

From: Jessica Light [mailto:jligh@meridianlawyers.com.au]
Sent: Friday, 20 April 2018 10:40 AM
To: AMOD
Cc: Jacki Baulch; Kate Thomson; Scott Harris; Sharlene Wellard
Subject: RE: AM2014/209 Pharmacy Industry Award 2010 - Work value [ML-Legal.2008724.FID21138]

Dear AMOD Team,

Further to Ms Wellard's correspondence below, we enclose for filing a copy of an Affidavit for an employer witness based in Queensland.

Un-redacted affidavits (not for publication on the website) will be filed and served upon the making of the confidentiality orders or at the further direction of the Commission.

Regards,

Jessica Light | Senior Associate



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IN THE FAIR WORK COMMISSION

Review of the *Pharmacy Industry Award 2010*

APESMA WORK VALUE CLAIM

Matter No: AM2016/28

Applicant: Pharmacy Guild of Australia

I, [REDACTED], Pharmacist say on oath/affirm:

1. I make this affidavit in relation to the Association of Professional Engineers, Scientists and Managers Australia (**APESMA**) work value claim to vary minimum wages in the *Pharmacy Industry Award 2010 (the Award)*.
2. This affidavit by me accurately sets out the evidence that I would be prepared, if necessary, to give to the Fair Work Commission. This affidavit is true and correct to the best of my knowledge and belief.

Background:

3. I qualified with a Bachelor of Pharmacy Bachelor of Business from University of Queensland in 1991. I began practicing as a Pharmacist in 1992.
4. I have had an interest in a number of pharmacies throughout my career as follows:
 - a. 1993 to 1997 - [REDACTED] - Managing Partner;
 - b. 1995 to 1997 - [REDACTED] - Partner;
 - c. 1997 to 2003 - [REDACTED] - Managing Partner;
 - d. 1998 to 2006 - [REDACTED] - Partner from 1998, sole owner from 2003; and
 - e. 2006 to November 2012 - [REDACTED] - Owner.
5. I presently have an interest in a number of pharmacies as follows:
 - a. 2006 to present - [REDACTED] (converted 2017 from [REDACTED]) - Owner;
 - b. 2006 to present - [REDACTED] - Owner;
 - c. October 2012 to present - [REDACTED] - Owner;
 - d. February 2014 to present - [REDACTED] - Owner; and
 - e. Owner September 2015 to present - [REDACTED] - Owner.

- [REDACTED]
6. [REDACTED] is located in [REDACTED] on [REDACTED]

7. The opening hours of the Pharmacy are as follows:

- a. Sunday: 10.30am to 4.00pm;
- b. Monday: 8.30am to 5.30pm;
- c. Tuesday: 8.30am to 5.30pm;
- d. Wednesday: 8.30am to 5.30pm;
- e. Thursday: 8.30am to 8.00pm;
- f. Friday: [8.30am to 5.30pm and
- g. Saturday: 9.00am to 5.00pm.

8. We employ

- a. 3 Pharmacists; and
- b. 15 pharmacy assistants.

9. [REDACTED] is located in [REDACTED]

10. The opening hours of the Pharmacy are as follows:

- a. Sunday: closed;
- b. Monday: 8.00am to 5.30pm;
- c. Tuesday: 8.00am to 5.30pm;
- d. Wednesday: 8.00am to 5.30pm;
- e. Thursday: 8.00am to 5.30pm;
- f. Friday: 8.00am to 5.30pm; and
- g. Saturday: 9.00am to 2.00pm

11. We employ

- a. 2Pharmacists; and
- b. 3 pharmacy assistants.

12. [REDACTED]

13. The opening hours of the Pharmacy are as follows:

- a. Sunday: closed;
- b. Monday: 8.30am to 5.30pm;

- c. Tuesday: 8.30am to 5.30pm;
- d. Wednesday: 8.30am to 5.30pm;
- e. Thursday: 8.30am to 5.30pm;
- f. Friday 8.30am to 5.30pm; and
- g. Saturday: 9.00am to 12.00pm.

14. We employ

- a. 2 Pharmacists; and
- b. 7 pharmacy assistants.

[REDACTED]

15. [REDACTED] is located in [REDACTED]
[REDACTED]

16. The opening hours of the Pharmacy are as follows:

- a. Sunday: closed;
- b. Monday: 8.30am to 5.30pm;
- c. Tuesday: 8.30am to 5.30pm;
- d. Wednesday: 8.30am to 5.30pm;
- e. Thursday: 8.30am to 5.30pm;
- f. Friday: 8.30am to 5.30pm; and
- g. Saturday: 8.30am to 1.00pm.

17. We employ

- a. 2 Pharmacists; and
- b. 3 pharmacy assistants.

[REDACTED]

18. [REDACTED] is located in [REDACTED]
[REDACTED].

19. The opening hours of the Pharmacy are as follows:

- a. Sunday: closed;
- b. Monday: 8.30am to 5.30pm;
- c. Tuesday: 8.30am to 5.30pm;
- d. Wednesday: 8.30am to 5.30pm;

- e. Thursday: [8.30am to 5.30pm;
- f. Friday: 8.30am to 5.30pm; and
- g. Saturday: 8.30am to 5.30pm.

20. We employ

- a. 2 Pharmacists; and
- b. 3 pharmacy assistants.

Pharmacist Rates of Pay

- 21. I pay all of my qualified Pharmacists above the minimum wage prescribed by the *Pharmacy Industry Award 2010*.
- 22. I pay my pharmacists above the award because the market rate is higher, and I also pay more for experienced pharmacist managers. I also have pharmacies in rural locations and to attract suitable pharmacists it requires paying a higher hourly rate.

Pharmacist Duties since 1998

- 23. Since 1998 I have experienced a lessening in the administrative workload of being a pharmacist. Although there is more administrative work require for the Sixth Community Pharmacy Agreement (**6CPA**), due to claiming portals, preparation of 6CPA activities and Project Stop, there is less administrative work overall due to improvements in Pharmaceutical Benefit Scheme (**PBS**) claiming processes and software advances such as eRx, Medisecure. In 1998 I had a huge administrative work loads for PBS claiming but this process is now automated.
- 24. There has also been a huge drop in extemporaneous dispensing from 1998 to now with it now becoming a rarity. This means there is less extemporaneous dispensing activities for pharmacists. It is now a rarity to make up creams, solutions etc.
- 25. The direct contact with customers has increased slightly since 1998 as I have more time due to the reduction in administrative work.
- 26. Overall there is a shift in the type of work I perform however not an overall increase in how much work I perform.
- 27. Since 1998, there has been a huge shift in the automation of work that previously was very time consuming. For example PBS claims were a major component of pharmacist's work which is now automated. Previously this required extensive paper work, data claiming, couriering claims away. Now we just ensure prescriptions are entered and claims are sent automatically with a small end of month process.
- 28. Since 1998 there has been an increase in scanning of prescriptions with Erx and Medisecure which means the data entry work of a Pharmacist has dropped significantly. Higher volumes of prescriptions are able to be processed with the same resources due to these IT improvements. Accuracy has improved with scan checking of prescriptions taking some pressure off the pharmacists.

29. I think that the responsibility and accountability of employed pharmacists has changed since 1998. In my experience accountability of pharmacists has decreased as IT systems have taken over some of the responsibility and accountability. Due to the improvements in IT like script scanning, scan checking and others this has reduced the pressure and risk on pharmacists as there's a back-up system to protect accuracy.

APESMA claim concerning work value changes

30. I am aware that APESMA says there has been a significant amount of new work under taken by pharmacists. I do not agree.
31. In terms of the list of work APESMA says is 'new work':
- a. Home medicine review: we do not do these in any of my pharmacies;
 - b. Residential medication management reviews: we do not do these in any of my pharmacies;
 - c. Inoculations: we do not do these in any of my pharmacies;
 - d. Asthma and diabetes management programs: we did this work in 1998, I have seen a drop in the workload requirements since 1998 in regard to peak flows, admin etc There is less emphasis on peak flow meters, and better education for patients and awareness of the use of preventative medications.
 - e. Clinical interventions: we did this work in 1998, the work is the same though the recording of this work is new though it does not require a pharmacist to have any new skills;
 - f. Does administration aids: I have performed this work since 1998, the way in which I perform the work is the same though there has been a small increase in the number of dose administration aids I provide;
 - g. Sleep apnoea services: we do not do these in any of my pharmacies;
 - h. Compounding services: we do not do these in any of my pharmacies;
 - i. Weight management services: very little of this work is performed in my pharmacies and the focus is on dispensing general medicines advice as my pharmacists have always done;
 - j. Blood pressure level tests have been conducted in my pharmacies since 1998, this work is the same and does not require any new skills;
 - k. Blood glucose level tests: we do not do these in any of my pharmacies;
 - l. Smoking cessation services: we do not do these in any of my pharmacies;
 - m. Diagnose and treat minor ailments such as colds and flu, minor aches and pains, hay fever, minor skin irritations and wounds and if necessary refer the patient to the medical practitioner: this work is exactly the same as in 1998;
 - n. The introduction of quality standards with the introduction of QCCP: No further work load this is just formalisation of work practises already in place.

- o. Recording and providing absence of work certificates and the skills needed to assess the patient before issuing them: we do not do these in any of my pharmacies as we have not identified any consumer demand;
- p. The introduction of clozapine clinics: Only one of my stores has 2 patients, there is very little administrative work required.
- q. With the down scheduling of a large number of previous prescription only medicines pharmacists must now diagnose and treat conditions such as bacterial conjunctivitis (chloramphenicol), nausea related to migraine (Metoclopramide), medicated weight loss treatments (orlistat) provision of pump inhibitors (PPI) for treatment of GORD, nasal decongestants (facilitated with the use of Project Stop), providing emergency contraception(morning after pill), oral antiviral treatments for cold sores (famciclovir), oral treatments for vaginal trush (fluconazole) and the provision of Naloxone for the emergency treatment of acute opioid overdose : there is very little change in work load as the same amount of the mentioned conditions are presented at the pharmacy, the diagnosis process is the same as it was in 1998 however we now just have better options for treatment to recommend to our patients.

32. I acknowledge that there has been a change in the provision of emergency contraception. This is new work and is just as important as the other scheduled medication dispensing. I can't see any increase in the accountability or responsibility of a pharmacist except for emergency contraception.

Aspects of work no longer performed

33. Dangerous drug recording was a task performed in 1998 which require a pharmacist to hand write all prescriptions into a book, one line at a time. This is now undertaken in electronic books which reduces administration and increases accuracy.

#SWORN #AFFIRMED

At [place] CAIRNS

On [date] 19-4-18

Signature of deponent



Name of witness

VALERIE DAWSON

On [date]

19th APRIL, 2018

Address of witness

54 FLINDERSIA ST, REDLYNCH

Capacity of witness

[#Justice of the peace #Solicitor #Barrister #Commissioner for affidavits #Notary public]

And as a witness, I certify the following matters concerning the person who made this affidavit (the **deponent**):

- 1 #I saw the face of the deponent. OR ~~did not see the face of the deponent because the deponent was wearing a face covering, but I am satisfied that the deponent had a special justification for not removing the covering.~~[1]
- 2 #I have known the deponent for at least 12 months. OR ~~have confirmed the deponent's identity using the following identification document:~~

Identification document relied on (may be original or certified copy)^[2]

Signature of witness



[¹] The only "special justification" for not removing a face covering is a legitimate medical reason.]

[²] "Identification documents" include current driver licence, proof of age card, Medicare card, credit card, Centrelink pension card, Veterans Affairs entitlement card, student identity card, citizenship certificate, birth certificate, passport or see [Oaths Regulation 2011](#) or refer to the guidelines in the NSW Department of Attorney General and Justice's "[Justices of the Peace Handbook](#)" section 2.3 "Witnessing an affidavit" at the following address: <http://www.jp.nsw.gov.au/Documents/jp%20handbook%202014.pdf>]