

DETERMINATION No. 01 of 2023

Aboriginal Health Worker classification – Recognition of Prior Service

In accordance with the provisions of section 116A (1) of the *Health Services Act 1997* and delegation S117 of the NSW Ministry of Health's Combined Delegations Manual, I, Phil Minns, Deputy Secretary People, Culture and Governance, at the Ministry of Health make the following Determination:

1. This Determination only applies to staff employed/ being employed in the classification of 'Aboriginal Health Worker' under the NSW Health Service Aboriginal Health Workers (State) Award (the Award) and being paid the pay rates of 'Aboriginal Health Worker' as set out in the Health Professional and Medical Salaries (State) Award.
2. Under the Award, the classification of Aboriginal Health Worker means a person who is appointed as such and is a provider of flexible, holistic and culturally sensitive health services to the Aboriginal community and holds or aspires to hold a minimum Certificate III qualification in Aboriginal Primary Health Care or a minimum Certificate III health qualification in the area of care in which the Aboriginal Health Worker works. Aboriginal Health Workers perform a range of primary health care duties for the community in which they work under direct or indirect supervision at more experienced years.
3. The Award provides that Aboriginal Health Workers who hold a minimum Certificate III qualification in Aboriginal Primary Health Care or a minimum Certificate III health qualification in the area of care in which the Aboriginal Health Worker works may commence at Year 2. This Determination is in addition to this provision.
4. This Determination has been specifically developed to support the recruitment of staff to the classification of Aboriginal Health Worker.
5. At the time of appointment to the classification of Aboriginal Health Worker, the applicant's previous employment that may be recognised as service for determining commencement rate of pay may include, but is not limited to previous employment in:
 - a. work providing health services, including to Aboriginal people, whether directly or where their role has been to facilitate relationships between Aboriginal patients and health professionals and/or
 - b. work with Aboriginal people or communities involving community liaison and engagement, advocacy, health promotion and education or other community development.
6. This Determination has been developed on the basis that the skills and experience in these types of employment is similar and transferable to the classification of Aboriginal Health Worker.

7. To be considered as service for setting commencement rate of pay, evidence of the applicant's previous employment is required. Evidence should be in the form of relevant documentation or verification through referee checks.
8. Staff who, at the date of this Determination, are already employed in NSW Health in the classification of Aboriginal Health Worker may apply to have their previous employment, as described above, reviewed. This only applies to employment not previously recognised as service at the time they commenced in their role. Any resultant change in rate of pay is only effective from the date of the decision of that review.
9. This Determination is made on a without prejudice basis and should not be used as a precedent in any way.
10. This Determination is effective from the date it is made and remains in force until rescinded or replaced.

Signed at Sydney this 31st day of January 2023.



Phil Minns
Deputy Secretary
People, Culture and Governance