

Clause 20

20.0 Meal Periods and Rest Breaks

- 20.1 Except when required for emergency work, no employee shall be required to work for more than five hours continuously without being allowed a protected meal break of not less than half an hour.
- 20.2 No deduction is to be made from hours on duty for meal breaks taken within the hospital.
- 20.3 Rest breaks of 10 minutes each for morning tea, afternoon tea or supper, where these occur during duty, shall be allowed as time worked.
- 20.4 During the meal break or rest breaks prescribed above, free tea, coffee, milk and sugar shall be supplied by the employing DHB.
- 20.5 Every RMO required to be on duty over a recognised meal period shall be entitled at the employer's expense, to a meal. Employees working a long day shall have an entitlement to two meals. The parties recognise that an employer has the right to put reasonable specifications on what an RMO may receive as part of the meal entitlement. Any such specifications shall be developed in consultation with STONZ.

Overview – Application

Application is in accordance with the clause.

Frequently Asked Questions (FAQs)

1. Am I paid for my rest and meal breaks?
 - Yes, you are paid for your rest breaks and where you are working in the Hospital you are paid for your meal breaks.
2. I am working a long day am I entitled to two meals during my shift?
 - Yes you are entitled to two meals when working a long day.
3. I am working a 4 hour weekend ward round am I entitled to a meal during my shift?
 - No, you need to work more than 5 hours to be entitled to a meal.
4. What is deemed to be reasonable as part of a meal entitlement?
 - You should liaise with the RMO Support Unit regarding what the DHB deems to be reasonable as part of a meal entitlement.
 - The DHBs monitor meal expenditure and where there are concerns regarding meal spend for RMOs that are outside expected guidelines these are raised with the RMO on an individual basis.

Scenarios

Scenario # 1 - House Officer working a community based attachment (HO CBA)

Section 3: Weekly Schedule in the run description sets out the following regarding the hours of work and meal breaks for the HO CBA. What are the RMO's entitlements in relation to a paid meal break and the cost of a meal?

- The House Officer is not entitled to claim reimbursement for cost of a meal or to receive a paid meal break because they are working away from the Hospital and have been provided with the opportunity to take their lunch break away from the Community Provider.

Section 3: Weekly Schedule

The House Officer's ordinary hours of work are Monday to Friday 0800 – 1700 including a 30 minute unpaid lunch break which can be taken away from the community provider. There is consultant present during these hours.

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 Clause 20.0	NZRDA MECA Clause 15.0
Meals	<p>Clause 20.5</p> <p>Every RMO required to be on duty over a recognised meal period shall be entitled at the employer's expense, to a meal.</p> <p>Employees working a long day shall have an entitlement to two meals.</p> <p>The parties recognise that an employer has the right to put reasonable specifications on what an RMO may receive as part of the meal entitlement. Any such specifications shall be developed in consultation with STONZ.</p>	<p>Clause 15.5</p> <p>Every RMO required to be on duty over a recognised meal period shall be entitled at the employer's expense, to a meal.</p> <p>Changes to the provision of RMO meals can only be made following a full and genuine consultation process. The parties shall use their best endeavours to reach agreement through the consultation process.</p>