

Clause 4

4.0 Hours of Work and Rostering

- 4.1 The ordinary hours of work shall be 40 per week and not more than eight per day between 7 am and 5.30 pm, Monday to Friday. Each daily duty shall be continuous except for meal periods and rest breaks.
- 4.2 The normal working week shall commence on Monday at the normal starting time of the employing District as determined by that District.
- 4.3 Except as provided for in clause 4.4, rosters will be notified to those involved not less than 28 days prior to the commencement of the roster; provided that less notice may be given for services where unpredictable changes in service demands make this impracticable. The affected RMOs will be consulted at the earliest possible opportunity.
- 4.4 Except for working weekends, the notice provisions for relievers is 14 days, noting the provisions of clause 16.1. The requisite notice for Short Notice Relievers is governed by Appendix 2.
- 4.5 The parties acknowledge the mutual interest and benefits of providing rosters that set working patterns for a reasonable period of time into the future. It is agreed that Districts will post rosters covering a minimum of three months of duties, and ideally for the entire length of the respective run.
- 4.6 Services and RMO units are encouraged to engage with RMOs prior to roster publication to optimise appropriate leave allocation in line with best practice leave allocation guidelines (Appendix 3).
- 4.7 Where the allocation of clinical duties to published rosters is undertaken by a registrar, the employer will provide sufficient time during working hours for those duties to be undertaken. A Registrar who is designated as responsible for writing, managing, and publishing their roster on behalf of the service, and who does not have this role otherwise recognised or compensated, shall be paid an allowance equivalent to one hour at the appropriate additional duty (0800-2200) rate per week in recognition of the time spent undertaking these activities. It is an expectation that the Registrar in receipt of this payment is meeting the expectations of timeliness of roster publication (as per clause 4.3) and supporting the effective, efficient, and equitable rostering of RMO duties within the service.
- 4.8 The parties acknowledge the importance from a service quality and from an audit/risk perspective for Registrars to have sufficient time in their working week to complete administrative work associated with their clinical duties and service development.
- 4.9 Late Publication of Rosters
- 4.9.1 The parties acknowledge the importance of ensuring rosters are provided with the agreed minimum notice to ensure RMOs can manage the impact of rostered out-of-hours duties on their personal/family life and commitments.
- 4.9.2 During the term of this agreement, Districts and STONZ will monitor and record all instances where an RMO roster was provided with less than the 28 days' notice required in clause 4.3.
- 4.9.3 From the date of ratification, where an RMO Roster is published with less than the 28 days' notice required under 4.3, all RMOs working that roster will receive a penalty payment of \$75 for every full or part day that the roster is late.
- 4.9.4 This payment will not be made:
- (a) where the exception in 4.3 applies; or

- (b) to relievers who are covered by 4.4 or Appendix 2; or
- (c) where the production and publication of the roster is substantially undertaken by an RMO in the service (whether or not this is remunerated under clause 4.7).

4.9.5 The National Manual will include advice on the operation of this penalty.

4.9.6 This continuation of this clause will be reviewed as part of the renegotiation of this Agreement.

Overview – Application

Application is in accordance with the clause.

The notice requirements for publication of rosters for Relievers are 14 days. Where relievers are working weekends the notice period for publication of rosters will be 28 days. The Notice period for Short Notice Relievers (SNR) is 14 days (see Appendix 2 STONZ CA).

For more information on hours of work and limits please refer to clause 17 Limits on Hours in the Manual.

Registrars Writing Rosters

The weekly allowance at clause 4.7 acknowledges the work associated with publication and day to day management of the roster in some services is undertaken by a Registrar. Management of the roster for the purposes of this clause is more than writing the roster, it also includes responsibility for such things as determining appropriate cover and changes to the roster etc. If no other compensation (could include specific time for roster management), or recognition is currently offered, then the individual Registrar will be entitled to payment of the allowance. The Rate of the Allowance is the same as the relevant Registrar or Senior Registrar additional duty rate.

Late Publication of Rosters

The parties acknowledge the importance of ensuring rosters are provided with the agreed minimum notice to ensure RMOs can manage the impact of rostered out-of-hours duties on their personal/family life and commitments. During the term of the CA, Health NZ and STONZ have agreed to monitor and record all instances where an RMO roster was provided with less than the 28 days' notice required in clause 4.3.

Districts should have a reporting mechanism for RMO Units and services that manage their own rosters to report instances where the minimum 28 days' notice isn't provided. The intent is to distinguish between late publication of the roster and late notification of individual duties, to identify where there are systemic failures to comply with CA requirements and to plan to address these.

Instances of late roster publication will be reported to the STONZ National Engagement Forum (SNEF) in a nationally consistent manner for each meeting.

Penalty Payment for Late Publication of Rosters

Effective from the 2024-2026 STONZ CA where an RMO Roster is published with less than the 28 days' notice required under 4.3, all RMOs working that roster will receive a penalty payment of \$75 for every full or part day that the roster is late. This excludes relievers who are;

- Covered by clause 4.4 or
- Appendix 2, or
- Where the production and publication of the roster is substantially undertaken by an RMO in the service (whether or not this is remunerated under clause 4.7).

SNEF Project Outcomes – Senior Registrar Leave

Background

During 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. Does the 28 day roster notification period change when I am working in a relief position rather than a team position?
 - Yes the roster notification period when you are working in a relief position is different. Reliever rosters are published 14 days prior to the roster commencing, except where relievers are working weekends these will be notified 28 days prior to the weekend duty.
 - Rosters for short notice relievers as per Appendix 2 are published 14 days to the roster commencing.
2. Is there a penalty payment if the roster publication notification period is not met?
 - Yes, from the 2024-2026 STONZ CA clause 4.9.3 sets out a penalty payment of \$75 per day to each RMO on the roster, for every full or part day that the roster is late. Relievers are excluded from this penalty payment.
 - Clause 4.3 provides for a lesser notice period to be given for services where unpredictable changes in service demands make this impracticable.
 - All reasonable steps will be taken to ensure roster publication notice periods are met, however where a lesser notice period is required the affected RMOs will be consulted at the earliest possible opportunity.
 - Please refer to the scenario section for further details in relation to the penalty payment.
3. Can I be asked to work split shifts as part of my roster?
 - No you cannot be rostered to split shifts. The ordinary hours of work are between the hours of 7 am to 5.30 pm and not more than 8 hours per day Monday to Friday. Each daily duty shall be continuous except for meal periods and rest breaks.
4. When does the normal working week commence?

- The normal working week commences on Monday at the normal starting time of the employing District. Best practice is that the normal starting time will be set out in the run description.
5. I am a Senior Registrar responsible for management of the service roster. Who do I contact to find out whether I am eligible to receive the allowance under clause 4.7 and how will this be paid?
- The weekly allowance at clause 4.7 acknowledges the work associated with writing publishing and managing the roster. Management of the roster for the purposes of this clause is more than writing the roster, it also includes responsibility for such things as determining appropriate cover and changes to the roster etc.
 - You should contact the RMO Support Unit in the first instance who will confirm whether this responsibility is already recognised or compensated as part of your run description.
 - Where you are eligible to receive the allowance the RMO Support Unit will be able to advise the payroll process for payment and the duration that you will be in receipt of the allowance. Please note this process for claiming this allowance may differ between Districts.
6. I am a Registrar responsible for writing the service roster. I am allowed time within my usual hours of work to do this work. Am I entitled to claim that time at the allowance under clause 4.7?
- No. To be eligible for this allowance you must be responsible for the day-to-day management of the service roster including writing the roster. Additionally, there is no entitlement to payment of the allowance where this responsibility is already recognized as part of your hours of work and paid in your run category.
7. How do I check that there is sufficient time in my working week allocated to complete administrative work associated with my Registrar clinical duties?
- The Districts recognise that administrative requirements on Registrars form part of their expected work. You can check your run description to identify if this has been captured under the administration section and is included in your average weekly hours as part of your run category. Where you have a concern that the run category is not representative the mechanism to have this reviewed is to initiate a run review.
8. I am a Senior Registrar responsible for writing the roster. I have provided the draft roster to the Service Manager who is required to review and approve the roster prior to publication. As a result of delays from the Service Manager the roster has been published late. Are the affected RMOs on the roster eligible to receive the penalty payment under clause 4.9.3?
- The penalty payment would apply where a reasonable period of time to review the roster had been agreed with the Service Manager and that had been met.

Scenarios

Scenarios – Registrar Roster Writer Allowance

The following table sets out various arrangements that may be in place at a District where a Registrar is designated as responsible for writing, managing and publishing their roster on behalf of the service and when payment of the allowance under clause 4.7 will be applicable.

Scenarios	Eligible for clause 4.7 allowance	Applicable rate	Calculation of allowance
<p>Example 1</p> <p>Registrar is responsible for writing, managing and publishing their roster on behalf of the service</p> <ul style="list-style-type: none"> Includes on-going responsibilities for management of the roster throughout the run rotation Administration time for this work is part of the roster and in the run description 	<p>Not eligible for clause 4.7 allowance. This responsibility is already recognised as part of the hours of work in the Registrars run description.</p>	<p>NA</p>	<p>NA</p>
<p>Example 2</p> <p>Registrar is responsible for writing, managing and publishing their roster on behalf of the service</p> <ul style="list-style-type: none"> Includes on-going responsibilities for management of the roster The un-rostered hours in the run description include an additional 1 hour per week for this work 	<p>Not eligible for clause 4.7 allowance. This responsibility is already compensated as part of the un-rostered hours and paid in the run category.</p>	<p>NA</p>	<p>NA</p>
<p>Example 3</p> <p>Registrar is responsible for writing, managing and publishing their roster on behalf of the service</p> <ul style="list-style-type: none"> Includes on-going responsibilities for management of the roster throughout the run rotation Work is not already recognised or compensated as part of run description 	<p>Eligible for clause 4.7 allowance for the duration of the Registrar rotation which is 26 weeks.</p>	<ul style="list-style-type: none"> Registrar meets the definition of a senior registrar as set out in clause 15 Additional Duties Eligible for Senior Registrar rate of \$120 per week 	<p>\$120 per week over 26 weeks</p>

Scenarios – Late Roster Publication Penalty Payment

The underlying principle is that roster publication relates to the full period that the roster covers from the commencement of the run rotation up to a minimum of 3 months per clause 4.3 of the STONZ CA acknowledging there is a distinction between late publication of the roster and late notification of individual duties. **Excluding relievers**, all other RMOs working the roster should receive 28 days' notice of all their rostered duties.

The following table sets out various scenario's and when the penalty payment for late roster publication will apply.

Scenario	Eligible for penalty payment	Additional comments
A roster has been published with less than 28 days notice following conclusion of a change process.	No	No entitlement on the basis that the delayed roster publication has been agreed with the affected RMOs as part of the change proposal.
A roster is published 2 days late	Yes	All eligible RMOs working the roster are entitled to the penalty payment regardless of whether they are rostered to work those 2 days or not.
Run swap at an RMOs request which results in late roster publication for that individual RMO.	No	No entitlement on the basis that late publication of the individual RMO's roster has been agreed as part of the run swap.
A forced run swap by the District which results in late roster publication for an individual RMO.	Yes	Eligible for payment for the number of days the roster has been published late.
An RMO accepts a variation to their current position, and this results in late roster publication for that individual. A variation may be for one of the following reasons (not limited to); <ul style="list-style-type: none"> Promotion from HO to SHO/Registrar position Change in FTE Change in Specialty at Registrar level 	No	No entitlement on the basis that late publication of the individual RMO's roster has been agreed as part of acceptance of the variation.
An RMO accepts an offer of employment and the time between acceptance and commencement of employment results in late roster publication for that individual RMO.	No	No entitlement on the basis that late publication of the individual RMO's roster has been agreed as part of acceptance of the offer of employment.
Publication of an individual RMOs roster has been delayed as a result of confirming restricted duties and / or a return to work plan.	No	No entitlement on the basis that late publication of the individual RMO's roster has been agreed as part of their restricted duties or return to work plan.
New Employees		
1. The roster has been published 5 days late. A new employee is scheduled to start 14 days after the roster commences.	No	The RMO is not impacted by the late roster publication and there is no entitlement to the penalty payment.
2. The roster has been published 5 days late.	Yes	RMOs commencing employment at the start of the roster will be entitled to the penalty payment for the first 5 days.

Comparison STONZ and NZRDA CAs

The following table sets out where there are differences between the STONZ CA and NZRDA CA. Where there is no difference between clauses no detail has been provided in the comparison table.

	STONZ CA Clause 4.0	NZRDA CA Clause 4.0
Relievers rosters notice period	<p>Clause 4.1, 16.1 and Appendix 2</p> <p>28 days notice for weekend duties and 14 days notice for all other duties.</p> <p>Short notice relief requires 14 days notice.</p>	<p>Clause 4.1 and Schedule 2</p> <p>Unless using Schedule 2 relievers must get 28 days' notice of roster with at least 3 months of duties. Where Schedule 2 is used, notice period is 2 weeks.</p> <p>Short notice relief requires 28 days notice.</p>
Best Practice Leave Allocation Guidelines	<p>Appendix 3</p> <p>Services and RMO units are encouraged to engage with RMOs prior to roster publication to optimise appropriate leave allocation in line with best practice leave allocation guidelines set out in Appendix 3.</p>	Guidelines not in NZRDA CA
Payment for RMOs writing rosters	<p>Clause 4.7</p> <p>Where the allocation of clinical duties to published rosters is undertaken by a registrar, the employer will provide sufficient time during working hours for those duties to be undertaken. A Registrar who is designated as responsible for writing, managing, and publishing their roster on behalf of the service, and who does not have this role otherwise recognised or compensated, shall be paid an allowance equivalent to one hour at the appropriate additional duty (0800-2200) rate per week in recognition of the time spent undertaking these activities. It is an expectation that the Registrar in receipt of this payment is meeting the expectations of timeliness of roster publication (as per clause 4.3) and supporting the effective, efficient, and equitable rostering of RMO duties within the service.</p>	Not in the NZRDA CA
Admin Time for Registrars	<p>Clause 4.8</p> <p>The parties acknowledge the importance from a service quality and from an audit/risk perspective for Registrars to have sufficient time in their working week to complete administrative work associated with their clinical duties and service development.</p>	Not specifically included in NZRDA CA

<p>Late Publication of Rosters</p>	<p>Clause 4.9</p> <p>The parties acknowledge the importance of ensuring rosters are provided with the agreed minimum notice to ensure RMOs can manage the impact of rostered out-of-hours duties on their personal/family life and commitments.</p> <p>During the term of this agreement, Districts and STONZ will monitor and record all instances where an RMO roster was provided with less than the 28 days' notice required in clause 4.3.</p> <p>From the date of ratification, where an RMO Roster is published with less than the 28 days' notice required under 4.3, all RMOs working that roster will receive a penalty payment of \$75 for every full or part day that the roster is late.</p> <p>This payment will not be made:</p> <ul style="list-style-type: none"> • where the exception in 4.3 applies; or • to relievers who are covered by 4.4 or Appendix 2; or • where the production and publication of the roster is substantially undertaken by an RMO in the service (whether or not this is remunerated under clause 4.7). 	<p>No corresponding penalty payment in NZRDA CA</p>
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Forms, Templates and Other Resources

The following tools form part of clause 4.0 Hours of Work and Rostering. These resources are available on the website where the National Manual is hosted under Clause 4.0 Hours of Work and Rostering.

Note: The Roster Writing and Leave Management – Guide for Registrars is available under the “Resources for Registrars Writing Rosters and Managing Leave” section of the National Manual.

Resource	Comment
<p>Roster Writing and Leave Management – Guide for Registrars</p>	<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>