



Industrial Relations Policy

1. Purpose

The *Industrial Relations Policy* (policy) sets out the requirements for delivering an effective and consistent approach to industrial relations across the WA health system.

Under section 20(1) of the *Health Services Act 2016* (WA), the Department CEO is responsible for:

- a) managing WA health system-wide industrial relations on behalf of the State, including the negotiation of industrial agreements, and making applications to make or vary awards.
- b) establishing the conditions of employment for employees in Health Service Providers in accordance with the requirements of any binding industrial instrument.

In delivering this function, the System Manager is responsible for:

- complying with the Public Sector Wages Policy Statement
- consulting with the Government Sector Labour Relations (GSLR) and the Department Treasury, as required
- operating within the Government Sector Labour Relations Management Framework (Framework)
- issuing Industrial Relations Directives (IRDs) on matters relating to system-wide industrial relations interpretation and/or application.

The policy aims to ensure consistent interpretation and application of employment conditions, processes and practices, including whole of government requirements.

This policy is a mandatory requirement for Health Service Providers under the *Employment Policy Framework* pursuant to section 26(2)(l) of the *Health Services Act 2016*.

This policy is also a mandatory requirement for the Department of Health pursuant to section 29 of the *Public Sector Management Act 1994*.

2. Applicability

This policy is applicable to WA Health Entities.

3. Policy Requirements

3.1. WA Health Entities must:

3.1.1. Consult with the System Manager on matters:

- requiring consultation or approval from GSLR and/or the Public Sector Commission, including but not limited to:
 - requests for attraction and retention incentives
 - exemptions from Commissioner's Instructions (CIs)
 - development of submissions relating to CIs specific to service needs
 - significant reform with industrial relations implications.
 - when industrial action or unauthorised stoppage is threatened or being taken by employees
 - where there is risk of, or potential for system-wide industrial dispute before the WA Industrial Relations Commission, Public Service Arbitrator, Public Service Appeal Board, or Industrial Magistrates Court which have system-wide implications or where decisions or costs may result in flow on impacts to other areas
 - where the provision of the State Solicitor's Office is sought for advice on industrial interpretations with system-wide implications.
- 3.1.2. Comply with IRDs issued by the System Manager to ensure consistent application of employment conditions, processes and practices, including whole of government requirements.
- 3.1.3. Ensure appropriate representation and advocacy in matters before the WA Industrial Relations Commission, Public Service Arbitrator, Public Service Appeal Board and Industrial Magistrates Court.
- 3.1.4. Engage collaboratively with unions and other external stakeholders where applicable, in relation to the management and resolution of industrial disputes.
- 3.1.5. Promote awareness of industrial agreements and awards and/or relevant industrial frameworks and/or government policies.

4. Compliance Monitoring

The System Manager will undertake activities to assure the WA Health Entities are complying with this policy.

These compliance monitoring activities include, but are not limited to:

- monitoring and evaluating the industrial relations environment, including trends, issues and disputes
- monitoring and evaluating compliance with the policy by WA Health Entities, which may include requesting audit reports into compliance with the policy
- liaising with WA Health Entities, unions and other external stakeholders in relation to industrial disputes.

5. Related Documents

The following IRDs are mandatory pursuant to this policy:

- [IRD 01/2024 Terms of Employment of Interpreters](#)
- [IRD 02/2024 Travelling Allowance: Categories of Accommodation](#)
- [IRD 03/2024 Payment for Patient Escorting Duties for Nurses](#)
- [IRD 04/2024 Unauthorised Stoppages: Payment of Wages and Effect on Entitlements](#)

- [IRD 05/2024 Health Care Facilities Medical Advisory Committee](#)
- [IRD 06/2024 Appointment of Interns and Progression to Resident Medical Officer](#)
- [IRD 07/2024 Leave Management for Senior Medical Practitioners](#)

6. Supporting Information

The following information is not mandatory but informs and/or supports the implementation of this policy:

- N/A

7. Definitions

The following definition(s) are relevant to this policy.

Term	Definition
Industrial Relations Directive (IRD)	IRDs are mandatory compliance obligations placed on WA Health Entities to promote and improve the overall effectiveness, consistency, and efficiency of industrial relations practice across the WA health system.
WA Health Entities	WA Health Entities Include: <ul style="list-style-type: none"> (i) Health Service Providers as established by an order made under section 32 (1)(b) of the <i>Health Services Act 2016</i>. (ii) Department of Health as an administrative division of the State of Western Australia pursuant to section 35 of the <i>Public Sector Management Act 1994</i>.
System Manager	The term used for the Department of Health (Department) CEO to reflect their role as being responsible for managing the WA health system to the extent necessary to provide stewardship, strategic leadership, and direction and to allocate resources for the provision of public health services in the State.

8. Policy Contact

Enquiries relating to this policy may be directed to:

Title: Director, System-wide Industrial Relations
Directorate: Governance and System Support
Email: SWIR.Administration@health.wa.gov.au

9. Document Control

Version	Published date	Review date	Amendment(s)
MP 0025/16	1 July 2016	July 2019	Original version
MP 0025/16 v. 1.0	9 July 2024	July 2027	Policy review and amendments as listed below.
<ul style="list-style-type: none"> • Policy transferred to current mandatory policy template. 			

- Purpose section refined to reflect the System Manager’s responsibility in delivering system-wide industrial relations on behalf of the State.
- Applicability section updated to include WA Health Entities.
- Policy requirements revised and updated in accordance with legislative requirements.
- Compliance monitoring section updated to align with mandatory policy governance requirements.
- Inclusion of Industrial Relations Directives as related documents.
- Definitions section updated to include definitions for Industrial Relations Directive, System Manager and WA Health Entities.
- Policy ownership and policy contact updated to Director, System-wide Industrial Relations.

Note: Mandatory policies that exceed the scheduled review date will continue to remain in effect.

10. Approval

Approval by	Dr David Russell-Weisz, Director General, Department of Health
Approval date	27 June 2016

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