

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

CORAM: SLOAN C

25 June 2022

Matter No: 2022/00184903

Notification under section 130 by Health Secretary against New South Wales Nurses and Midwives' Association

ORDERS

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

1. The New South Wales Nurses and Midwives' Association ("the Association"), its officers and employees, and its members employed in the NSW Health entities listed in Schedule 1 ("Health Entities") must immediately cease organising and refrain from taking industrial action on 28 June 2022 by those employees engaged by a Health Entity under the Public Health System Nurses' and Midwives' (State) Award 2021 or the Crown Employees Nurses' (State) Award 2021.
2. The Association, its officers, employees, agents and members must not induce, advise, authorise, support, encourage, direct, aid or abet members of the Association to organise or take industrial action contrary to Order 1.
3. These orders take effect immediately.

DIRECTIONS

Pursuant to s 136(1) of the *Industrial Relations Act*, the Commission makes the following directions:

1. The Association must by no later than 12 noon on 27 June 2022:
 - a. remove any reference to the industrial action to occur on 28 June 2022 from its website, social media accounts or any documents linked to its website or social media accounts;
 - b. publish in a prominent position on its website, the Association's Facebook and other social media pages, Order 1 and a direction to members that they comply with those orders and not take industrial action on 28 June 2022;
 - c. send by email to all members a link to Order 1 and a direction to comply with those orders and not take industrial action on 28 June 2022;

- d. provide or cause to be provided a copy of Orders 1, 2 and 3 above to Association representatives employed by the Notifier, all members of the Association Executive and all members of the Association Council.
2. The Association must advise the Notifier's legal representative in writing by 5:00pm on 27 June 2022 of the steps taken to comply with Directions 1(a) to (d) above, including the form of communications, and if written, a copy of any communications, and the further steps it intends to take (if any) to comply with Directions 1(a) to (d) in respect of any relevant member who, by that time, has not been notified.

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke extending to the right.

Commissioner Sloan

SCHEDULE 1 – HEALTH ENTITIES

Statewide Health Services

NSW Ambulance
NSW Health Pathology
Health Protection NSW

Shared Services

HealthShare NSW
eHealth NSW
Health Infrastructure

Local Health Districts and Specialty 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 NSW Local Health District
Western Sydney Local Health District
Sydney Children's Hospitals Network
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