

## Clause 33

### 33.0 Transfer Expenses

The employing District to which the RMO is transferred is to meet the costs of the relevant expenses and allowances as provided below.

The parties have a mutual expectation that claims and reimbursements of transfer expenses will be made in a reasonable timeframe.

The Employer will endeavour to process all completed reimbursement claims within 4 to 6 weeks of their submission. Where there is a pattern of failure to meet these timeframes, STONZ will raise the issue with District management, and the parties will work to address any systemic problems.

RMOs will endeavour to submit their claims for reimbursement under this clause in a timely manner, and in any event prior to end of the financial year (30 June) in which they are incurred.

Further, processes should facilitate RMOs to make their transfer arrangements as far ahead of time as is practicable to minimise the cost to the Te Whatu Ora.

33.1 Employees are entitled to the reimbursement of transfer expenses set out in the following provisions where:

- (a) they are appointed to their first Registrar position from a House Officer or Senior House Officer position or their first Registrar position at another District following their stepping up from a House Officer/Senior House Officer to Registrar position at their current District.  
Where the RMO 'steps up' to their first Registrar position in the Auckland or Wellington region as part of the Regional allocation process, then they shall be entitled to transfer expenses in respect of their first Registrar position outside of that Region if they have not already accessed this provision.
- (b) they are first accepted into a vocational training programme and appointed to a college recognised training post.
- (c) as a Registrar, they are required to transfer within Australasia for a year or more as part of an approved training programme, provided that expenses associated with buying and selling a house shall not be refunded to any one employee more than once during a training programme.
- (d) They are transferred to another District at the direction of their employer
- (e) Where an RMO is required by the College to transfer to a new District for a period of less than a year to continue their training due to the loss of training accreditation at their previous Hospital then they shall also be entitled to transfer expenses under this clause.

For the purposes of 31.1(c) above, 'required' means at the direction of the relevant vocational training programme either through explicit placement into a training position at a District or in order to meet specific training requirements of that programme.

33.2 Definitions

33.2.1 In determining expenses payable to employees on transfer or new appointees in the context of transfer expenses, a family is defined as follows:

- (a) All children up to the age of 18 years who is a dependent of the employee.
- (b) A partner (provided that no transfer expenses are being paid from another source).
- (c) All other persons who are part of the employee's household who are not themselves employed, or who the employer accepts the employee has familial obligations towards.
- (d) Household effect excludes:
  - i. all articles not part of the employee's own household.
  - ii. buildings (other than small easily dismantled structures, which are not garages), building structural materials, garden seats and large radio and television masts.
  - iii. large workshop machinery, large engines, large cultivating machinery and garden rollers.
  - iv. boats (other than those towed on trailers).
  - v. livestock (other than household pets) and beehives.
  - vi. motor and towed vehicle

33.3 Removal of furniture and effects

Costs incurred during the transfer of household effects will be reimbursed. Any long-term storage costs will be considered on a case-by-case basis.

Expenses, including insurance and storage, incurred in the transfer of household effects to new locations (including household pets, contents of a freezer, telephone installation, and television aerials).

Notwithstanding clause 33.2.1(d)(vi), the employer may agree to move an RMO's car as part of their transfer expenses where it considers it is reasonable to do so considering costs involved, distances/travelling time involved, roster considerations (including attendance at orientation), etc.

33.4 Travel expenses

Payment of expenses during travel to and on arrival at the new location, on production of receipts. This may include meals, travel and accommodation for up to seven days on arrival.

An extension may be sought if furniture is delayed in transit.

33.5 Accommodation allowances for an employee with a family

Actual and reasonable accommodation expenses will be reimbursed to an employee who is maintaining a home at their former location as follows, and a meals and incidentals allowance will be paid as follows:

Period of time	Reimbursement
First two weeks	Actual & reasonable accommodation costs; and \$60.00 per 24-hour period for meals and Incidentals
Third & fourth weeks	Actual & reasonable accommodation costs; and \$50.00 per 24-hour period for meals and Incidentals
Second month	Two-thirds of the amount reimbursed in the fourth week
Third to sixth months	One-third of the amount reimbursed in the fourth week

33.6 Accommodation allowance for employees without a family

If an employee without dependants has difficulty in finding suitable permanent accommodation at the new location beyond the period provided for in 33.4 then, if the District cannot arrange suitable temporary accommodation, it may pay the employee an accommodation allowance for a period of up to one month where the actual and reasonable costs of temporary accommodation incurred by the RMO exceeds \$600 per week. The value of the allowance will be the amount by which the costs exceed \$600 per week.

33.7 Expenses arising from buying and selling homes and land

33.7.1 An employee who meets the requirements of clause 31.1 is eligible for reimbursement of expenses related to the sale and purchase of property on the following basis:

Property	RMO sells only	RMO sells and buys
Undeveloped land / section at former location	Reimbursement of actual expenses of: <ul style="list-style-type: none"> <li>• up to \$1,918 Real Estate Agent's Commission; <b>and</b></li> <li>• up to \$471 in legal fees</li> </ul>	Reimbursement of actual expenses of up to a maximum of \$3,633 for the sale and purchase
	Reimbursement of actual expenses of: <ul style="list-style-type: none"> <li>• up to \$899 in legal fees; <b>and</b></li> <li>• up to \$6,078 Real Estate Agent's Commission <b>or</b></li> </ul>	Reimbursement of actual aggregated legal and Real Estate Agent's commission expenses of up to a maximum of \$10,816

House they were living in at former location	<ul style="list-style-type: none"> <li>• up to \$631 of advertising costs if the house is sold without the service of a Real Estate Agent (receipts must be produced)</li> </ul>	
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33.7.2 When an employee sells the house the employee was occupying at the former location and buys a new house at the new location within two years of the date of transfer, actual aggregated legal and land agents expenses up to \$10,816 shall be refunded. Evidence to qualify for the reimbursements above, evidence must be produced that the employee has previously owned, occupied and sold a house at the former location or previously owned and sold land. Sales and purchases (as applicable) must be completed within two years of the date of transfer.

33.7.3 Penalty mortgage repayment charges

When employees transfer to another location and are eligible for payment of transfer expenses, the employer may approve, a separate refund of early repayment charges due to the termination of a mortgage before the completion of the term of the loan on the property at the previous location. The maximum refund allowable is \$2,532. The employee must provide evidence to support any claim.

33.8 Transfer grant

33.8.1 When employees are transferred at the employer's expense and are required to shift the household, a transfer grant of \$750 shall be paid.

In addition, for each child who is attending a secondary/intermediate school prior to the date of transfer, who attends another secondary or intermediate school after the transfer, and for whom a different uniform is required to be purchased because of change of schools, a \$270 grant shall be paid.

## Overview - Application

### Clarification on specific sub clauses

#### Clause 33.7

With regards to the phrase within two years of the date of transfer, this refers to the 2 years **after** transfer. However, Health NZ should make allowances for properties bought or sold just prior to transfer, that have been bought or sold in anticipation of the transfer.

### Overview

The parties have a mutual expectation that claims and reimbursements of transfer expenses will be made in a reasonable timeframe. Health NZ will endeavour to process all completed reimbursement claims within 4 to 6 weeks of their submission. Where there is a pattern of failure to meet these timeframes, STONZ will raise the issue with District management, and the parties will work to address any systemic problems.

RMOs will endeavour to submit their claims for reimbursement under this clause in a timely manner, and in any event prior to end of the financial year (30 June) in which they are incurred.

Processes should facilitate RMOs to make their transfer arrangements as far ahead of time as is practicable to minimise the cost to the Te Whatu Ora.

An RMO is eligible to apply for transfer expenses in the following cases:

1. They are transferred to another district at the direction of the employer. The RMO is eligible to this entitlement regardless of the reason they are required to transfer.
2. When they step up from HO or SHO to first registrar position
3. When they are accepted onto an approved registrar training program and have to move as part of becoming a trainee.
4. As a trainee, when they are required to move districts as part of the training. The RMO may be required to move on a yearly basis while on the training program and is eligible for travel expenses every time.

### Clarifications

- The RMO is not entitled to transfer expenses when stepping up from HO to SHO
- Regarding point 4 above: expenses related to buying/selling a house can only be claimed once during a training program
- In the case where an RMO starts a second training program, they are entitled to apply again for the house buying/selling expenses
- Regarding point 4 again, 'required' means at the direction of the relevant vocational training programme either through explicit placement into a training position at a district or in order to meet specific training requirements of that programme (such as operating experience).

The definition of family includes all children up to the age of 18 years who is a dependent of the employee and a partner (provided that no transfer expenses are being paid from another source). It also includes all other persons who are part of the employee's household who are not themselves employed, or who the employer accepts the employee has familial obligations towards.

To be part of the employee's household the dependent children or family member must be living with the employee. Examples of other persons who are part of the employee's household who are not themselves employed, or who the employer accepts the employee has familial obligations towards may include;

- A parent of the employee or their spouse/partner
- A grandparent of the employee or their spouse/partner
- Any other person that is a dependent of the employee

RMOs are encouraged to have early discussions with the District where they are transferring, in respect of their personal family circumstances where this may have an impact on their travel/transfer arrangements from the old location to the new location.

## Household effects

Costs incurred during the transfer of household effects will be reimbursed. It is however not intended that long-term storage costs will be reimbursed.

Household effects exclude large radio and television aerials/masts. However smaller masts/aerials that do not require special moving arrangements may be moved with other general household items.

The employer may agree to move an RMO's car as part of their transfer expenses where it considers it is reasonable to do so considering costs involved, distances/travelling time involved, roster considerations (including attendance at orientation) etc.

## Travel Expenses

The RMO is entitled to full refund from Health NZ for:

- Travel expenses
  - Petrol, roadside assistance callout, plane tickets, train tickets, bus tickets etc.
  - Expenses that would not have been incurred if the RMO was not required to move.
- Reasonable cost of meals bought during travel
  - Café, restaurant etc.
  - Food purchased because the RMO was travelling and did not have access to their own food/kitchen at home.
- Accommodation for up to 7 days on arrival
  - This relates to short term accommodation while the RMO awaits the arrival of household items.
  - If household items are late, an extension can be sought as per the CA. Approval of the extension is at the discretion of the District.

## Accommodation Allowances for an employee with a family

When an RMO is required to relocate but does not wish to relocate their whole family, clause 33.5 applies.

This includes actual and reasonable accommodation expenses including a daily meal and incidentals allowance. The RMO must provide a receipt(s) for accommodation costs.

When calculating the meals and incidental allowances, one month should be interpreted as 4 weeks, rather than the exact days in each month. This is for simplicity of calculations.

The meal and incidentals allowance is a weekly payment to be made to the RMO regardless of actual expenditures. The RMO does not need to provide receipts.

With regards to the statements “*Two-thirds of the amount reimbursed in the fourth week*” and “*One-third of the amount reimbursed in the fourth week*” – this is the amount payable to the RMO **per week** during the referenced months (see scenario #1)

## Accommodation Allowance for employees without a family

Where an RMO without dependants has difficulty in finding suitable permanent accommodation at the new location, they may be granted an accommodation allowance for a period of up to one month in addition to the period mentioned in clause 33.4 where the actual and reasonable costs of temporary accommodation incurred by the RMO exceeds \$600 per week. The value of the allowance will be the amount by which the costs exceed \$600 per week.

## Buying and Selling Homes and Land

Reimbursement of expenses related to the sale and purchase of property will be paid in the manner set out at clause 33.7.

With regards to the phrase within two years of the date of transfer, this refers to the 2 years **after** transfer. However, Health NZ should make allowances for properties bought or sold just prior to transfer, that have been bought or sold in anticipation of the transfer.

### Transfer Grant

When an RMO is required to shift household, a lump sum of \$750 should be paid to the RMO. The intention is that the payment of this lump sum is not dependent on actual expenses incurred and will not require a receipt.

With regards to the allowance for children's school uniforms, this applies to children moving from primary to primary or secondary to secondary. If the child changes from primary to secondary school during the relocation, the cost of a new school uniform is not covered. This is because, if the RMO was not relocated, they would have had to buy a new uniform anyway when changing schools.

## Frequently Asked Questions (FAQs)

1. I am a registrar on a training programme. No further time at my current district can be accredited to my training programme. I have not been directed by the College to a particular district and have chosen where I would like to move to. Am I eligible for transfer expenses under Clause 33.1?
  - Yes. Where this situation applies you will be required to provide confirmation from the College by the receiving district.
2. Who is eligible for transfer expenses under Clause 33?
  - Employees required to permanently move districts. Please see above for further details. If the relocation is made with the intent of returning to a base hospital (usually within 6 months or less), clause 31 applies instead.
3. What am I entitled to claim under clause 33.7 where I am selling land, or I am selling and buying land?
  - Where you are only selling land you are entitled to claim a reimbursement of up to \$1918 in real estate's agent commission and up to \$471 in legal fees.
  - Where you are selling land at the former location and buying land and the new location you are entitled to actual expenses up to a maximum of \$3,633 for the sale and purchase.
  - Sales and purchases must be completed within two years of the date of transfer.
4. Is a non-training registrar or SHO, who has been offered another non-training job in a new district that may improve their chances of selection onto training, entitled to transfer expenses?
  - No, to be eligible for transfer expenses the move needs to be directed either by the district or the college. Choosing to accept a position in another district to gain experience does not meet the eligibility criteria.
5. I stepped up to a Registrar position at the same district where I was employed as a House Officer. I will be changing employing district at the next rotation to take up my first Registrar position at another district following this step up. Am I eligible to apply for transfer expenses?
  - Where your first Registrar position when stepping up from a House Officer/Senior House Officer position occurred at the same district, and this is the first time you are transferring district following that appointment, you are eligible to claim transfer expenses.
6. I am being transferred from Invercargill to Whangarei as part of a training programme what options can I discuss with the RMO Unit prior to making any arrangements in relation to my transfer?
  - Whether a period of leave is required to facilitate moving from one location to another
  - Whether you will have any special requirements as part of moving your family
  - Any considerations related to the move that weigh up where it may be more reasonable to fly versus drive, versus transport a vehicle..
7. I have been directed by the College as part of my vocational training programme to move to another District to complete a 6 month training rotation. Can I claim transfer expenses under clause 33.1?



- There is no contractual entitlement to transfer expenses where you are transferring for less than 12 months at the direction of the vocational training programme, or where it is less than 12 months, and it is not related to loss of training accreditation at the previous Hospital.
- However, there is a general expectation that the District will consider reimbursement on a discretionary basis under clause 33.1(c) where a Registrar is being transferred at the direction of the vocational training programme and that period will be less than 12 months.

## Scenarios

### Scenario #1 – Accommodation Allowances for an employee with a family clause 33.5

- RMO is required to relocate but does not wish to relocate their whole family i.e. they are maintaining a residence at the prior location
- The RMO's board and lodging cost is \$600 per week
- They claim board and lodging for 6 months

Period of time	Entitlement under clause 33.5	Weekly Reimbursement
First two weeks	Actual & reasonable accommodation costs; and \$60.00 per 24 hour period for meals and Incidentals	\$600.00 \$420.00 <b>\$1020.00 (weekly total)</b>
Third & fourth weeks	Actual & reasonable accommodation costs; and \$50,00 per 24 hour period for meals and Incidentals	\$600.00 \$350.00 <b>\$950.00 (weekly total)</b>
Second month	Two-thirds of the amount reimbursed in the fourth week	2/3 of \$950,00 <b>\$633,33 (weekly total)</b>
Third to sixth months	One-third of the amount reimbursed in the fourth week	1/3 of \$950.00 <b>\$316.67 (weekly total)</b>

### Scenario #2 – Accommodation Allowances for an employee without a family clause 33.6

The allowance is to be the amount by which actual and reasonable costs of temporary accommodation incurred by the RMO exceed \$600 per week. The value of the allowance will be the amount by which the costs exceed \$600 per week.

- RMO is required to relocate and does not have a family.
- The RMO has already received payment of expenses during travel to and on arrival at the new location which included meals, travel and accommodation for up to seven days on arrival under clause 33.4.
- They have still not found accommodation and are eligible to apply for expenses under clause 33.6 for up to one month.
- The weekly motel fee for accommodation is \$750.00

The RMO will be paid \$150.00 per week in accommodation allowance.

## 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.

	<b>STONZ CA Clause 33</b>	<b>NZRDA CA Clause 31</b>
Eligibility for transfer expenses	<p>Clause 33.1(d) When required to transfer to another district at the direction of the employer</p> <p>Clause 33.1(e) Where an RMO is required by the College to transfer to a new District for a period of less than a year to continue their training due to the loss of training accreditation at their previous Hospital then they shall also be entitled to transfer expenses under this clause.</p>	<p>Clause 31.1(d) When required to transfer “in the public interest” or to meet the convenience of the employer</p>
Definitions	<p>Clause 33.2.1(c) All other persons who are part of the employee’s household who are not themselves employed, or who the employer accepts the employee has familial obligations towards.</p>	<p>Clause 31.2.1(c) All other persons for whom the employee is responsible for be it financially, legally or morally, provided that any income they receive is in total, less than the Adult Minimum Wage as set by the Minimum Wage Act.</p>
Furniture and effects	<p>Clauses 33.2.1(d) and 33.3 Both CAs are the same, but they are organised in different orders/sections that can make it seem like there is a difference.</p>	<p>Clause 31.3 Both CAs are the same, but they are organised in different orders/ sections that can make it seem like there is a difference.</p>
Entitlements when selling a house only and not buying a new house	<p>Clause 33.7.1 The STONZ CA allows for;</p> <ul style="list-style-type: none"> <li>• \$6,078 of Real Estates Agent commission.</li> <li>• up to \$631 of advertising costs if the house is sold without the service of a Real Estate Agent (receipts must be produced).</li> </ul>	<p>Clause 31.7 The NZRDA CA has no comparable allowance for real estate agents commission, or advertising costs if house is sold without the service of a real estate agent.</p>
Entitlements when selling and buying a new house	<p>Clause 33.7.2 When the RMO sells a house at the old location and buys a house at the new location, the RMO is entitled to a refund of actual aggregated legal and land agent’s expenses, up to \$10,816.</p>	<p>Clauses 31.7.2 and 31.7.3. When the RMO sells a house at the old location and buys a house at the new location, the RMO is entitled to a refund of actual aggregated legal and land agent’s expenses, up to \$10,816. The NZRDA CA caps the legal fees portion of the \$10,816 to \$3,840.</p>



<p>Allowance for Penalty Mortgage Repayment</p>	<p>Clause 33.7.3 Maximum of \$2,532  Penalty charges incurred because of the termination of a mortgage before the completion of the term of the loan on the property at the previous location.</p>	<p>Clause 31.7.5 Maximum of \$2,332  Penalty charges incurred because of the termination of a mortgage before the completion of the term of the loan on the property at the previous location.</p>
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