

5 November 2020

PHC MECA Strike Action – Frequently asked questions

- **What are the planned actions for Monday 9 November?**
There are rallies up and down the country being held generally between 12 midday and 1pm. These are provided in the newsletter and there will be an NZNO Facebook Event link also. If there is not one listed in your area and you and your colleagues are interested in having a gathering please contact NZNO on 0800 28 38 48. Visibility is so important at this stage so please attend a rally if at all possible.
- **My rostered duty commences just before or ends just after the 8am – 8am 24 hour timeframe. Do I have to come to work for that portion of the shift?**
Yes, you will need to work for just that portion of the shift. As explained previously there is not one consistent set of rostered hours across the 500+ workplaces.
- **In my practice 2 of the 4 nurses are NZNO members. Should we all go on strike?**
Only NZNO members are legally able to strike, non NZNO members can provide any necessary cover.
- **Will I be paid when I am on strike?**
No, being on strike means you would not be paid for the hours of the strike action.
- **Can I take annual leave for the strike day**
The employee(s) and the employer can make a voluntary arrangement to take annual leave in accordance with the Holidays Act.
This would be on the basis that it was agreed by both parties and on the understanding that there is no issue with the employee(s) taking part in any activities that NZNO organises on the day of the strike.
- **Could my employer pay me for the duration of the strike?**
Yes, they could.
- **If I am not rostered on duty the day of the strike, what do I do?**
Attend your local gathering and support your colleagues who are on strike.
- **Do NZNO members have to strike?**
No, striking is voluntary but it is important that there is a commitment from NZNO members to support the strike action if it proceeds as we need strong collective visibility at this stage in order to achieve a resolution. All NZNO members will benefit from the outcome.
- **My employer is a good employer and I feel disloyal going on strike**
The employers, via their representatives, are supporting the right to strike as all parties need the additional funding to appropriately value all employees covered by the MECA and ensure quality PHC services remain sustainable.

- **I am worried about going on strike as my vulnerable patients really need to see me – what should I do?**

Your employer has had two weeks' notice of the strike to enable them to plan, but talk to them about any patients who they may need to follow up on the day.

- **Is there a need for agreed Life Preserving Services (LPS) and are these Primary Health Care worksites essential services?**

LPS is a requirement in the Employment Relations Act relating to the public health sector for workers who are employed in essential services. The worksites covered by the PHC MECA do not fit this category

However, NZNO has worked with the employers on developing a protocol that provides for an employer making a request to NZNO for assistance during the strike action if they believe safety is at risk in terms of the management of urgent/emergency care. The circumstances may include:

- a civil defence emergency or major disaster
- where patient safety is clearly deemed at risk and cannot be accommodated in any other way.

- **Is swabbing for Covid an LPS?**

Not in the context of the industrial action, as another person at your practice who is not an NZNO member could do this and the notice period has provided the time for the employer to make other arrangements for this testing to be done.

- **Would Prime Nursing or Urgent Care Centres covered by the PHC MECA be deemed essential services?**

Please note the wording above in relation to the Protocol. Employers need to contact NZNO if there are issues as detailed. 14 days' notice was given to ensure advance planning could occur.

- **I can't afford to be off work for the strike action is there a hardship fund?**

NZNO members who participate in this industrial action will be able to apply to the NZNO Industrial Action Hardship Fund.

Up to 50 percent of wages lost may be available to NZNO members who meet the hardship fund criteria. Applications can be made to the hardship fund once a current member has received their payslip showing no payment for a rostered strike day.

- **I am scheduled to take Covid swabs in our practice that day – do I go to work?**

No, your employer should make other arrangements for Covid swabs.

- **If I have other secondary employment in PHC on the day of the strike (i.e. not at a PHC MECA worksite) do I have the right to strike there?**

No, you are only able to take strike action at your PHC MECA workplace.

- **My employer is a new party to the PHC MECA this time but I am still on an IEA am I able to go on strike?**

Yes, because your employer is covered by the current bargaining.

- **What if I have leave or study or sick days booked during the strike action? Do I still get paid for these?**

Yes, provided the leave day is utilised in accordance with the original request for the leave.