



APEX

Under the Microscope

Oct 2018

SCL & PATHLAB LAKES BARGAINING

Two of our major private-sector laboratory employers have been in bargaining recently. Both collectives expired at the end of June this year.

We have met with both sets of employers and had constructive negotiations. In each case it was important from the outset to set the tone that we are in a 'new world' of bargaining. Now that the long-running NZNO dispute over the nurses MECA has been resolved, the parameters for bargaining have opened up a little: there are now justifiably higher expectations amongst other health sector employees for much bigger pay settlements than has been the case over the last decade. The reasonableness of these expectations has been confirmed by the announcement of a similar settlement of the long-expired PSA collective agreements with DHBs.

However, DHBs are trying to push back. At the time of writing it appears that although they are prepared to make offers on APEX collective agreements broadly similar to those for nurses and the PSA, they are refusing to acknowledge the flexibility required to settle our profession-specific documents. Nowhere is this more clearly demonstrated than with the current disputes over anesthetic technician bargaining. APEX is not about to sit back and allow settlements with other unions dictate the shape of

settlements for the groups we represent.

Pathlab and SCL are both private sector employers so there is even less reason to have to conform to a particular shape of settlement arising from other unions' settlements with DHBs.

At SCL it took the threat of a one-day strike to bring the decision-maker to the table and then to make an offer that could be considered by members. That offer included a straight 24-month term with backdating, 3% increases for each 12 months, the application of T1.5 between 8.00pm and 6.00am across all members, and 5 weeks' annual leave after 8 years' service for everyone (noting that some parts of the business get 5 weeks and/or 4.6 weeks earlier than 8 years' service and this remains protected). Whilst those are important breakthroughs, and the proposed settlement has now been ratified

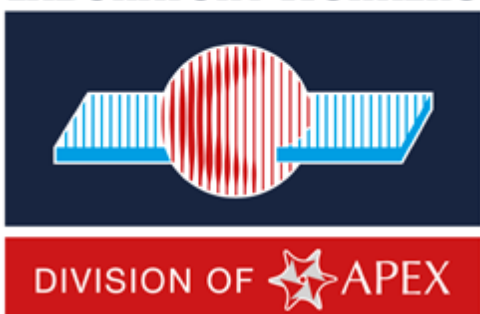
by SCL members, there is still work to do. The issue of being stuck at the top of the automatic steps, and there being little movement beyond that into merit payments, remains a work-in-progress during the term of the new Agreement.

Meanwhile at PathLab an offer of a 28-month term with 3% at the beginning and a further 3% halfway through has been rejected by members and we are waiting on a revised offer from the employer.



The SCL bargaining team. From left to right, front row: Spencer Walker, Justine Young, Mandy Moore; 2nd Row: Natalie Dick, Lynda Hampton, Anna Behring; Back row: Adrian Joshi, Grant Cook, Brice Thomson.

**MEDICAL
LABORATORY WORKERS**



MEDLAB NEWS

Medlab Central

Welcome to Medlab Central lab workers who have joined APEX and are in the process of organising delegate representation across their workforce. We are aiming to meet with members at the Palmerston North hospital based laboratory in mid-November prior to initiating bargaining for their new APEX collective agreement.

Taranaki Medlab

Taranaki Medlab members are set to hold a stop work meeting on the 23rd October to discuss proposals for bargaining process arrangements and to finalise their claims to take to bargaining with their employer for their first APEX collective agreement.

PAY EQUITY

As you may be aware, APEX has raised a pay equity claim for a subgroup of Medical Laboratory Pre-analytical Technicians (MLPATs) – phlebotomists – during bargaining with Southern Community Laboratories (SCL). We are set to continue to raise this claim for other APEX laboratory collectives as they are bargained. However, there may be still more to be done for Medical laboratory practitioners across the board.

Pay equity has been firmly on the political agenda since the 2014 Court of Appeal decision in *Terranova versus the Service and Food Workers Union*. That decision held that the Equal Pay Act 1972 not only provided for equal pay between men and women doing the same work but also for pay equity between occupations doing work of equal value. After the decision, the government set up a joint working group on pay equity principles to establish a procedure for workers and their employers to use to resolve pay equity claims.

Since then, unions representing workers in a number of occupations largely staffed by women, such as education support workers, carers and mental health and addiction support workers, have successfully made pay equity claims to win pay increases.

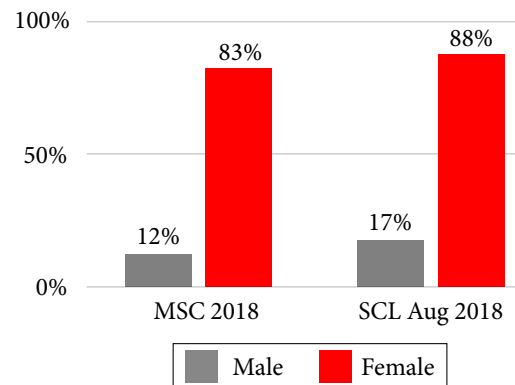
However, pay equity is still a widely misunderstood concept. The following points hope to clear up some basic facts around the concept so members understand our pay equity claim for phlebotomists.

- A pay equity claim is a potential way of improving pay for all workers, irrespective of gender, in jobs where women have traditionally made up the majority of the work force.
- Research shows that occupations where most workers are women are typically underpaid in comparison to work of equal value in occupations where most workers are men. Pay equity is the concept that work of equal value deserves pay of equal value.
- Workers who believe their work is underpaid because it is work largely done by women can have their union make a pay equity claim. When workers make a pay equity claim their employer must respond and negotiate with the union to resolve it.
- Pay equity claims are mostly resolved when employers increase the pay of workers in the female-dominated

occupation to bring it into line with higher pay enjoyed by workers in occupations of similar value (similar level of qualifications, level of responsibility, etc) in which men make up the majority of the workforce.

- If the claim is not resolved in negotiation it may go to the Employment Relations Authority – which can make a determination to ensure pay equity.

Gender Distribution of Med Lab Technicians including MLPATs



Whilst the data are currently insufficient for us to ascertain precisely the number of MLPATs, and among them the number of phlebotomists, the above chart clearly indicates that the medical laboratory technician profession in New Zealand is predominately female-based.

TECHNICIAN SALARIES

	Pay equity	Min wage	Pay equity	Pay equity	Min wage
Years of service	1 July 2018	1 April 2018	1 July 2019	1 July 2020	1 April 2021
12+ or level 4	51107		53193	56322	
8+ or level 3	46935		47978	52150	
3+ or level 2	43806		44849	47978	
Less than 3	41303	34419	42763	44849	41720

Pay rates for care and support workers after achieving pay equity versus minimum wage, projected over time.

for care support workers, mental health support workers and Oranga Tamariki social workers, we can see that current qualified technician entrance salary rates are very close to the minimum wage and the entrance rates for unqualified workers, and for a level 4 qualification the rates are comparable now but will become higher than the top of APEX technicians' (after at least 3 years qualified) automatic steps by 2020.

Medical Laboratory Technicians (MLTs) are paid a qualified technician rate of between \$42805 and \$46194 with an ability to move automatically up the salary to between \$49565 and \$51128 – depending on who you're employed by. Work conducted by SCL with ARA (Institute of Technology – Canterbury) was presented at recent bargaining, and has placed the MLT qualification at Level 6 on the NZQA framework and the MLPAT qualification at level 5. When compared with the recent pay equity settlements

WHERE TO FROM HERE?

Over the coming months we will be gathering the research and documentation required to make the claim, and then ensuring we pursue a pay equity claim in bargaining for the APEX collective agreements that cover phlebotomists.

	DHB MECA	SCL MECA	NPL	PathLab Lakes	Pathlab Whakatane	TLab	PSA WSCL
	7 Sep 2018			1 July 217			
Supervising Technicians	60422						
	58303			61483			
	56446			59206			
	7 Sep 2018	1 July 2018	1 July 2017	1 July 2017	20 Jan 2018	6 Sep 2018	1 Sep 2018
Technician Merit		62008					
		59286				58017	59877
	54068	56568			55,418	55696	56552
	51816	53843			53,107	53375	52652
Technicians Autos		51128	Range of rates: min \$1k increases	50098	50,798	51053	50702
	49565	49497	\$47,973	47821	48,490	48733	46804
	45057	47866	\$45,307	45544	46,181	46412	43680
	42805	46194	\$42,749	43266	43872	44,092	

Pay rates for MLTs on various collective agreements.