS302	2nd Year	1083.10	56513
Supervision Allowance				
	866	2-5 staff	24.90	
	867	6-10 staff	35.30	
	868	11-15 staff	44.90	
	869	16-19 staff	55.00	

IRC 1763 of 2008 – Bishop C – new Award – effective 17.9.2008

Attachment 2

PUBLIC HOSPITALS DENTAL ASSISTANTS (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Award code 595

PART A

1. Arrangement

Clause No.	Subject Matter
1	Arrangement
2	Definitions
3	Classifications
4.	Anti-Discrimination
5	Conditions of Employment
6	Rates of Pay
7	No Extra Claims
8	Area, Incidence and Duration

2. Definitions

"Union" means the Health Services Union

"Department" means the New South Wales Department of Health.

"Hospital" means a public hospital as defined under section 15 of the Health Services Act 1997.

"Area Health Service" means an Area Health Service constituted pursuant to section 17 of the Health Services Act 1997.

"Employee" means a person employed in any Hospital or Area Health Service in the classification of Junior Dental Assistant or Dental Assistant, Grade 1, 2 or 3.

"Service", unless the context otherwise indicates or requires, means relevant service before and/or after commencement of this award in any one or more New South Wales public health organisations or other organisations deemed acceptable by the Department.

3. Classifications

3.1 Dental Assistant Grade 1

- (a) A dental assistant grade 1 means a person appointed as such who has successfully completed a qualification in a relevant field recognised by the Dental Assistant Education Council of Australia or up to the level of Certificate III issued by a tertiary education institution or qualifications deemed by the Department to be equivalent.
- (b) Unqualified but experienced dental assistants can be employed as Dental Assistants

Grade 1. Such employees commence and remain on level 1 year 1 until they obtain formal qualifications through study or recognition of prior learning. The employee is responsible for obtaining formal qualifications in their own time and at their own expense.

3.2 Dental Assistant Grade 2

- (a) A dental assistant grade 2 means a person who is appointed to such a position and who has successfully completed a nationally recognised Dental Assisting Certificate course at Certificate Level IV or qualifications deemed by the Department to be equivalent.

3.3 Supervision Allowance

- (a) A dental assistant who, in addition to the normal range of duties, is required to supervise two or more dental assistants will be paid a supervision allowance. In order to be paid this allowance, the supervising dental assistant must be responsible for:
- i. A range of administrative tasks associated with clinical operations as required by the Health Service, and
 - ii. The day to day supervision of staff including functions such as rostering, allocation of duties, conduct of or participation in performance reviews and input into management decisions.
- (b) The supervision allowance is to be paid as part of the employee's permanent salary, following a merit selection process. The rate of allowance paid is dependent upon the number of employees supervised and is contained in Schedule A to this award. If an employee is required to relieve for 5 days or more in the role of the supervisor, and performs all of the duties of the supervisor, then the supervision allowance will be paid to such employee.

3.4 Dental Assistant Level 3

- (a) Dental assistant grade 3 means a person who is appointed to such a position and who has a co-ordinating role across either a number of clinics in a Health Service or has the same level of responsibility in large teaching hospitals. The Level 3 dental assistant is a promotional position and is not eligible for a supervision allowance. Generally, if a level 3 dental assistant is responsible in one location, no other dental assistants in that clinic would be in receipt of a supervision allowance as prescribed in Clause 3.3 above.
- (b) The scope of grade 3 positions is Area-wide or a comparable level of responsibility in a large clinic. Positions which require employees to perform the duties outlined below, will be graded at level 3.
- (c) A level 3 dental assistant will be required to do most or all of the following duties:
- i. Perform the usual range of dental assistant duties when required.
 - ii. Recruitment of dental assistants.
 - iii. Manage trainee dental assistant programs.
 - iv. Participate in sector or area wide committees such as infection control, education, and performance improvement.
 - v. Manage/participate in conflict resolution where required.
 - vi. Chair dental assistant forums and meetings.

- vii. Mentor other dental assistants in their role as supervisors, including performance management and review processes.
- viii. Assist in managing safety issues.
- ix. Manage the educational needs of dental assistants.
- x. Manage staff relief across the sector/area.
- xi. Prioritising of workload in conjunction with oral health practitioners.
- xii. Co-ordinate and order all stock and consumables including:
 - liaison with external providers, and
 - being fully conversant with State contract processes.
- xiii. Ensure the proper maintenance of equipment through:
 - training and monitoring of dental assistants in maintenance duties,
 - effecting minor repairs,
 - co-ordinate the repair services provided by external and internal providers, and
 - ensure contractual requirements of external providers are met.

4. Anti-Discrimination

- (a) It is the intention of the parties bound by this award to seek to achieve the object in section 3 (f) of the *Industrial Relations Act 1996* to prevent and eliminate discrimination in the workplace. This includes discrimination on the grounds of race, sex, marital status, disability, homosexuality, transgender identity, age and responsibilities as a carer.
- (b) It follows that in fulfilling their obligations under the dispute resolution procedure prescribed by this award the parties have obligations to take all reasonable steps to ensure that the operation of the provisions of this award are not directly or indirectly discriminatory in their effects. It will be consistent with the fulfilment of these obligations for the parties to make application to vary any provision of the award which, by its terms or operation, has a direct or indirect discriminatory effect.
- (c) Under the *Anti-Discrimination Act 1977*, it is unlawful to victimise an employee because the employee has made or may make or has been involved in a complaint of unlawful discrimination or harassment.
- (d) Nothing in this clause is to be taken to affect:
 - i. any conduct or act which is specifically exempted from anti-discrimination legislation;
 - ii. offering or providing junior rates of pay to persons under 21 years of age;
 - iii. any act or practice of a body established to propagate religion which is exempted under section 56(d) of the *Anti-Discrimination Act 1977*;
 - iv. a party to this award from pursuing matters of unlawful discrimination in any State or federal jurisdiction.
- (e) This clause does not create legal rights or obligations in addition to those imposed upon the parties by the legislation referred to in this clause.

NOTES –

- i. Employers and employees may also be subject to Commonwealth anti-discrimination legislation.
- ii. Section 56(d) of the *Anti-Discrimination Act 1977* provides:

“Nothing in this Act affects ... any other act or practice of a body established to propagate religion that conforms to the doctrines of that religion or is necessary to avoid injury to the religious susceptibilities of the adherents of that religion.

5. Conditions of Employment

Conditions of Employment for employees shall be those prescribed in the Public Hospital (Professional and Associated Staff) Conditions of Employment (State) Award, subject to the preservation of accrued rights for employees transferred from the Public Service on 1 October 1986.

6. Rates of Pay

Salaries shall be in accordance with the rates contained in the Health Professional Medical Salaries (State) Award.

Previous service as a Dental Assistant is to be taken into account in determining the commencing salary on employment.

7. No Extra Claims

The parties to this award recognise that the award extinguishes all work value and special case claims up to the date of making of this award.

8. Area, Incidence and Duration

- (a) This Award rescinds and replaces the Public Hospitals Dental Assistants (State) Award published 10 March 2006 (351 IG 983) and all variations thereof.
- (b) This Award shall apply to persons employed in classifications contained herein employed in or in connection with the New South Wales Health Service as defined in section 16 of the Health Services Act 1997, or their successors, assignees or transmittes.
- (c) This Award takes effect from the first pay period commencing on or after 17 September 2008, and shall remain in force for a period of three years.
