

## Bargaining update

**Pathlab Lakes** started operations on 1 July after the merger of Laboratory Services Rotorua and Taupo SCL. They have now ratified their first APEX collective agreement. Improvements include a 2% increase on salaries and allowances for a term of 1 year, and recognition of senior medical laboratory technician roles with the addition of 2 steps on their scale.

**Scientific Officers** at Canterbury DHB have negotiated a 2% pay increase effective from 4 April 17 (with full back pay), and a 2% pay increase effective from 4 April 2018.

**Northland Sonographers:** pay step translation to the value of the next step (3.2%), and salary scale increases of 2% kick in on 1 May 2018 and again on 1 May 2019. A third step has been implemented for trainee sonographers. CPD has increased to \$3,400/year per sonographer, and paid study time to 4 hours per week for trainee sonographers and 16 hours prior to an exam.

Bargaining is ongoing for **Northland physiotherapists** and **Bay of Plenty anaesthetic technicians**.

**Canterbury DHB anaesthetic techs'** bargaining will begin on August 2.

**Nelson Marlborough Mental Health Managers** will begin bargaining on 4 September.

**Northland Pathology:** The parties have met twice for bargaining and are close to settlement of new agreement. Subject to final matters being agreed, the new collective agreement will include significant improvements to redundancy compensation, increased annual leave at 7 years' service, and changes to remuneration that will move the pay rates closer to industry standard.

Bargaining was initiated for **T-Lab Gisborne** in early July, and we will be meeting with the employer on 24 August.

**Welcome to the Taranaki DHB Dietitians! We look forward to working with you to bargain their new APEX collective agreement.**

## Biomed Techs Get Organised

In July 2016, technical staff working in the Waikato DHB biomedical engineering department joined APEX. These techs – based in a workshop deep under Waikato Hospital – calibrate, monitor, fix and maintain the machines and equipment used in hospitals and by outpatients.

### A good time to join

At the time they joined, one of the positions in their department was under threat. Waikato DHB management were proposing that the role of Clinical Equipment Pool Administrator be made redundant. APEX made detailed submissions to the DHB advocating for the role to be retained, as it was key to keeping clinical equipment safe and accessible. As a result, Waikato DHB decided not to remove the position – an positive resolution to this issue important for these new union members.

### Working on issues

The management of the department was contracted in from an outside company. This situation was less than ideal, and we again lobbied management – this time to have it brought in-house. This month the DHB did just that, appointing one of the biomed tech team leaders into the role.



The biomed techs kept organising in their department, electing two delegates as well as a health and safety representative. A number of meetings between management and the union delegates have now taken place to address safety issues and to get their contract respected. Prior to joining APEX, relationships and communication in the department were strained: having delegates present the views of colleagues to management has been beneficial for the service and peoples' job satisfaction alike.

## Improved advocacy

One of the delegates, Roger Nielson, said, "We've had quite a significant level of bullying, and the previous union declined to make any effort on our behalf. So I pushed for us to join APEX, and since we joined it's proved an enormous help. Once we shifted to APEX we have taken various issues further and resolved some low-level but what had become intractable problems and morale had been going down the bung hole."

**Waikato Biomed Techs begin bargaining for their first APEX collective agreement shortly, in September this year.**

## Another delegate voice

Andy Simpson, another delegate in the department, said, "One of the benefits of being in APEX is having the collective ideas and support of multiple people to thrash through ideas and problems. Being able to have a professional organisation that has that background of knowledge that can advise members of their rights and work through workplace problems."

## The big picture

"As a delegate, I've seen us have some good outcomes, and APEX has been good at helping us step back from the minutiae of what is in front of us and see the bigger picture. One of the challenges we face in the health sector is funding, and that impacts how many employees we have in our workplace. Understaffing can lead to us feeling stressed."

## On the shop-floor

"Having a voice from the shop-floor is really important in improving the efficiency of our department. The experience of technicians who have been here a long time can often point a good way forwards," said Andy.

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# Audiology SECA

## Long time coming

It has been a long time coming, but earlier this year one of our newest divisions – Audiology – has made its mark on Auckland District Health Board with the successful negotiation of a single-employer collective agreement (SECA) for the paediatric audiology team.



## Perseverance pays off

This achievement is a testimony to good organisation amongst the team, strong and determined delegates, and a great deal of persevering. As with most APEX collective agreements, this audiology CA arose from the staff joining APEX after frustration at not being able to get their particular local and professional issues heard or dealt with within the confines of the multi-disciplinary MECA that had previously covered them. That is where the determination and perseverance came in. During the lengthy process to bring their employer into meaningful negotiations, the bargaining team was even subjected to a 'How dare you!' speech from the employer's HR representative. The employer's original tack was to stall, obstruct, and avoid getting around the bargaining table, since they have to "deal with thousands of employees, and what makes a small group of audiologists so important that they have to have to have their own Agreement?" It didn't wash, and the audiologists stood firm.

They now have a new collective agreement with improved merit progression, guaranteed CPD funding and leave, and attention to local issues regarding working at satellite centres. The aim now is to secure other audiology agreements in other centres, and look towards a possible MECA in the future.



# Holidays Act

## Compliance issues

In early 2016, Unite, the union for fast food workers, discovered widespread non-compliance with the Holidays Act 2003, and took action against several companies. The Government, through the Labour Inspectorate within the Ministry of Business, Innovation and Employment (MBIE), is currently investigating systemic and widespread non-compliance. In the health sector, MBIE has audited three DHBs (Auckland, Counties-Manukau and Canterbury) and has three other DHBs (Northland, Waitemata and Capital & Coast) on a watching brief.

Rather than depend on the under-resourced Labour inspectorate, APEX is currently participating in a joint CTU Unions/DHB working group to audit and enforce compliance.

The working group TOR sets out the framework for joint DHB and Union reviews of DHB payroll processes (from 1 May 2010) to ensure compliance, and seeks a common approach to remedying existing, and preventing future, non-compliance. Review will include addressing any compensatory payments due.

Some problems with Holiday Act non-compliance identified in other companies or government departments, are:

1. Annual leave not being paid out at the greater of either i) ordinary weekly pay (pay in the last week or average of the last month) or ii) average weekly earnings over the past year. This is a particular issue for employees whose hours of work or overtime/call payments have increased at the time of taking annual leave.
2. Not paying for public holidays, sick leave, or days in lieu at the correct relevant daily pay, or paying only at average daily pay (average over the year).
3. Accruing annual leave in hours instead of days/weeks. This is an issue if hours have increased over the year. For example, an employee who starts the year working 20 h/week but increases to 40 h/week after 12 months should accumulate 4 weeks, not 80h (only 2 weeks).

The whole process might take up to two years to resolve. However, the working party meetings have been positive to date, with the DHBs and the Unions both committed to resolution. We will keep you posted, but in the meantime if you have any questions please email [luke@apex.org.nz](mailto:luke@apex.org.nz).

# APEX AGM

The APEX AGM was held on July 3 at the Novotel at Auckland Airport.



Read Dr Deborah Powell's Secretariat Report from the meeting here: [www.apex.org.nz/category/apex-summit](http://www.apex.org.nz/category/apex-summit).

# Amalgamation with NZMLWU

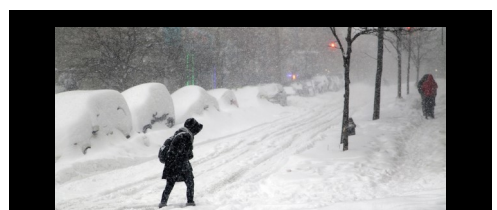


APEX and the New Zealand Medical Laboratory Workers' Union (NZMLWU)

have confirmed their amalgamation into a single entity. The move was approved by the Executive Committees of both unions and confirmed during their July 3 AGMs, following the completion of due diligence processes.

APEX National President, Mr Peter Gene and NZMLWU National President, Mr Stewart Smith, say "This is an exciting time for both APEX and NZMLWU. Whilst we have always had a close relationship, the amalgamation cements APEX's position as the specialist allied, scientific and technical union in NZ, bringing our membership to over 4000 strong."

Read the press release announcing the amalgamation at [www.apex.org.nz](http://www.apex.org.nz).



**Want to know your rights and responsibilities when you can't get to work because of adverse weather? Check out the Adverse Weather Policy [here](#)**

