

## EMPLOYMENT RELATIONS AMENDMENT BILL: PROTECTION OF NEW HOSPITAL SPECIALIST APPOINTMENTS

ERA Amendment Bill threatens new specialist appointments

### Protection for new appointees in their first 30 days

The Employment Relations Act 2000 requires employers such as DHBs to employ new appointees under the applicable collective agreement (where one exists) if they are a union member (eg, ASMS) or, if not a union member, to be offered the same terms and conditions of employment as an individual rather than collective agreement.

This protection is particularly important for senior doctors in DHBs but this retrograde Bill seeks to remove it. We endured bad experiences in the 1990s when no such protection existed and it is unfair for the health system to suffer this again.

With 42% of doctors practicing in New Zealand having gained their primary medical qualification overseas it is likely that at least this proportion, if not higher, work in public hospitals. Medical Council data suggests that the rate for new vocational registrants is around 50%. Further, according to data provided by the Minister of Health to Green MP Kevin Hague under the Official Information Act, 60% of the new hospital doctors since Mr Ryall became Minister are overseas trained. This is trending in the opposite direction of Health Workforce New Zealand Chair Des Gorman's aspiration to bring this share down to 15%.

The ASMS provides advice to these senior doctors about to take up employment with a DHB. It is hard to over-emphasise how little many of these doctors understand about the New Zealand arrangements for salaried employment. In the pre-ERA era of the 1990s much effort was expended by the ASMS on unravelling some of the confusing, unfair and often counterproductive arrangements that had been arrived at in the early days of their employment.

The loss of this protection as proposed by the Bill threatens to put overseas recruits through a bad experience and become a further disincentive to DHBs ability to recruit quality specialists in a highly competitive international market.

[BACK TO TOP](#)

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*The Association of Salaried Medical Specialists (ASMS) represents salaried senior doctors and dentists. The large majority of our members are employed by DHBs. Outside the College of GPs we are the largest organisation representing doctors in New Zealand. Central to our existence is to promote the right of equal access for all New Zealanders to high quality public health services.*

*The ASMS publishes the ASMS Parliamentary Briefing to provide considered advice to MPs of issues and concerns where we believe we have the experience and expertise.*

*If your email address has recently changed or is about to change, will you please inform Terry Creighton at [tc@asms.org.nz](mailto:tc@asms.org.nz)*

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