

## VMO ESSENTIALS

# VMOs and dispute resolution

### Q. What do I do if I have a dispute at work?

**A.** Under the VMO Determinations there is a formal disputes mechanism for the resolution of disputes.

### Q. What is a dispute?

**A.** A 'dispute' means any dispute arising between a VMO and the public health organisation at any time as to any matter of any nature except disputes about non-reappointment, or the suspension or termination of a contract.

### Q. How do I notify a dispute?

**A.** A dispute is to be notified to the Hospital or Local Health District in writing.

### Q. How will the dispute be dealt with?

**A.** On receipt of written notice specifying the nature of the dispute, the parties to the dispute must, within 14 days of receipt of the notice, seek to resolve the dispute by conference. If the dispute is not resolved within 14 days, or within such further period as agreed between the parties, then the dispute is to be referred to mediation.

### Q. How is the mediation arranged?

**A.** The mediator shall be agreed upon between the parties, or failing agreement, appointed by the President of the Law Society of NSW. The mediator's fees shall be shared equally between the parties. The parties to the mediation may be supported by persons of the parties' choice.

### Q. What if the mediation fails?

**A.** In the event that the dispute has not been settled within 28 days, or such other time as agreed to in writing between the parties after the appointment of a mediator, either party may refer the dispute to arbitration. The arbitrator is usually a lawyers and the parties may be legally represented. AMA (NSW) may be asked by a VMO to appear and be represented in the arbitration.

### Q. What happens at arbitration?

**A.** The arbitrator decides all questions arising for determination in the course of the arbitration, and the determination of the arbitrator shall be final and binding upon the VMO and the LHD.

### Q. Can the AMA help?

**A.** If you have an issue in dispute that may benefit from this process, please don't hesitate to contact the Workplace Relations section of the NSW AMA.



If you have any questions in relation to this document or the issues raised, please contact our **Workplace Relations Team** on **02 9439 8822** or email **workplace@amansw.com.au**