

## Clause 9

### 9.0 Employment Relations Education Leave and Union Leave

9.1 Each member of the STONZ national executive board, in the capacity as the union representatives, shall be allowed 5 days of leave each year to attend national executive meetings and attend to other business agreed as appropriate by STONZ and the employing DHB.

For the purposes of this clause the year shall be defined as the calendar year.

9.2 Such requests shall be made as early as possible in order to assist with the provision of cover. Should less than 6 weeks' notice of meeting be provided to the employer, leave cannot be guaranteed however the employer shall make all reasonable steps to grant leave.

Further leave for the purposes of bargaining shall be granted on an "as needed" basis to allow negotiations to progress.

9.3 Employment Relations Education Leave shall be provided in accordance with the Employment Relations Act.

9.4 To enable STONZ delegates to effectively carry out their role, including maintaining the constructive model of engagement and resolution of workplace issues, sufficient time off should be available during working hours, subject to the employer's service requirements. Prior approval for such activity shall be obtained from the relevant service manager (which shall not be unreasonably withheld). STONZ in return acknowledges that adequate notice shall be provided to the employer wherever possible.

## Overview – Application

### Union Leave

Members of the STONZ National Executive Board shall be allowed 5 days of leave each calendar year to attend national executive meetings and attend to other business agreed as appropriate by STONZ and the employing DHB.

Such requests shall be made as early as possible in order to assist with the provision of cover. Should less than 6 weeks notice of meetings be provided to the DHB, leave can not be guaranteed however the DHB shall make all reasonable steps to grant the leave. Further leave for the purposes of bargaining shall be granted on an "as needed" basis to allow negotiations to progress.

### Employment Relations Education Leave

Employment Relations Education Leave (EREL) is granted in accordance with **Part Seven** of the Employment Relations Act 2000 (ERA). EREL is paid leave that aims to improve the relationship between employees and their employers. It enables members to take part in union education that gives them a better understanding of employment relations.

A union is entitled to allocate EREL to eligible employees in accordance with Part Seven of the ERA. The maximum number of days of EREL that a union is entitled to allocate in a year in respect of an employer's eligible employees is the number of days calculated in accordance with section 74 of the ERA, unless the employer agrees to the allocation of additional days.

The maximum number of days of EREL that a union is entitled to allocate in a year to an eligible employee is 5 days, unless the employee's employer agrees to the allocation of additional days. EREL expires if it is not allocated by the end of the year in respect of which it is calculated under section 74, unless the employer agrees that the leave may be carried forward to the next year.

**Section 74** of the ERA sets out the calculation method for the maximum number of days of EREL that a union is entitled to allocate in respect of an employer.

## SNEF Project Outcomes – Senior Registrar Leave

### Background

During STONZ and DHB bargaining in November 2020, access to leave and leave cover for Senior Registrars was identified as a priority area requiring further review. It was noted that Senior Registrars are often required to swap their on call /after-hours shifts in order to take leave as it is difficult to provide a reliever due to the level and nature of their work.

A project was established to understand how leave is accessed and covered for RMOs and to develop recommendations to support a consistent and transparent approach enabling access to, and management of leave for this group.

As an outcome from this project a guide for Registrars who take on the roster writing and leave management role was developed. This included updates to the RMO roster and relief review and improvement framework to capture some of the challenges for services without relief roles and to include best practice guidelines and relief models to mitigate some of these challenges.

### Purpose of the Roster Writing and Leave Management Guide for Registrars

The guide has been developed to ensure Registrars in the roster writing and leave management role have access to the required resources and that there are appropriate processes in place to support and maximise leave access. The guide may also be useful for induction of new RMO unit staff or other staff who take on the roster writing and leave management role within the service.

The guide and updated RMO roster and relief review and improvement framework were released nationally on 19 July 2022. This included recommendations around next steps for Districts.

### Linked Clauses

- The clauses that form part of the Roster Writing and Leave Management Guide for Registrars are;
- Clause 4 Hours of work and Rostering
- Clause 7 Medical Education
- Clause 8 Conference Leave
- Clause 9 Employment relations education leave and union leave
- Clause 16 and Appendix 2 Relief Management
- Clause 17 Limits on hours
- Clause 21 Cover for leave
- Clause 25 Annual leave and Appendix 3 Best Practice Leave Allocation Guidelines
- Clause 26 Sick leave
- Clause 27 Bereavement / Tangihanga leave

The guide is available under the “*Resources for Registrars Writing Rosters and Managing Leave*” section of the National Manual.

## Frequently Asked Questions (FAQs)

1. Are Union Leave and Employment Relations Education Leave (EREL) different?
  - Yes Union leave and EREL are two different types of paid leave.
  - Union Leave is granted to members of the STONZ National Executive Board to attend national executive meetings and attend to other business agreed as appropriate by STONZ and the employing DHB e.g. the National Engagement Forum. Further leave for the purposes of bargaining for a collective agreement shall be granted on an “as needed” basis to allow negotiations to progress. This includes sufficient time off for STONZ delegates to effectively carry out their role, including maintaining the constructive model of engagement and resolution of workplace issues during working hours, subject to employer service requirements.
  - EREL is paid leave that aims to improve the relationship between employees and their employers. It enables union members to take part in union education that gives them a better understanding of employment relations. This leave will be granted by the DHB in accordance with [Part Seven](#) of the Employment Relations Act 2000 which sets out the number of days that an eligible employee can receive in the nominated year. EREL is limited to specific courses as approved by the Minister as set out at Section 72 of the ERA.
  
2. How much notice am I required to provide when applying for Union Leave or EREL?
  - At least 6 weeks notice is to be provided to the DHB for both of these types of leave. Should less than 6 weeks notice be provided the DHB may not be able to guarantee the leave, however all reasonable steps to grant the leave will be taken.
  
3. Do I require prior approval for Union Leave to undertake delegate responsibilities?
  - Yes, prior approval for such activity is required from the relevant service manager and this shall not be unreasonably withheld. Requests of this nature should be submitted to the RMO Support Unit at the DHB who will liaise with the relevant service. You will be required to provide adequate notice of the leave, preferably 6 weeks (as set out in FAQ #2) wherever possible.

## 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.

	<b>STONZ MECA Clause 9.0</b>	<b>NZRDA MECA Clause 27.0</b>
Employment Relations Education Leave (EREL)	<p>Clause 9.3</p> <p>Employment Relations Education Leave shall be provided in accordance with the Employment Relations Act (ERA).</p> <p>The calculation for determining the number of days is set out at <a href="#">part seven</a> of the ERA.</p>	<p>Clause 27.1</p> <p>Employee education leave shall be granted in accordance with part seven of the Employment Relations Act 2000 except as provided below.</p> <ul style="list-style-type: none"> <li>• Otago 18 days per annum</li> <li>• Southland 10 days per annum</li> <li>• Whakatane, South Canterbury, Whanganui 5 days per annum</li> <li>• All other employees 1- 5 members = 3 days; 6-50 members = 5 days; 51-280 members 1 day for every 8 FTE or part thereof; Over 281 members = 35 days plus 5 days for every 100 FTE or part thereof that exceeds 280.</li> </ul>

Union Leave	<p>Clause 9.1</p> <p>5 days of leave each calendar year for members of the STONZ National Executive to attend national executive meetings and attend other business agreed as appropriate by STONZ and the employing DHB.</p> <p>Further leave for the purposes of bargaining shall be granted on an “as needed” basis to allow negotiations to progress.</p>	<p>Clause 27.2.1</p> <p>Members of the NZRDA National Executive shall be allowed a reasonable amount of paid time off to attend national executive meetings, meetings with DHB management, consult with union members and attend to other business agreed as appropriate by the RDA and affected DHB(s).</p>
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### Forms, Templates and Other Resources

The following resource forms part of clause 9.0 Employment Relations Education Leave and Union Leave. The guide is available on the website where the National Manual is hosted under the “Resources for Registrars Writing Rosters and Managing Leave” section.

Resource	Comment
Roster Writing and Leave Management – Guide for Registrars	<p>This document has been developed to ensure Registrars in the roster writing and leave management role have access to the required resources and that there are appropriate processes in place to support and maximise leave access.</p> <p>While this guide has been developed for Registrars who take on the roster writing and leave management role, content may also be useful for induction of new RMO unit staff or other staff who take on the roster writing and leave management role.</p>