

# ATTACHMENT 3

## **IN THE FAIR WORK COMMISSION**

**Matter No:**  
AM2014/204

**Matter: Health Professionals and Support Services Award 2010**

**Applicant:**  
Dental Hygienists Association of Australia Ltd

### **WITNESS STATEMENT OF KAY BALL**

I, **Kay Elizabeth Ball** [REDACTED],  
Occupation - Oral Health Therapist, at **Bastow and Chye Complete Dental (Wynnum West & Lots)** make the following statement with regard to the matter before Fair Work Commission, Health Professionals and Support Services Award 2010, Matter Number AM2014/204.

1. I am a member of the Dental Hygienists Association of Australia Ltd (DHAA.)
2. My qualification is Bachelor of Applied Science (Oral Health) from Queensland University. I graduated in 2004 (year).
3. I have worked as an Oral Health Therapist for 14.5 years.
4. I was working as an Oral Health Therapist in 2009 and prior to 2009. My employers, my colleagues and I have described my profession and my job as an Oral Health Therapist since my graduation in December 2004.
5. I know from my own professional experience that the occupation and profession of Oral Health Therapist existed in 2009 and prior to 2009.
6. Since I commenced employment, I have negotiated my own favourable terms and conditions of employment on the understanding that my occupation was

award-free.

7. My hourly rate is some 37.7% higher than the highest award rate that I would most likely be classified under if I was covered by the Health Professionals and Support Services Award, namely Level 2, Pay Point 4 which is currently \$32.91 per hour.
8. There is no scope for me to progress beyond this level because my occupation in a private practice has no potential or need for me to acquire managerial accountabilities.
9. My view is that my employer would not continue to pay my current rate of hourly pay if my occupation became covered by the Health Professionals and Support Services Award, and that my conditions of employment would gradually worsen.
10. My view is that, at best, my pay rate would be frozen from the date that my occupation became covered by the Award until and if the applicable minimum Award rate overtook my current hourly rate. Such an outcome would be extremely damaging for my family finances.
11. I am very concerned that my employer would state that because I was paid over-award, that the over award component compensated me for all the supposedly beneficial provisions of the award such as overtime, weekend penalty rates and paid tea breaks.
12. Therefore, being covered by an award offers me no benefits and worse, significantly jeopardises my current salary and employment conditions.
13. I believe that award coverage would be seen by my employer as a significant change which warranted issuing a new employment contract with a new reduced hourly wage rate.
14. As far as I know, there is no opportunity for me to pursue the benefits of

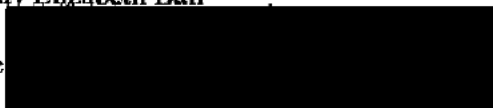
enterprise bargaining because my employer is too small, whether or not my occupation becomes covered by the award.

15. I believe that imposition of award coverage on health professional occupations such as mine that have been award-free for decades is a backward move, which will seriously impact my family's finances.
16. I believe that imposition of award coverage on oral health therapists/dental hygienists will disadvantage women like me in particular because the minimum rates of pay will operate quickly to drive our take home wages down.
17. I believe that the impact of award coverage on me personally will be to significantly harm my negotiating position with my employer in the immediate, medium and long-term future.
18. I do not think this is fair when I have enjoyed the benefits of award-free status for the entire period of my employment and I believe my opinion should be listened to by Fair Work Commission.
19. I do not understand why the status quo would be or should be disrupted now after so many years of award-free status for my occupation. I am very worried and concerned about any such change.

I declare that this witness statement is true and correct:

Name: Kay Elizabeth Ball

Signature

A black rectangular box redacting the signature of Kay Elizabeth Ball.

Date: 16.06.2019

# IN THE FAIR WORK COMMISSION

**Matter No:**  
AM2014/204

**Matter: Health Professionals and Support Services Award 2010**

**Applicant:**  
Dental Hygienists Association of Australia Ltd

## WITNESS STATEMENT OF Alison Taylor

I, Alison Jane Taylor [REDACTED], Lecturer & Clinical Tutor in Dental Hygiene at TAFE SA 33 Blacks Rd Gilles Plains 5086 make the following statement with regard to the matter before Fair Work Commission, Health Professionals and Support Services Award 2010, Matter Number AM2014/204.

1. I am a member of the Dental Hygienists Association of Australia Ltd (DHAA.)
2. My qualification is Dental Hygienist from Gilles Plains TAFE. I graduated in 1990.
3. I have worked as a Dental Hygienist for 29 years.
4. I know from my own professional experience that the occupation and profession of Oral Health Therapist existed in 2009 and prior to 2009. I worked as a Clinical Tutor in the Bachelor of Oral Health program at the University of Adelaide from 2004 until 2017. I know from my own professional experience that Graduates of the program over that entire period were called Oral Health Therapists. I taught in the dental hygiene component of the program.
5. When I worked as a private practice dental hygienist, I negotiated my own favourable terms and conditions of employment on the understanding that my occupation was award-free.
6. I believe that imposition of award coverage on health professional occupations such as mine that have been award-free for decades is a backward move, which would seriously impact my family's finances.
7. I believe that imposition of award coverage on oral health therapists/dental hygienists will disadvantage women like me in particular because the minimum rates of pay will operate quickly to drive our take home wages down.
8. I do not understand why the status quo would be or should be disrupted now after so many years of award-free status for my occupation. I am very worried and concerned about any such change.

I declare that this witness statement is true and correct:

Name: Alison Taylor

Signature: [REDACTED]

Date: 19 June 2019

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## IN THE FAIR WORK COMMISSION

**Matter No:**  
AM2014/204

**Matter: Health Professionals and Support Services Award 2010**

**Applicant:**  
Dental Hygienists Association of Australia Ltd

### WITNESS STATEMENT OF SUSAN MELROSE

I, Susan Janine Melrose [REDACTED], Occupation, Dental Hygienist at Weston Dental Surgery Unit 2/24 Mahony Court Weston ACT 2611 make the following statement with regard to the matter before Fair Work Commission, Health Professionals and Support Services Award 2010, Matter Number AM2014/204.

1. I am a member of the Dental Hygienists Association of Australia Ltd (DHAA.)
2. My qualification is Statement of Attainment for Australian Defence Force Trained Dental Hygienists from University of Queensland. I graduated in 2004.
3. I have worked as a Dental Hygienist for 14 years.
4. Since I commenced employment in private practice, I have negotiated my own very favourable terms and conditions of employment on the understanding that my occupation was award-free.
5. My hourly rate is some 109 percent higher than the highest award rate that I would most likely be classified under if I was covered by the Health Professionals and Support Services Award, namely Level 2, Pay Point 4 which is currently \$32.91 per hour.
6. Employment at previous private practices had no scope for me to progress beyond this level because my occupation in those private practices has no potential or need for me to acquire managerial accountabilities. However, my current employment does involve some managerial tasks, but I am remunerated at the same pay rate whether working a clinical or managerial day.
7. My view is that my previous employers would not have continued to pay my current rate of hourly pay if my occupation became covered by the Health Professionals and Support Services Award, and that my conditions of employment would have gradually worsened.
8. My view is that, at best, my pay rate may have frozen from the date that my occupation became covered by the Award until and if the applicable minimum Award rate overtook my current hourly rate. Such an outcome would be extremely damaging for my family finances.

9. At previous private practices I believe my employer would have stated that because I was paid over-award, that the over award component compensated me for all the supposedly beneficial provisions of the award such as overtime, weekend penalty rates and paid tea breaks.
10. Therefore, being covered by an award offers me no benefits and worse, I strongly believe it would significantly jeopardises any future salary and employment conditions.
11. I believe that award coverage would be seen by many employers as a significant change which warranted issuing a new employment contract with a new reduced hourly wage rate.
12. As far as I know, there is no opportunity for me to pursue the benefits of enterprise bargaining because my employer is too small, whether or not my occupation becomes covered by the award.
13. I believe that imposition of award coverage on health professional occupations such as mine that have been award-free for decades is a backward move, which would seriously impact my family's finances.
14. I believe that imposition of award coverage on oral health therapists/dental hygienists will disadvantage women like me in particular because the minimum rates of pay will operate quickly to drive our take home wages down.
15. I believe that the impact of award coverage on me personally will be to significantly harm my negotiating position with my employer in the immediate, medium and long-term future.
16. I do not think this is fair when I have enjoyed the benefits of award-free status for the entire period of my employment in private practice and I believe my opinion should be listened to by Fair Work Commission.
17. I do not understand why the status quo would be or should be disrupted now after so many years of award-free status for my occupation. I am very worried and concerned about any such change.

I declare that this witness statement is true and correct:

Name: Susan Melrose

Signature: 

Date: 26.6.2019

# IN THE FAIR WORK COMMISSION

**Matter No:**  
AM2014/204

**Matter: Health Professionals and Support Services Award 2010**

**Applicant:**  
Dental Hygienists Association of Australia Ltd

## WITNESS STATEMENT OF Christina Zerk

I, **Christina Zerk** [REDACTED], Occupation, **Dental Hygienist** make the following statement with regard to the matter before Fair Work Commission, Health Professionals and Support Services Award 2010, Matter Number AM2014/204.

1. I am a member of the Dental Hygienists Association of Australia Ltd (DHAA.)
2. My qualification is Advanced Diploma of Oral Health (Dental Hygiene) from TAFE SA. I graduated in 2017.
3. I have worked as a Dental Hygienist for 1.5 years.
4. Since I commenced employment, I have negotiated my own favourable terms and conditions of employment on the understanding that my occupation was award-free.
5. The hourly rate I have been able to negotiate for myself as a new graduate Dental Hygienist is 35% higher than Pay point 1 (UG 2 qualification) I would have been classified under if I was covered by the Health Professionals and Support Services Award.
6. In addition to this there is no scope for me to progress beyond Level 2, Pay Point 4 because my occupation in a private practice has no potential or need for me to acquire managerial accountabilities which limits future income.
7. My view is that my employer would not continue to pay my current rate of hourly pay if my occupation became covered by the Health Professionals and Support Services Award, and that my conditions of employment would gradually worsen.
8. My view is that, at best, my pay rate would be frozen from the date that my occupation became covered by the Award until and if the applicable minimum Award rate overtook my current hourly rate. Such an outcome would be extremely damaging for my family finances.
9. I am very concerned that my employer would state that because I was paid over-award, that the over award component compensated me for all the supposedly beneficial provisions of the award such as overtime, weekend penalty rates and paid tea breaks.



10. Therefore, being covered by an award offers me no benefits and worse, significantly jeopardises my current salary and employment conditions.
11. I believe that award coverage would be seen by my employer as a significant change which warranted issuing a new employment contract with a new reduced hourly wage rate.
12. As far as I know, there is no opportunity for me to pursue the benefits of enterprise bargaining because my employer is too small, whether or not my occupation becomes covered by the award.
13. I believe that imposition of award coverage on health professional occupations such as mine that have been award-free for decades is a backward move, which will seriously impact my family's finances.
14. I believe that imposition of award coverage on oral health therapists/dental hygienists will disadvantage women like me in particular because the minimum rates of pay will operate quickly to drive our take home wages down.
15. I believe that the impact of award coverage on me personally will be to significantly harm my negotiating position with my employer in the immediate, medium and long-term future.
16. I do not think this is fair when I have enjoyed the benefits of award-free status for the entire period of my employment and I believe my opinion should be listened to by Fair Work Commission.
17. I do not understand why the status quo would be or should be disrupted now after so many years of award-free status for my occupation. I am very worried and concerned about any such change.

I declare that this witness statement is true and correct:

Name: Chrstitina Zerk

Signature: 

Date: 24/06/2019

# IN THE FAIR WORK COMMISSION

**Matter No:**  
AM2014/204

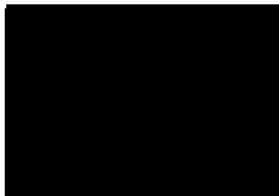
**Matter: Health Professionals and Support Services Award 2010**

**Applicant:**  
Dental Hygienists Association of Australia Ltd

## WITNESS STATEMENT OF LYN CARMAN

I Lyn Dawn Carman [REDACTED], Occupation, Dental Hygienist at Dental on Eyre, 16 East Terrace, Cleve SA 5640 make the following statement with regard to the matter before Fair Work Commission, Health Professionals and Support Services Award 2010, Matter Number AM2014/204.


1. I am a member of the Dental Hygienists Association of Australia Ltd (DHAA.)
2. My qualification Associate Diploma from TAFE SA. I graduated in 1986.
3. I have worked as a Dental Hygienist for 33 years.
4. I know definitively from my own personal and professional experience the occupation and profession of Oral Health Therapist existed in 2009 and prior to 2009.
5. In 2008 I employed an Oral Health Therapist in my business as a dental practice owner.
6. Since I commenced employment, I have always negotiated my own favourable terms and conditions of employment on the understanding that my occupation was award-free.
7. I have always negotiated my own favourable terms and conditions of employment with the knowledge this was also the best position the practice and the excellent patient outcomes.
8. My hourly rate is currently approx 150% higher than the highest award rate that I would most likely be classified under if I was covered by the Health Professionals and Support Services Award, namely Level 2, Pay Point 4 which is currently \$33.89 per hour.
9. I have always been very proud of the care and service I have been able to offer and felt extremely valued by my employers and patients. My view is if my occupation were to be covered by the Health Professionals and Support Services Award, it would mean a gradual erosion of value and excessive decrease in my family finances.
10. Therefore, being covered by an award offers me no benefits and worse, significantly jeopardises my current salary and employment conditions.



11. I believe that award coverage would be seen by my employer as a significant change which warranted issuing a new employment contract with a new significantly reduced hourly wage rate.
12. As far as I know, there is no opportunity for me to pursue the benefits of enterprise bargaining because my employer is too small, whether or not my occupation becomes covered by the award.
13. I believe that imposition of award coverage on health professional occupations such as mine that have been award-free for decades is a backward move, which will seriously impact my family's finances, after being employed in this occupation for 33years.
14. I strongly believe that imposition of award coverage on oral health therapists/dental hygienists will disadvantage women like me in particular because the minimum rates of pay will operate quickly to drive our take home wages down.
15. I believe that the impact of award coverage on me personally will be to significantly harm my negotiating position with my employer in the immediate, medium and long-term future.
16. As a previous business owner and employer of an Oral Health Therapist and Hygienists I was extremely pleased to be able to negotiate employment in the absence of an award and feel it was of benefit for my employees and therefore the patients and my business.
17. I do not think this is fair when I have enjoyed the benefits for 33 years of award-free status for the entire period of my employment and I believe my opinion should be listened to by Fair Work Commission.
18. I do not understand why the status quo would be or should be disrupted now after so many years of award-free status for my occupation. I am very worried and concerned about any such change.

I declare that this witness statement is true and correct:

Name: Lyn Carman

Signature: 

Date:..... 30th July 2019

# ATTACHMENT 4

IN THE FAIR WORK COMMISSION

Matter No: AM2014/204

Matter: Health Professionals and Support Services Award 2010

Applicant: Dental Hygienists Association of Australia Ltd.

WITNESS STATEMENT OF Benjamin Marchant

I, Benjamin Marchant, [REDACTED], Pharmacist (Director of Pharmacy at Mildura Base Hospital) and Victorian President, Pharmaceutical Society of Australia, make the following statement with regard to the matter before Fair Work Commission, Health Professionals and Support Services Award 2010, Matter Number AM2014/204.

Statement

I am a registered pharmacist since 2006 and am currently the Victorian President of the Pharmaceutical Society of Australia since 2015. The Pharmaceutical Society of Australia is the peak body representing pharmacists practising in all areas in Australia. I have also provided expert advice in relation to the pharmacy profession to the Victorian Government, the Australian Pharmacy Council and RMIT University through a range of advisory committees and working groups.

I would like to comment on the impact of the Pharmacy Industry Award 2010 to the pharmacy profession, which is likely to be similar to that of the Health Professionals and Support Services Award 2010 to the dental profession.

From my personal experience, most pharmacists practising in the community (private sector) were paid above award when the Pharmacy Industry Award 2010 was introduced. Since then, there has been a steady decline of pharmacist wages towards the award rate. While the Pharmacy Industry Award sets a minimum rate, employers are treating that as a government recommended standard rate for pharmacist employees.

The unintended impact of the Pharmacy Industry Award is that the wages for most pharmacists are kept relatively low, causing many experienced pharmacists to leave the profession to seek other career options. There has also been a steady fall in the academic quality of new entrants to the profession with the Australia Tertiary Admission Rank (ATAR) score to pharmacy degrees across Australian universities falling from the mid to high 90s to as low as 60s in recent years.

In my opinion, I believe the Pharmacy Industry Award has devalued the pharmacy profession and led to a decline in the overall service quality through the community pharmacy sector to the general public.

Similar to the Pharmacy Industry Award 2010, the Health Professionals and Support Services Award 2010 may have a similar impact on dental hygienists, dental therapists and oral health therapists if they are included in the award.

I declare that this statement is true and correct.

Benjamin Marchant, B PHARM MPS

Signature: [REDACTED]

Date: 16 July 2019

# ATTACHMENT 5

IN THE FAIR WORK COMMISSION

Matter No: AM2014/204

Matter: Health Professionals and Support Services Award 2010

Applicant: Dental Hygienists Association of Australia Ltd

WITNESS STATEMENT OF Samson Chan

I, ...Samson Chan... (full name) [redacted], Registered Pharmacist, make the following statement with regard to the matter before Fair Work Commission, Health Professionals and Support Services Award 2010, Matter Number AM2014/204.

Statement

I am a registered pharmacist since 1981, and is currently a partner of the Cura Pharmacy Group which comprises of 4 community pharmacies and 1 Private hospital pharmacy servicing 3 hospitals and 9000 aged care beds in the state of Victoria. We currently employ over 40 pharmacists and I have been a partner of the group since 1989

I would like to discuss the impact of the Pharmacy Industry Award 2010 on the pharmacy profession, and hopefully relate the situation for pharmacists over the past 9 years to the potential impact of the Health Professionals and Support Services Award 2010 may have if Dental Hygienists and Oral Health Therapists are included.

I can confirm that all pharmacists we employed were paid above award when the Pharmacy Industry Award 2010 was introduced. Since then, there was a steady decline of pharmacist wages towards the award rate. While we are able to continue to pay most of our staff pharmacists above award over the past 9 years, there has been a downward trend in real terms. I have provided the table below to demonstrate the impact:

	Pharmacy Industry Award Pharmacist ordinary hour rate	Cura Pharmacy group Pharmacist ordinary hour rate
2009	NA	
21 June 2010	\$22.75	\$32.00 on average
21 June 2019	\$28.71	\$33.00 on average
CPI increased by 22.5% between 2010 and 2019	Award rate increased by 26% between 2010 and 2019	

The wages of our employee pharmacists had fallen in real terms but as employers we are able to justify that by using the award wage as a benchmark.

As a pharmacist I am extremely disappointed that the pharmacist's wage is kept to such a low level and the award machinery has made it extremely difficult for the pharmacy profession to make significant changes to reflect the training and responsibilities that we hold.

It is my understanding that Dental Hygienists and Oral Health Therapists are currently award free, and their salary rate is significantly higher than that of the Health Professionals and Support Services Award 2010. This situation is very similar to that of pharmacists and the adverse impact on the future of the Dental and Oral Health profession cannot be underestimated.

I declare that this statement is true and correct

Samson Chan, B PHARM MPS [redacted]

Signature: [redacted]

Date: 30/7/2019