



ANMF NEWSFLASH

Double Shift/Excess of 12hrs Overtime Claim Form

The ANMF Identified this Could Prejudice Members' Rights

The ANMF Stands up for Your Rights

DO NOT SIGN THE DISPUTED DOUBLE-SHIFT DECLARATION

The Australian Nursing and Midwifery Federation Tasmanian Branch (ANMF) has formally called on the Department to immediately withdraw the Double Shift/Excess of 12 Hours Overtime Claim Form. It was our understanding that this form was no longer in use after we previously raised concerns about its lawfulness.

The form asks nurses, midwives and Assistants in Nursing (AINs) to sign that they 'freely agreed' to work a double shift while also acknowledging that working excessive, continuous hours creates significant work health and safety concerns.

The ANMF's concern is simple: when you are asked to stay because staffing is unsafe, patients need care, nobody else is available or you feel unable to leave your colleagues, the decision may not be genuinely free from pressure.

The ANMF's Advice to Members

DO NOT SIGN THE EMPLOYEE DECLARATION

If you are asked to complete the disputed form, the ANMF advises you not to sign the employee declaration. You may strike through that declaration and write "Not agreed – see the ANMF's advice", while still recording the hours you worked and submitting your overtime claim.



Keep a copy of the form. If your manager or Payroll refuses to accept or process it, contact the ANMF immediately.

Your Employer's Safety Responsibilities Cannot be Signed Away

Your signature does not remove the Department's responsibility to:

- Provide and maintain a safe system of work.
- Properly manage fatigue risks.
- Plan for safe staffing.
- Assess the risks of excessive working hours; or,
- Comply with workplace safety and industrial obligations.

Signing the declaration does not, of itself, establish that the hours worked were safe or reasonable, that your agreement was free from pressure, or that the Department has met its legal obligations.

Already Signed the Form?

Do not panic. A previously signed form does not, of itself, establish that the Department has met its work health and safety obligations or relieve it of its legal responsibilities.

The ANMF has demanded confirmation that previously signed declarations will not be treated as conclusive evidence that an employee freely agreed to the additional hours, accepted the associated risks or that the Department met its legal obligations.

The ANMF is Taking Action

The ANMF has formally called on the Department to withdraw the form and has advised that, if the Department does not do so, it will pursue the matter as an industrial dispute before the Tasmanian Industrial Commission (TIC).

What Should You Do?

1. Do not sign the employee declaration on the disputed form.



2. Continue to submit your claim for every overtime hour or additional hour worked.
3. Keep a copy of the form and any related emails or messages.
4. Keep a record of the circumstances, including staffing shortages, requests or directions from management, any concerns about fatigue or patient safety, and whether you felt able to decline.
5. Contact the ANMF immediately if you are pressured to sign, refused payment or treated differently because you declined.

This is why union membership matters. The ANMF identifies risks to your rights, challenges unsafe or unfair processes, and stands beside members when those rights need to be enforced.

If you are pressured to sign, your payment is withheld or you experience any disadvantage for refusing, contact the ANMF immediately. Keep copies of relevant records and communications.

The ANMF Tasmanian Branch is 8000 plus members strong! Supporting nurses, midwives, and care workers as the only union in Tasmania employing nurses, midwives and care workers to represent members. This is why our Organisers and Member Support Team are uniquely positioned to understand your experiences, represent you in your workplace, and offer industrial advice that's relevant to you.

Authorised by Phoebe Mansell, ANMF Tasmanian Acting Branch Secretary
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