Suite 14-18, 17 Bowen Bridge Road
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1300 263 374
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20 October 2026

Via Email Only

The Executive Director of Nursing and Midwifery
Central Queensland Hospital and Health Service
CQHHSEDNM@health.qld.gov.au

CC:
Ms Lisa Blackler,
Health Service Chief Executive,
CQHSCE@health.qld.gov.au

Mr Matthew Cooke,
Board Chair,
CQHHS_Board@health.qld.gov.au

Re: Exclusion of staff from the Maternity Services Workload Concern meeting of 8 October 2026

Dear Executive Director,

We are advised that some nurses and midwives employed at Rockhampton Hospital attended the Maternity Services Workload Concern meeting held on 8 October 2026 and were asked to leave, because they are not members of the Queensland Nurses and Midwives' Union/ (QNMU). If that is correct, it is NPAA's stance that this is not acceptable, and it should not happen again.

We make no allegation against any individual. Our concern is with the Health Service. This happened at a meeting the Health Service convened, about the workloads of Health Service staff, in the presence of Health Service executives, and it was permitted.

This was the Health Service's meeting

The meeting was convened by your office. The invitation was issued on 24 September 2026, was sent to the Rockhampton Maternity Department distribution list, was copied to the Health Service Chief Executive, the Chief Operating Officer and a substantial number of Health Service staff, stated that "*This meeting is to discuss the maternity workload concerns"*, and asked recipients to *"forward to anyone I may have missed"*.

On its face it was a consultation meeting between the Health Service and the staff of its maternity service. It was not a meeting of any one organisation's members. Any organisation is free to hold its own meetings for its own members. No organisation gets to decide which of the employer's staff may attend the employer's meeting about their own workloads.

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The duty to consult is owed to workers

Under section 47(1) of the *Work Health and Safety Act 2011 (Qld)*, the person conducting the business or undertaking must, so far as is reasonably practicable, consult "*with workers who carry out work for the business or undertaking who are, or are likely to be, directly affected*" by a matter relating to work health or safety. The duty is owed to workers. It is not owed to any organisation, and it cannot be discharged through one.

Section 48(1) requires that relevant information about the matter is shared with workers, that workers be given a reasonable opportunity "*to express their views and to raise work health or safety issues in relation to the matter"* and "*to contribute to the decision-making process relating to the matter"*, that the views of workers are taken into account, and that workers are advised of the outcome in a timely way.

Section 48(3) provides that if one or more workers ask the person conducting the business or undertaking to consult with their representative, the consultation must involve that representative.

Section 49 requires consultation when identifying hazards and assessing risks, when making decisions about ways to eliminate or minimise those risks, and when proposing changes that may affect the health or safety of workers. A meeting convened to discuss maternity workload concerns appears to sit within section 49. Removing affected workers from that meeting is a failure of the duty.

Section 47 carries a maximum penalty of 200 penalty units.

Workplace rights and freedom of association

Chapter 8, Part 1 of the *Industrial Relations Act 2016 (Qld)* contains the general protections, which apply to Queensland public sector employees. Section 282 defines adverse action by an employer to include injuring an employee in their employment, altering the position of an employee to the employee's prejudice, and discriminating between an employee and other employees of the employer. Section 285 prohibits adverse action because a person has, or has exercised, a workplace right. Section 291 prohibits adverse action against a person because they are, or are not, an officer or member of an industrial organisation, or because they do or do not engage in industrial activity.

An employee removed from a consultation meeting about their own workload, while colleagues doing the same work in the same unit remain in the room, on the basis of which organisation they belong to, is in our view capable of being considered adverse action within those provisions.

Further, the *Nurses and Midwives (Queensland Health and Department of Education) Certified Agreement (EB12) 2025* does not support the course taken on 8 October 2026.

The meeting was convened to deal with workload concerns raised by the nurses and midwives of the maternity service. Clause 11.3(c) provides that workload concerns are dealt with under clause 39.3 of the *Nurses and Midwives (Queensland Health) Award State 2015*. That process starts with an

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employee raising a concern with their line manager and escalates from there if it is not resolved. The concern remains the employee's concern at every stage. Escalation does not transfer ownership of it to any organisation, and it does not remove the employee from the process. Clause 51 deals with workload management, and clause 7.2(a) records the parties' agreement that minimum safe staffing and skill mix is essential for safe workloads in nursing and midwifery practice.

The dispute and grievance provisions point the same way. Clause 11.1 records the parties' agreement to a co-operative and consistent approach to resolving industrial issues and disputes. Clause 11.4 commits the parties to using their best endeavours to co-operate in order to avoid grievances arising. Clause 12.6 provides that no party shall act unreasonably or intentionally delay the timely resolution of a dispute.

PART 3. HEALTH, SAFETY AND WELLBEING 3.1 Workplace health and safety states the parties to this Agreement are committed to continuous improvement in workplace health and safety standards through the implementation of an organisational framework which involves all parties in preventing injuries and illnesses at the workplace by promoting a safe and healthy working environment. All nurses will be assisted in understanding and fulfilling their responsibilities in maintaining a safe working environment.

The staff asked to leave on 8 October 2026 are nurses and midwives of the maternity service who have lodged workload concern forms and incident reports about the very matters the meeting was convened to discuss. They were not observers. They were the people whose concerns were on the agenda.

Furthermore, Central Queensland Hospital and Health Service is a public entity for the purposes of the *Human Rights Act 2019 (Qld)*. Section 58(1) makes it unlawful for a public entity to act or make a decision in a way that is not compatible with human rights, and separately to fail to give proper consideration to a human right relevant to the decision.

Section 22(2) provides that every person has the right to freedom of association with others, including the right to form and join trade unions. That right includes the choice of which association a person joins. Section 15(3) provides that every person is equal before the law and is entitled to the equal protection of the law without discrimination. Section 21 protects the freedom to seek, receive and impart information and ideas. Section 13 provides that a human right may be subject only to reasonable limits that can be demonstrably justified in a free and democratic society.

Removing employees from a meeting about their own workloads, while colleagues doing the same work in the same unit remained, on the basis of which association they belong to, appears to engage each of those rights. We are not aware of any consideration having been given to them at the time. We ask the Health Service to tell us what consideration was given to our members and their colleagues who are not members of ours or the QNMU.

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The venue

We are further advised that the meeting was held in a room containing active workstations, which limited the ability of staff to carry out their work and raises obvious concerns about privacy. Please use a room that is fit for the purpose for future meetings if at all possible.

What we ask

1. Confirm that attendance at Health Service workload and consultation meetings concerning the maternity service is open to all affected staff, irrespective of whether they are a member of any organisation, and that no staff member will again be asked to leave such a meeting on that basis.
2. Put that confirmation in writing to all Rockhampton maternity staff.
3. Hold these meetings in a room that does not contain active workstations.

We ask for a response by 24 October 2026.

Our members want to take part in this process. They raised these concerns, they lodged the workload forms, and they are the people doing the work. They should be in the room.

Yours sincerely,

Kara Thomas - President
Nurses' Professional Association of Australia