

The essential ASMS advice for international medical graduates looking for work in New Zealand

The Association of Salaried Medical Specialists (ASMS) welcomes enquiries from overseas trained doctors about terms and conditions of employment in New Zealand (NZ) for specialists and other senior doctors.

Our advice is free and without obligation and comes with an invitation to join the ASMS if you take up an appointment here in NZ.

The ASMS National Agreement (Multi-Employer Collective Agreement–MECA)

About 90% of all specialists (consultants) and other senior doctors working in NZ's public hospitals are members of the Association. We have negotiated a comprehensive national employment agreement that contains core minimum terms of employment for all public hospital consultants or specialists.

Under NZ employment law, any senior doctor who is offered employment with any District Health Board (DHB) in NZ must be offered a contract (employment agreement) based on the ASMS national agreement (MECA).

TIP NUMBER ONE

Download and have a look at the ASMS national agreement for DHB specialists and other senior doctors. It is available on the ASMS website http://www.asms.org.nz/Site/Employment_in_NZ/The_New_MECA.aspx.

Fixed term agreements

It is very unwise to accept a "fixed term" appointment for an agreed length of time, unless the role really is a genuine locum position filling a vacancy while its permanent holder is absent for a period of leave or a short term appointment is your personal preference.

NZ law does not allow fixed term employment for "trial periods" to see if you "fit in" and whether everyone gets on with one another.

In recent years we have dealt with increasing numbers of difficult and sad cases involving overseas trained or "foreign" doctors who were employed for fixed terms and who subsequently become the subject of complaints which were not resolved before their fixed term employment came to an end. In these situations, the employer was obliged under NZ law to advise the NZ Medical Council that the doctor's employment had ended before the complaint about their competence or performance had been resolved.

In our experience, most concerns or complaints about a doctor's clinical competence or performance take at least a year and often longer to investigate fairly and resolve. Most fixed term employment is for a year or less.

The effect of this will be that the "foreign" doctor on the fixed term agreement is unable to obtain either a "certificate of good standing" from the Medical Council or a positive reference from their NZ employer. As a result they have then been unable to obtain new employment in NZ and sometimes back in their "home" country.

We have dealt with several cases such as these, where the "foreign" doctor's professional career has effectively been ruined in this way. Things might have been different if they had sought our advice before accepting the appointment or if their employment had been permanent and not for a fixed term.

Our strong advice is that wherever possible you should seek and accept permanent employment. Under NZ law and the ASMS employment agreement (MECA), permanent employees are free to resign at any time without penalty provided they give the agreed notice of resignation, which under the ASMS agreement is usually three months.

TIP NUMBER TWO

Do not accept employment in NZ on a fixed term contract without seeking expert legal advice unless a short term appointment is your personal preference. ASMS will provide you with that advice at no charge.

Investigate the service

NZ is a small country with a small population of only 4.5 million, served by 20 District Health Boards; most of our public hospitals serve populations of less than 200,000 people. This is likely to mean that you will be practising in a service that is much smaller than you are used to.

You may not be part of a big, well-resourced unit and may often be called upon to work with quite inexperienced (and sometimes without any) registrar or junior staff. You may be first on-call for after-hours and acute work and there may also be only a small number of consultants on the after-hours roster.

TIP NUMBER THREE

Investigate carefully the size of the department you may be joining. How many house surgeons and registrars does it have? How experienced are they? How many of you will share the after-hours roster? Will you be first or second on-call?

Generalist or sub-specialist?

Most departments in NZ hospitals rely on specialists and consultants who have had a wide general training, which may be quite different from your own medical and specialist training. Unless you are applying for a role in a big unit, your employer and your colleagues will expect you to have a wide general experience and be competent to manage most patients that present for diagnosis and treatment. Do you have a clear understanding of what will be expected of you when you take up your new role in NZ? If not, you may quickly become disenchanted or be the subject of difficult complaints about your performance and clinical competence.

TIP NUMBER FOUR

Investigate carefully what is expected of you in the position you are interested in. Do you really have the recent experience and range of skills that the Department and your new colleagues are looking for or will assume you have? If not, it may be only a matter of time before you encounter serious problems that might threaten your continued employment in NZ and follow you home.

The NZ Medical Council and registration in New Zealand

If you have not already done so, you should visit the New Zealand Medical Council website www.mcnz.org.nz and familiarise yourself with the various levels of Medical Registration in this country and where you are likely to fit in. Essentially, there are three categories of registration that may apply to you: Vocational Registration (for specialists or consultants) that allows you to practice autonomously without supervision; General Registration (for non-specialists) which requires you to practice under the supervision of a Vocationally Registered specialist and Provisional Registration (which may be either Vocational or General) which will usually apply for at least a year in order for the Medical Council to assess your suitability to practice in this country. Under Provisional Registration your practice will be supervised by someone who will meet you regularly and who will submit formal quarterly Supervision Reports to the Medical Council about your practice.

TIP NUMBER FIVE

Research carefully what level of registration you will receive and what restrictions will apply to your practice in New Zealand, from your Medical Council registration. If you are not clear what restrictions will apply, avoid later disappointment by seeking early advice from the Medical Council, colleagues in the service where you will work or the ASMS.

Recruiting agencies

TIP NUMBER SIX

Do not rely solely on the advice of recruiting agencies. Although they play an important role and may be very professional, they may also have a conflict of interest because they are paid for each confirmed placement. In our experience it would be unusual for an agency to maintain an ongoing interest in your professional welfare or come back to you later to ask if you are happy in your new job or are indeed a good fit. Recruitment agencies are seldom familiar with the conditions that actually exist in particular services in each of NZ's public hospitals.

TIP NUMBER SEVEN

ASMS does have that knowledge and experience. Furthermore, we do not have a conflict of interest other than to ensure each appointment is a good one and that each appointee has the appropriate skill set for the role. Our interest is to ensure that the expectations of each prospective new ASMS member and the expectations of our current members about new appointees are fully satisfied. We are keen to ensure you do not have to call us later for professional advice if your appointment turns sour.

In summary

TIP NUMBER EIGHT

Apply tips one to seven above and contact ASMS for advice at the time you are considering any offer of employment in NZ and before you make your final decision. We have 25 years of experience in advising and assisting medical graduates looking for work in NZ.