

Title: Time Free From Duty – MSRPP, MORPP and Full Time Medical Superintendents (Without Right of Private Practice)	Number: IRM 2.7-29
	Date: MARCH 2004
	Replaces: JUNE 2001

Under the *Medical Superintendents with the Right of Private Practice and Medical Officers with the Right of Private Practice – Queensland Public Hospitals Award – State 2003*, the salary rate prescribed in Clause 5.1 is all inclusive for a six (6) day week.

The Director-General has approved an administrative arrangement (Attachment 1) to be implemented with respect to Medical Superintendents with Right of Private Practice (MSRPP) and Medical Officers with Right of Private Practice (MORPP) which provides additional time free from duty for certain positions. The arrangements include the following issues.

DEFINITIONS

“**Accrued time off**” means the additional time free from duty provided by the approved administrative arrangement.

“**Rostered day off**” means the one (1) day free from duty in each week provided in clause 6.1 of the *Medical Superintendents with the Right of Private Practice and Medical Officers with the Right of Private Practice – Queensland Public Hospitals Award – State 2003*.

“**Working periods**” means working for 22 days and then having six (6) days off duty.

Itinerant Medical Officers will be entitled to 1.5 days free from duty per week which can be accrued for a maximum of two working periods.

These arrangements are effective from 1 July 1998. Action should be taken to ensure that taking time free from duty for MSRPP’s and MORPP’s complies with the award and these arrangements.

For terms and conditions of employment for MSRPP’s and MORPP’s see IRM 2.7-4.

**MEDICAL SUPERINTENDENTS WITH RIGHT OF PRIVATE PRACTICE AND
MEDICAL OFFICERS WITH RIGHT OF PRIVATE PRACTICE, DISTRICT HEALTH
SERVICES**

PART 1 – PRELIMINARY

1.1 Title of Agreement

This Agreement shall be known as the Time Free From Duty Agreement for Medical Superintendents with Right of Private Practice and Medical Officers with Right of Private Practice.

1.2 Arrangement of Agreement

SUBJECT MATTER	CLAUSE NO
Part 1 Preliminary	
Title of Agreement	1.1
Arrangement of Agreement	1.2
Agreement Coverage	1.3
Date of Operation and Renegotiation	1.4
Part 2 Definitions	
Definitions	2.1
Part 3 Terms and Conditions for Time Free From Duty	
Award Provisions	3.1
Time Free from Duty	3.2

1.3 Agreement Coverage

This Agreement shall apply to those employees of Queensland Health who are classified as Medical Superintendents with Right of Private Practice or Medical Officers with Right of Private Practice employed in a District Health Service who meet the criteria.

1.4 Date of Operation and Renegotiation

This Agreement shall take effect as from the first day of July 1998 and shall remain in force until otherwise advised.

PART 2 – DEFINITIONS

2.1 Definitions

“**Accrued time off**” means the additional time free from duty provided by the approved administrative arrangement.

“Award” means the *Medical Superintendents with the Right of Private Practice and Medical Officers with the Right of Private Practice – Queensland Public Hospitals Award – State 2003*.

“Medical Officer with Right of Private Practice” means a Medical Practitioner appointed as such to perform clinical duties in accordance with clause 4(2) of the Award. The MORPP will also be engaged in the private practice of medicine.

“Medical Practitioner” means a person registered by the Medical Board of Queensland.

“Rostered day off” shall mean the one day free from duty in each week provided in clause 6.1 of the *Medical Superintendents with the Right of Private Practice and Medical Officers with the Right of Private Practice – Queensland Public Hospitals Award – State 2003*.

“Working periods” means working for 22 days and then having six (6) days off duty.

PART 3 – TERMS AND CONDITIONS FOR TIME FREE FROM DUTY

3.1 Award Provisions

- (1) Currently under the *Medical Superintendents with the Right of Private Practice and Medical Officers with the Right of Private Practice – Queensland Public Hospitals Award – State 2003*, the salary rate prescribed in clause 5.1 is all inclusive for a six (6) day week.
- (2) The Full Bench of the Queensland Industrial Relations Commission decided on 19 March 1992 (QGIG 780 of 3 April 1992) that:

At the time of the original proceedings, which led to the making of the Award, the claim by the applicants, in relation to relief, sought two (2) days free from duty for each five (5) days of duty. Having regard to all considerations at that time, the Commission fixed salary levels and several leave entitlements, including relief, with the latter determined at the rate of one day free from duty each week. In its decision of 23 March 1989 the Commission said:

“The salary is all inclusive and covers all work performed for the Hospitals Board including the requirements to be on call and all recall work, and work performed on weekends. Had these factors not been incorporated as they have, significantly lesser salary levels would have been awarded.”
(130 QGIG 413 at 416)

- (3) Clause 6.1 of the Award gives effect to this decision. The entitlement is for one (1) day free from duty per calendar week. This is not in addition to weekends. The salary has been determined on the basis of a six (6) day week. Clause 6.1 reads as follows:

“Relief of Employees

An Employee will be entitled to the equivalent of one (1) day free from duty in each week upon which duties under this Award are performed:

Provided that such time, free from duty, may accumulate up to five (5) days without approval of the employee or up to nine (9) days by mutual agreement between the Employer and the Employee.”

3.2 Time Free From Duty

- (1) Additional time free from duty shall be provided to certain positions of MSRPP and/or MORPP as provided hereunder:
 - (a) Medical Superintendents with the Right of Private Practice (Sole Medical Practitioner) will receive an additional half day free from duty (accrued time off) per week subject to the following:-
 - (i) eligibility for the additional half day is based on practitioners providing four (4) weeks continuous service;
 - (ii) a normal roster is worked on the basis of working for 22 days and then having six (6) days from duty (rostered days off plus accrued time off), for which relief is provided;
 - (iii) in isolated areas, the time free from duty will be allowed to accrue, by mutual agreement, for two (2) working periods ie 44 days working with 12 days free from duty with relief;
 - (b) MSRPP/MORPP positions in those centres located more than 300 kilometres from a major urban centre ie Cairns, Townsville, Rockhampton, Brisbane, Toowoomba, or the coastline of the State of Queensland, will receive an additional half day free from duty (accrued time off) per week subject to the following:-
 - (i) the time free from duty will be allowed to accrue, by mutual agreement, for two working periods. However, this does not entitle the MSRPP/MORPP to relief in these circumstances;
 - (ii) arrangements for time free from duty to be mutually agreed between medical officers and District Managers in consultation with the co-ordinator of relieving staff;
 - (iii) external relief will not be provided for periods of time off up to and including nine (9) days or up to twelve (12) days as in the circumstances detailed in b(i) above. This situation includes absences for all reasons ie study, recreation leave, accrued leave, rostered days off;
 - (iv) positions in Miles and Biloela will be included in this category and relief will be provided for the accrued days off only whilst the present

incumbents occupy the positions. The matter will be reviewed if changes occur.

- (c) MSRPP/MORPP positions at Weipa are not entitled to additional accrued time off given a Senior Medical Officer also works in the hospital.
- (d) MSRPP/MORPP positions **within** 300 kilometres of a major centre or the coastline of the State of Queensland are entitled to rostered days off in accordance with the award but no additional accrued time off. This means they are entitled to one (1) day free from duty per calendar week which can accrue in accordance with the award provisions as outlined previously. They are not entitled to days off in addition to weekends free of duty. The salary has been determined on the basis of a six (6) day week. Similar arrangements as forementioned for external relief of MSRPP/MORPP apply to these positions.