

# CHECK YOUR ROSTER!



A GUIDE FROM AMA VICTORIA'S WORKPLACE RELATIONS TEAM: JANUARY 2020

REFERENCE: DOCTORS IN TRAINING ENTERPRISE AGREEMENT 2018 - 2021

## IF YOU IDENTIFY A BREACH

- Write to your medical workforce unit (or person in charge of your roster). Cite the relevant clause. Ask them to rectify the issue. Keep it brief and respectful.
- Try to keep all communication in writing for record-keeping purposes in case this is required at a later stage.
- It is also useful to request a response by a particular day - usually one week is appropriate. If you fail to receive a response by this time you can escalate the issue.
- AMA Victoria members can call (03) 9280 8722 or email [amavic@amavic.com.au](mailto:amavic@amavic.com.au) for help with interpreting Enterprise Agreement clauses, or advice on how to raise an issue.
- Members can also request representation when issues are not resolved.

## ROSTERING RULES YOU SHOULD BE AWARE OF

1. Your ordinary (base) hours are 38 hours per week, or an average of 38 hours per week over a period of up to 4 weeks (Clause 33.1(a) and (b)(i)).
2. Any hours rostered in addition to this (e.g. longer shifts, evening shifts or weekend shifts) are termed Rostered Overtime.
3. In addition to the 38 hours per week, registrars must be rostered for 5 hours per week of service-free training time (Clause 33.1(b)(i)) which MUST appear on your roster.
  - You must be in agreement that the type of training time being provided for you is appropriate (Clause 34.4).
  - Forms, method and rostering of your training time must be discussed with you at the commencement of your employment or rotation (Clause 34.1(c)).
  - This training time must be free from service calls except for calls about genuine medical emergencies or disaster situations (Clause 34.5(d)).
  - Any arrangement should identify alternative clinical contacts and the forfeiture of the registrar's pager for the duration of the training time where this does not create an identifiable clinical risk that cannot be managed in the registrar's absence (Clause 34.5(d)).
  - If you are unable to be released, or your allocated training time is interrupted by a genuine medical emergency or disaster situation, or the scheduled training time does not occur for ANY other reason, the training time must be re-allocated by the end of the FOLLOWING PAY PERIOD (Clause 34.7).

## **ROSTERING RULES YOU SHOULD BE AWARE OF (CONTINUED)**

- If for any reason you are unable to take your re-allocated training time, YOU need to let the hospital know and they MUST reallocate any untaken training time by no later than FOUR WEEKS from the date that it was originally scheduled (Clause 34.8(a)).
  - If at the end of that four week period you have not received your training time re-allocation, you must be paid at overtime rates for the work you performed during the originally scheduled training time, as well as being paid at your ordinary rate of pay for the hours of training time that you were unable to attend (Clause 34.8(b)).
  - Your training time schedule must be published on a document visible to all clinical and non-clinical staff (or an alternative AGREED document) within the hospital (Clause 34.5(a)).
  - AMA Victoria is permitted to inspect hospital training time records (Clause 34.6).
4. Your rostered hours MUST include all working hours including theatre preparation, ward rounds, completing discharge summaries and (for Registrars only) training time (Clause 35.1(a)).
    - This would include being required to print off lists and prepare for ward round or handover in the morning, and staying back to complete your jobs at the end of the day.
    - If your rostered hours do not cover the workload, you are required to keep a record of details in order to submit unrostered overtime claims. By claiming all of your worked unrostered overtime, you provide evidence of workload and allow the hospital to keep accurate track of staffing requirements.
  5. HMOs, MOs and SMOs must have shifts of at least 4 hours duration (Clause 33.4).
  6. You must not be rostered for more than 16 consecutive hours on any shift (Clause 33.3).
  7. Maximum work hours: your hours mustn't exceed 75 hours in any 7 consecutive shifts, 140 hours in any 14 consecutive shifts, or 280 hours in any 280 consecutive days (Clause 33.2).
  8. Between shifts (including being called into hospital when you're on call) you must be free from duty for at least 10 hours (Clause 33.6(a)).
  9. When transitioning from night shifts to any other shift arrangement you should be free from duty for at least 48 hours (Clause 33.6(b)).
  10. You cannot be rostered for more than 7 consecutive night shifts unless you give written consent to waive this entitlement (Clause 33.2(b)).
  11. Where you're required to complete compulsory training, you must be provided with reasonable time within paid working hours to do so (Clause 48.1).
  12. Rotations between hospitals: Where you are required to move residence, you must be provided with a minimum of a whole calendar day clear from duty (including on-call and overtime) between their final shift at Hospital 1 and their first shift at Hospital 2 (unless you end on a night shift in which case you still need the 48 hours off) (Clause 24.4(a)).