

LEGISLATIVE COUNCIL

Health Legislation Amendment Bill 2014

First print

Proposed amendments

No. 1 **Transfer of staff**

Page 4, Schedule 2 [1], proposed section 116BA (4), line 13. Insert “, but only following consultation with the member of staff” after “consent of the member of staff”.

No. 2 **Transfer of staff**

Page 4, Schedule 2 [1], proposed section 116BA (6), lines 16 and 17. Omit “the same level or grade as the member of staff’s existing level or grade”. Insert instead “the same level or grade (and the same remuneration) as the member of staff’s existing level or grade (and remuneration)”.

No. 3 **Transfer of staff**

Page 4, Schedule 2 [1], proposed section 116BA. Insert after line 28:

- (9) A member of staff may appeal to the Industrial Relations Commission against a decision of the Health Secretary to transfer the member of staff under this section without his or her consent.
- (10) On any such appeal, the Industrial Relations Commission may order that the member of staff is not to be transferred (or, if a transfer has already occurred, is to be re-instated in his or her original position) if the Commission is satisfied that the decision to transfer was not fair and reasonable in the circumstances.