

INDUSTRIAL ACTION TIPS

# Escalating Industrial Action

Stop Work, Work to Rule and Work Bans



NSW  
NURSES &  
MIDWIVES'  
ASSOCIATION



AUSTRALIAN  
NURSING &  
MIDWIFERY  
FEDERATION  
NSW BRANCH

## Why is it important you take collective action?

The NSW government is ignoring nurses and midwives' call for better pay and conditions. Nurses and midwives are taking action now to demand respect from the government and show you deserve a 15% pay rise.

### What is Stop Work?

Stop Work action is effectively a strike, it can be short and sharp (like ours, 1 hour) and it can be longer (like 4 hours). It often involves attending a meeting, rally or protest but it is still classified as industrial action.

### What is Work to Rule?

Work to Rule is when workers take industrial action by **only** doing what is defined by their role description, policies or procedures. It is industrial action because it is a refusal by workers to perform extra duties such as cleaning and administrative duties.

### What is a Work Ban?

A Work Ban is a refusal of workers to complete particular tasks within their role. The most effective work bans cause disruption to an employer's operations or finances.

## What are we doing now? All of them!!

### Stop Work

Nurses and midwives are holding stop work actions across NSW (see PHS campaign webpage for details) for an hour to attend a meeting, hear updates on the campaign and discuss taking further action in support of our claim.

### Work to Rule

At your Stop Work meeting you will discuss enacting Work to Rule. Here is the list of Work to Rule we are advising. This should begin immediately after the stop work action.

1. All domestic duties ordinarily carried out by other classifications. This includes pushing beds, cleaning of beds and other areas, emptying linen skips restocking supplies or any duties covered by clause 44 of the Award.
2. Duties ordinarily undertaken by ward clerks such as answering phones or doorbells for locked wards, processing paperwork of a purely administrative nature, and non-patient administrative duties.
3. Any other duties as voted on by the branch, which do not impact on clinical care.

### Work Bans

In some specialities, branches have passed resolutions to place work bans on the following activities:

- **Mental Health:** Non-completion of HONOS data entry
- **ED:** Delay the data entry for TOC (Take Over Care), Cat 2 and Cat 3 patients for at least 10 mins.

**Members should still be completing patient records, and paperwork that has an impact on clinical care.**



# How can you join in the action too?

To organise action here are the steps you will need to take.

1. Local branches must set a date, time, duration and location for your action.
2. Who do you need to tell?
  - **Communicate with your organiser** notify them of your plans.
  - **Communicate with everyone in your ward or unit:**

It's important for the majority in your ward or unit to come together and agree on which actions you are going to take

- Make arrangements to get the maximum number of people to the stop work (where it applies).
- Agree which work to rule or work bans you'll collectively refuse to do as part of industrial action.

Once you've made these decisions, it's crucial to ensure everyone knows and stands by each other. This solidarity strengthens your position and ensures that everyone is on the same page when faced with challenges from your employer.

- **Tell your NUM/MUM:**

Advise your supervisor as soon as possible to ensure planning for patient safety can occur, your Branch will notify the facility Director of Nursing. If your employer asks you to perform a task that you've collectively decided to ban, calmly explain that you're participating in authorised industrial action to improve wages and working conditions. These improvements are necessary for better recruitment and retention of staff, which ultimately benefits everyone.

If your employer continues to press the issue, let them know that you'll seek advice from your union. This shows that you're serious and that you're not acting alone, but with the support of your union.

- **Collaborating across wards:**

Remember that your actions may impact other wards. It's important to communicate with them to build unity and ensure that your industrial action is effective across the board.

## Your Rights

1. During the period of the action, all members should refuse to undertake the duties agreed to be the Branch. There is strength in numbers.
2. If asked by your employer to cease the work bans or work to rule, advise them that you are undertaking authorised industrial action.
3. It is not appropriate for individuals to be disciplined for engaging in collective democratically decided industrial action, however your employer may use a range of discipline action tactics or threats to try to dissuade you from participating.
4. If you are directed to undertake such a duty, you should refuse and re-state that this is part of authorised industrial action. Members are entitled to freedom from victimisation by their employer for taking industrial action under the *Industrial Relations Act 1996* (NSW).
5. Under section 210 of the *NSW Industrial Relations Act 1996*, it is unlawful for an employer to victimise an employee because they are a member or official of a union.
6. Seek advice from your organiser or the NSW NMA on 8595 1234 if you are pressured when taking action.

By working together, a well-deserved pay rise can be achieved for nurses and midwives in NSW in 2024.

If you have more questions about taking action please go to [nswnma.info/valueus](https://nswnma.info/valueus).

