

**Variation to the Multi-Employer Collective Agreement
between Northern Region & Public Service Association Te Pūkenga Here Tikanga Mahi
Clerical and Administration Staff Collective Agreement
15 May 2019 to 28 March 2021**

Parties:

The parties to this variation are as follows:

Auckland District Health Board

Counties Manukau District Health Board

Waitemata District Health Board

Northland District Health Board

Northern Regional Alliance

AND

The New Zealand Public Service Association

Background:

1. On 18 April 2018, the New Zealand Public Service Association Te Pūkenga Here Tikanga Mahi (PSA) raised a pay equity claim on behalf of clerical administration members employed in DHBs. The claim was made under the R/JWG principles as agreed to between the State Services Commission and the NZ Council of Trade Unions.
2. In making its claim, the PSA outlined that the work covered by its claim was predominantly performed by women and that it was currently and historically undervalued due to social, cultural and historical factors and that this systemic undervaluation had affected the remuneration for the work subject to the claim.
3. The DHBs and the PSA agreed to utilise the gender-neutral tool and methodologies produced by the SSC, known as the Pay Equity Work Assessment Tool (PEAT) to investigate and assess the Clerical and Administration workforce in DHBs (claimants) and comparator roles to determine if the claimant roles were subject to sex-based undervaluation.
4. The outcome of assessing the claim by the parties was that the Clerical and Administration workforce in DHBs was found to be subject to sex-based undervaluation.
5. Having established this, the parties were faced with the challenge of how to address the undervaluation in the context of 20 DHBs, 1500 job titles across a workforce of 8700 (6965 FTE) with a high level of variability of pay rates and pay system frameworks for the claimant roles within, between and outside the four regional MECAs.

6. Due to the complexities faced in this claim the parties have agreed to a two-stage approach to reach a pay equity settlement that is unique to this pay equity claim. Stage 1 includes an interim adjustment to the annual base salaries of employees covered by the claim.
7. Details relating to the interim pay adjustment, the two stages, and the various agreements reached between the parties are set out in the Terms of Agreement attached as appendix 1, and Terms of Reference attached as appendix 2.
8. To give effect to the matters agreed to in the Terms of Agreement and the Terms of Reference the parties have agreed to vary each of the 4 regional Clerical Administration Multi Employer Collective Agreements, subject to ratification. The relevant MECA Variation provisions will be utilised for this purpose.

The Parties agree as follows: The Northern Region & Public Service Association Te Pūkenga Here Tikanga Mahi Clerical and Administration Staff Collective Agreement 15 May 2019 to 28 March 2021 is hereby varied as follows:

- 8.1 This variation will be attached as Appendix 5 to the MECA, including the appendices of the Terms of Agreement and the Terms of Reference.
- 8.2 The interim adjustment payable to each employee in accordance with the provisions of clause 2 of the Terms of Agreement will be determined by mapping the employee's work to a national role profile which has a corresponding national pay equity benchmark rate as set out in clause 1 of the Terms of Agreement. As set out in clause 2 of the Terms of Agreement, the pay equity benchmark rate is the maximum cap for the purposes of calculating the interim adjustment. The application of the interim adjustment will therefore vary to ensure that overcorrection is avoided, which will result in some employees receiving the full interim adjustment, some employees receiving a partial interim adjustment, and some employees receiving no interim adjustment.
- 8.3 The interim adjustment for each individual employee who is entitled to the adjustment in accordance with the provisions of clause 2 of the Terms of Agreement will be communicated by a letter sent by the relevant District Health Board to the individual employee showing the annual base salary prior to 30 November 2020, the interim adjustment to be applied to the employee's annual base salary as at 30 November 2020, and the resulting applicable annual base salary effective from 30 November 2020.
- 8.4 The interim adjustment will be in addition to and will not be offset against any MECA related adjustments and/or progression through current salary scales.
9. Except to the extent specifically changed in this Variation Agreement, the rest of the MECA and its Schedules are unchanged and continue to apply in full force and effect¹⁰. This variation to the MECA will be ratified if 50% plus 1 of those members voting vote in favour of accepting the variation. The vote on the variation will be conducted by the PSA sending an electronic ballot to their members.

SIGNATORIES


AUTHORISED Representatives of the EMPLOYER PARTIES (the DHBs):



Ailsa Claire
Chief Executive
Auckland District Health Board

Dated

11 January 2021



Dale Bramley
Chief Executive
Waitemata District Health Board

Dated

19/01/21



Nick Chamberlain
Chief Executive
Northland District Health Board

Dated

23-12-20



Margie Apa

Margie Apa
Chief Executive
Counties Manukau District Health Board

Dated

23/12/2020



Peter Huskinson
Chief Executive Northern
Regional Alliance

Dated

22 January 2021

AUTHORISED Representative of the New Zealand Public Service Association

Dated 21 December 2020

A handwritten signature in black ink, appearing to be 'H. Sa' or similar, written in a cursive style.

APPENDICES

- 1. Terms of Agreement: DHBs/PSA Administrative Pay Equity Claim**
- 2. DHB/PSA Clerical and Administration Pay Equity Claim: Terms of Reference: Work Programme towards Pay Equity Settlement**

APPENDIX 1

District Health Boards

27 November 2020

Kerry Davies

National Secretary

Public Service Association

Dear Kerry

Re: Offer for Agreement regarding the DHBs/PSA Administrative Pay Equity Claim

This letter constitutes a formal offer of agreement to progress the PSA Administrative Pay Equity claim

The key features of this offer for agreement include:

- Interim adjustment, effective 30 November 2020
- National pay equity benchmark rates, which will form the top rates of the new national pay rate and job banding structure in stage 2.
- Pay Design Principles for the parties to use in developing the new national pay rate and job banding structure in stage 2
- Terms of Reference for the work programme to develop the national pay rate and job banding structure that will be the vehicle to deliver pay equity together with the approach of the parties to maintaining pay equity, which will form the pay equity settlement to be agreed by the parties once the work programme is completed

The Terms of Agreement are attached. Please contact us directly if you require any further points of clarification.

We look forward to a positive outcome from your report back meetings and subsequent ratification processes that will be undertaken as per the variation clauses of the four Clerical Administration regional MECAs.

Yours faithfully

Jim Green & Kathryn Cook

Lead Chief Executives - Pay Equity

TERMS OF AGREEMENT

1. The parties to these Terms of Agreement (ToA) are as follows:

The New Zealand Public Service Association – *Te Pūkenga Here Tikanga Mahi Incorporated*
(Hereinafter referred to as ‘the union’)

And

20 District Health Boards as follows:

- Northland District Health Board
- Waitemata District Health Board,
- Auckland District Health Board,
- Counties Manukau District Health Board,
- Waikato District Health Board,
- Bay of Plenty District Health Board,
- Lakes District Health Board,
- Tairāwhiti District Health Board trading as Hauora Tairāwhiti,
- Taranaki District Health Board,
- Hawkes Bay District Health Board,
- Whanganui District Health Board,
- MidCentral District Health Board,
- Capital and Coast District Health Board,
- Hutt Valley District Health Board,
- Wairarapa District Health Board, Nelson
- Marlborough District Health Board,
- West Coast District Health Board,
- Canterbury District Health Board,
- South Canterbury District Health Board,
- Southern District Health Board

(Hereinafter referred to as ‘the employer’ or DHB)

Preamble

2. This Terms of Agreement has been agreed between the parties as a first step towards a pay equity settlement. Pay equity bargaining has not been concluded and will continue during the work programme set out in the Terms of Reference until a pay equity settlement is reached.

3. The Clerical and Administration workforce in DHBs was found to be subject to sex-based undervaluation as an outcome of the pay equity claims assessment process.
4. Having established this, the parties were faced with the challenge of how to address the undervaluation in the context of 20 DHBs, 1500 job titles across a workforce of 8700 (6965 FTE) with a high level of variability of pay rates and pay system frameworks for the claimant roles within, between and outside the four regional MECAs. Because of this, a two-stage approach to reach a pay equity settlement has been adopted that is unique to the pay equity claim for the Clerical Administration workforce in DHBs.
5. This agreement represents stage 1 of the process to reach a pay equity settlement and comprises:
 - An interim pay rate adjustment
 - National pay equity benchmark rates for 15 national role profiles
 - Terms of Reference for the work programme for DHBs and the PSA to undertake towards reaching a pay equity settlement
6. The second stage will cover the DHB and PSA work programmes:
 - Mapping exercise at each DHB to map all employees to the national role profiles and identify any work/role that cannot be mapped to the national role profiles.
 - Development of national pay rate and job banding structure, including phasing and effective dates
 - Translation and appeal process
 - Maintaining pay equity
 - Future pay system

Terms of Agreement

Number and Title	Description																										
1	<p data-bbox="225 344 384 495">National pay equity benchmark rates</p> <p data-bbox="411 344 1433 456">Pay equity benchmark rates are derived from the pay equity claim assessment findings and represent the pay equity rate for each claimant role that was part of the claims process.</p> <p data-bbox="411 495 1433 645">These Terms of Agreement record the undertaking of the parties that the pay equity benchmark rates set out below will form the national pay equity rates at the top of the automatic steps in the new pay rate and job banding structure to be agreed between the parties.</p> <p data-bbox="411 683 1433 833">The below rates do not become effective until the stage 2 national pay rate and job banding structure is developed, employees are translated to it, and it is voted on as part of a pay equity settlement, which will include the phasing and effective dates for the new national pay rate and job banding structure.</p> <p data-bbox="411 871 1433 945">The translation rule that will be used by the parties is to translate employees based on “Time in Role”.</p> <p data-bbox="411 983 1433 1133">In circumstances where an employee is paid more than the top pay equity rate for their work/role, their pay rate will not be reduced in the transition to the new national pay rate and job banding system. The employee will remain at that level until future increases in benchmark rate supersedes their rate.</p> <p data-bbox="411 1171 1118 1207">The following are the national pay equity benchmark rates.</p> <table border="1" data-bbox="411 1238 1291 1960"> <thead> <tr> <th data-bbox="419 1245 855 1281">National role profile</th> <th data-bbox="855 1245 1291 1281">Pay Equity Benchmark Rate</th> </tr> </thead> <tbody> <tr> <td data-bbox="419 1281 855 1323">Team Leader</td> <td data-bbox="855 1281 1291 1323">85,000 (top automatic)</td> </tr> <tr> <td data-bbox="419 1323 855 1366">Team Supervisor</td> <td data-bbox="855 1323 1291 1366">80,000</td> </tr> <tr> <td data-bbox="419 1366 855 1408">PA/EA with staff</td> <td data-bbox="855 1366 1291 1408" rowspan="2">74,000</td> </tr> <tr> <td data-bbox="419 1408 855 1451">Scheduler</td> </tr> <tr> <td data-bbox="419 1451 855 1494">Team Administrator</td> <td data-bbox="855 1451 1291 1494" rowspan="3">70,700</td> </tr> <tr> <td data-bbox="419 1494 855 1536">PA/EA without staff</td> </tr> <tr> <td data-bbox="419 1536 855 1579">Medical Secretary</td> </tr> <tr> <td data-bbox="419 1579 855 1621">Ward Clerk</td> <td data-bbox="855 1579 1291 1621" rowspan="3">67,000</td> </tr> <tr> <td data-bbox="419 1621 855 1664">Transcriptionist</td> </tr> <tr> <td data-bbox="419 1664 855 1706">Payroll</td> </tr> <tr> <td data-bbox="419 1706 855 1749">Receptionist</td> <td data-bbox="855 1706 1291 1749" rowspan="3">62,000</td> </tr> <tr> <td data-bbox="419 1749 855 1792">Telephonist</td> </tr> <tr> <td data-bbox="419 1792 855 1834">Finance Administrator</td> </tr> <tr> <td data-bbox="419 1834 855 1877">Support Services Administrator</td> <td data-bbox="855 1834 1291 1877" rowspan="2">56,500</td> </tr> <tr> <td data-bbox="419 1877 855 1919">Records Clerk</td> </tr> <tr> <td data-bbox="419 1919 855 1962">Band 1</td> <td data-bbox="855 1919 1291 1962">53,000</td> </tr> </tbody> </table>	National role profile	Pay Equity Benchmark Rate	Team Leader	85,000 (top automatic)	Team Supervisor	80,000	PA/EA with staff	74,000	Scheduler	Team Administrator	70,700	PA/EA without staff	Medical Secretary	Ward Clerk	67,000	Transcriptionist	Payroll	Receptionist	62,000	Telephonist	Finance Administrator	Support Services Administrator	56,500	Records Clerk	Band 1	53,000
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		<p>Band 1</p> <p>The parties have agreed to a band which is yet to be part of the pay structure (band 1). This reflects an acknowledgment by the parties that the stage 2 mapping process may identify roles that the parties agree fit appropriately into this band or as a band to recognise trainees. The parties will develop criteria on how this band will be utilised and at that point, this band would become an additional band in the pay structure.</p> <table border="1" data-bbox="411 533 1289 600"> <tr> <td data-bbox="411 533 852 600">Clinical Coder</td> <td data-bbox="852 533 1289 600">\$80,000</td> </tr> </table> <p>Clinical Coder</p> <p>The parties will convene a working party comprising DHB and PSA representatives to develop a national pay structure for Clinical Coders. Clinical Coders have traditionally had a qualification-based pay structure with either 5 or 6 levels. The parties have agreed that the top level of the salary scale will be the pay equity benchmark rate which is \$80,000. The working group will develop the appropriate number of levels and rates of pay below the top level. The development of the new national pay scale for Clinical Coders may include relationship to qualifications, progression process and associated steps.</p> <p>The Working Party will recommend a proposal to the DHB / PSA Bargaining Parties to be included in the pay equity settlement.</p>	Clinical Coder	\$80,000
Clinical Coder	\$80,000			
2	Interim adjustment	<p>An interim adjustment will be made to the pay rates of employees covered by the Clerical and Administration Pay Equity claim as follows:</p> <p>Employees covered by this pay equity claim will receive a maximum flat dollar adjustment of \$2500 based on a 40-hour week effective 30 November 2020.</p> <p>Employees that work less than a 40-hour week will receive the increase of \$2500 pro rata. For clarity, the interim adjustment applies to casual employees based on their hours of work dated from 30 November 2020 to implementation of the adjustment.</p> <p>Qualifying employees who are on approved leave without pay or parental leave on the date of payment shall be eligible to receive the increase on their return to work.</p> <p>For clarity, note that employees on a 37.5-hour rate will receive a proportional or pro-rated increase unless specified in the applicable regional MECA schedule or is a grand parented provision.</p> <p>National pay equity benchmark rates as maximum for the Interim Adjustment</p> <p>Parties note that some employees may already be above or very near the top pay equity rate for their work/role. Parties further agree that employees in these</p>		

		<p>circumstances should not have their current rates of pay increased so as to avoid over correction and being paid above the top pay equity rate for their work/role.</p> <p>Overcorrection is defined as a situation where the application of an across-the-board interim adjustment would result in employees having their rate increased to a rate above the benchmark rate.</p> <p>All employees who are covered by the Clerical and Administration pay equity claim, including those who are deemed to be near or above the top pay equity rate will be notified of the interim adjustment that will be made to their pay rate. This will include those who receive the full interim adjustment, those who receive a partial adjustment and those who will not receive the interim adjustment in accordance with the application of the maximum cap to ensure that overcorrection is avoided.</p> <p>Notes:</p> <ul style="list-style-type: none"> • If the mapping work programme undertaken by the parties indicates a different mapping outcome which has any impact on the application of benchmark rates as a maximum for an individual, this will be reviewed and addressed by the parties as required, ensuring that these employees are not disadvantaged. • The current rules around progression, merit steps, and appointment to pay scale will continue to be in place until the new national pay rate and job banding structure is in place. • The interim adjustment will be in addition to and will not be offset against any MECA related adjustments and/or progression through current salary scales. 												
3	Pay Design Principles	<p>The following pay design principles have been agreed by the parties, and will be used to inform the design of the new pay structure</p> <table border="1" data-bbox="411 1272 1407 1962"> <thead> <tr> <th colspan="2" data-bbox="411 1272 1407 1317">Pay design principles</th> </tr> </thead> <tbody> <tr> <td data-bbox="411 1317 632 1442">Job banding</td> <td data-bbox="632 1317 1407 1442">Roles are allocated to bands on an assessment of their relative size and all roles allocated to a band are treated the same for pay purposes</td> </tr> <tr> <td data-bbox="411 1442 632 1608">Pay range:</td> <td data-bbox="632 1442 1407 1608">This defines the minimum and maximum pay rate for the role and the scope of pay progression in the role. This is proposed as somewhere between 85% and 100% of the benchmark rate for the band.</td> </tr> <tr> <td data-bbox="411 1608 632 1733">Band overlap</td> <td data-bbox="632 1608 1407 1733">The overlap between bands needs to be kept at a modest level. If there is significant overlap, roles of a different size in different bands may be paid the same rate.</td> </tr> <tr> <td data-bbox="411 1733 632 1816">Number of steps</td> <td data-bbox="632 1733 1407 1816">More complex roles are likely to have more steps to reach the maximum rate.</td> </tr> <tr> <td data-bbox="411 1816 632 1962">Progression</td> <td data-bbox="632 1816 1407 1962">The principle of gender-neutrality provides for progression as free as possible from potential for sex-based undervaluation. Service-based progression is consistent with that.</td> </tr> </tbody> </table>	Pay design principles		Job banding	Roles are allocated to bands on an assessment of their relative size and all roles allocated to a band are treated the same for pay purposes	Pay range:	This defines the minimum and maximum pay rate for the role and the scope of pay progression in the role. This is proposed as somewhere between 85% and 100% of the benchmark rate for the band.	Band overlap	The overlap between bands needs to be kept at a modest level. If there is significant overlap, roles of a different size in different bands may be paid the same rate.	Number of steps	More complex roles are likely to have more steps to reach the maximum rate.	Progression	The principle of gender-neutrality provides for progression as free as possible from potential for sex-based undervaluation. Service-based progression is consistent with that.
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4	Work Programme	The Terms of Reference for the Stage 2 Work Programme are attached as Appendix 2
5	Good Faith	The parties agree to work together constructively and in good faith to complete the agreed terms prior to the formation of a pay equity settlement.

MECA Variation

The Terms of Agreement including the appendices will be attached to each MECA as a schedule following the MECA variation processes.

No other terms and conditions are affected by these Terms of Agreement, including grandparented and historic terms and conditions.

Signatories



27 November 2020

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.....

Kerry Davies
On behalf of PSA

Date



27 November 2020

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.....

Jim Green
On behalf of the DHBs

Date



27 November 2020

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.....

Kathryn Cook
On behalf of the DHBs

Date

APPENDIX 2

DHB/PSA Clerical and Administration Pay Equity Claim

Terms of Reference: Work Programme towards Pay Equity Settlement

Parties

1. The parties to this Terms of Reference (ToR) are the 20 District Health Boards (DHBs) and the Public Service Association Te Pūkenga Here Tikanga Mahi (PSA).

Background

2. On 18 April 2018, the New Zealand Public Service Association Te Pūkenga Here Tikanga Mahi (PSA) raised a pay equity claim on behalf of clerical administration members employed in DHBs. The claim was made under the R/JWG principles as agreed to between the State Services Commission and the NZ Council of Trade Unions.
3. In making its claim, the PSA outlined that the work covered by its claim was predominantly performed by women and that it was currently and historically undervalued due to social, cultural and historical factors and that this systemic undervaluation had affected the remuneration for the work subject to the claim.
4. DHBs responded to the PSA claim on 27 July 2018 confirming that the work was predominantly performed by women and that, in their view, it was arguable that the work covered by the claim is currently or has been historically undervalued. The DHBs also outlined that in agreeing to proceed to investigate this claim it did not in itself predetermine a pay equity outcome.
5. In determining the best way to proceed with this claim the parties noted that unlike other claims that were previously settled this claim was for a range of roles rather than a single role. In clarifying the scope of the claim, the parties (DHBs and the PSA) initially identified and adopted a list of roles for the purposes of gathering data and information on the work covered by the claim.
6. Initially, 12 identified roles were verified as representative of most clerical and administrative roles within DHBs by both union delegates and DHB management subject matter experts. Workforce data, however, showed that there are 1500 job titles covering the workforce with many of the job titles not providing clarity on what the role is, e.g. many have the job title “Administrator” or similar.

7. The parties agreed that a mapping exercise would be undertaken to ensure that the identified roles were representative of the workforce. The outcome of the mapping was that more than 90% of clerical administration roles are covered by the identified 12 roles and an additional 3 roles (total 15) as listed:

<ul style="list-style-type: none"> • Booking clerk / scheduler • Clinical coder • Finance admin • Medical secretary • Payroll • Personal assistant • Receptionist • Records clerk 	<ul style="list-style-type: none"> • Support services admin • Team admin • Team leader • Team supervisor • Telephonist • Transcriptionist • Ward clerk
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8. A representative number of claimant employees performing work that matched the roles listed above were interviewed at two large, one medium and a small DHB. Summary profiles of these roles were compiled.
9. The parties applied agreed criteria to identify a list of potential male comparators. Five were shortlisted and interviewed and summary profiles of the comparator roles were compiled. Four were confirmed as potential comparators.
10. The work of the claimant and comparator roles was assessed using a gender-neutral tool produced by the SSC. The tools and methodologies used are known as the Pay Equity Assessment Tool (PEAT).
11. The outcomes of the work assessments were compared to determine whether the work of claimant and comparator roles was comparable. The outcome of this exercise was that comparability of work was established and the four potential comparators were confirmed as comparators.
12. Following this, a comparison of remuneration of claimant and comparator roles was carried out, and this led to the finding from the claim assessment process that the claimant work has been subject to sex-based undervaluation.
13. Having established that the claimant roles have been subject to sex-based undervaluation, the parties were faced with the challenge of how to address the undervaluation in the context of 20 DHBs, 1500 job titles across a workforce of 8700 (6965 FTE) with a high level of variability of pay rates and pay system frameworks for the claimant roles within, between and outside the 4 regional MECAs.
14. The parties made the decision that it would be necessary to develop a national pay rate and job banding structure to address the undervaluation. This would provide the vehicle to deliver a pay equity settlement for the Clerical Administration workforce in DHBs.

15. In light of the high level of variability of pay rates, the development of a new national pay rate and job banding system will require an extensive work programme prior to reaching the stage where a pay equity settlement can be drawn up. This means that there are two stages needed to reach a pay equity settlement:
 - Stage 1 is for the DHBs and PSA to map employees covered by the claim to the national role profiles and to establish the new national pay rate and job banding structure as well as the agreed approach to maintaining pay equity.
 - Stage 2 is for the DHBs and PSA to bring this work together into a proposed pay equity settlement followed by the processes of review and approval and ratification.
16. The purpose of this Terms of Reference is to record the commitment of the parties to the staged process and associated work programme and to provide guidance for the parties for carrying out the programme and bringing it to a conclusion.
17. This process represents a continuation of pay equity bargaining and as such will be overseen by the DHB / PSA bargaining parties.

Purpose

18. These Terms of Reference have been agreed between the parties to establish the framework, principles of approach and commitments between the parties to deliver the work programme.

Scope

19. The scope of these ToR is the work programme to be undertaken by the parties to reach a proposed settlement of the pay equity claim for the Clerical and Administration workforce in DHBs.

Bi-Partite Governance

20. The work programmes covered by these ToR, at both national and local DHB levels, will be established on the basis of bi-partite representation of the parties to the pay equity claim.

20.1 DHB / PSA Bargaining Parties:

The DHB / PSA Bargaining Parties comprising the Crown Negotiator, Ministry of Health, and DHB and PSA representatives represents the overarching group responsible for overseeing the work programme and remains the final authority and decision-maker for the outcomes of the programme. The DHB / PSA Bargaining Parties will set up the process to deliver the work programme. The work carried out in the local and national work programmes will be reported back to the DHB / PSA Bargaining Parties.

20.2 National Sub-Group of the Bargaining Parties

A national sub-group of the bargaining parties comprising DHB and PSA representatives will be set up to undertake the national work programme:

- Development of national pay rate and job banding structure (based on national pay equity benchmark rates and using the agreed pay design principles agreed as part of the Initial Agreement)
- Development of the future system including transition to EJE following completion of the pay rate and job banding structure using PEAT points
- Development of the ongoing operational policies and rules for the pay system; and
- Development of the joint approach to maintaining pay equity
- Report monthly to the DHB / PSA Bargaining Parties.

20.3 Local DHB / PSA teams

At the local level, a balanced DHB / PSA team will be set up to undertake the mapping work programme at each DHB¹, ensuring participants have the knowledge to carry out the work programme. The suggested make-up could include:

DHB Senior Responsible Owner	HR
Operational Lead / Professional Lead	PSA Organiser
	PSA delegates (minimum 3)

The National Support Hub will have a role, where necessary, in the set-up of the local DHB / PSA team, including an introduction to working together in partnership, pay equity and the mapping work programme.

The National Support Hub will be available to provide guidance to local DHB / PSA teams where necessary.

Notes:

- This will include paid release of the PSA delegates who are participants
- The local team will agree arrangements to support a timely process including an understanding on the approach to continue the work as long as the appropriate people are available
- Either party may bring in additional people with subject matter expertise on the work where required

20.4 Mapping²: The local DHB / PSA team would be responsible for mapping the Clerical and Administration roles in the DHB including:

- Using the national role profiles³ and spreadsheet (from previous DHB-led mapping) with resources provided to illustrate the process steps

¹ This may be able to be linked in or supported by existing joint administration-focussed forums at DHBs.

² Refer to Appendix 1 for a flowchart of the mapping process

³ National role profiles draw together the summary profiles, factor level profiles and descriptors with key functions and guidance on mapping for each claimant role.

- Completing the roles that can be confirmed to a national role profile and if any remain in the category of “do not fit” referring to National Support Hub
- Seeking advice / support where needed from the National Support Hub
- Submitting all outcomes to the National Support Hub

20.5 National Support Hub: The set-up, coordination and delivery of outcomes of the work programme will be delegated to a National Hub comprising DHB and PSA representatives (supported by TAS). The National Hub will be responsible for ensuring the provision of:

- Resources, training and facilitation, support and guidance
- Ensuring the work at national and local levels is planned, coordinated and meets indicative timeframes
- Collating local mapping outcomes into a national outcome
- Collating the outcomes of the national work programme
- Report monthly to DHB / PSA bargaining parties

Work Programmes

21. The work programme⁴ is set out under the following headings

21.1 **Mapping:** Mapping by joint DHB/PSA teams at each DHB to match the work of the clerical and administration workforce at the DHB to national role profiles⁵.

21.2 **Pay Rate / Job Banding Structure:** Development of a new national pay rate and job banding structure based on the national pay equity benchmark rates⁶ and the agreed pay design principles

21.3 **Translation and Appeal Process:**

- Development of the translation and review (appeals) process procedures and rules.
- Carrying out the translation and review process (including a defined period for appeals)

21.4 **Maintaining Pay Equity:**

- Development of a jointly agreed approach to maintaining pay equity

21.5 **Future Pay System:**

- **Transition to EJE:** Transition of the new national pay rate and job banding structure to the Equitable Job Evaluation (EJE) system through a work assessment of the national role profiles and replacement of the PEAT points with EJE points⁷
- **Future Pay System:** Development of the ongoing operational policy and processes for the system including new roles, changing roles, entry rates, future development pathways

⁴ The work programmes for each element of the overall programme are set out in Appendix 1.

⁵ Where the work does not fit a national role profile, a process would be undertaken at the national level to map and develop additional role profiles as needed.

⁶ The national pay equity benchmark rates are defined as the top of the automatic service-based progression in each band.

⁷ This does not change the pay rates or job banding structure. It is simply a change in the points for each band from PEAT - based points to EJE based points.

22. The work programme is intended to be carried out expeditiously, including the undertaking of different parts of the programme in parallel.⁸ The intention of the parties is that once completed, the outcomes of the work programme will together comprise the elements needed to formulate a proposed pay equity settlement for the DHB Clerical and Administration pay equity claim.

Timelines

23. Timeframes for the next steps towards a pay equity settlement:

Process	Indicative Timeframe
<ul style="list-style-type: none"> • Preparation for work programmes • Preparation of resources • Set up of National Sub Group • Set up of local engagement forums • Project planning 	November / December 2020
<ul style="list-style-type: none"> • Mapping process 	February to Mid-April 2021
<ul style="list-style-type: none"> • Future sustainable system 	February to Mid-2021
<ul style="list-style-type: none"> • Pay equity settlement 	Mid- 2021

Resources

24. The parties are committed to providing the resource required to support the work programme covered by this ToR.

Continuing Application of Clerical Administration Pay Equity Bargaining Process Terms of Reference

25. The parties acknowledge that the DHB/PSA Clerical and Administration Pay Equity Claim Bargaining Process Terms of Reference signed February 2019 continues to apply to this phase of the pay equity bargaining process as the parties progress the claim towards settlement, including protocols on communications.

Relationship to Terms of Agreement

26. These ToR are part of a Terms of Agreement (ToA) that sets out the terms for the parties to make an initial agreement in relation to the PSA Clerical and Administration Pay Equity claim.⁹ The proposed ToA are subject to approval and endorsement/ ratification processes. Once the ToA are given approval and endorsed/ ratified, these ToR, as part of the ToA, will be confirmed as commitments of the parties.

⁸ Refer Appendix 2 for a diagram of the stages required to reach a pay equity settlement which includes this work programme.

⁹ Refer Cover Letter and Terms of Agreement, dated 27 November 2020

Signatories



Kerry Davies

For and on behalf of the Public Service Association (PSA)

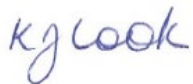
Date: 27 November 2020



Jim Green

For and on behalf of District Health Boards

Date: 27 November 2020

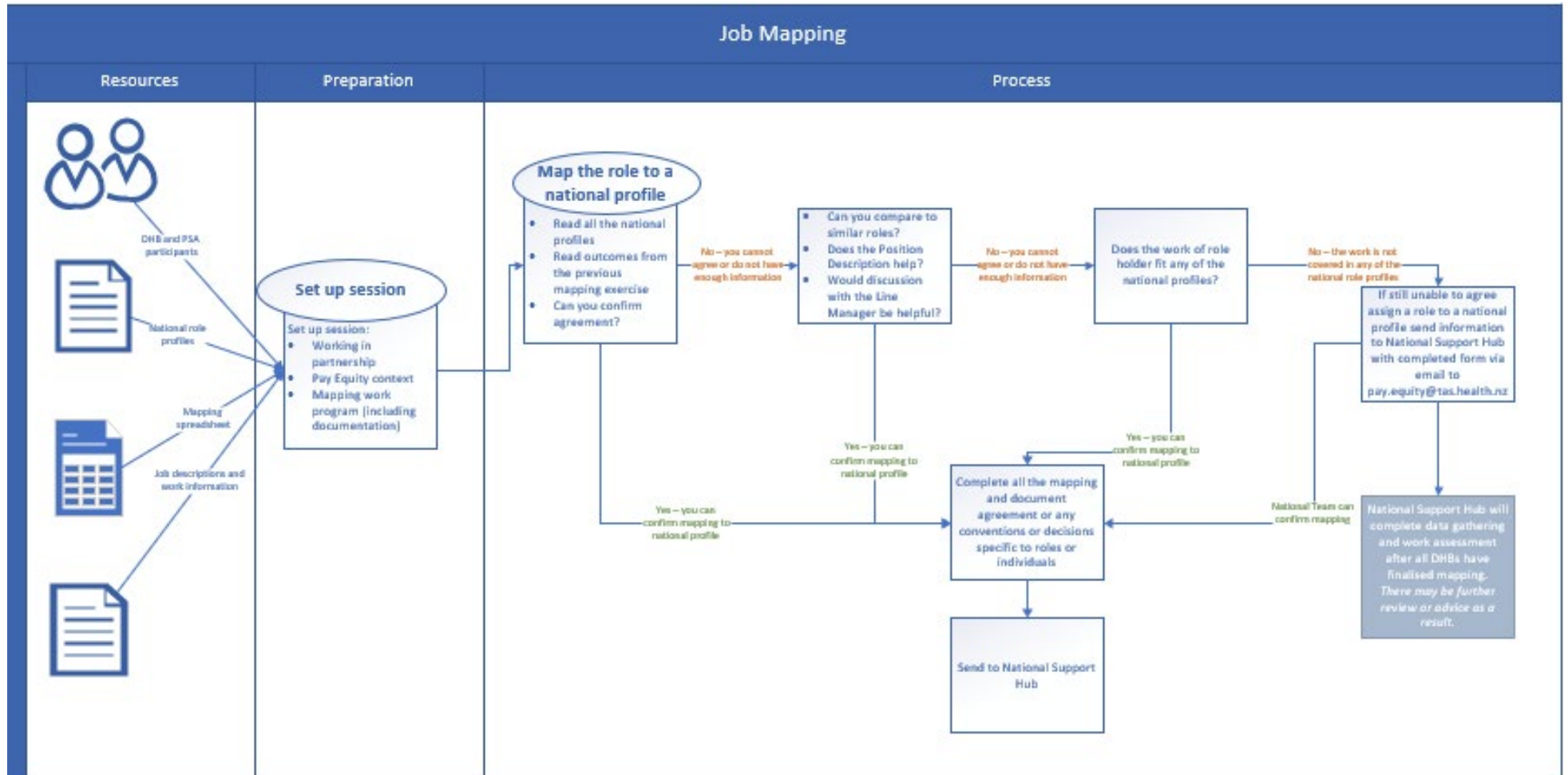


Kathryn Cook

For and on behalf of District Health Boards

Date: 27 November 2020

Appendix 1: Mapping Process



Appendix 2: Pay Rate / Job Banding Structure:

This appendix sets out the National Pay Equity Benchmark Rates and the Pay Design Principles that the parties have agreed form the basis for agreement to the national pay rate and job banding structure.

1. The DHBs and PSA agreed in the Initial Agreement to the following national pay equity benchmark rates. The rates are the top of the automatic steps in each pay band.

National role profile	Pay Equity Benchmark Rate
Team Leader	85,000 (top automatic)
Team Supervisor	80,000
PA/EA with staff	74,000
Scheduler	
Team Administrator	70,700
PA/EA without staff	
Medical Secretary	
Ward Clerk	67,000
Transcriptionist	
Payroll	
Receptionist	62,000
Telephonist	
Finance Administrator	
Support Services Administrator	56,500
Records Clerk	
Band 1	53,000

Band 1

The parties have agreed to a band which is yet to be part of the pay structure (band 1). This reflects an acknowledgment by the parties that the stage 2 mapping process may identify roles that the parties agree fit appropriately into this band or as a band to recognise trainees. The parties will develop criteria on how this band will be utilised and at that point, this band would become an additional band in the pay structure.

Clinical Coder	\$80,000
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Clinical Coder

The parties will convene a working party comprising DHB and PSA representatives to develop a national pay structure or Clinical Coders. Clinical Coders have traditionally had a qualification-based pay structure with either 5 or 6 levels. The parties have agreed that the top level of the salary scale will be the pay equity benchmark rate which is \$80,000. The working group will develop the

appropriate number of levels and rates of pay below the top level. The development of the new national pay scale for Clinical Coders may include relationship to qualifications, progression process and associated steps.

The Working Party will recommend a proposal to the DHB / PSA Bargaining Parties to be included in the pay equity settlement.

Pay Design Principles

- The DHBs and PSA agreed that the following pay design principles would be used to develop the new national pay rate and job banding structure for Clerical Administration employees in DHBs.

Pay design principles	
Job banding	Roles are allocated to bands on an assessment of their relative size and all roles allocated to a band are treated the same for pay purposes
Pay range:	This defines the minimum and maximum pay rate for the role and the scope of pay progression in the role. This is proposed as somewhere between 85% and 100% of the benchmark rate for the band.
Band overlap	The overlap between bands needs to be kept at a modest level. If there is significant overlap, roles of a different size in different bands may be paid the same rate.
Number of steps	More complex roles are likely to have more steps to reach the maximum rate.
Progression	The principle of gender-neutrality provides for progression as free as possible from potential for sex-based undervaluation. Service-based progression is consistent with that.

Appendix 3: Translation and Appeal Process:

Translation

1. The basis for translating employees from their existing pay rate and pay framework to the new national pay rate and job banding structure will be based on two factors:
 - The national role profile the employee has been mapped to (see Mapping above)
 - Time in role that the employee has been mapped to
 - Employee salaries will not be reduced as a result of the translation (in such a case, they will be moved to the nearest highest salary step)
 - Employees who are translated receive a new increment date (date of translation)
2. Employees will be provided with information on the role they are mapped to and translation to salary band and step prior to ratification of the pay equity settlement with a letter outlining national role profile, pay step and band and effective dates. The information will include information on the appeal process

Appeal Process

3. The following process sets out the steps in the process for appeals
 - Employees who believe that they were not correctly mapped to a national role profiles or correctly translated to new salary scales may appeal.
 - All appeals will be submitted to the local DHB / PSA working group. If not able to be resolved, it will be submitted to the National Support Hub These may include class applications which cover multiple people in a role.
 - Appeals must be submitted within 6 weeks from the employee receiving their notification of role and salary step in the national pay rate and job banding structure. If the employee is on leave at the time of notification, the 6 weeks shall begin from when they return to work.
 - The grounds for appeal are that the employee believes that the role was incorrectly mapped or translated in the implementation process.
 - An employee who wishes to appeal their mapping or translation outcome will send a letter asking for a review to the local DHB / PSA working group setting out the grounds.
 - The letter will state the request for a review, include a description of the work they carry out and state the grounds for review. The application will include:
 - A position description and task list agreed between the employee and the manager
 - Copy of letter advising the employee of the role they are mapped to and salary level they have been translated to.
 - Submissions on why the member believes that they have been incorrectly mapped or translated.
 - The employee will send the letter to the local DHB / PSA working group within 6 weeks of receiving notification of the mapping and translation outcome.

- The local DHB / PSA working group will not consider submissions that are incomplete or have not been signed off by all parties. Incomplete applications will be sent back to the employee with advice on what further information is required.
- The outcome of the appeal will be communicated to the employee within 6 weeks of the appeal application.
- If the appeal outcome shows a change in band/level/salary is due, the change shall be implemented on the effective date of the new pay rates.
- If the local DHB / PSA working group cannot reach a decision the review will be submitted to the National Support Hub, whose decision will be final.
- If a letter making an appeal is received after 6 weeks, the outcome of any successful review will not be backdated.
- The local DHB / PSA working group will exercise discretion to ensure no disadvantage occurs in applying the 6-week limit in cases where an appeal is received after 6 weeks on the following basis
 - An employee being on leave or leave without pay at the start of the review period. The 6-week period will start from the date of return to work.
 - An employee or a group of employees may believe that their role was inadvertently mapped to the wrong role descriptor during the initial mapping exercise, including the reasons why the review was not sought under the appeals process at the time of the mapping process. In such cases, the outcome of a successful appeal will be effective from the effective date of the new pay rates. The period of time for such appeals will be open for a period of 18 months.

Note: The basis for the mapping process is the sharing of information by all parties involved to ensure that decision-making is robust, transparent and meets the criteria for the mapping process.

Appendix 4: Maintaining pay equity

1. DHBs and the PSA have a broad view of maintaining pay equity which includes:
 - Maintaining pay equity rates of pay through reference to a comparator index¹⁰
 - Progress against agreed milestones and outcomes for the operation of the new national pay rate and job banding based system
 - Progress on the development and implementation of a Clerical Administration workforce strategy that recognises the role of this workforce as part of the health workforce of the future
 - Concepts beyond pay equity such as the Gender Pay Principles (including Maori and Pasifika)¹¹
2. The parties will develop a range of agreed range of measure and milestones for each element of the strategy for maintaining pay equity. The measures and milestones would be reviewed by the parties at the time of MECA renewal.
3. In relation to the wider question of perceptions that underpin undervaluation, the workforce strategy provides a link to additional strategies that are relevant to creating a workplace that values and recognises the clerical and administration workforce as part of overall service delivery in DHBs. This can play an important role in the change in perceptions needed to ensure that clerical administration work is not undervalued in the future.
4. The parties may explore the opportunities in workforce strategy. Some of the thinking in this area has included the following:
 - The pay equity settlement provides an opportunity to begin thinking about the wider picture of the Clerical and Administrative workforce and its place in the delivery of health services in DHBs. A Workforce Strategy could recognise the key enabling role that the clerical and administrative workforce can play within DHBs, recognising that:
 - Clerical and Administrative workers can play an important role in maximising clinical capacity through the efficient operation of hospitals. There will be opportunities to grow this over time.
 - The ‘Future of Work’ impact on this workforce. Some areas of “hard” skills may be overtaken by technological solutions. However, the workforce also undertakes a variety of roles requiring soft skills that are unlikely to be replaced with technology including:
 - The role of connector or navigator, to help navigate through systems, services, appointments, and across clinical pathways
 - Problem-solving, cultural fluency, de-escalation skills, interpersonal skills

¹⁰ The comparator rates used in the pay equity claim assessment process were as at 31st July 2019

¹¹ In relation to a Gender Pay Action Plan, guidance is provided by the Taskforce at Te Kawa Mataaho, which would be able to provide initial set up and ongoing support/advice.

- Project coordination and management, programme management, information management, and change leadership.
- There are opportunities for the workforce to play a greater role in maximising of clinical capacity by reducing the cost of point of care delivery. This can include:
 - providing support for process-mapping, waste reduction and release of capacity in clinical pathways,
 - providing project coordination to restructure systems in the future
 - support the clinical workforce to work to the maximum extent of its scope, by identifying opportunities for the clerical and administrative workforce to take over non-clinical aspects of their role.

Appendix 5: Future Pay System

This work programme involves a number of elements:

Transition to the Equitable Job Evaluation system¹²

1. The part of the work programme covers a commitment by the parties to transition the national pay rate and job banding structure to the Equitable Job Evaluation system.
2. As the factor plan used in the Pay Equity Work Assessment tool (PEAT) is the same as that used by the EJE tool, the transition is not challenging. The main difference is that the numbers of levels in each factor is variable in EJE compared with the 5 level per factor PEAT tool¹³.
3. To prepare for this, training of the work assessment committee would be required, and a facilitated, quality-assured assessment process would be carried out. The DHB / PSA Work Assessment Committee would undertake work assessment of the national role profiles using the EJE revaluation tool and methodologies. It is proposed that the process would include:
 - Initial training in using the EJE tool
 - Refresher on work assessment and use of factors
 - Carry out work assessment
 - Carry out scoring with EJE points
 - Apply to banding structure
4. Once the national pay rate and job banding structure has been transitioned to EJE, the EJE-system would be used as the framework for the future system and would be the basis for assessing new, emerging or changing roles and, if applicable, the means to understand relativities between occupations where EJE is also the job evaluation framework.

Operational policies and rules

5. This part of developing the future pay system would include the operational aspects of the future pay system such as entry rates, managing new roles or adaptation of existing roles, progression methodology and development pathways, and the ongoing approach to national role profiles.
6. It is envisaged that the ongoing development of the future system would also include developing national conventions for job titles for the Clerical Administration workforce across DHBs and the development of consistent clerical administration position descriptions.

¹² The Equitable Job Evaluation system (EJE) was developed by a project team comprising consultants from Watson Wyatt (later taken over by Mercer), Top Drawer Consultants, Pulse HR, a representative of the State Services Commission and the Director and Senior Adviser from the Pay and Employment Equity Unit, Department of Labour, with the involvement of employers and unions in the pilot process, refer Beta release version ISBN: 0-678-28101-3, 2007. It was designed to meet the criteria of the Gender-Inclusive Job Evaluation Standard, refer NZ Standard NZS 8007:2006

¹³ In the case of EJE a variable number of levels per factor as follows: Knowledge (11), Problem-Solving (8), Interpersonal (6), Physical Skill (5), People Leadership (7), Information and Resources (6), Organisational Outcomes (8), Services to People (7), Emotional (4), Sensory (4), Physical Demand (4), Working Conditions (3)

Appendix 6: Timeline from initial agreement to pay equity settlement

