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9(2)(a)

RE Official Information Act request CDHB 10080

I refer to your email dated 16 April 2019 requesting the following information under the Official Information Act from Canterbury DHB. I note you clarified your request as below on 23 April 2019:

I would like to see the DHB's correspondence to unions in regards to translation and abatement payments please. It would be helpful to also know the dates that these were sent.

I am looking for the letter I have been told was sent from the CDHB to unions APEX and the PSA regarding the DHBs stance on abatement payments. I have only a vague idea of time-frame; between the end of 2017 until about mid-way through 2018. The work group I am interested in is Laboratory technician workers, but it may have been worded as a generic DHB stance that they would no longer give abatement payments

Our records show that a letter was sent from Canterbury DHB to APEX on 22 November 2017 about translation and abatement payments. This letter is attached as **Appendix 1**. Please note some information has been redacted from this letter under section 9(2)(a) of the Official Information Act 1982 to protect the privacy of natural persons. We do not consider that the public interest in this information outweighs the privacy of the individuals concerned.

We can confirm that we have no records of a letter being sent to the PSA between the end of 2017 and mid-way through 2018 in respect of abatement payments for laboratory technician workers.

If you disagree with our decision to withhold information you may, under section 28(3) of the Official Information Act, seek an investigation and review of our decision from the Ombudsman. Information about how to make a complaint is available at www.ombudsman.parliament.nz or Freephone 0800 802 602.

I trust that this satisfies your interest in this matter.

Please note that this response, or an edited version of this response, may be published on the Canterbury DHB website after your receipt of this response.

Yours sincerely



Carolyn Gullery
Executive Director
Planning, Funding & Decision Support

22 November 2017

Denise Tairua
APEX Advocate
Auckland

Dear Denise

RE: New APEX Laboratory members disadvantage – your reference

I am writing in follow-up to your letter of 18 October 2017 on this matter, which was addressed to Michele Pringle, Manager People and Capability.

We have given due consideration to the matter and genuinely wish to demonstrate good faith by offering a resolution that we believe would be reasonable and mutually acceptable.

We would propose to pay an abating allowance to the amount of the difference/shortfall between any individual APEX member's new MLW MECA base salary and their existing higher (expired PSA Allied MECA linked) money base salary. The allowance payment would be based pro-rata on the employee's FTE employment status. The allowance would abate and only continue until the point where the employee's previous base salary rate (in dollar terms) is equalled or exceeded by the MLW MECA money rate (e.g. as a result of any general % increase or auto increment or merit increase etc.)

This proposed abating allowance arrangement would apply only to those individuals who already come under coverage of the current APEX Medical Laboratory Workers MECA 2016 up to the current date, i.e. 22 November 2017. This only applies to those individual cases where their translation to the relevant current APEX MLW MECA scale results in them going to a lower base money salary.

For any/all other situations after 22 November 2017, where staff may join and come under the coverage of the current APEX MLW MECA and translate to a lower base money salary in the process, there will be no payment of any such abating allowance.

I trust that the resolution offered here will be accepted in the same spirit of good faith by APEX. Our intention is to work with our People and Capability Services team to ensure that the relevant individual cases are all identified and that a retrospective application of the abating allowances is implemented as soon as practicably possible, with appropriate back-payment. Once we have clarification, we shall be happy to provide you with further progress on this, including timeframe for implementation of back-pay. Our People and Capability Advisor (Dave Manley, Phone: 03-364 1491, Email: david.manley@cdhb.health.nz) will be in touch to follow-up on any issues here.

For your information, at the time of writing it appears that there are six staff/APEX members who would be impacted here, i.e. whose APEX MLW MECA base money salary is less than their previous (PSA rate linked) base salary. Their names/details are indicated below and the dollar amounts represent the difference/shortfall identified in their money base salary rates (expressed in terms of 1.0 FTE annual salary rates) upon translation to MLW MECA rates.

[REDACTED]	[REDACTED]	\$865
[REDACTED]	[REDACTED]	\$865
[REDACTED]	[REDACTED]	\$865
[REDACTED]	[REDACTED]	\$865
[REDACTED]	[REDACTED]	\$865
[REDACTED]	[REDACTED]	\$560

I would like to acknowledge here the input and efforts of those CHL managers who were instrumental in providing details and seeking a resolution for their staff who were impacted in this matter. In particular I would mention the considerable efforts and input made by Diana Mitchell, Microbiology Section Head.

Finally Denise, I shall leave it to your discretion as to how and when you wish to feedback to your members regarding this matter. Please advise me when you have done so.

Yours sincerely



Kirsten Beynon
General Manager