

**March 2020**

## **Unions address employee issues around COVID-19**

Employers have a responsibility under the Health and Safety Act to provide a safe workplace. However, unions have been advised that health professionals should not be at risk of contracting COVID-19 at work if clinical protocols are followed, appropriate PPE is worn where this is clinically indicated, and approved infection control procedures are practiced – hand washing, social distance, cough etiquette.

We know from the Chinese experience that fatigue amongst those health professionals dealing directly with infected patients was a significant risk factor and we have advised the DHBs that they have a responsibility to ensure this does not happen here.

We also know that many of the health professionals in Wuhan who were dealing with an emergency situation in hospitals that were swamped, continued working when they had symptoms. That is why DHBs and other health sector providers need to take a public health approach to leave for their employees who have been or may have been exposed to COVID-19.

Jill has represented MERAS with other National BAG (bipartite action group) unions working on national guidelines for DHBs around leave in response to COVID-19. The guidelines are on the MERAS website.

As a result of the unions' input, the DHBs have now confirmed that staff members who are asked by their DHB to stay home or self-isolate, will be entitled to special leave, i.e. this will not be charged against leave entitlements such as annual leave or sick leave.

Staff members who need to care for dependents who are otherwise well (e.g. schools are closed) will have to use 'available leave' such as annual Leave, alternative days, shift leave, etc. However, if the dependent becomes sick with symptoms of COVID-19 and you need to care for them, this is sick leave. If you are well but asked to self-isolate as a result, this will be special paid leave and not be charged against leave entitlements.

Provisions in the various Collective Agreements will be applied on a case-by-case basis where staff run out of sick leave, including annual leave paid in advance. Requirements for medical certificates will be waived to protect unnecessary risks to community health workers.

Working from home will be encouraged where possible and paid as normal time if it occurs.

The Ministry of Health is asking people with symptoms of fever, cough or shortness of breath who have visited countries or areas of concern (these are being frequently updated on the MoH website), or who have been in close contact with someone confirmed as having COVID-19, to phone Healthline's dedicated COVID-19 number 0800 358 5453.

### **Holidays Act reviews highlight issues**

The review of Holidays Act compliance conducted by Ernst and Young at the three Auckland Metro DHBs has identified 18 areas of non-compliance relating to Annual Leave and BAPSF (bereavement leave, alternative days, public holidays, sick leave and family violence leave).

The DHBs are working through a process that was agreed with the health sector unions and MBIE after it was realised that all DHBs had issues with their payroll systems in complying with the Holidays Act. The process is in three stages: **Review** (of the current payroll systems), **Rectification** (fixing mistakes), and **Remediation** (paying employees past and present what they are owed as a result of the mistakes).

Northland, Waitemata, Auckland and Counties Manukau DHBs have now completed the review phase. Jill has been representing MERAS on the steering groups at each DHB and local MERAS representatives are assisting payroll managers and the auditors in sampling pay records and finding areas of non-compliance.

Reviews are now underway at Waikato, Lakes, Tairāwhiti, Hawkes Bay, Whanganui, Capital and Coast, Wairarapa, Hutt Valley, Nelson-Marlborough, Canterbury and West Coast, and South Canterbury DHBs.

### **Workplace reps recognised**

At their meeting this week, the MERAS National Representatives Council (NRC) recognised the contributions of two workplace reps who passed away within 12 hours of each other earlier this year.

Pauline Andrews had been a member of MERAS at Whangarei Hospital since 2006 and was the NRC rep for Northland for several years. Her sudden passing was a shock to her colleagues. Linda Boyd was a long serving workplace rep at Botany Downs unit.

**Caroline Conroy, Co-leader (Midwifery)**  
**Jill Ovens, Co-leader (Industrial)**