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LOCKOUT FOLLOWS CRAFTY STRIKE TACTICS

'The largest lockout in the history of the public health system' has resumed. Spotless Services' move to lock out 800 service workers came in response to tactics like striking for 55 minutes in the hour and changing strike plans at short notice, making continuous patient care impossible. On again-off again strikes mean the company has to pay for both striking workers and replacement workers in many hospitals. With the danger of duplicated staff numbers clogging up hospital wards and discontinuous care for patients, the lockout was okayed by the Employment Court on health and safety grounds.

Why the strikes?

The strikes started after the Govt approved an extra \$16m to bolster wages in public hospitals. Spotless Services, the largest contractor in the sector, guaranteed to pass all of its allocation on to its workers. But the Service & Food Workers' Union wants more – a sector-wide contract (meca) that would remove the company's right to negotiate on how the money's used, so it couldn't link the rate of pay to productivity or performance improvements. A sector-wide contract would remove the productivity benefits of having commercial companies like Spotless working in the sector. It would also give the union enormous power, by enabling sector-wide strikes. So are the strikes about the money - or about union power?

Money for the union

Just come to light today is the detail of the funding agreement reached between the union and the District Health Boards, showing that compulsory union fees could eat up around \$1 million of the \$16 million allocated by the Govt. ...

RUDE EMAILS BRING DISMISSAL - ERA SAYS 'UNJUSTIFIED'

Metering technology company Arthur D. Riley & Co Ltd copped a \$9,000 compensation order from the Employment Relations Authority last week. The company had dismissed an employee for forwarding inappropriate emails, following a number of written warnings for the same offence. But the Authority called the dismissal unjustified, questioning whether the emails, showing various sexual images, were as objectionable as the company thought. It suggested the company could have used the Office of Film & Literature Classification for an objective view on what's "objectionable", rather than rely on the subjective views of management.

SFWU strikes and Spotless lockout

The money or the power?

The money AND the power...

Company dismisses employee for breach of email policy – ERA says 'unjustified'

The chief censor could vet everybody's emails – now there's a thought...

The thought of companies all over New Zealand having to run to the official censor to rule on employees' naughty emails is a humorous one. But more important, the ruling raises the question of a company's right to set its own standards, both for the protection of staff and protection of the company's image and brand. The email in question had been forwarded internally within a small, mixed sex office, and externally on emails that carried the company's name. Why shouldn't companies have the right to set and maintain standards of appropriate workplace behaviour? Arthur D. Riley & Co Ltd is considering its options regarding the ruling.

EMPLOYERS NOT IMPRESSED WITH KIWISAVER CHANGE

Employers had been positive about KiwiSaver Mark 1. They'd been consulted and had agreed to a voluntary scheme. But that was all before the Budget's sudden announcement of compulsory employer payments, aka *KiwiSaver Mark 2*. Since then, smaller companies have woken up to KiwiSaver's cost, compliance and industrial relations problems.

Cost, compliance and IR

The cost is a biggie. The \$20 tax credit is worthwhile in the first year when the requirement is only 1%, but by 2011 the co-contribution will be 4% and employers - especially those with higher-paid staff - will be out of pocket. Compliance is a worry; smaller employers say it's all too complicated, and there's a risk some may simply not comply with the legislation – when it eventually arrives. It's odd that employers have to get the scheme started now, yet the legislation hasn't even got out of select committee yet. Looming in the background is the prospect of industrial problems, as unions seek pay increases on top of the co-contributions. The legislation should make it clear that employer contributions must come out of the employee's total employment package, not as a compulsory add-on.

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Do firms have the right to set their own standards or not?

KiwiSaver 'ambush' came out of the blue

KiwiSaver costly by 2011 – especially if your staff are high-paid