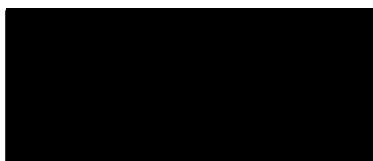


16 July 2020



Dear 

Re: OIA request – Letter of Understanding

Thank you for your Official Information Act request transferred to Waitematā DHB by Central TAS on 29 June 2020 seeking information about an increase in penal rates for PSA members.

You requested the following information:

Pursuant to section 12 of the Official information Act 1982, the Association of Professional and Executive Employees requests Central TAS to provide the “Letter of Understanding” between the District Health Boards (the DHBs) and the Public Service Association (the PSA) regarding an increase of penal rates for PSA members, effective 13 April 2020.

Furthermore, we also request any and all information in Central TAS’s power or control regarding this Letter of Understanding. This includes, but is not limited to, any and all correspondence and communications within Central TAS and with the DHBs concerning, arising out of or relating to this Letter of Understanding.

On 27 May you clarified the following with Central TAS:

We are referring to all DHBs that employ laboratory workers, those DHBs are Northland, Auckland, Counties Manukau, Waitemata, Waikato, Taranaki, Hawkes Bay, Canterbury and West Coast DHB.

In response to your request, we can provide the following information:

Attachment 1 – A copy of a Waitematā DHB Letter of Understanding with the PSA regarding laboratory staff. Please note, this Letter of Understanding is effective from 14 April, not 13 April, as stated in your request.

Correspondence between Waitematā DHB and TAS as attached:

Attachment 2 – Email: FOR REVIEW ACTION PSA Laboratory Workers proposed side letter.

Attachments to the above email:

Attachment 2a – Email: ALL DHBs Information Side Letters for PSA Laboratory Workers Weekend Penal Rates.

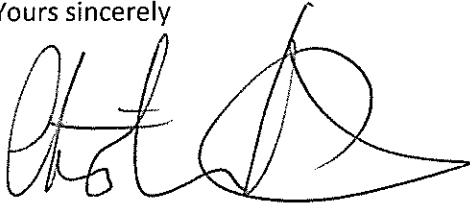
Attachment 2b – 2020 04 02 template labs side letter re penals – DRAFT Waitematā.

I trust that this information is helpful.

Waitematā DHB supports the open disclosure of information to assist community understanding of how we are delivering publicly funded healthcare. This includes the proactive publication of anonymised Official Information Act responses on our website from 10 working days after they have been released.

If you consider there are good reasons why this response should not be made publicly available, we will be happy to consider your views.

Yours sincerely

A handwritten signature in black ink, appearing to be 'CH Hutton', written in a cursive style.

Christine Hutton
Acting Director Human Resources
Waitematā District Health Board



DHB Corporate Office
15 Shea Terrace
Takapuna, Auckland 0622
Private Bag 93-503, Takapuna
North Shore City 0740
Telephone: 09 486 8900
Facsimile: 09 486 8924
www.waitematahb.govt.nz

26th May 2020

Letter of Understanding – Weekend Penal Rates for Laboratory Staff – COVID-19 Pandemic

In recognition of the unprecedented pressures from the global coronavirus pandemic, and the impact these are having, and have the potential to have, on the expectations around Laboratory testing, the Waitemata District Health Board (DHB) agrees to operate the following arrangements around the remuneration of ordinary weekend work by PSA members who are Laboratory Scientists, Technicians, Assistants, or Mortuary Technicians.

The purpose of these arrangements is to ensure employees working part of their ordinary hours (i.e. not overtime) on a weekend are paid no less than their colleagues.

1. The weekend penal rate payable in accordance with clause 2.2.3(a) of the PSA – Auckland Region DHBs Allied, Public Health & Technical MECA (the MECA) will be amended to provide that from Midnight Friday/Saturday to 0800 hours Saturday, those staff who work on shifts that span these hours shall be paid at T1 for all hours worked.
2. This arrangement will come into effect on 14 April 2020 and continue until the current MECA is replaced by a new agreement.

Signed

Dr Dale Bramley
Chief Executive
Waitemata District Health Board

Ashok Shankar
National Health Organiser
NZ Public Service Association

Denise Poole (WDHB)

From: Aaron Crawford <Aaron.Crawford@tas.health.nz>
Sent: Friday, 24 April 2020 13:49
To: Fiona McCarthy (WDHB); Mark Lennox (WDHB)
Cc: Dan Parkman
Subject: FOR REVIEW & ACTION: PSA Laboratory Workers proposed side letter
Attachments: ALL DHBS – Information – Side Letters for PSA Laboratory Workers – Weekend Penal Rates; 2020 04 02 template labs side letter re penals - DRAFT Waitemata.docx

Dear Fiona and Mark,

Further to the attached advice last week on the discussion with the PSA on penal rates for their Laboratory members please find a draft side letter.

The effect of the side letter is to align the eligibility for the time-one (T1.0) weekend penal rate to that payable to APEX members under their recently settled MECA.

It is difficult to estimate the potential cost of this change, given it relates specifically to individual duties and union membership decisions. Based on PSA data from the last bargaining round (2017) and assuming the effect is to align to the APEX cost profile, we estimate the cost as \$9,600 per annum at Waitemata DHB.

To the extent that there have been changes in union membership over the course of the recent APEX bargaining, it will be the case that the cost for 'new' PSA members will be already captured in the costing of the APEX Laboratory Workers' settlement.

Action

Please review the attached side letter.

If you support the proposal, please ask your Chief Executive to sign and send an electronic copy to the PSA (Ashok.Shakar@psa.org.nz) for countersigning.

Please advise the TAS ER team of your decision, and provide a copy of the signed letter where this has been actioned.

If you have any questions contact Aaron Crawford (aaron.crawford@tas.health.nz or 027 391 9888) or Dan Parkman (dan.parkman@tas.health.nz or 027 208 3941)

Regards

Aaron



Aaron Crawford

ER Specialist

Employment Relations Team

Strategic Workforce Services

M: 027 391 9888

E: aaron.crawford@tas.health.nz

69 Tory Street, PO Box 23075, Wellington 6140

www.tas.health.nz www.kiwihealthjobs.com



KIWI HEALTH JOBS
MAHI HAUORA



Denise Poole (WDHB)

From: 20 DHB National Office <ALLDHBS@tas.health.nz>
Sent: Wednesday, 15 April 2020 12:51
To: Nick Chamberlain (NDHB); Dale Bramley (WDHB); Ailsa Claire (ADHB); Kevin Snee; Craig Climo; Rosemary Clements; David Meates; John Wansbone (NDHB); Fiona McCarthy (WDHB); Mel Dooney (ADHB); Anna Sefuiva (ADHB); Kate Coley; Tracey Paterson; Martin Price; Michael Frampton; Michael Frampton cdhb; Stuart McDonald (NDHB); Sharlane Dent (NDHB); Mark Lennox (WDHB); Chris Hancock (ADHB); Tess Richardson; Julie Gledhill; Angela Castle; Alice Rabbidge; Michele Pringle; Paul Lamb; Stephanie Manning; Julie Ryan (NDHB)
Cc: Nick Chamberlain (NDHB); Dale Bramley (WDHB); Ailsa Claire (ADHB); Kevin Snee; Craig Climo; Rosemary Clements; David Meates; Donna Straiton; Jenny McLennan; Julie Shepherd (NDHB); Kathy Shanaghan; Marion Kindervater (ADHB); Peta Molloy (WDHB); Susan Fitzmaurice; O365.DLIST.DHBSS_ER_Specialists.TAS
Subject: ALL DHBS – Information – Side Letters for PSA Laboratory Workers – Weekend Penal Rates

All DHBs – Information – Side Letters for PSA Laboratory Workers – Weekend Penal Rates

To: John Wansbone, Fiona McCarthy, Mel Dooney, Anna Sefuiva, Kate Coley, Tracey Paterson, Martin Price, Michael Frampton (CDHB & WCDHB), Stuart McDonald, Sharlane Dent, Julie Ryan, Mark Lennox, Chris Hancock, Tess Richardson, Julie Gledhill, Angela Castle, Alice Rabbidge, Michelle Pringle, Paul Lamb, Stephanie Manning

Cc: Nick Chamberlain, Dr Dale Bramley, Ailsa Claire, Dr Kevin Snee, Craig Climo, Rosemary Clements, David Meates (CDHB), David Meates (WCDHB), Donna Straiton, Jenny McLennan, Julie Shepherd, Kathy Shanaghan, Marion Kindervater, Peta Molloy, Susan Fitzmaurice, TAS ER Team

From: Peter Brown, ER Director, TAS

Dear Colleagues

Following the recent settlement of the APEX Laboratory Workers MECA, and in light of the current pressures on DHB laboratories (including those directly involved in COVID-19 testing) the PSA has sought to address longstanding issues around the difference in penal rates entitlements for APEX and its own members.

TAS advocates (Aaron Crawford and Dan Parkman) have engaged with the PSA on the scope of these issues and the potential resolution of them.

It is proposed that DHBs consider agreeing by way of side letter time-limited changes to the weekend penal rates payable to PSA members to align with the actual amounts applying to APEX members under their new MECA.

The new APEX Laboratory Workers MECA retains the existing core and scheduled night and weekend penal rate arrangements, and aligns salary rates to those of the Auckland Region PSA Allied, Public Health & Technical (APHT) MECA. These salary rates are around 1% lower than the rates in the Rest of New

Zealand (RoNZ) MECA, reflecting a trade-off agreed with the PSA in 2016 in recognition of higher-than-standard weekend penal rates applying in the Auckland Region.

Accordingly it proposed that the six RoNZ DHBs (Northland, Waikato, Hawkes Bay, Taranaki, Canterbury and West Coast) agree to an arrangement where employees receive the higher of their current weekend penal rate (T0.5) or the equivalent hourly payment the employee would receive if employed under the Auckland APHT MECA for ordinary (non-overtime) work on weekends.

In addition, it is proposed that Northland DHB provide the same arrangement in respect of the scheduled night rate payable to APEX members.

It is proposed that Auckland and Waitemata DHBs extend the scheduled APEX arrangement where all time worked between midnight Friday/Saturday and 0800 Saturday is paid at a T1.0 premium to PSA members.

These arrangements, if agreed by the DHB, would remain in place until a renewed APHT MECAs come into effect.

Next Steps

TAS will provide the GMsHR of each DHB a specific draft side letter setting out the proposed arrangements above. These will be provided shortly. The DHB should review their side letter and, if willing to agree to the process, formalise this by written agreement with PSA.

If you have any queries please contact Aaron Crawford (aaron.crawford@tas.health.nz or 027 391 9888) or Dan Parkman (dan.parkman@tas.health.nz or 027 208 3941)

Regards

Peter Brown
ER Director - TAS

DRAFT FOR DISCUSSION – DOES NOT CONSTITUTE FORMAL OFFER UNTIL SIGNED BY DHB CHIEF EXECUTIVE

LETTER OF UNDERSTANDING – WEEKEND PENAL RATES FOR LABORATORY STAFF – COVID-19 PANDEMIC

In recognition of the unprecedented pressures from the global coronavirus pandemic, and the impact these are having, and have the potential to have, on the expectations around Laboratory testing, the Waitemata District Health Board (DHB) agrees to operate the following arrangements around the remuneration of ordinary weekend work by PSA members who are Laboratory Scientists, Technicians, Assistants, or Mortuary Technicians.

The purpose of these arrangements is to ensure employees working part of their ordinary hours (i.e. not overtime) on a weekend are paid no less than their colleagues.

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2. This arrangement will come into effect on 14 April 2020 and continue until the current MECA is replaced by a new agreement.

Signed

Dr Dale Bramley
Chief Executive
Waitemata District Health Board

Ashok Shankar
National Health Organiser
NZ Public Service Association