

# NZNO/DHB MECA FAQs

October 2021

Below are some FAQs regarding the new NZNO/DHB MECA 2020-2022.

If you have additional questions you can talk to your delegate, your organiser, or contact the Member Support Centre.

The new MECA and other documents regarding the settlement can be viewed here:

[https://dhubmeca.nzno.org.nz/employer\\_offer\\_sept\\_21](https://dhubmeca.nzno.org.nz/employer_offer_sept_21)

1	<b>I recently left the DHB in September. Will I get back pay and back pay equity pay?</b>	You won't be entitled to any of the advanced payments but once the PE has been settled you can apply to your DHB for back pay as a result of the pay equity settlement having effect from 31 December 2019.
2	<b>What tax rate applies to the lump sum payment?</b>	<p>From the IRD web site, these are the tax rates that will apply. The figures in ( ) are the tax rate plus the 1.39% ACC levy.</p> <p>From 1 April 2021</p> <ul style="list-style-type: none"><li>- \$14,000 or less (11.89%) 10.50%</li><li>- from \$14,001 to \$48,000 (18.89%) 17.50%</li><li>- from \$48,001 to \$70,000 (31.39%) 30.00%</li><li>- from \$70,001 to \$130,911 (34.39%) 33.00%</li><li>- from \$130,911 to \$180,000 (33.00%) 33.00%</li><li>- more than \$180,000 (39.00%) 39.00%</li></ul> <p>You can also work out how much tax/student loan/Kiwisaver will be deducted from your gross amount using the tables found in the link below.</p> <p>If you work 1.0 FTE and are entitled to the full lump sum payment of</p>

		<p>\$7,300 you'll find all that information on page 206.</p> <p><a href="https://www.ird.govt.nz/-/media/project/ir/home/documents/forms-and-guides/ir300---ir399/ir340/ir340-2022.pdf?modified=20210408044154&amp;modified=20210408044154">https://www.ird.govt.nz/-/media/project/ir/home/documents/forms-and-guides/ir300---ir399/ir340/ir340-2022.pdf?modified=20210408044154&amp;modified=20210408044154</a></p>
3	<p><b>Will the \$5800 increase to base pay rates be seen in the next pay slip and backdated from September 6th?</b></p>	<p>DHBs have told us that it will take two to three pay cycles to process the changes. The rates will be back dated to 6 September. You can see more about your individual circumstances on the NZNO/DHB MECA Pay FAQ document: <a href="#">link here</a>.</p>
4	<p><b>Is the lump sum payment of \$7300 (gross pro-rated by FTE) expected to be paid 4-6 weeks from the date of ratification i.e. 15/10/21?</b></p>	<p>Yes. DHBs have told us that it will take two to three pay cycles to process all of the changes including lump sum payment.</p>
5	<p><b>Is the remainder of the lump sum pay equity payment expected to be paid by January 2022?</b></p>	<p>The final pay equity settlement will include when the final pay equity rates apply from, so we don't know the answer to this question yet. That said, the DHBs have told us that it will take two to three pay cycles to process any changes.</p>
6	<p><b>Will the DHB's still pay their contribution to Kiwisaver on the lump sum payment?</b></p>	<p>Yes</p>
7	<p><b>I was hired as a part timer (less than 1 FTE) but have been working full time for over a year. Will my current hours be recognised?</b></p>	<p>Yes, it will be determined based on the greater of either your actual hours worked or your current FTE. So if you have been working 1.0 FTE then that is what will be used to calculate the lump sum.</p>

<p><b>8</b></p>	<p><b>Can I please get some clarification regarding back pay/lump sum when on maternity leave. There seems to be conflicting information as to what we will get paid, when we will get paid and in some cases, if we will get any back pay at all.</b></p>	<p>You will be eligible for an advanced PE payment based on your FTE. Unless you request it be paid prior to your return to work, payment will be made when you return to work. Contact your employer if you would prefer to have the payment made now.</p> <p>The one-off pay equity lump sum payment of \$6,000 gross pro-rated by FTE and service (for those with less than 12 months service on 6 September 2021) for all full-time, part-time and casual Healthcare Assistants, Enrolled Nurses, Registered and Community Nurses, Senior Nurses, Nurse Practitioners, Registered Community and Caseload Midwives and Senior Midwives who:</p> <ul style="list-style-type: none"> <li>· are covered by the NZNO MECA on the date the new MECA is ratified; and</li> <li>· were members of NZNO on the date of the Terms of Settlement (to which the Memorandum is attached) and until and including the ratification date of the new MECA.</li> </ul> <p>The lump sum part payment for both part-time and casual employees will be based on the greater of the actual hours worked over the 12 months prior to the date of ratification of the offer set out in the Terms of Settlement (to which the Memorandum is attached), up to the equivalent of 1 FTE, or contractual FTE.</p> <p>Payment of the lump sums will be made as soon as practicable now that the new MECA is ratified, except that, unless otherwise requested employees on leave without pay (including without limitation parental leave) and/or receiving ACC weekly compensation on the ratification date of the new MECA (15 October), and who otherwise meet in full the criteria set out above and will be eligible for the relevant lump sum payments and will receive the payments on written application after they return to work from the relevant period of leave (or in their final pay if they do not return to work). Such employees may, however, receive lump-sum payments while on leave without pay (as defined above) and/or receiving weekly ACC compensation on written application can you apply for the discretionary leave if you have an annual leave balance.</p> <p>The Terms of Settlement can be viewed <a href="#">here</a>.</p>
<p><b>9</b></p>	<p><b>What do the changes to sick leave mean?</b></p>	<p>The first five discretionary sick leave days are applied for using the same process as you use for your normal sick leave entitlement, i.e. there is no additional application process and the DHB do not have an ability to decline that leave, although in some circumstances they may require a medical certificate.</p>

		Whether or not you have annual leave has no bearing on the following five days under the new offer.
10	<b>I recently changed DHBs, how does this affect the different lump sum payments?</b>	<p>In respect of the DHB \$1,300 lump sum the DHB you are CURRENTLY working for pays this.</p> <p>In respect of the \$6,000 PE advance lump sum, your CURRENT DHB also pays this, however, you need to let your current DHB know that you worked in another DHB in the last 12 months and they will then sort out the correct payment with the previous DHB.</p>
11	<b>Why is the MECA dated to October 2022 instead of July?</b>	The new health authority takes over around July 2022 so this timeframe reduces the possibility of commencing negotiations with the DHBs only to have to start again with Health NZ. An expiry date of October 2022 allows a few months for the new system to bed in.
12	<b>What penalties will DHBs face if safe staffing isn't met?</b>	The changes to the MECA related to staffing provide us with a number of new tools, including permanent employment for New Graduates and immediate advertising of roles shown as needed through the annual FTE calculation report. We also have an improved escalation pathway for when there aren't enough staff in the moment and the ability to take legal action if DHBs do not take all reasonably practicable steps to avoid unsafe staffing. We are currently working on a program to help members enforce these new rights.
13	<b>Will our pay increase/rate apply right away or will it also apply 4-6 weeks like our lump sum?</b>	DHBs have told us that it will take two to three pay cycles to process all of the changes including lump sum payment and new rates of pay. This will mean that there will also be back pay when the new rates are processed. See the pay FAQ table for more information: <a href="#">link here</a> .
14	<b>Are casual employees entitled to the lump sum payments?</b>	Yes
15	<b>Please clarify the new rules with night shift</b>	The length of the break depends on what your FTE is, how many nights you are rostered for and whatever the staff member has requested.

	<p><b>rostering?</b></p>	<p>The following is a hypothetical situation:</p> <p>Assuming you are 1.0 FTE and want a day off following your last night shift, you can only have one 24 hour break as the first night shift is considered your first 24 hour break/day off for the week.</p> <p>You finish your working day at 0700 on say a Tuesday morning (this is not a sleep day, it is a day worked) so you should have a 12 hour break before commencing another shift, i.e. your 24hour break. So that takes you to 1900 hrs. Your 24 hr break runs from 1900 hrs Tuesday to 1900 hrs Wednesday so in practice Thursday AM shift is the earliest shift they can roster you.</p> <p>The MECA states you must have 2 x 24hr breaks per week (0001 Monday to 2400 Sunday) and preferably consecutively which on night shifts is difficult to achieve (but not impossible) unless you work part time.</p> <p>So for a full timer it might look like this:</p> <p>Monday is the 1st day off and you start work at 2300hrs that Monday night and work Mon, Tues, Wed, Thurs nights = 32hrs total. Finish 0700 Fri morning have your min break plus 2nd 24hr day off which takes you through to 1900 hrs Saturday. So you can work an Am or PM shift Sunday to make up your 40 hrs for the week</p> <p>If you are a part timer the roster can be worked so that you have your 12 hr break plus your 2 x consecutive 24 hr breaks</p> <p>The MECA does allow for a 9 hour break between shifts in an emergency.</p> <p>However, the fact that your ward/area is short staffed is <i>not</i> an emergency. The roster must be done at least 28 days in advance, so lack of staff can be factored into the roster. Finally you can forgo having days off immediately after finishing nights if that is what suits you but they can no longer just roster you to work the next day after finishing nights.</p>
<p><b>16</b></p>	<p><b>What happens if I choose not to get the Covid vaccine and am released by the DHB? Do I have to apply to the DHB for back pay for the MECA and do I get the back pay too?</b></p>	<p>If you stop working at the DHB after 15 October then they <i>must</i> include the lump sum payments.</p> <p>Upon PE ratification and your application to your DHB you can claim any further back pay that applies.</p>