

Clause 14

14.0 Run Description

14.1 Every run shall have a run description which sets out the established work patterns. The run descriptions shall form part of this Collective Agreement, be held by STONZ and each DHB respectively, and shall include:

- 14.1.1 Details of the application of the description, the district, and the period covered. Given the recent establishment of STONZ and its new working relationship with the DHBs, run descriptions initially applicable in this MECA shall be as per those held by the DHBs for all RMO positions for the 2017/18 year.
- 14.1.2 Whether the run is recognised or not as a vocational training position for specialist qualifications by the Medical Council of New Zealand, for registration under HPCAA for general or vocational scopes of practice.
- 14.1.3 Clinical responsibilities and work schedules which shall include all clinics (including preadmission clinics), theatre sessions, consultant and registrar ward rounds, weekend ward rounds, pathology and radiology review sessions, grand round and other timetabled responsibilities.
- 14.1.4 Shall state which clinician the RMO is responsible to for their performance.
- 14.1.5 Provisions for RMOs training and education which shall include the times and venues of all teaching sessions for first year registration, tutorials, journal clubs.
- 14.1.6 The training and development of other staff where these form part of a RMOs normal duties.
- 14.1.7 A description of the specialities and sub-specialty rosters to be included in the job.
- 14.1.8 Other resident and specialist cover.
- 14.1.9 Expected average hours of work shall be detailed as follows:
 - a) Average rostered hours per week.
 - b) Average unrostered hours per week.
 - c) Where applicable, average unworked ordinary hours counted under 12.1.2(b) per week.
- 14.1.10 Periods of leave shall not be used in determining hours worked.
- 14.1.11 Rosters shall not be rewritten unless there is a permanent change in the number of RMOs on the roster.

14.2 Changes to run descriptions

Principles around change.

The parties agree to progress change consistent with the over-arching principles set out below:

14.2.1 Change process:

- (a) A change proposal shall be in writing, clearly articulate the reasons for the proposed change, and include the relevant information behind the proposal
- (b) The proposal shall include a timeline for discussion and consultation on the proposal with RMOs affected by the change. A reasonable timeframe for the completion of consultation process would be within two months and should avoid the mid-December to early-February period wherever possible (due to Christmas/New Year break and start of RMO training year).
- (c) Where held, face-to-face meetings shall be scheduled to allow as many of the RMOs affected by the change to participate. Genuine consideration should be given to issues and alternate proposals arising from the consultation process. It is recognised that good rostering practice should recognise each department's unique requirements. The design of rosters should be a collaborative approach with RMO, SMO, and the employer involvement. Rosters writing should prioritise patient safety, RMO training, and effective

service delivery. The aim of the consultation will be to achieve a consensus on the appropriate change. For the purpose of this clause, the parties understand the term 'consensus' to mean general agreement amongst those participating in the process.

14.2.2 Decision Making

Following the completion of the change process, run descriptions shall be changed unless there is disagreement by more than one third (33.33%) of the RMO(s) concerned. For the purposes of this clause, "RMOs concerned" are those whom the change affects at the time it is implemented. Where the change decision is subject to a vote, then this voting shall be anonymous. Following agreement to the change, a copy of the new Run Description incorporating the change shall be provided to the RMOs concerned and STONZ.

14.2.3 Escalation

The principle is that the resolution of any disagreement around a change proposal should be resolved as close to the affected service as possible and as quickly as possible. If a consensus can't be reached through the change process, the DHB and the RMOs affected may agree to trial a 'best fit' change proposal for a defined period where this is practicable. If a trial is not agreed, then the proposal shall be escalated to appropriate DHB senior management and STONZ for further discussion and engagement.

If this cannot resolve the outstanding issue(s), then the parties will seek mediation assistance, having regard to:

- (a) The impact of the change on the quality and safety of patient services;
- (b) issues and concerns raised by RMOs through the consultation process, including any alternate change proposals;
- (c) the impact of the proposed change on RMOs' work-life balance opportunities, including the extent of out-of-hours requirements;
- (d) and the impact on the quality of RMO training, with particular reference to College accreditation guidelines where the change relates to Registrars in a training programme.

Unless otherwise agreed, the change process (including the escalation process) shall be completed within 6 months.

14.2.4 Implementation

The effective date (and terms) of implementation of any change shall be considered as part of the process.

A copy of the new Run Description incorporating the change shall be provided to the RMOs concerned and STONZ

Overview – Application

Run Descriptions

Every run is required to have a run description. A run description is broadly in the nature of a job description and describes the work on the run. It includes:

- Whether the run is recognised or not as a training position for specialist qualifications by the MCNZ
- Clinical responsibilities and work schedules which includes all clinics (including preadmission clinics), theatre sessions, consultant and registrar ward rounds, weekend ward rounds, pathology and radiology review sessions, grand round and other timetabled responsibilities
- Who the RMO is responsible to for their performance
- The run/team structure
- Provisions for training and education
- Expected average rostered hours of work, including ordinary hours, average unrostered hours and where applicable, average unworked ordinary hours counted under 12.1.2(b) per week
- Salary category

An RMO's salary is established from a 'run category' which is based on the expected average weekly hours of work. The average weekly hours of work are calculated by determining rostered hours each week and adding those to the unrostered hours. As an RMO may work differing hours from week to week on a particular run, the run category cannot be established by looking at a single week's work. Four to six weeks work needs to be averaged to gain an accurate indication of the run category. See clause 12 – Salaries and Wages in the Manual for full details on how a run category is determined as set out in clause 12.1.1 and 12.1.2.

STONZ run descriptions should include two run category calculations. The calculation of the run category as per clause 12.1.2(b):

1. Where any ordinary hours that are not rostered shall be counted as hours worked (up to a maximum of 8 ordinary hours per day)
2. Where hours for days that are completely free from rostered duties (RDOs) have been discounted from the ordinary hours (this does not include sleep recovery days provided as a minimum break per clause 17.4.6 (i.e. sleep recovery days that fall on a Monday to Friday).

Run Descriptions Changes

When the first STONZ MECA settled given the recent establishment of STONZ and its new working relationship with the DHBs, run descriptions initially applicable were those held by the DHBs for all RMO positions for the 2017/18 year, unless those had since been replaced through a change process in accordance with clause 14.2. DHBs are required to provide STONZ with copies of run descriptions for their records.

Run descriptions shall be changed unless there is disagreement by more than one third (33.33%) of the RMO(s) concerned. For the purposes of this clause, "RMOs concerned" are those whom the change affects at the time it is implemented. NB: In these situations the term affected RMOs includes members from both unions and non-union employees.

The process for changing run descriptions requires consultation with affected RMOs and aims to achieve consensus on any proposed change. It is understood that the term 'consensus' means general agreement amongst those participating in the process.

There is nothing that prohibits a DHB from consulting more widely than the affected RMOs. However voting rights for the purposes of determining whether the threshold for the change to proceed has been met will be limited to those RMOs affected by the change.

The formal proposal outlining the proposed change must be in writing and any supporting information included. It should include the following to ensure all requisite information for both the consultation and escalation processes is provided:

- Reason for the change;
- The impact of the change on the quality and safety of patient services;

- Issues and concerns raised by RMOs through the consultation process, including any alternate change proposals;
- The impact of the proposed change on RMOs' work-life balance opportunities, including the extent of out-of-hours requirements;
- The impact on the quality of RMO training, with particular reference to College accreditation guidelines where the change relates to Registrars in a training programme;
- Impact on the salary category for the run;
- A timeline for consultation with affected RMOs;
- The intended date that the change will be implemented.

A reasonable timeframe for the completion of the consultation process would be within two months and should avoid the November / December changeover period wherever possible.

Where the change decision is subject to a vote, then this voting shall be anonymous. Following completion of the change process, the change will proceed unless there is disagreement by more than one third (33.33%) of the RMO(s) concerned. Where practicable, changes to rosters should be implemented at the commencement of a rotation. A minimum of four weeks' notice must be provided to the RMOs for any roster changes.

There is an escalation pathway where consensus hasn't been achieved at a local level. An efficient change process should be completed to implementation stage within a maximum of six months. The DHB and the RMOs affected may agree to trial a 'best fit' change proposal for a defined period where this is practicable. If a trial is not agreed, then the proposal shall be escalated to appropriate DHB senior management and STONZ for further discussion and engagement. If this cannot resolve the outstanding issue(s), then the parties will seek mediation assistance.

Changes to a run description and/or salary normally require a run review or salary review to be undertaken. See clause 12 – Salaries and Wages in the Manual for full details on how a run category is determined as set out in clause 12.1.1 and 12.1.2.

Impact of two MECAs on Change Processes

There will be one change process covering all affected RMOs irrespective of their terms and conditions of employment.

When considering changes to rosters that have both NZRDA and STONZ members both thresholds must be met for the change to proceed. In these situations the term affected RMOs includes members from both unions and non-union employees.

Schedule 9B of the NZRDA MECA contains best practice for engaging all affected RMOs and their respective representatives. The process includes early engagement with the union and affected RMOs and sharing of a draft proposal. Best practice indicates engagement with STONZ as well, notwithstanding that there is no contractual obligation to do so.

Where a change to a run description falls within Schedule 9B of the NZRDA MECA this process will be applied across all affected RMOs, which includes STONZ members.

Frequently Asked Questions (FAQs)

1. How will run categories be calculated?
 - Where medical cover is provided by full rotating shifts over 24 hours/7 days such runs shall be categorised a minimum of two categories above that which would otherwise apply in terms of Clause 12.1.1. This provision shall apply to EDs, ICUs, and to such other services as may be agreed between the parties. However, RMOs employed in ED and Intensive Care Units shall be paid a minimum C category.
 - For runs where medical cover is **not** provided by full rotating shifts over 24 hours/7 days, any ordinary hours which are not rostered shall be counted as hours worked (up to a maximum of 8 ordinary hours per day) when determining the category for the run, **except** that no hours shall be counted for days that are completely free from rostered duties (RDOs). This does not include sleep recovery days following nights when these days

occur Monday through Friday. This does not include sleep recovery days following nights when these days occur Monday through Friday.

2. Please explain the calculation of a run category under the STONZ MECA?
 - The majority of rosters that this will apply to are Schedule 10 rosters, however if you have week day RDOs for rosters that are not listed in Schedule 10 of the RDA MECA, the recalculation of the run category will be required.
 - **If it is agreed that the RDO's are not to be observed by STONZ Members**
 - There will be no changes to the calculation of the roster or the Run Category and STONZ members will be entitled to the new salary scale as per clause 12.2 of the STONZ MECA
 - **If it is agreed that the RDO's will be observed by STONZ Members**
 - The new formula will be applied to each roster to determine the applicable run category. If the new calculation changes the run category, the RMO will be paid corresponding run category as set out in the STONZ salary scale. If the new salary is lower than the salary set out in their former employment agreement then the employer will maintain the RMO's former higher salary.
 - An example of the calculations can be found in clause 12 of the Manual.
3. Do I need to undertake a change process with the affected RMOs as per clause 14.2 where the run category is decreasing as a result of RDOs being observed?
 - Where this has occurred as part of the translation provisions set out in clause 12.1.5 of the STONZ MECA this will not be required.
 - Any future run description changes following transition will require a change process as per clause 14.2.
4. What will change in the consultation process and agreement threshold for changes to run descriptions now that there is both a STONZ and NZRDA MECA?
 - There is a prescribed change process and escalation pathway listed in clause 14.2. Changes to rosters will still go through a consultation process with the RMO's concerned and will be implemented unless there is disagreement from 1/3 (33.33%).
 - There will be one change process covering all affected RMOs irrespective of their terms and conditions of employment. When considering changes to rosters that have both NZRDA and STONZ members both thresholds must be met for the change to proceed. In these situations the term affected RMOs includes members from both unions and non-union employees. See scenario 1 and 2 for examples of how this is applied.
 - Schedule 9B of the NZRDA MECA contains best practice for engaging all affected RMOs and their respective representatives. The process includes early engagement with the union and affected RMOs and sharing of a draft proposal. Best practice indicates engagement with STONZ as well notwithstanding that there is no contractual obligation to do so. Where a change to a run description falls within Schedule 9B of the NZRDA MECA this process will be applied across all affected RMOs, which includes STONZ members.
5. I am expected to come in for weekend ward rounds. How do I check if these are being remunerated as work?
 - In the first instance check your run description to see if weekend ward rounds are captured as part of the duties. These may be remunerated in one of the following ways;
 - Included as part of the **additional rostered hours** where they are rostered
 - Included as part of the **unrostered hours** where they are not rostered, or
 - Paid as **additional duties** where they will breach the limits of consecutive weekends worked
 - Where it is not clear that these are captured in the run description and remunerated, you should talk to the service and/or RMO Support Unit to identify whether any of these hours are already captured in the run category and recognised as work.
 - Where this is not currently captured as part of the run description and remunerated there is no entitlement to the payment of additional duties. There is however, a commitment that services will work to address this and rectify it through the term of the 2020-2021 MECA.
 - Addressing this issue should be a matter for local service level engagement in the first instance, recognising specific features of the service. Where there are concerns that

progress is not being made then this may be escalated through STONZ or the DHB to that National Engagement Forum, who may agree to provide some common guidance or a framework to assist the service.

6. If I work a weekend ward round on a public holiday am I entitled to an alternate holiday under clause?
- Yes, when you work on a public holiday you are entitled to an alternate holiday irrespective of the length of time you have worked that day.

Scenarios

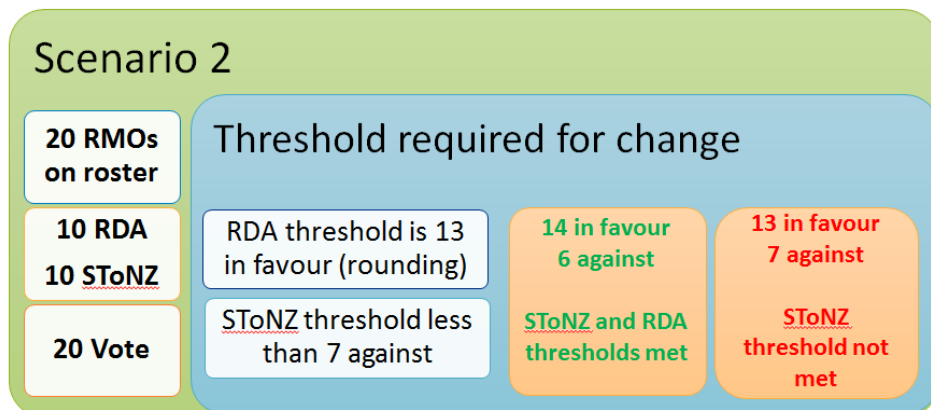
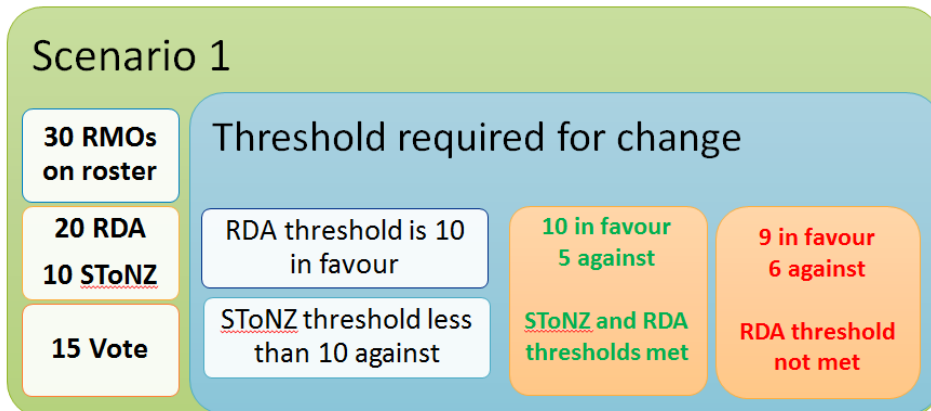
Scenario 1 and 2 – Agreement Thresholds

The key differences between the agreement thresholds for the STONZ and NZRDA MECAs are;

- STONZ MECA requires more than 1/3 disagreement of all affected RMOs (not just those that participate in the vote)
- NZRDA MECA 2/3 requires 2/3 agreement of those that participate in the vote and this is different where 20 or less vote

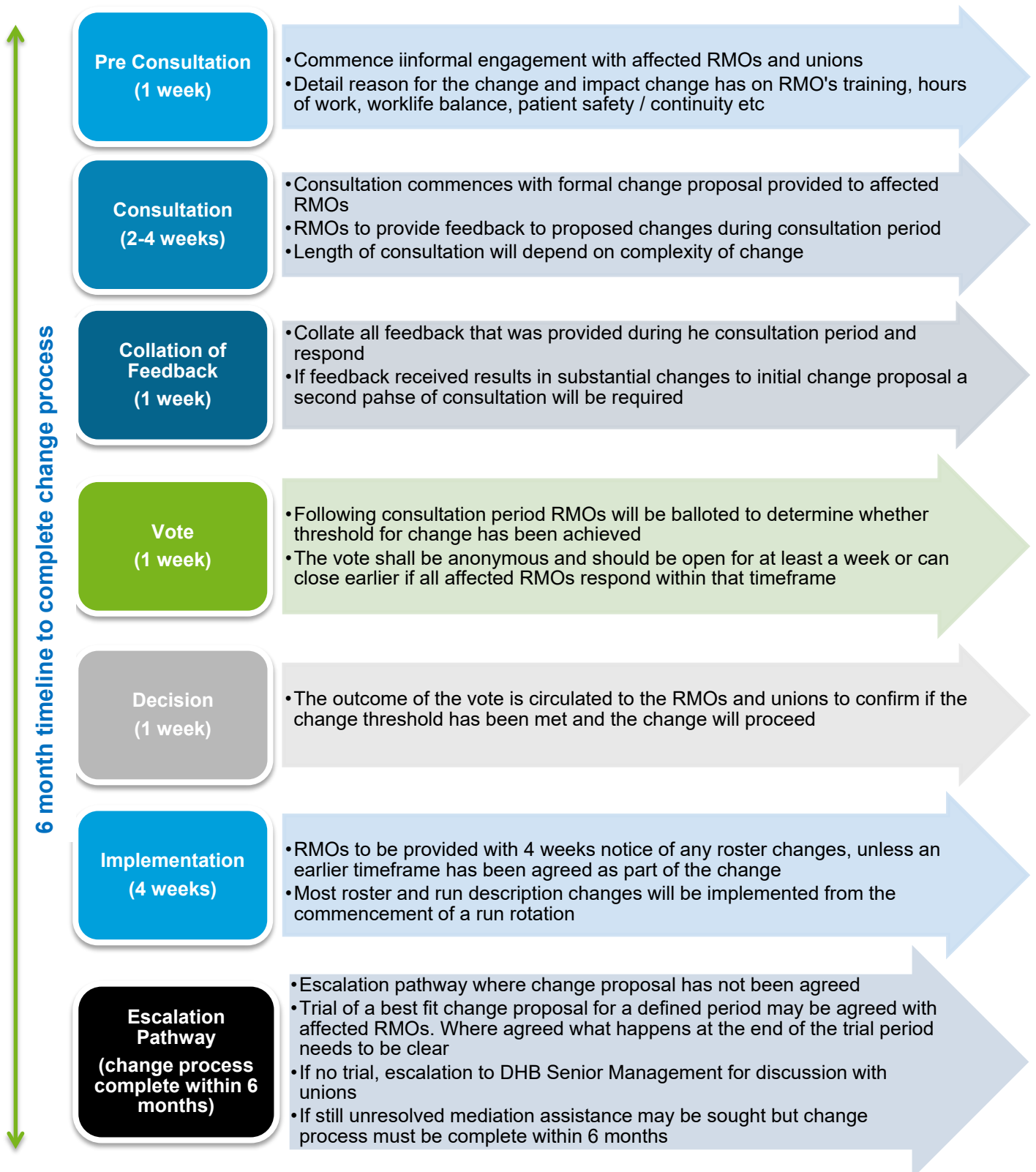
When considering changes to rosters that have both STONZ and NZRDA members both thresholds must be met for the change to proceed. In these situations the term affected RMOs includes members from both unions and non-union employees.

Scenarios 1 and 2 demonstrate how the thresholds are applied to determine whether the change threshold in both MECAs has been met.



Scenario 3 – Change Process

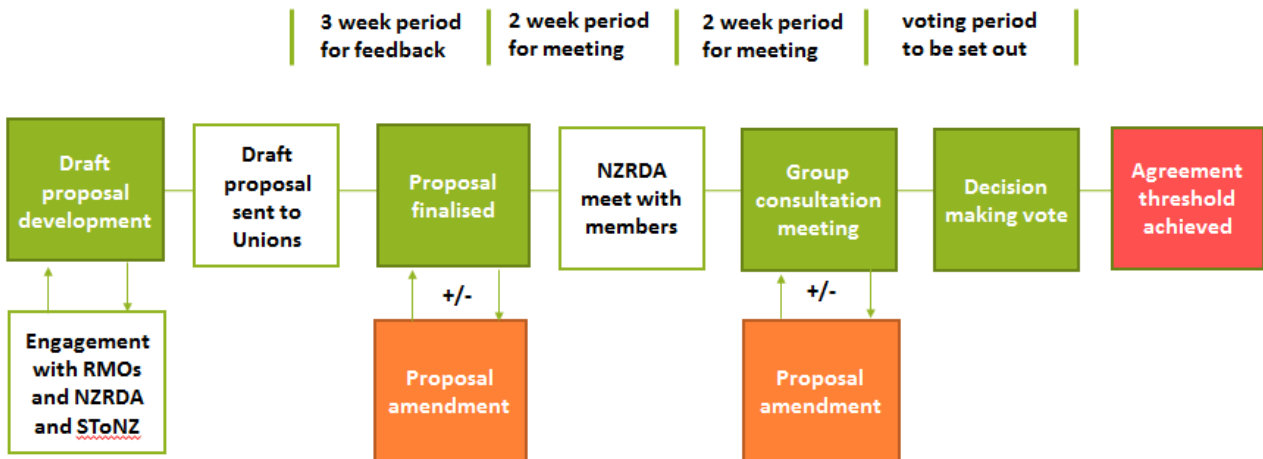
There will be one change process covering all affected RMOs irrespective of their terms and conditions of employment. The diagram below provides an indicative guideline of the timeframes for phases of the change process. The timeframes within each individual change process may vary dependant on the scale of the change. A change process must be completed within 6 months.



Schedule 9B of the NZRDA MECA contains best practice for engaging all affected RMOs and their respective representatives.

Where a change to a run description falls within Schedule 9B of the NZRDA MECA this process will be applied across all affected RMOs, which includes STONZ members. The diagram sets out the key steps and timeframes for the change process.

Change management process for clauses 6.6.2, 13.4.3, 13.4.4, and 13.6.1 and Schedule Ten



Comparison STONZ and NZRDA MECAs

The following table sets out where there are differences between the STONZ MECA and NZRDA MECA. Where there is no difference between clauses no detail has been provided in the comparison table.

| | STONZ MECA Appendix 14.2 | NZRDA MECA Clause 10.12 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|---|--|-----------------------|-----------------------------|--------|-----------|---|---|--------|---|---|---|--------|---|---|---|----------|---|----|---|----------|---|----|----|----------|----|----|----|----------|----|
| Changes to run descriptions and threshold for change | <p>Change will proceed unless there is disagreement by more than one third (33.33%) of the RMOs concerned.</p> <p>RMOs concerned are those whom the change affects at the time it is implemented.</p> | <p>Change will only proceed if 2/3rds of the affected RMOs <u>who participate in the vote</u>, vote in favour of the change</p> <p>If the number of votes is 20 or less the threshold is:</p> <table border="1"> <thead> <tr> <th>Number of RMOs voting</th> <th>Threshold required to agree</th> </tr> </thead> <tbody> <tr><td>1 to 2</td><td>Unanimous</td></tr> <tr><td>3</td><td>2</td></tr> <tr><td>4 to 5</td><td>3</td></tr> <tr><td>6</td><td>4</td></tr> <tr><td>7 to 8</td><td>5</td></tr> <tr><td>9</td><td>6</td></tr> <tr><td>10 to 11</td><td>7</td></tr> <tr><td>12</td><td>8</td></tr> <tr><td>13 to 14</td><td>9</td></tr> <tr><td>15</td><td>10</td></tr> <tr><td>16 to 17</td><td>11</td></tr> <tr><td>18</td><td>12</td></tr> <tr><td>19 to 20</td><td>13</td></tr> </tbody> </table> | Number of RMOs voting | Threshold required to agree | 1 to 2 | Unanimous | 3 | 2 | 4 to 5 | 3 | 6 | 4 | 7 to 8 | 5 | 9 | 6 | 10 to 11 | 7 | 12 | 8 | 13 to 14 | 9 | 15 | 10 | 16 to 17 | 11 | 18 | 12 | 19 to 20 | 13 |
| Number of RMOs voting | Threshold required to agree | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1 to 2 | Unanimous | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 3 | 2 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 4 to 5 | 3 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 6 | 4 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 7 to 8 | 5 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 9 | 6 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 10 to 11 | 7 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 12 | 8 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 13 to 14 | 9 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 15 | 10 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 16 to 17 | 11 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 18 | 12 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 19 to 20 | 13 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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| <p>The Change Management Process</p> | <p>Clause 14.2</p> <p>Consultation with affected RMOs and aims to achieve consensus on any proposed change. It is understood that the term ‘consensus’ means general agreement amongst those participating in the process.</p> <p>The formal proposal outlining the proposed change must be in writing and any supporting information included.</p> <p>Where the change is not agreed there is an escalation pathway that includes;</p> <ul style="list-style-type: none"> • Trial of a best fit change proposal for a defined period may be agreed with affected RMOs. • If no trial, escalation to DHB Senior Management for discussion with union/s. • If still unresolved mediation assistance may be sought but change process must be complete within 6 months | <p>Clause 10.12</p> <p>There is no process for consultation as part of change management set out at clause 10.12 but best practice is to follow the process set out in the STONZ MECA at clause 14.2 so one change process is applied to all affected RMOs.</p> <p>Schedule 9B for clauses 6.6.2, 13.4.3, 13.4.4, 13.6.1 and Schedule Ten</p> <p>Where a change to a run description falls within Schedule 9B of the NZRDA MECA this process will be applied across all affected RMOs, which includes STONZ members.</p> |
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Forms, Templates and Other Resources

The following tool forms part of clause 14 Run Descriptions. These resources are available on the website where the National Manual is hosted under Clause 14 Run Description.

| Resource | Comment |
|---|---|
| Clause 14 Run Description Template.dotx | Used by DHBs as a template to create new run descriptions so that these meet the minimum requirements set out in the MECA |