

CONSTITUENT QUESTION

House of Assembly

ASKED BY: Dr Shane Broad MP

ANSWERED BY: Hon Bridget Archer MP
Minister for Health, Mental Health and
Wellbeing

QUESTION:

A number of Braddon constituents have raised with me the issue of nurses being paid less than Allied Health Professionals for doing the same job.

The Tasmanian Industrial Commission case of Chamley versus the Minister Administering the State Service Act 2000 ruled that nurses must be paid the same as Allied Health Professionals for doing the same job by applying the multidisciplinary allowance set out in the Nurses and Midwives Heads of Agreement from 2010.

The Industrial Commission decision is binding and the EBA is binding, yet other nurses are still being underpaid compared to their Allied Health Professional colleagues and there's been no offer of back pay.

Disappointingly, the Health Department still provides incorrect information to nurses when these underpayments are questioned. Furthermore, identical positions are still being advertised on Seek, with ads for nurses being offered less pay than ads for Allied Health Professionals. Same job, same pay, same position descriptions, yet different pay.

Is the Minister going to enforce the enterprise bargaining agreement and the Industrial Commission's decision to prevent continual underpayments, or is she waiting for a class action?

ANSWER:

The Government is committed to ensuring that nurses working in multidisciplinary roles are remunerated fairly and in accordance with the Nurses and Midwives Agreement and relevant determinations of the Tasmanian Industrial Commission.

The Multi-Disciplinary Allowance (MDA) exists to give effect to the principle of "same work, same pay" in community mental health settings, ensuring that where nurses are performing roles equivalent to Allied Health Professionals, they are paid at an equivalent level.

Following recent Industrial Commission decisions, including the Chamley matter, I am advised that the Department of Health is currently undertaking a review of community mental health roles to identify positions that meet the criteria for the MDA and to ensure these are applied consistently.

I am further advised that entitlement to the MDA is not determined by job title or advertising alone. It depends on whether a role meets specific eligibility criteria, including functioning within a recognised multidisciplinary model and performing duties that can be undertaken by either a Nurse or an Allied Health Professional.

This means that roles that may appear similar in advertisements or position descriptions are not automatically the same for classification or remuneration purposes. Differences in scope, accountability, and operational context are relevant and are assessed carefully and appropriately.

Where any concerns are raised, these are examined on a case-by-case basis, including a detailed review of duties undertaken. Where an entitlement is identified, it is applied in accordance with the Agreement and established processes.

The Department acknowledges that application of the MDA framework can be complex, particularly given the interaction between nursing and allied health classification structures and the way roles evolve over time. Similarly, the agreements are negotiated separately and the quantum of difference between relevant Nurse and Allied Health Professional salaries is not static. Work has been undertaken to strengthen guidance, improve consistency, and provide greater clarity for managers and staff.

The Government will continue to meet all of its obligations under enterprise agreements and Industrial Commission decisions, while ensuring that the application of the MDA is fair, consistent, and based on the actual duties and context of each role.



Hon Bridget Archer MP
Minister for Health, Mental Health and Wellbeing

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