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FIRST FIVE YEARS IN FAMILY PRACTICE COMMITTEE

Contract Negotiation Basics – Locum Edition

What to consider when working as or hiring a locum

Details matter when you're negotiating a locum position. The contract should outline details about the following topics, roles, and responsibilities, as well as avenues for recourse in the event of conflicts. Remember, a physician locum is providing a much-needed service, and most hiring physicians and clinics want to accommodate their locums to a reasonable degree to ensure all parties are satisfied.

Information to include in the contract:

- Location of the locum and contact information of clinical directors and physician leaders
- Start and end dates and orientation days
- Scheduling, from macro to micro details:
 - The overall schedule should be set before the start of the locum
 - Ensure the basic day-to-day and week-to-week schedules are agreed upon, including hours worked and the expected number of days/half days seeing patients
 - Clarify if there are protected hours for paperwork and administrative duties
 - Identify in advance any on-call dates or after-hours responsibilities the locum is expected to cover
 - Establish expectations for patient volumes (number of patients per hour) and types of visits (all visits or only urgent concerns) the locum will cover
 - Agree on established absences for vacation or time for continuing professional development
- Payment details:
 - Clarify payment model: Is it based on salary, an hourly or daily rate, fee-for-service, or blended?
 - Payment timing: If payment is not on a set date, is the locum expected to invoice the physician or clinic?
 - Shadow billing (if in a capitation model): Does the locum retain or repay this?
 - Non-insured services: Does the locum or the primary physician retain payments for drivers' exams, insurance forms, sick notes, and workers' compensation forms?
 - On-call and telehealth advisory service duties: Are they remunerated separately or included in payment schedules (e.g., hourly or daily rates)?
 - External billings (e.g., from a hospital): Are they protected?

- **Charts and records:**

- Address electronic medical record and VPN access
- Clarify access to patient charts after the locum ends
- Outline the responsibility for incoming results after locum ends including follow-up on results: Does this responsibility fall to the primary physician, or is the locum still responsible for tests, investigations, and consults ordered?
- Specify how on-call coverage of tasks will be covered while the locum is away or after hours

- **Resources (physical spaces and personnel):**

- State the number of exam rooms assigned to the locum
- List the personnel available to the locum (e.g., administrative assistant, billing agent, registered nurses, registered practical nurses, physician assistants and medical office assistants)
- Outline availability and access to procedure or special rooms and equipment (e.g., ultrasound).
- Describe the office/charting space and shared areas (e.g., lockers)
- Share available lists of community resources and referral pathways, if possible

- **Operational expenses:**

- Office overhead: Is this included in the agreement or deducted as a percentage of billings?
- Changes to clinic space (e.g., renovations) or staffing during the contract: Is the locum physician expected to contribute to costs?

- **Conflict resolution:**

- Non-fulfillment of responsibilities and contract violations: Under what conditions can either party terminate the contract, processes for early termination, and what financial penalties (if any) apply?
- Concerns: What avenues are available to address workplace issues?

Contract review tips:

- Many provincial and territorial medical associations offer free contract reviews, but they are not always done by a lawyer (they may be done by an executive who has experience in negotiating physician contracts)
- Clarify all financial aspects, including the percentage split and whether it is based on all billings, private billings, etc.
- For a longer locum position that may include assuming some financial responsibilities or liability regarding overhead, ensure the contract specifies who is responsible for decisions made by leadership (e.g., clinic renovations, the purchase of durable clinic items) and for what and when

For more information and resources, please visit <https://firstfiveyears.ca/>.

The College of Family Physicians of Canada (CFPC)'s First Five Years in Family Practice (FFYFP) Committee developed this guide based on CFPC members' frequently asked questions. The suggestions provided are those that members of the FFYFP cohort commonly use and are meant to offer helpful tips. Please note that the CFPC does not specifically endorse any one resource or service.

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