

Human Resources FAQs

To all Employees

This information sheet is designed to answer some **Frequently Asked Questions** with regards to your employment before, during and after an event such as Pandemic Influenza.

During a pandemic we will have to run services and staff members will be required to work during this period.

The following principles have been considered during the planning and preparation:

- The health and wellbeing of our employees is being taken into account during the pandemic planning. We understand that you will have important and legitimate personal, family and community responsibilities. Where possible, our planning will treat these needs as a reality that we will work with.
- Part of the success of the planning and management of an event such as this relies heavily on communication and flexibility by both employers and employees.
- In line with its good employer obligations and the provisions under the Employment Relations Act 2000, we will provide you with access to information and consult with you in relation to employment issues decisions that affect employees, wherever possible.
- It is understood that a common concern will be the contraction of Influenza by being at work. In line with our good employer obligations we will use good health and safety and infection control practices to ensure that our workplace is a safe place to be.

In addition, communication is occurring with Registering Bodies, Unions and other relevant organisations, as we understand that this is another critical factor in planning for a Pandemic.

It is important to note that all employees will be required to adhere to organisational Policies, Procedures, Guidelines and Protocols during a pandemic.

As none of us have faced a potential event such as Pandemic Influenza before, it is difficult to know what scenarios we will be faced with and what questions will need to be answered.

If you have concerns or questions that have not been addressed by this information sheet, please discuss them with your Manager/Team Leader.

Frequently Asked Questions

Will Personal Protective Equipment (PPE) be provided to me at work during a pandemic?

Yes if required, in line with Infection Prevention and Control policies. You should be mindful that unless you have direct contact with infected people there is no need for PPE to be worn. If you have further questions about PPE please contact the Infection Prevention and Control Team at Hawke's Bay Hospital.

What do I do if I am concerned about my workplace being unsafe?

Discuss it with your Manager/Team Leader in the first instance, Occupational Health Unit or Human Resources. Treat a pandemic as you would any other potential

workplace hazard. For example report the hazard to your Manager/Team Leader; record it in your Hazard Register, and plan how you will work with it in your workplace.

As mentioned earlier, we will be using good health and safety and infection control practices to ensure a safe work place.

What happens if I need to stay at home to care for my family?

Once again we recognise that you will have important personal, family and community responsibilities. If you are concerned about how you will manage these during a pandemic, discuss it with your Manager/Team Leader in the first instance or Human Resources.

If it is not appropriate or possible for you to continue working while caring for your family, options such as sick leave or other paid or unpaid leave will be available in accordance with your employment agreement and organisational policies.

Do I have to come to work during a pandemic?

As explained earlier, our organisation will be providing essential services for our community during a pandemic. This will mean that staff will have to be available to work. It is a reasonable expectation that you attend work where practicable steps have been taken to ensure your health and safety while at work during a pandemic.

If you have concerns about your health and safety, raise these with your Manager/Team Leader, and explain the reasons for your concern. If after discussion you are concerned that measures taken are insufficient to manage the risk of infection, you can refuse to work if you believe it is likely to place you in an immediate and significant risk of incurring serious harm.

However, the Health and Safety in Employment Act 1992, obliges you to work with the employer to resolve the matter, and allows you only to continue to refuse to work if you have reasonable grounds to consider it dangerous.

We recommend you communicate with your Manager/Team Leader during a pandemic. In addition if you choose to stop being available to work without discussing this with your employer, you are putting your employment relationship at risk and disciplinary action may need to be taken.

If you have any immediate concerns, please discuss these with your Manager/Team Leader in the first instance.

What happens if I get asked to work in a different way to what I normally do?

During a pandemic our ability to provide essential services to our community is dependent on the organisation being able to respond flexibly to the different scenarios a pandemic may create.

Through planning we may identify that work needs to be carried out differently. If this is perceived to be a viable option, we will consult with you and your representatives in good faith to reach a mutually beneficial agreement.

Will my terms and conditions of employment change?

Your terms and conditions of employment will essentially remain the same, however flexibility may be required with regard to the nature of tasks and duties to complete, hours and location of work.

Depending on the scenario that the pandemic presents, alternative allowances may be available to adequately remunerate employees who work flexibly during the pandemic.

Can my employer require me to stay at home?

Yes. Employers have a legislative obligation to make the work place safe for their employees. This may require employees to stay at home if:

- they are sick and present as an identified or potential hazard to the workplace
- the organisation is unable to manage the potential hazard of contracting the pandemic virus

If a situation arises, where we require you to stay at home, we will consult with you and clearly explain the rationale for our instruction.

Under normal circumstances wages are payable when an employee is ready and willing to perform work. If the situation arises where we require you to stay at home on the basis of managing hazards in the workplace, we will consult with you with regard to the options for payment during this period which may include the use of annual leave, sick leave and leave without pay.

Can I take annual leave during a pandemic?

Authorisation for annual leave during this period will be treated as per the organisation's Annual Leave Policy and your relevant employment agreement. You will need to be mindful however that we are required to run services, during a period of time where we may be short staffed. We are also mindful of the fact that you will have important and legitimate personal, family and community responsibilities.

If you have any immediate concerns, please discuss these with your Manager/Team Leader in the first instance.

Can I take sick leave during a pandemic?

Authorisation for sick leave during this period will be treated as per organisational policies and procedures relating to Sick Leave and your relevant employment agreement. Communication will be a crucial factor during this period so please contact your Manager/Team Leader if you are feeling unwell, or have dependants to care for.

Can I take bereavement during a pandemic?

Yes, authorisation for bereavement leave during this period will be treated as per Hawke's Bay DHB's Bereavement Leave Policy and your relevant employment agreement.

Will I still get paid if I am not required at work?

The decision to require employees to stay at home will not be made lightly. A pandemic scenario is likely to impact on our services and normal business. At this stage we don't know what those impacts are likely to be, however can anticipate that reasons for such a decision being made would include,

- closure of part of our business for a period of time during the pandemic,
- if a staff member is sick and presents as an identified or potential hazard to the workplace; and
- when the employer cannot provide a safe and healthy work environment for employees.

Under normal circumstances wages are payable when an employee is ready and willing to perform work. If the situation arises where we need to look at different ways of doing our work, we will consult with you, and consider options for working

differently which may include the use of annual leave, sick leave and leave without pay.

Can my Manager/Team Leader require me to take annual leave during a pandemic?

Yes. Provisions under the Holidays Act 2003 allow employers to instruct employees to take annual leave with at least 14 days notice.

Who can make the decision to close my workplace during a pandemic?

An employer can close a workplace (i.e. require employees not to turn up to work) if it is determined that there is no other way to manage the safety risk of the workplace.

Employers can also be forced to close workplaces under the exercise of authority via the Health Act 1956 or the Civil Defence Emergency Management Act 2002.

For further information about the Influenza Pandemic please refer to the Ministry of Health website www.moh.govt.nz/pandemicinfluenza

For more information about the planning occurring within Hawke's Bay Health DHB, with regards to the Influenza Pandemic, please contact emergency.response@hbdhb.govt.nz.