

# Medical Officers

## COVID-19 Industrial Relations Principles Guideline

The Director-General Queensland Health, with the endorsement of the clinical and administration unions has launched the COVID-19 Industrial Relations Principles. The Principles, outlined below, will be used to provide clarity and certainty for employees in relation to key aspects of the industrial framework during the response to the COVID-19 Pandemic.

The principles will ensure Queensland Health continues to provide safe work environments for employees and the best health care to Queenslanders.

The six principles are:

1. The health and safety of our workforce is paramount;
2. Employees will be asked to work only within their scope of practice;
3. Flexibility is vital to our response;
4. Respectful and rapid consultation about temporary changes is required;
5. Existing industrial entitlements will be maintained; and
6. All changes are temporary.

The above principles apply across all Queensland Health employees.

This supplementary guideline, developed in collaboration with the Australian Salaried Medical Officers' Federation Queensland (ASMOFQ) and Together Queensland (TQ), relates particularly to Medical Officers employed pursuant to the *Medical Officers' (Queensland Health) Certified Agreement (No. 5) 2018*. The guideline outlines how the principles will apply to these employees during the COVID-19 Pandemic response.

### 1. The health and safety of our workforce is paramount

- Maintaining the health and wellbeing of the Queensland Health workforce is critical to the COVID-19 Pandemic response. All provisions of the *Work Health and Safety Act 2011* and Regulations continue to apply.

#### a) **Personal Protective Equipment (PPE)**

- No clinician will ever be asked to treat a patient with COVID-19 unless they have the appropriate PPE in accordance with the [Interim infection prevention and control guidelines for the management of COVID-19 in healthcare settings](#).
- The [Interim infection prevention and control guidelines for the management of COVID-19 in healthcare settings](#) is the standard which must be adopted and followed for all Queensland Health employees, contractors (and their employees), agency staff etc. in relation to the need for, use of and type of PPE.

- Employees should be assured that the infection prevention measures outlined in the [interim infection prevention and control guidelines for the management of COVID-19 in healthcare settings](#) will not be diminished in the event that the supply of PPE cannot be maintained.
- It is critical that PPE is used wisely and in consideration with evidence.
- Should employees have any concerns related to PPE it is appropriate that the usual escalation pathways relating to safety be followed. In the first instance, employees should raise concerns with their line managers.

#### **b) Vulnerable employees**

- Queensland Health acknowledges that particular employees may be at higher risk from the effects of COVID-19 due to existing health conditions and/or circumstances.
- The [Vulnerable employee guideline](#) has been developed to support employees and managers to identify and manage vulnerable employees throughout the COVID-19 pandemic.
- The [Vulnerable employee guideline](#) sets out the obligations of both employees and line managers in the event that a staff member meets the definition of a vulnerable person.
- Queensland Health has also developed [a guideline](#) to support the management of potential risks to pregnant staff during the COVID-19 pandemic.

#### **c) Fatigue**

- Fatigue is a common by-product of the 24-hour delivery of patient care and will be especially so in the COVID-19 pandemic. Every individual has a responsibility to manage the known risk of fatigue to themselves, colleagues and patients.
- Health Services have a responsibility to ensure workplace fatigue is managed in a proactive manner while minimising effects and related risks on the workplace, employees, patients and others.
- Employees must speak to their manager and advise them if they are feeling fatigued to determine the best course of action.
- All relevant existing industrial entitlements relating to fatigue will continue to apply to employees.
- The [Queensland Health Fatigue Risk Management System](#) Resource Pack includes tools to assist to identify and address employee fatigue.

## **2. Employees will be asked to work only within their scope of practice**

- As part of the COVID-19 Pandemic response, prioritisation and deployment of employees to meet service demand may be required, including allocation to work outside an employee's usual place of work.

- Managers should discuss deployment with employees, and where relevant groups of employees and their unions, to determine if they have the right skills and training to be deployed into other areas. Consultation with employees should occur in accordance with Principle 4 (below).
- Where an employee is asked to perform additional tasks, these should be within the skillset and appropriate to the level of the employee.
- Where a doctor or group of doctors are asked to work in a different area, clinical unit or role as part of the response to COVID-19, appropriate skills matching will occur in order to deliver the most effective response to the circumstance.
- Deployment will be aligned to the doctor's known skillset, level of seniority where relevant and for senior doctors, it will align to their core Scope of Clinical Practice (where appropriate).
- For Resident Medical Officers in a training program, the requirements of that training program will be taken into account when considering deployment.
- It is expected that clinical staff will continue to work within their Scope of Clinical Practice, including any conditions and/or undertakings of registration.
- Where a doctor performs work in a clinical unit they wouldn't normally work in, they will continue to be indemnified in accordance with [HR Policy I2](#).
- Managers must consider the needs of vulnerable employees when deployment occurs in accordance with the [Vulnerable Staff Guideline](#).
- If an employee is concerned about their ability to practice appropriately or safely in another area, they should discuss their concerns with their line manager as soon as possible.

### **3. Flexibility is vital to our response**

- Temporary changes to employment arrangements may be introduced as part of the COVID-19 Pandemic response to meet the evolving demand on the health system.
- This may include the prioritisation and allocation of staff to perform additional tasks or work in alternative settings or locations.
- Managers will undertake respectful and rapid consultation with employees and relevant unions in accordance with Principle 4 (below).
- In planning for changes, due consideration must be given to balancing the requirement to continue essential services with the wellbeing and personal, family and community responsibilities of the employee.
- Temporary changes may also include the cancellation or deferral of leave. Line Managers should ask for volunteers to cancel or defer leave first before directing an employee to cancel or defer their leave. They must also consult with the affected employee/s in accordance with Principle 4 (below) before making this direction.

- Employees with flexible work arrangements to support childcare or family responsibilities are encouraged to discuss their circumstances with their manager to ensure that these arrangements can be taken into account when exploring deployment options.

#### **4. Respectful and rapid consultation about temporary changes is required**

- Respectful and rapid consultation must occur in relation to temporary changes implemented as part of the COVID-19 Pandemic response. Usual consultation processes with employees and unions will be streamlined wherever possible to ensure employees are safe and Queenslanders are provided with the best possible care.
- Where there is a need to temporarily vary existing employment arrangements in order to maintain health service delivery, this will be done by agreement where practicable and can be done by verbal agreement with staff concerned.
- Wherever possible, managers should undertake early consultation with employees and unions to start planning their COVID-19 Pandemic response. Early consultation will outline the reasons for any proposed temporary changes and to ascertain employees' personal and family responsibilities.
- As part of the early consultation, managers must ask employees what the impact of moving them to another location or shift would be and give them an opportunity to advise of any impacts.
- Based on this consultation with employees and unions, managers must make informed decisions about who may be deployed or have their shifts changed.
- Every effort will be made to provide employees with as much notice as possible if they are directed to work in another location or an alternative shift.
- Union delegates are able to access reasonable paid time to facilitate their role in participating in consultation processes.

#### **5. Existing industrial entitlements will be maintained**

- If an employee is asked to undertake alternative work at a more junior level, their remuneration will not be impacted by such requests.
- If an employee is asked to undertake work at a higher classification they will be entitled to be remunerated at the rate of the higher classification.
- Employees in receipt of an additional week's leave in lieu of public holiday payments who are deployed to a different area with a lesser leave entitlement than their substantive position, will continue to receive the additional week's leave.
- All existing shift allowances and penalty entitlements prescribed in the relevant awards and certified agreements will continue to apply and be paid when worked.

- Employees in receipt of particular attraction and retention allowances (e.g. ED25), who are directed to work in a capacity that would otherwise not attract such allowances, as a result of COVID-19, will continue to receive their existing allowances.
- In the event that an employee is deployed to a role or location where they would not be in receipt of their usual shift allowances or penalty payments, consultation should occur to establish potential financial impacts to the employee. Wherever possible, such deployment should be done on a voluntary basis in the first instance.

## **6. All changes are temporary**

- Any changes to existing employment arrangements (e.g. shift patterns) made as part of the COVID-19 Pandemic response are of a temporary nature only and will be put in place to ensure flexibility in responding to the pressures on the health system during this time.
- The parties acknowledge that early and ongoing consultation and workforce planning is imperative in ensuring Queensland Health's workforce is equipped to respond flexibly to increased demand on the health system as a result of COVID-19.
- Where there is a need to temporarily vary existing employment arrangements in order to maintain health service delivery, this will be done by agreement where practicable and can be done by verbal agreement with staff concerned.
- Upon the cessation of the COVID-19 Pandemic response, an employee's ordinary arrangements will be restored, unless otherwise agreed by all parties (management, impacted employees and relevant unions).