

Q&A - Manager Briefing on strike action – 8 April 2016

Who is striking and when?

The Public Services Association (PSA) has given formal notice that their members covered by the Auckland Regional Allied Health, Scientific and Technical Multi-Employer Collective Agreement (MECA) will go on strike for four hours on Friday 8 April 2016.

We have also just received a number of partial strike notices for Pharmacy, CSSD, Physio's, Anaesthetic Technician's, Social workers, and Dental therapists and Dental assistants.

What types of roles are involved in the strikes?

The strike could affect up to 47 allied health, scientific and technical professions, including pharmacists and pharmacy technicians, dental service staff, physiotherapists, laboratory staff and speech language therapists.

What is the strike about?

The MECA for this group expired on 30 April 2015. Since then, the Auckland Metro DHBs have presented a new wage offer of four percent over two years, which has been rejected by union members. The existing collective agreement provides for double-time for 'ordinary' hours worked after midday on Saturday and all day Sunday. This compares to the standard time-and-a-half rate that applies to around 85% of DHB employees on collective contracts across the country, including Auckland, for weekend work. The DHBs have proposed a number of potential ways to manage what they consider is the necessary alignment of weekend rates with the majority of other DHB groups, including protecting the current double-time rate for existing staff.

Why do the DHBs want to reduce Sunday penal rates?

Across Metro Auckland, this arrangement is costing \$4 million per year over and above the time-and-a-half rate paid around the rest of the country. The DHBs would prefer to apply this money towards increasing service availability across the entire week. The DHBs have proposed to keep current penal rates in place for current employees – these changes would only impact on future employees.

Is this strike action involving staff at one DHB only?

No. Union members at all three Auckland Metro DHBs (Waitemata, Auckland and Counties Manukau) will be involved.

What impacts will there be on patients? Will procedures have to be postponed?

The DHBs have well-established contingency plans to manage industrial action and these make every effort to minimise impacts on patients and their families. It is impossible to have strikes without some impact on the public but the DHBs will do everything that is reasonably possible to minimise postponement of urgent procedures.

Will union members be paid for any work hours spent participating in industrial action?

No. Union members participating in industrial action will have their wages deducted for the time spent off-the-job.

What is a partial strike?

A partial strike is the withdrawal of an activity that is part of an employee's duties or contained in a job description of the union member but is not a full withdrawal from work. It can also take the form of a breach of an employment agreement – seek advice if you believe any employee may be engaging in strike action outside of the actions notified in the formal strike notices.

Is there any pay deduction for partial strike action?

There is provision in the Employment Relations Act to make a deduction from striking employees' pay, or to suspend them completely from work without pay.

Will union members who strike be penalised in any other way?

No. The DHB recognises the right of staff to participate in industrial action if they choose to. The DHB expects professional and organisational standards will be upheld and all staff will be respectful of the views of their colleagues.

Can union members take any other breaks after the strike has finished?

Union members are not entitled to a meal break under the Allied MECA until they have worked five continuous hours – withdrawing their services completely does not count as having worked. If a union member's rostered shift includes a 30-minute unpaid meal break, their manager may still direct them to take this unpaid break at a time that is convenient to the service.

I am still unclear about how this affects my role and what I need to do differently?

Managers of the affected services will be kept up-to-date with regular briefings. If you have any queries, please contact your direct manager in the first instance.

Where to from here?

The three Auckland Metro DHBs have asked the Employment Relations Authority (ERA) to intervene to help facilitate the bargaining for a new collective agreement. The ERA has agreed to our request, which involves the independent ERA member listening to both sides and then making non-binding recommendations to the PSA and DHBs as to a solution. The DHBs hope the ERA will be able to assist in resolving the dispute and that the parties to the bargaining can focus their efforts on this process. In the meantime, the DHBs have been making contingency plans in the event this is not possible and the scheduled strike action goes ahead.