

A SURGE OR CRISIS AGREEMENT

Staff safety and wellbeing is under ongoing pressure from sustained staffing shortages. The situation is likely to worsen with expected surge pressures related to Covid and, more specifically, the arrival of Omicron. We thought it would be timely to remind members that in the face of intense staff shortages or immense work pressures, ASMS recommends that departments negotiate a surge or crisis agreement.



How to navigate severe staff shortages and/or surge

DHBs have an obligation to ensure work is safe, sustainable, and fairly paid. By negotiating a surge agreement, SMOs have clear and enforceable commitments from their DHB about how they will be supported and paid. It's critical that the wellbeing of the workforce is prioritised and that, irrespective of the work pressures, staff are kept safe. A crisis or surge agreement can make sure this happens and that we don't lose more SMOs to burnout.

ASMS has successfully negotiated surge agreements and can support you and your department to put one in place.

What a surge agreement should include

Each agreement is customised to the local work pressures, local contracts and reflects locally appropriate solutions. That said, there are some key areas that any agreement should cover:

- The date of commencement or the triggers for the agreement and a review or end date.
- It's useful to have some guiding principles that help frame the undertakings such as:
 - a) Stating that SMO wellbeing is paramount
 - b) That DHBs commit to taking all reasonable and practical steps to safely manage demand
 - c) That DHBs commit to take all practical steps to ensure full staffing
 - d) Recognition that safe, sustainable work looks different for each SMO
- It's important to document any changes to the way work is arranged in the department or service, such as changes to hours or days or models of care. **Individual** SMOs still need to mutually agree to vary their contract, and mutually agree to the payment for these variations.
- Payment frameworks for the work need to be clearly documented. The ASMS DHB MECA requires additional payment for covering unexpected RMO absences, for vacancies or gaps in the call roster, and for working above your job size. It's important that pay frameworks fairly and adequately cover any increased intensity or pressure in the work, the loss of non-clinical time, or the impact of short staffing. Additional hours must also be fairly recognised at a premium. There may also be a pay frameworks for short notice cover or other such events. These frameworks wouldn't prevent individual negotiations or changes but would provide a minimum standard.
- There needs to be clear protections to ensure your work is safe and sustainable, especially within the context of an already stressed and exhausted workforce. It's worth identifying what your service or department needs to give you that protection, such as rostering principles or work practices. ASMS would also want to see systems in place for monitoring work intensity and sustainability. Other protections could even include practical support such as taxis or overnight accommodation. We also recommend that thought is given to how SMOs can continue to access leave, which is vital for surviving sustained intensity or pressure.

Remember that there are also existing requirements for paid recovery time outlined in the MECA. If these are not in place or have fallen away, surge agreements offer space to refresh and reinstate these important conditions for safe work. If you think a surge agreement could be useful, please contact your local industrial officer.



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