

From: Jessica Light [mailto:jligh@meridianlawyers.com.au]

Sent: Friday, 28 April 2017 10:17 AM

To: Chambers - Hatcher VP

Cc: AMOD; rachell@hsu.net.au; Leigh Svendsen; Kate Thomson; chrisk@business-sa.com; Sharlene Wellard; Jacki Baulch; Scott Harris; Katie Biddlestone

Subject: RE: AM2016/15 - Plain Language - Pharmacy Industry Award [ML-Legal.2008724.FID21138]

Dear Associate,

My apologies for the delay in responding to your correspondence below.

The definition of Dispensary Assistant proposed by his Honour separates the duties of a dispensary assistant and work in a compounding lab or compounding section of a community pharmacy as follows:

- (b) work in a compounding lab or compounding section of a community pharmacy assisting with extemporaneous preparations as the major part of their duties; or
- (c) perform the duties of a dispensary assistant, that is, work in the dispensary performing dispensing duties under the direct supervision of a pharmacist.

We are instructed that the work undertaken in a compounding lab or the compounding section of a pharmacy is only performed by a Pharmacist or Dispensary Assistant (and is typically performed in the Dispensary Section of the pharmacy). The Guild therefore proposes the following minor adjustment to the definition of Dispensary Assistant to make clear that this task is one performed by a Dispensary Assistant rather than a Pharmacy Assistant:

A.3 Pharmacy assistant / Dispensary assistant level 3 is an employee who has acquired the competencies required to be the holder of a Certificate III in Community Pharmacy, as determined by the National Quality Council or a successor body, and who is required by the employer to work at this level.

A pharmacy assistant / dispensary assistant level 3 may be required by the employer to:

- (a) supervise pharmacy assistants levels 1 or 2; or
- (b) perform the duties of a dispensary assistant, that is:
 - (i) work in the dispensary performing dispensing duties under the direct supervision of a pharmacist; or
 - (ii) work in a compounding lab or compounding section of a community pharmacy assisting with extemporaneous preparations as the major part of their duties.

We appreciate that the other parties have not yet had the opportunity to consider this definition, though we would be happy to discuss with the interested parties should the need arise.

Regards,

Jessica Light | Solicitor



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From: Chambers - Hatcher VP [<mailto:Chambers.Hatcher.VP@fwc.gov.au>]

Sent: Tuesday, 18 April 2017 5:24 PM

To: rachel@hsu.net.au; Leigh Svendsen; Kate Thomson; chrisk@business-sa.com; Sharlene Wellard; Jessica Light; Jacki Baulch; Scott Harris; Katie Biddlestone

Cc: AMOD

Subject: AM2016/15 - Plain Language - Pharmacy Industry Award

Dear Parties,

Interested parties are requested to advise the Commission (via the Chambers of Vice President Hatcher) as to the following matters within 7 days:

1. whether there remains any issue about the coverage of the Pharmacy Industry Award in relation to on-hire employees as expressed in clause 4.3(a) of the exposure draft published on 20 January 2017; and
2. their position with respect to the following proposed modified definition of the classification currently described as Pharmacy assistant level 3 in A.3 of Schedule A of the exposure draft published on 20 January 2017:

A.3 Pharmacy assistant / Dispensary assistant level 3 is an employee who has acquired the competencies required to be the holder of a Certificate III in Community Pharmacy, as determined by the National Quality Council or a successor body, and who is required by the employer to work at this level.

A pharmacy assistant / dispensary assistant level 3 may be required by the employer to:

(a) supervise pharmacy assistants levels 1 or 2; or

(b) work in a compounding lab or compounding section of a community pharmacy assisting with extemporaneous preparations as the major part of their duties; or

(c) perform the duties of a dispensary assistant, that is, work in the dispensary performing dispensing duties under the direct supervision of a pharmacist.

Kind regards,

Katrine Huynh

Associate to Vice President Hatcher

Fair Work Commission

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Please be aware my telephone number has changed. My new phone number is (02) 9308 1812. Please update your records accordingly.

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