



DELEGATE HANDBOOK

Message from the Secretary

Congratulations

You are now an elected workplace delegate for the New Zealand Meat Workers and Related Trades Union Incorporated (NZMWU).

The Executive Committee of the NZMWU recognises the importance of the delegate's role in building a strong, active and united workplace and Union Movement.

Your role is one of the most important positions in our union because you are the link between the members, the organisers and the management structure – the effectiveness of the NZMWU as the voice for our members depends on the ability and commitment of workplace delegates like you.

Being a delegate means that you are a workplace leader and this brings with it certain rights and responsibilities. The NZMWU relies on delegates like you to take a leadership role in the workplace by:

- informing members of their rights and entitlements,
- informing members about industrial developments and campaigns and wider political/social issues,
- representing and assisting members to resolve issues in the workplace.

It is important that the NZMWU continues to be involved in workers' organisations like the NZ Council of Trade Unions (CTU) who act collectively and voice worker concerns on the political and industrial front because unions have a wider responsibility than just gaining more in wage packets and better employment conditions.

We are in a new technological age where we are witnessing

key interactions between the Union movement and the New Right organisations that influence the conservative government agenda and their tactics to destroy Unions.

- Stopping bargaining at a workplace restores the master-servant relationship where the boss simply dictates the terms and conditions of employment.
- Encourage employers to stop meetings being called on site. By ending meetings they break the core of the Union strength – the ability to activate and interest people.
- Restrict entry to Union officials. This is to make Unions appear irrelevant to the workers and gives a double benefit to employers by giving them the ability to restrict Unions holding meetings in return for access to lunch rooms. Either way, the meeting of workers is stopped and the core of the Union organisation broken.
- Recruit non-English speaking migrant labour. This involves the lowering of immigration barriers so as to create an influx of overseas workers from struggling backgrounds so that employers could manipulate them into lowering workplace conditions.
- Make Unions appear irrelevant. The idea is to create the notion that the workers and the Union officials/offices are not directly connected and that Unions are merely third party interveners in the workplace.

Whilst industrial laws and social attitudes change from time to time, the basic principles of Organising do not. The constant struggle for the Union movement is how to deal with those changes by constantly looking at innovation and initiative, including the use of modern technology, which will maintain the interest of workers to continue the struggle for social justice and safe, healthy workplaces.

Our families and our quality of life is important and our union recognises that it is essential to raise issues that affect all of us like government funding for housing, health care,

superannuation, education and the environment.

We need to continue working with community groups, political organisations and Iwi & Hapu who have similar objectives to ours.

Because members often form their first impressions about the NZMWU through contact with the workplace delegate, you are a key to our union's success.

Therefore one of the NZMWU's highest priorities is to support you, and all other delegates, in being effective in the workplace so that we maintain democratic participation, good leadership and efficient communication in our union.

We do that by providing you with information, resources, legal and industrial advice and most importantly by providing delegate education courses.

This "Delegate's Handbook" is designed to help you get your site 'organised' so we can all win at work!

Thank you for taking on this responsibility.

Graham Cooke
National Secretary

January 2015

Dates to remember

28 April - Worker's Memorial Day

1 May - May Day, International Worker's Day

4th Monday in October - Labour Day

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Glossary of terms

When you work through this handbook you may come across words or phrases that are new to you or confusing. We have taken a ‘plain English’ approach to writing this handbook, but the use of some common terms found in employment relations is sometimes appropriate. These are explained in the glossary of terms.

CHAPTER 1 - YOUR ROLE AS DELEGATE



The delegate as a workplace organiser

Workplace organising and recruitment are your #1 responsibility. When a workplace is well organised, union members have real bargaining power. They are able to effectively resolve workplace issues and get the results they want. As a delegate, your most important role is getting your workplace organised.

This needs planning and commitment.

Being a good “workplace organiser” means:

- You are fully aware of member’s issues – talk and listen.
- You keep members focussed and united.
- You have good communication networks and systems with members.
- You recruit new and existing workers into the union.
- You resolve workplace issues quickly and effectively.

√ Our union has elected delegates throughout New Zealand, just like you, organising their workplaces and making the NZMWU a strong workplace voice.

Being an NZMWU delegate is about

- √ building union understanding and strength at your workplace
- √ recruiting and encouraging members to be active

- √ giving members a voice in the decisions that affect them
- √ standing up for your rights
- √ speaking up at our union meetings and meetings with your boss
- √ reporting discussions back to members
- √ working with members to resolve workplace issues
- √ having a good knowledge of your CEA, job issues, union matters and employment relations industry strategies

The organiser's role is to help you with tasks that you may not have the experience to tackle, or are too "big" to handle on your own depending on how experienced you are. Organiser's are one of your most important resources. If you are in doubt about anything, you should ask your organiser for advice.

An organiser's job involves

- √ Training and developing delegates and members so that we have organised workplaces.
- √ Providing support and backup information for delegates.
- √ Helping delegates handle disputes and grievances.
- √ Recruiting new members in workplaces where there are no members or no delegates, and sometimes working with members and existing delegates to build membership.
- √ Working with the delegates and NZMWU members to negotiate collective agreements.
- √ Assisting delegates to develop safe and healthy work places.
- √ Ensuring workers are protected after an accident (including access to full ACC entitlements).

What should you expect from your employer?

The NZMWU expects your employer to recognise and respect your right to organise and represent members and to provide you with relevant information that you need to fulfil your role. Employers know that the NZMWU will support our delegates.

Your employer should allow you to approach union members, or allow union members to approach you about workplace issues at any time. Your employer should allow you access to a telephone and other facilities and

resources needed to carry out your delegate duties.

You should be able to set up a union notice board in your workplace and display union information without interference from your employer.

Your employer will expect you to be honest and up front, always dealing with the facts and interests of the members.

You have rights as a delegate - the NZMWU calls them a Delegate's Bill of Rights

The best way to ensure that the employer recognises your rights as a delegate is to negotiate delegate rights into your collective agreement.

You have the right to represent our union. Your employer cannot choose which delegates to work with and ignore others. The union designates its delegates, not the employer.

You have the right to be at all grievance meetings with members and your role as union delegate is equal with the management/employer advocate. Your role is not a passive one.

You have the right to recruit new members. You can talk to and encourage workers to join the union. Try to get yourself involved in the induction process for new workers.

You have the right to be consulted if the employer is, looking to make changes in the Workplace that affect worker's jobs and income. You should be a key part of consultation early in any process so that can evaluate how members will be affected. After all, it is the members who do the jobs!

You have the right to consult with the members. When you in a meeting representing a member, you have the right to stop the meeting at any time and speak privately with the member. This is particularly important when the member believes the meeting will result in some form of disciplinary action.

You have the right to defend members. You will develop your own style

over time - deal with facts and try to keep the emotion out of it – leave that to the employer!! Don't be intimidated by loud words or threats though. (See the chapter on Negotiation and Representation)

You have the right to investigate grievances. If you are going to defend a member you must be able to talk with witnesses, supervisors and other members.

You have the right to organise your co-workers and they have the right to show their support for the union.

You have the right to question anyone, even members of management who may have information relevant to a grievance investigation. If you are denied access to anyone, document it in writing so it can be added to the record.

You have the right to question disciplinary action. - the employer's rules, how these are communicated to members and how they are administered by the employer.

An attack on one is an attack on us all!!

Just remember, you are legally not able to be disciplined for doing your job as a delegate. If this does happen, it is an action which will bring the full force of our union to bear on the boss.

NZMWU Education and Training for Delegate

Your union is dedicated to providing high quality, relevant training and education for all delegates.

Our delegate education programme is aimed at developing your skills, knowledge and understanding, particularly around:

- √ Communicating
- √ Organising

- √ Negotiating
- √ Problem solving
- √ Health and Safety

The skills you learn at our union workshops or in sessions with your organiser will become better with practice. Your organiser will help you with hints, tips, insights and ideas on how to get the best outcomes in your workplace – communicate!!

EREL

Your right to attend delegate education workshops during work time is an important part of the Employment Relations Act 2000 (ERA). In the Act it is called Employment Relations Education Leave or 'EREL'. Your collective agreement may also have provision for EREL but it can't be less than what the Act provides for.

Under the ERA, union members can attend EREL courses on paid leave if:

- √ They are members of a union that is party to the collective agreement, and
 - √ They have properly applied for, and been granted leave to attend.
- (Your employer may refuse to allow you leave to attend union EREL only if the employer believes that taking leave on that day would unreasonably disrupt the business – inform your organiser if you are refused leave)

All NZMWU delegate education workshops are approved for EREL by the Minister of Labour.

Keeping yourself and the members informed

As an NZMWU delegate, you have a responsibility to keep yourself up to date with what is going on in our union and keeping members at your workplace informed.

Valuable resources to help you do this include:

- √ Your collective agreement. Make sure you have a copy and are familiar with its contents.
- √ The NZMWU publications Union News and Newsletter will help keep you up to date with NZMWU news and what's happening in your industry.

- √ NZMWU Rules. You should have a copy of this. It sets out how the NZMWU is organised, and the rights and responsibilities of members and officials. These are the rules the union operates by, including delegates.
- √ NZMWU Information Booklet explains the structure of our union and how it is managed.
- √ Leaflets and posters. The NZMWU often puts out leaflets explaining topics like union benefits and negotiation updates. Make sure members at your worksite have copies available.

The NZMWU website www.nzmwu.org.nz

The NZMWU – our union

The New Zealand Meat Workers and Related Trades Union is currently a four branch organisation which funds a National Office on a capitation per member basis, the four branches being the Aotearoa Branch, Canterbury/Marlborough/Nelson/Westland Branch, Otago/Southland Branch, Wanganui Branch.

The highest body of the Union is the National Conference. This body consisting of the Unions National Officers, the Branch Secretaries, the Branch Organisers and one delegate representing each 350 annual equivalent members from each Branch.

Between these conferences the authority of the Union is exercised by the New Zealand Executive which consists of the National President, National Secretary, and all Branch Secretaries and Branch President / Organisers. This body meets on a minimum of four times per year.

The Unions National Officers consist of a full time National Secretary (based in Christchurch) and a National President which is an honorary position, both are elected every three years by ballot of all members.

The Branches include members from both meat plants and related trades. Each branch has its own elected President, Secretary Vice President and Organisers. Aotearoa Branch have a total of five full time Officials,

Canterbury/ Marlborough/Nelson & Westland Branch have the President, Secretary and an Organiser as full time Officials, Otago/Southland have a full time President and Secretary, while the Wanganui Branch (which consists of four plants) has no full time Officials, preferring to make use of their honorary Secretary should the occasion arise.

Branch Executives consist of the Branch Officials, one representative from each sub branch and representatives from the Related Trades Council where applicable. These Executives meet throughout the year on a regular basis.

Each branch sets its own union fee and forwards on the agreed capitation to the National Office. Sub Branches are also permitted to have funds as decided by the members of each site or the Branch Executives.

Branches with sufficient related trades have a Related Trades Council which would meet when required by the Branch Officials.

Each Branch is divided into Plant Sub Branches which democratically elect their own President/Secretary and Vice President.

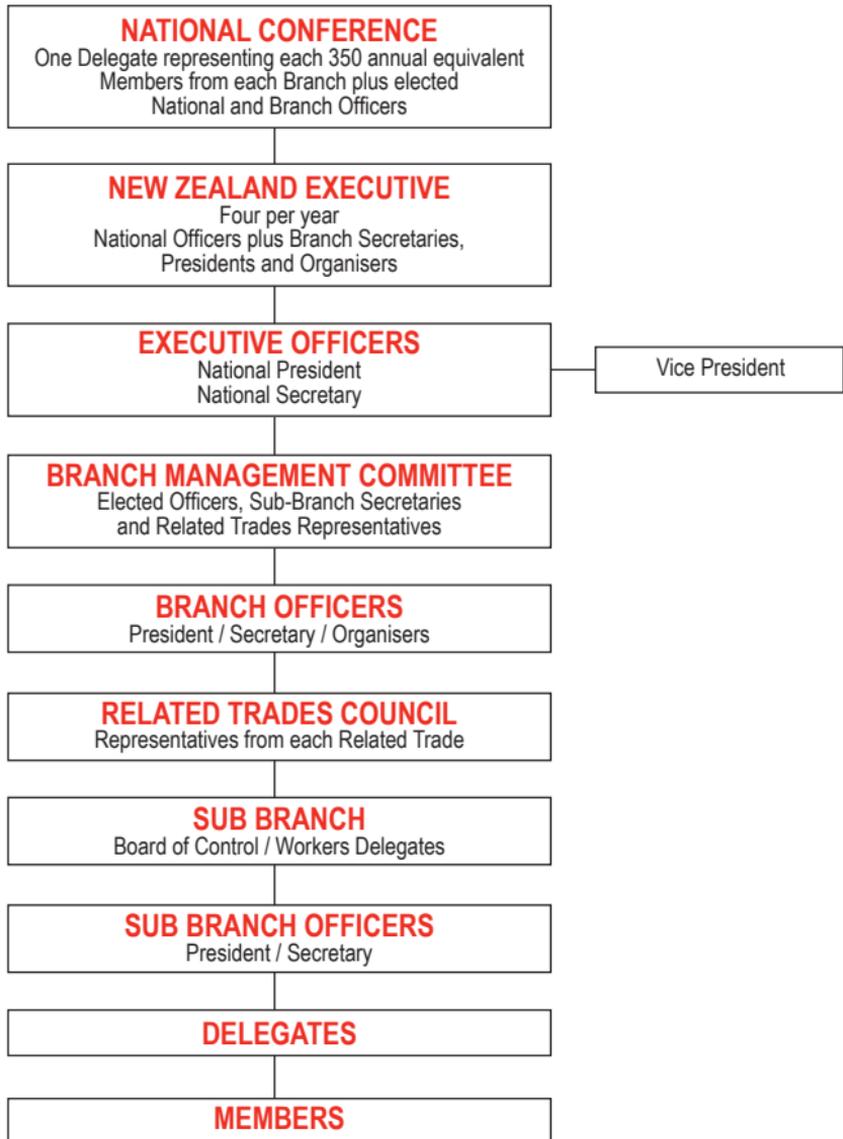
The Sub Branch Board of Control consists of these officers plus one delegate representing the workers of each department within the Sub Branch.

All officers of the Union, whether it be at National/Branch/Sub Branch or Departmental level, are elected by ballot of the membership, the exception being Branch Secretary or Branch Organisers who may be elected by vote of the Branch Executive.

**The NZMWU organises meat processors/workers and related trades in
The following industries:**

- The meat freezing industry or abattoir.
- Wool scouring plants
- Meat cool stores
- Tanneries
- Fellmongeries,
- Leather/canvas goods
- Factories manufacturing or processing:
- Pet food
- Poultry
- Bacon
- Export meat – boning, processing, and packing.
- Feral/domestic deer, pigs or goats.
- Chemical acid or chemical manure.
- Rendering or by-products.

The New Zealand eat Workers and Related Trades Union Incorporated Structure



CHAPTER 2 - ORGANISING YOUR WORKPLACE

Organising is about building power.

An 'organised' workplace is the key to successfully addressing workplace issues – from the negotiation of a collective agreement through to dealing with personal grievances and disputes.

When we're organised, members support and participate in the union. They know that sticking together gets results. They know that organising works and that it will grow unionism.

What does 'organised' mean?

Being 'organised' in a union is talking about the issues we share in common and working together on those issues to improve our working lives. These will often be issues like improving wages and conditions, health and safety and job security.

Organising involves bringing all workers in your workplace into the NZMWU. Employers are more likely to notice us when we represent large sections of their workforce rather than small groups of workers. This means we aim to recruit members in plants across all of the industries provided for in the rules of the union.

On most NZMWU sites you will find that most occupations are covered by our union

Research shows that organised workplaces lead the way in achieving better wage settlements and maintaining conditions under the Employment Relations Act 2000.

Collective activity is a key part of getting organised to fix workplace problems. Acting together and winning gives workers a reason to be in our union. The effect of even minor collective activity can be significant and long lasting. The organising process starts with small victories that give workers confidence to go on.

Workers achieve most when membership is strong.

Your #1 responsibility is to organise your workplace and recruit new members.

If you are organised and you have recruited most of your fellow workers then:

- √ You will have credibility with your employer and fellow workers
- √ Workers will be more willing to be involved in the Union.
- √ You will be in a stronger position to successfully resolve workplace issues.

If delegates in all other workplaces are also organised then the NZMWU will have a much greater influence as a union and by affiliation with the CTU, on governments over issues such as employment and health and safety laws, training and education.

A strong and organised workplace will:

- √ Achieve better wages and conditions.
- √ Build a better working life for people in your workplace, and
- √ Enable the NZMWU to influence and improve terms and conditions of employment for all workers.

When you talk to members, and when you are recruiting new members, remind them what the union movement has achieved by working together – the **UNION SCORECARD**.

Here are some ideas to start with – can you think of more?

- √ Equal pay for men and women.
- √ 4 weeks annual leave (2007)
- √ Additional leave for shifts
- √ Additional annual leave for service
- √ Long service leave
- √ Negotiated pay increases
- √ Collective Agreements protecting workers terms and conditions of employment

- √ Penal pay for evening, night work and weekend work
- √ Paid public holidays (1955)
- √ Penal pay for working public holidays (plus paid day in lieu)
- √ Parental leave (13 weeks paid – 14 from 1/12/2005)
- √ Protective clothing and equipment provided by the employer
- √ Occupational safety and health laws promoting worker participation.
- √ ACC - Compensation for injury at work (1972)
- √ The right for workers to form a union that elects its own independent representatives
- √ The right to be given notice and be consulted about changes at work - eg new technology, redundancies, and new working arrangements.
- √ Legislation ensuring a minimum code for all workers.

Planning for workplace organisation

You need to have information in order to make an effective plan to organise your workplace. You need to know:

- √ Who are members of the union? – get a list of members from the union office.
- √ Who are the non-members? Do they work in the same area? Are they in the same age group? Are they...?
- √ Which members are active and interested?
- √ Are there any obvious workplace issues that you can organise around and WIN?

Ask yourself “Is there anything else that might affect membership and organisation in our workplace?”

The keys to success are

- √ Having a plan with clear, achievable goals that everyone understands.
- √ Regularly talking and listening to workers – they are potential activists or potential members.
- √ Asking the members you have identified as active and interested to help with recruitment or campaigning.

Start by making a map of your workplace

An important resource from the union office is a list of NZMWU members. This information will help you make your map and also keep the union's records up to date.

This is a confidential document – DON'T leave it lying around!. You need to update this list regularly and return it to your local NZMWU office (either by giving it to your organiser or by posting it in). Having up to date records improves your ability to get your site properly organised

Remember to:

Check ALL details and fill any blanks & update ALL wrong addresses

If a member has left, put a line through their name & write why they have left: – resigned from company; left union; redundant.

If you know what company the person has gone to – write this in. Give the updated job sheet to your organiser or post it.

Site Mapping

Your Plant Committee (Board of Control) could make up a site map. This would help delegates (particularly new delegates) get knowledge of the plant and is a tool to organise your site when there is a need for plant wide campaigns like:

- √ Getting ready to re-negotiate the Collective Agreement.
- √ Making sure all members understand the settlement of the agreement.
- √ Taking action over not being able to reach agreement in your negotiations.
- √ Issues that affect the whole plant - H&S.

The map should identify the different areas in your plant, the different shifts and the make up of workers within those areas.

It could be a "birds-eye view" site plan, or just lists of the workers employed in each department/area including management, recording:

- Member/non-member
- Are they anti/apathetic/supportive/active

- Age group
- Ethnic/language
- Are they leaders at work/leaders outside the workplace?
- What additional skills do they have, or have access to – a daughter/son doing graphic design who can do your plant posters!
- Address; phone #'s etc.

This information will tell you where the strengths and weaknesses are. It is also a plant recruitment plan.

Site mapping is also useful to identify plant management - which supervisors and team leaders are more worker / union friendly.

Departmental map

Make a map of your own department, using the above guide – this will be a significant resource for you.

Now you can talk to fellow workers to gather additional information to build up a good accurate picture of your workplace.

When you talk to your workmates, check the information on the membership list from the union office is accurate.

Now you have a map you can ask

- Where are we strong already? Where are our weaknesses?
- Who are the members who might be able to help by influencing others?

From here you can plan a strategy for building membership, activity and organisation.

Beware

Collecting information is a good idea, but not if you are keeping a “file” on your workmates.

Keep all information confidential.

If you are asking other members to help you - **small tasks** are the best.

Don't put big expectations on people.

Planning for workplace organisation – talk to work-mates 1 to 1

Talking to people 1 to 1 means you

- √ treat them as an individual
- √ appear less threatening
- √ can respond to their views
- √ can assess their status – active/supportive/apathetic/anti.

The information you already have from your workplace “map” will help you decide where to start, and plan to make sure that you talk to all workers. Start with someone you know – move from easy to more difficult.

- √ Plan to talk – often it is a good idea to ask when it would be a good time for them.
- √ Know something about the person before you talk to them – something that will open them up a bit.
- √ If they aren't in the union do you know why? Have they been approached before?
- √ Are their work-mates members? Are they friendly with any members?

It is sometimes hard work to win over new members. The more success you have the more confident you become:

SUCCESS BREEDS SUCCESS.

Follow a plan

1. Introduction - develop rapport.

New worker - introduction + basic information	"Hi. I'm ... the union delegate. I just wanted to see how you're finding it here, and answer any questions you have about work and the union."
Later contact	"Hi, some of the other members are concerned about... I wanted to find out how you feel about it because we're thinking of organising a meeting.."

introduction = build relationship = trust you = trust union

2. Find issues of concern/Inform about issues.

Find issues	<ul style="list-style-type: none">• 'Are you worried about...'• 'What's happening about...'• 'How do you think you could be affected by...'
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these questions show you're interested in member's issues

3. Educate about the union.

Explain about our union	<ul style="list-style-type: none">• Talk about how being union, sticking together, is an effective way of resolving their issues.• Get workers to make up their minds from their own experiences.• Hard sell is not very effective!
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education = changing the way workers think union.

4. Get agreement to do something union – join

Get agreement to be involved! Close off!!!	<p>Summarise... "We've talked about the importance of working together on issues, so all that's left is</p> <ul style="list-style-type: none">• For you to agree to . . . "• For you to join the union." <p>Give a choice... "Would you prefer to hand out leaflets or . . . ?"</p> <p>Give a directive.... • "So you'll hand out the leaflets. That's good. Here they are!" • "So join now. Here's the form!"</p>
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this is the most important step towards change

5. Wrap up.

Conclude your 1:1	<ul style="list-style-type: none">• “It’s been great talking to you. I’ll see you next week to find out how you’re getting on with. . . .”• “It’s great you’ve decided to ...and I’ll get back to you tomorrow about . . .”
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this closes the conversation leaving an opening for further contact
What about questions and objections?

Objections are real, and they provide opportunity

Keep to your point - the object is to get the member involved, not win an argument!!

Don’t argue

A framework for handling objections that does work.

LISTEN	With your ears for what is said With your eyes for what is unsaid <i>With your mind for the message</i>
--------	--

a good delegate is a good listener

EXPLORE	What leads you to think that? What is it about . . . that concerns you? <i>Tease out what’s behind the objection.</i>
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ask yourself – what could be behind this?

EQUALISE	I understand your concern . . . Yes, times are tough, . . . Yes I’ve heard others say that too. <i>This is the opposite of arguing!</i>
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equalise means acknowledging their concerns.

ELEVATE	Move their thinking of the union upwards. It’s an educating stage! It’s time for Anger/Hope/Action
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ANGER can overcome fear

HOPE can overcome apathy.

ACTION can be small tasks.

Some commonly heard objections

“I’ve been a member before – the union didn’t do much for me.”

“I can look after myself.”

“I don’t want to always be on strike.”

“I can’t afford it.”

“My mates/wife/partner/dad/mum say unions only cause trouble.”

“I’m just a casual.”

“I get all the benefits anyway – I don’t need to join.”

Discuss these objections with other delegates, other unionists and with your organiser.

Plan to have an answer ready for these common objections.

Recruiting - a #1 priority!!

A recruiting plan

Stage 1 – prepare.

- √ Identify current non-unionists. Use your workplace map!
- √ Check new starters for union membership.
 - o Introduce yourself as the workplace delegate as soon as possible.
 - o Be helpful and friendly – welcoming!
 - o Make an appointment to talk about the union after h/she has had a chance to settle in.
 - o **30-day rule!!** New workers are covered by your collective agreement or 30 days from when they start work. This gives them a chance to decide to become a union member and therefore continue to be covered by the collective. This law is repealed 6 March 2015.
 - o **“Join our union – join our collective!”**
- √ Set yourself goals for recruiting.
 - o Have recruiting material ready.
 - o Know how much membership costs and how payment is made.
 - o Know how to fill in the membership form.
 - o Know the benefits of belonging to the union.

Stage 2 – put your plan into action – do it.

- √ Approach people who seem easiest to recruit first.
- √ See members individually.
- √ Adopt a friendly approach – confident, don't overkill!
- √ Ask questions; listen to their concerns.
- √ Give information about the union.
- √ Invitation to join – Yes - Give out a membership form.
- √ No – Make a time to meet again - **leave the door open!!**

Stage 3 - follow up.

- √ When you do sign up a new member
 - don't lose interest
 - get new members involved in workplace activity - start small.

These are not just new members – they're potential activists!

It is also worth remembering, that many workers have never been asked to join a union before, particularly younger workers.

Building your workplace organisation...

An active and involved workplace will win.

- √ Better collective agreements
- √ Better protection from poor decisions by management.
- √ More dignity and job satisfaction for workers.

Developing activists.

- Use your site/department map to identify where you need activists.
- Aim to have about one activist for every 10 workers.
- Some activists will be quiet members who simply pass information, collect views, remind people about meetings and keep in touch with you.
- Other activists will be more "out there", encouraging, recruiting, organising, discussing etc.
- But anyone who commits to a task is an important resource.

Looking for a potential activist?

Ask: “Is this person....

- ..A leader in their ethnic/community/age group?”
- ..Well respected?”
- ..A questioner more than an accepter?”
- ..Interested in workplace issues, not just personal ones?”
- ..Someone others talk to and listen to?”

Get activists involved with small jobs to start.

Ask: “Will you....

- ..Hand out some newsletters/fliers/pamphlets for me?”
- ..Collect 5 – 10 signatures for a petition?”
- ..Find out the views of 5 – 10 workers in your work area on...?”
- ..Come to a meeting?”
- ..Get 2 – 3 other members to attend a plant meeting?”
- ..Talk to a non-member about joining the union?”

Plant organisation.

On sites with 50 or more annual equivalent members, Plant Delegates' Committees (Board of Controls) are set up under the rules of the union.

You are an essential part of making sure the committee functions effectively to support and advise members and delegates, and to carry out the objectives of the union.

-The elected Health and Safety representatives in your department should be invited to actively contribute to meetings.

If you are a delegate in a smaller workplace try to establish a network of delegates in workplaces in the same area – get to know the delegates in the factories/workshops/manufacturers etc in your street.

You could also discuss with your organiser whether there should be a deputy or second delegate.

Plant meetings.

The union rules require plant meetings as required, at least one of which is the Annual Meeting in January or February.

25% of the members have to attend for there to be a quorum at plant and department meetings so you have a responsibility to get good representation from your department at all plant/department meetings.

A Successful meeting.

Before the meeting

- Make sure everyone knows when, where, and why there is a meeting
- Put notices up in places people will read them (on the back of the toilet door!)
- Get activists to ask members to commit to attending.
- Inform management. Let them know how long you expect it to take.
- Allocate tasks for the meeting....who will make a report?
- Make sure YOU are prepared for what you have to do if you have been allocated a task.

During the meeting

Use an agenda and allocate time to each item so that you make sure everything is covered in the time available.

Make sure everyone is clear about what is happening. If you meet regularly, have a set meeting format.

Don't let the meeting get bogged down by unimportant matters.

The Plant President is responsible for

- Guiding the meeting towards making decisions. (President has the casting vote).
- Making sure that everyone understands what is being discussed and

voted on.

- Maintaining order at all times while ensuring quieter members get opportunities to participate and discouraging any one person or group from being too dominant.
- Making sure the meeting is worthwhile to all concerned, and that everyone gets a chance to express his or her view within the rules for the meeting.
- Voting will be by a show of hands unless a secret ballot is requested by motion, seconded and supported by hand vote of 30% of members present.

After the meeting in your department.

- Post decisions and action to be taken on your department union notice board.
- Encourage them to attend the next meeting.
- Make sure members know what is expected of them (particularly those who were not present) – follow up!!!

CHAPTER 3 – ORGANISING YOURSELF

It's easier to organise you are well organised.

Here are some ideas to help you

Contact points...

- A locker, mailbox, basket, pigeonhole where members can leave messages and information for you.
- Phone numbers – make sure members know how to reach you or leave a message.
- Union notice board – make sure it is accessible and that it's kept up to date. Replace anything that looks old. Plan to attract attention to it so that it is read!!! Bright colours, photos etc.

Records

- Have a system for filing information and notes so that you can find it when you want it.
- Label material clearly.
- Keep it simple.
- Keep it up to date – throw out stuff you no longer need.

Use a diary

- So you can record appointments, meetings and other commitments.
- Have an action list in your diary –
 - o Things to do today
 - o Things to do this week,
 - o This month
- Prioritise them so you get the most important ones done first.

Problem solving

There is no magic to working with members to resolve workplace issues.

The keys are:

- To be methodical, and
- To use all of the resources/information available to you.

1. PLAN

Get the facts!	<ul style="list-style-type: none">- What are their concerns/needs?- Ask open questions and record facts.- Check that you understand, and that the facts are accurate.- What action has member taken?
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The issue is ...	<ul style="list-style-type: none">- Who is affected?- What do the facts mean?- Gather all of the information you need -Collective Agreement, workplace policies, ERA, HSE Act etc
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Explore Options	<ul style="list-style-type: none">- Look at all of the options.- Choose the one most likely to get the best result.- Develop an action plan with the member/s.- These are your action steps.- Make sure you have all of the resources you need.- Allocate tasks and make sure those involved understand what they are required to do.
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2. ACTION

Doing It!!!	<ul style="list-style-type: none">- Implementing the agreed plan.- Have the agreed goals in mind - what do we want to achieve?
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3. REVIEW

Has the plan worked?	<ul style="list-style-type: none">- Know when the goals are achieved.- Does the plan need to be revised to meet the goals?- How well was the action carried out?- Would you do it the same next time?
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Good communications

By following a few guidelines you can improve your communication skills.

The NZMWU delegate training workshops give good opportunities to practice your skills.

- Ask questions; clarify by summarising what you have heard.
- Discuss options, and agree on the next step – record what is agreed!
- After the interview, check your notes, and add anything you need to.
- Record what you need to do on your action list – make sure you get back to the member when you said you would!!

Using questions

The effective use of questions is a valuable tool during the preparation stage and when meeting with management.

Open questions...

- Open the conversation.
- Keep the conversation going.
- Gain information.
- Are useful when dealing with resistance.

Start with **Who..? What..? When..? Where..? Why..? How..?**

After you have used open questions to fill the background, you can narrow your focus by asking more specific closed questions.

Closed questions... (Need a yes/no answer)

- Obtain facts.
- Get/confirm agreement.
- Close/slow down a conversation.
- Pin others to a commitment.
- Direct the conversation.
- Identify specific detail

Start with **Do...? Can...? Does...? Will...? If...? Is...? Are...?**

Listening

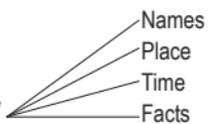
- √ Listening should be active – but follow the 30/70 rule – talk for 30% of the time and listen for 70%.
 - √ Hearing isn't listening
 - √ Listen actively
 - √ Look at the speaker
 - √ Give feedback
 - √ Recognise your prejudice(s)
 - √ Watch the speaker's body language – facial expressions – these are your signals.
 - √ Don't fill the gaps – when the speaker pauses don't jump in with your own response.
- Being a good listener shows respect for the speaker!

- 
- Repeat back in your own words
 - Show you understand how they feel
 - Nod / show encouragement

Note taking

- √ Always take notes - note taking is a very good habit.
- √ They are your notes so spelling and grammar are not important as long as you understand them!
- √ After a meeting or an interview, check your notes as soon as possible to clarify anything you are unsure of, and to add anything you need to.

To be a good note taker:

- Always carry a notebook and pen
 - Don't trust to memory
 - Write brief notes
 - Write clearly
 - Record the main points only, especially
- 
- Names
 - Place
 - Time
 - Facts

Interviewing

When a member comes to you with an issue...

- Arrange to meet in a quiet place, with no time pressure.
- Take notes, and explain why you are doing so
- Listen actively

Keeping yourself and the members informed

As delegate, you have a responsibility to keep members at your workplace informed about what's going on in our union. Valuable resources for you are....

Your collective agreement. Make sure you have a copy and understand what it means.

NZMWU publications Union News and Newsletter. These are the official magazines of the union. They help you keep up to date with MUA news and what's happening in your industry.

NZMWU Rules and NZMWU Information Booklet. You should have a copy of each of these. They set out how the NZMWU is organised, the rights and responsibilities of members and officials – these are the rules and policies the union operates by!

Leaflets and posters. The NZMWU often puts out leaflets explaining topics like union benefits and negotiation updates. Make sure members at your worksite have copies available.

Occupational Safety and Health newsletters/bulletins. The NZMWU also mails to all delegates regular H&S updates both from our union and the CTU.

If you require additional information or have a problem, talk to your organiser or contact your regional union office.

CHAPTER 4 - THE LEGAL FRAMEWORK

As a workplace delegate you need to know that there is legislation (Acts of Parliament) to protect the rights and entitlements of people at work.

Two of the most important Acts affecting workers – the ones you should be most aware of – are the

- Employment Relations Act (**ERA**) 2000, and the Health and Safety in Employment Act 1992 (Health and Safety Reform Bill introduced in second half of 2015)

Other important Acts that provide minimums and protect workers rights are the:

- Injury prevention, Rehabilitation and Compensation Act 2001 (ACC)
- Holidays Act 2003
- Parental Leave and Employment Protection Act
- Privacy Act
- Human Rights Act
- Equal Pay Act
- Minimum Wage Act
- Wages Protection Act

The ERA.

The ERA establishes the industrial and legal framework we work in. The Act provides for balance in the relationship between employers, workers and their unions. The Act sets out to:

- Build good faith behaviour in the workplace
- Address unequal bargaining power between employers and unions
- Promote collective bargaining and collective agreements
- Provide effective employment problem solving mechanisms

The **good faith** provisions of the Act mean that the parties to the employment relationship (employers, workers, unions) cannot deliberately mislead or deceive each other.

The government has developed a Code of Good Faith to give unions and employers principles and guidelines to follow when bargaining for collective agreements.

Other codes may be developed over time to cover other aspects of good faith behaviour.

The Act recognises the key role unions play in the employment relationship and assists unions to build collective organisation by providing some key rights, like:

- Promoting collective bargaining, including industry bargaining
- Paid employment relations education leave for union representatives
- Union-only collective agreements
- Access by union officials to the workplace to talk with members and non members
- Two paid stop-work meetings per year (2 hours each)
- Deduction of union fees from your pay.

The ERA

- Promotes collective bargaining as the best way to enhance workers' bargaining power and achieve fair and just negotiation outcomes.
- Recognises that generally, employers have more bargaining power than individual workers.
- Creates a framework, or set of rules, which each party has to follow.

A Collective Agreement must have

- A coverage clause (i.e. which workers does it cover)
- An explanation of how employment relationship problems will be solved
- A clause stating how the agreement can be varied
- An expiry date that is no more than 3 years after the agreement starts.

Negotiating a Collective Agreement under the ERA

Step 1.... Initiate bargaining

In the 60 days before the expiry of the existing document the NZMWU will send the employer a formal letter initiating bargaining for the new collective. (120 days for a MECA – Multi Employer CA)

Essential industries....

Slaughtering and processing of sheep, cattle, goats, pigs or deer for export or domestic market is an essential industry under Schedule 1, Part B of the ERA. No less than 3 days notice must be given for strikes/lockouts. The parties must go to mediation.

Personal Grievances

Under the ERA, a worker may take a PG against his/her employer or former employer because of a claim that he/she has been....

- Unjustifiably dismissed
- Disadvantaged by some unjustifiable action by the employer.
- Discriminated against, on the basis of their, sex, marital status, religious or ethical belief, colour, race, ethnic or national origins, disability, age, political opinion, employment or family status, sexual orientation
- Sexually harassed.
- Racially harassed.
- Subject to duress because of membership or non-membership of a union.

A grievance must be raised with the employer within a period of 90 days of when the grievance occurred or came to the notice of the worker (whichever was the later).

When does a worker have a grievance for harassment or discrimination?

Harassment - when a worker is subjected to unwelcome or offensive behaviour through words, visual material or physical behaviour of a sexual nature, and this behaviour is of such a nature, or is repeated so often, that it has a negative effect on the worker's employment, work performance or job satisfaction.

Discrimination – when a worker experiences hostility, ridicule or contempt based on their race, colour, ethnic or national origin through language, visual material or physical behaviour, and this behaviour is of such a nature, or is repeated so often, that it has a negative effect on the worker's employment, work performance or job satisfaction.

The letter contains

- a coverage clause – all workers to be covered by the CA
- a list of good faith bargaining rules for the negotiations including:
the release of delegates in the negotiating team on full pay
employer to pay all costs relating to delegates involvement
- The parties agree to make reasonable time available for each meeting that takes place during the course of bargaining.

Step 2.... Have a claims meeting

NZMWU members meet to decide on claims they want to bargain for in a new agreement - hours of work, shift clauses, pay rates, pay increases, sick leave

Members decide the ratification procedure - whether it will be the usual 50% plus 1, secret ballot etc. The ratification decision is also conveyed to the employer.

Step 3.... Employer gives written notice

The employer gives written notification to all workers that may be covered by the coverage clause

- that the union has initiated bargaining.

Step 4.... Protocol Meeting

Before negotiations can begin the parties meet to sign off the bargaining rules (Bargaining Process Agreement).

Once they have been agreed, negotiations begin.

Step 5.... Negotiate

The parties negotiate within the agreed rules, and in good faith.

Regular report backs to members on progress.

Settlement reached ...

NZMWU and employer sign off on Terms of Settlement. (exactly what is agreed to).

Go to a ratification meeting.

Ratification by agreed process.

Legally binding on all parties if ratified by members.

Can't agree - Stalemate reached ...

NZMWU considers options with members.

Union members can strike or the employer can lock out only:

- After mediation
- After 40 days from the initiation of bargaining
- If the existing CA has expired.

Based on case law, a dismissal or an action is unjustifiable if

- There is no good reason for it
- It is not carried out fairly
- No reasonable notice is given
- The issue or problem had not been identified earlier to the worker
- The worker hasn't been given the opportunity to offer an explanation
- There was no thorough investigation or it was carried out with prejudice against the worker
- There was no opportunity to improve their performance prior to dismissal (except for summary dismissal for serious misconduct)

The ERA requires that an employer's actions and how they went about these actions must reflect what a fair and reasonable employer would have done in those circumstances.

Disputes

When there is disagreement about the interpretation, application or operation of a collective agreement, any person covered by, or party to that agreement may pursue a dispute. Any person or party pursuing the dispute must tell all of the union and employer parties to the agreement that there is a dispute.

If a dispute is about pay or time worked, as the workplace delegate you have the right to request immediate access to, or a copy of, or an extract from any part or all of the wages and time record for a member for any time over the past 6 years.

The right to Representation (ERA s236)

Union members have the right to be represented by you as the workplace delegate in any matters involving their employment related to any of the Acts of Parliament at the beginning of this chapter, and also the:

- Police Act, and the
- State Sector Act.

(If it's an issue about the collective agreement, the union must be alerted

to the problem.)

Wages Protection Act

An employer needs to get a worker's written agreement to:

- Pay wages in any form other than in cash, or
- To make any deductions from a worker's pay.

Health and Safety in Employment Act (1992)

Amendments to the Health and Safety in Employment Act are about creating healthier and safer workplaces for everyone.

The Act promotes strong relationships and cooperation between employers, workers and their unions and fits well with the ERA's objective of promoting good faith relationships.

Some key features of the amendments to the Act are:

- The right of workers to elect their H&S Reps.
- The right for the elected H&S reps to participate in workplace health and safety management
- Trained health and safety representatives have the right to issue hazard notices
- Stress and fatigue as potential work-related hazards
- Employers must provide personal protective equipment (PPE)
- Increased fines and penalties for infringements and prosecution
- Right of workers to refuse unsafe work.

Worker participation systems

If your company employs more than 30 workers (can be at more than 1 worksite), then the employer is legally required to have an agreed worker participation system for health and safety that provides for elected H&S representatives and/or H&S Committees.

Elected H & S Reps are entitled to two days paid training leave per year to attend approved training. The CTU (funded by ACC) provides a comprehensive approved training course that is free to your employer (except for the cost of your pay).

The Holidays Act (2003)

Minimum entitlements

The Act sets out the minimum entitlements of annual holidays for all workers. It gives 4 weeks' annual leave after a worker has been employed by the same employer continuously for 12 months. Some MUA collective agreements also have additional leave for service and shift.

If a part time worker is employed 4 days per week, that worker's entitlement is 4 weeks at 4 days per week. If the worker is employed 33 hours per week, then the entitlement is 4 weeks at 33 hours.

Holiday pay included in wages

Workers on fixed-term agreements for less than 12 months (s66 ERA) and casual workers can get their holiday pay included in their wages provided the worker's employment agreement explicitly provides for this arrangement and the holiday pay is an identifiable component of the wages.

The holiday pay is paid at a rate not less than 8% of the worker's gross earnings.

Taking holidays

The employer must allow workers at least two weeks of uninterrupted leave within 12 months of qualifying for annual leave.

Employers can require workers to take annual leave

- If agreement can't be reached as to when a worker will take holidays, or
- When there is a closedown period, but
- Must give them at least 14 days' notice.
- If the employer fails to allow a worker to take leave they don't lose the entitlement.

Closedown period

- The employer is entitled to 1 closedown period per 12 months.
- Workers who have not yet completed 12 months employment have their employment calculated at 8% of their gross earnings.
- Workers must be given 14 days' notice of a closedown period

Payment

Workers must be paid for the holiday before it is taken unless the worker agrees for it to be paid in the pay that relates to the period during which the holiday is taken.

If a worker is ending their employment, their holiday pay must be included in the final pay.

Public Holidays (Holidays Act 2003)

Every worker is entitled to not less than 11 public holidays each year, which are paid holidays when the worker, whether full time, part time or casual, would otherwise have worked. They are:-

Christmas Day	Boxing Day
New Year's Day	Second of January
Waitangi Day	Good Friday
Easter Monday	Anzac Day
Queen's Birthday	Labour Day

The anniversary of the province in which worker is employed.

An employer can require a worker to work on a public holiday if it would otherwise be a working day and if the worker is required to under the employment agreement.

Payment and alternative holiday

Any worker who works any part of a public holiday must be paid at least time and a half of the relevant daily pay for the time worked and allowed to

take a whole day's alternative holiday on a working day agreeable to the worker and the employer.

If the employer won't agree, the worker can give the employer 14 days' notice of intention to take the holiday provided the worker takes into account the employer's view as to when it is convenient.

Public holidays are additional to annual leave.

A worker can request for their alternative holiday(s) to be paid out if 12 months have passed since the worker became entitled to it/them.

Sick Leave and Bereavement Leave

The following are minimums – your collective agreements usually provide better conditions.

After six months with an employer, workers are entitled to 5 day's sick leave on pay during the subsequent 12 months of employment

- For their own sickness or injury, or
- For the sickness or injury to the workers spouse or someone who depends on the worker for care.

A worker can accumulate sick leave to a maximum of 20 days.

A worker is entitled to take 3 days bereavement leave for each type of bereavement listed below:

spouse	parent
child	brother or sister
grandparent	grandchild
spouses parent	

A worker is entitled to 1 day's bereavement leave where the employer accepts that the worker had/has

- A close association with the deceased person
- Has to take significant responsibilities for all or any of the funeral arrangements
- Any cultural responsibilities in relation to the death.

Parental Leave and Employment Protection Act (1987).

To be eligible for parental leave a worker must have worked for the same employer for 12 months and be employed for at least 10 hours a week when the baby is due.

Parental leave is for a maximum of 12 months, and can be for either you or your partner, or you can share it.

Parental leave is also available to couples who are adopting a baby.

Parental leave is unpaid.

Applying for Parental Leave

An employer requires 3 months written notice of when a worker wants to take leave. The letter must say:

- Who is applying for leave.
- The dates wanted.
- For the male to obtain parental leave, the woman partner must make a written declaration stating that he is her partner and intends to assume care of the child while on leave.

What the employer must do

- Ask the worker within 7 days for any additional information
- Reply to the worker within 21 days telling you if you are eligible for Parental Leave or not and if your job can kept open.

Within 21 days of starting parental leave, the employer must write to the worker saying;

- When the leave ends
- When the worker can return to work
- When the worker must decide if they're returning to work or not
- What the worker's rights are if you want to come back before the end of your leave.

Paid Parental Leave

Any worker who qualifies for and is taking parental leave is also entitled to paid parental leave for up to 14 weeks if they are:

A mother.

An adoptive parent who adopts a child under 5 – payment is made to the parent who takes parental leave to care for the child.

The partner of a woman who has qualified for parental leave but is unable to apply due to death or who no longer has legal guardianship of the child.

The rate of payment increases each year. The IRD pays the money directly to the worker's bank account each week. (The current rate can be checked on the Employment Relations website: www.ers.dol.govt.nz)

Injury prevention, Rehabilitation and Compensation Act 2001 (ACC)

The NZMWU and delegates have a significant role to play in the prevention of harm to members while they are at work.

We should also be actively involved in ensuring members get their correct ACC entitlements after an injury and during the rehabilitation process.

H&S reps who have completed the CTU training know how to be involved in negotiating the agreed return to work and rehabilitation plans. NZMWU delegates should network with the H&S reps.

Union organisers and legal officers support H&S reps and delegates through his process.

Some companies are in the ACC Partnership Programme and this has some special implications, but all workers' entitlements are the same as ACC would provide. Companies in the Partnership Programme have to be audited by ACC to make sure they comply – H&S reps and delegates are entitled to take part in the audit process – ask your organiser for assistance.

More information about legislation

For further information on the partnership programme. or more information on any of the legislation outlined in this section, see your organiser or visit the Ministry of Business, Innovation & Employment (old Labour Department) website www.dol.govt.nz

CHAPTER 5 - NEGOTIATING & REPRESENTING – HOW TO WIN IN THE WORKPLACE.

Remember

- Every issue is an organising opportunity. When we have success on the job, big or small, let everyone know and celebrate.
- Organising is in everything we do as delegates.

Representing individual members

Your workmates will come to you for all sorts of information and help.

There will be questions like:

“What is the union doing about this?”

“What are you doing about this?”

“ Why is my pay ...?”

... and many more.

Don't let workers think you have a magic wand.

If they want issues **resolved**, they will need to get involved. They will see the difference in management's response when everyone works together. Representing members' issues at work is often the most important and most visible aspect of the union's presence. Whatever the issue, you should approach it in a systematic way

Most people regard their problems as urgent, but in reality there are few issues that require instant action.

Make sure you know all the facts and all the options before you respond.

4 rules for handling member's issues

1. Ask yourself: “Why is the question being asked?” Is this just a passing interest or is it an important problem for the individual. Is anyone else affected by this?

2. Ask the member: “What have you already done about the issue being raised?”

3. Give an on the spot answer **only if you are sure you are correct**. If you have any doubt, say you'll check up on it. When you have checked (use your available resources – agreement, union notes, organiser etc), **get back to the member as soon as possible with an answer**.

4. Keep a brief note, as a reminder that you have to check, and so that you can ask the member later if everything is OK.

Natural justice at work

We are all entitled to natural justice – at work or anywhere else. This means a person:

- Has a right to know of any complaint against them
- Has a right to know the substance of the complaint and who the complainant is.
- Has the right to know of any 'evidence' or witnesses against them.
- Has the right to question, challenge or to seek elaboration about the complaint and/or evidence – the right of reply.
- Has the right to be accompanied and/or to representation.

These become important when there are allegations that a member's behaviour or work performance are unsatisfactory.

If the matter is a minor one it can often be resolved quickly between the member and his/her team leader/supervisor.

When the issue becomes part of a formal process, a member is entitled to have a workplace delegate present when any discussion takes place with management.

Make sure the members in your area are aware of their rights to Natural Justice!

NZMWU policy for negotiations:

At least one Plant official plus one other union member to be present at all negotiations with plant management.

For negotiations specific to a Department the department delegate shall be present.

General guidelines for dealing with management

- Know how your management works and which person to go to on any issue.
- Always be clear about the issue(s) you are dealing with, and get a clear response -ask for clarification if you are unsure.
- Always take another member with you. This involves more people, and checks your understanding of what is said.
- This also provides a witness to what the management says and does.
- Take notes of what is said, and what was agreed.
- Go over your notes after the meeting. Make sure they are clear: You may need to refer back to them at a later meeting or if you need to involve the organiser.
- Sometimes you may like or dislike particular management people, but always try to maintain a level and clear relationship. You can represent member's issues better if your personal feelings don't get in the way.

Negotiating on workplace matters

- **Preparation and planning** are critical to successful negotiation and representation
 - o Have clear objectives - what do you want to achieve?
 - o Make sure that you have workplace support.
 - o Collect all of the relevant facts
 - o Write down the key arguments of your case
 - o Think about how management will respond.
 - o Do you have a fall back position - this allows you to have options already prepared.
 - o Consider letting management know about the issues you want to discuss before the meeting - this can speed up the process and avoid them saying "We will have to think about it."
- Don't go alone.
- Stay in control of the situation - adjourn the meeting if necessary, and take time to consider any proposals.
- Don't allow yourself to be side-tracked from the main issue.

- Be there as the representative of the worker(s), not as an individual. Say 'we', not 'I' or 'they'.

When management responds

- Listen carefully and ask questions to make sure that both parties have the same understanding.
- Summarise the final position and write it down.

Use closed questions to establish the agreement:

- o "We have agreed that will...?"
- o Employer answers "Yes." you have agreement!
- o Employer answers "No." you need to clarify
- When you have agreement, sign what is agreed to, you have a clear record.

After the meeting with management

- Decide what needs to be done next. Report to the members:
 - o Call a meeting
 - Let your union organiser know what happened
 - Make sure that someone is responsible for seeing that what is agreed to is carried out
 - If you haven't been successful, review what your options are
 - Review your objectives and expectations from the negotiations.
 - Try again -do you need more information
 - Celebrate success with the members – we have done it together.

Glossary of terms

ADVOCATE

A person who speaks or negotiates on your behalf, or leads the team during negotiations for the collective agreement -often an NZMWU organiser.

AGENDA

A list of all the issues to be covered at a meeting.

BAN

Limited industrial action taken by a group of workers, e.g. a ban on overtime.

BALLOT, SECRET BALLOT

A method of voting on an issue, usually in secret, by marking a ballot paper and putting it into a box.

The total number of votes recorded in an election, or to decide on an issue.

BLUE

A term used to describe a dispute or disagreement

CASUAL EMPLOYEE

A person who is employed to work at very short notice, for short periods of time, often through an employment agency.

CASUALISATION

An employment practice that sees large numbers of temporary casual workers at work to “provide flexibility” and “reduce the costs of running the business.”

CLAIMS

A list of issues put forward by workers for the negotiation of the collective agreement.

COLLECTIVE AGREEMENT

This is where your terms and conditions of employment are set out. It is negotiated between your union and the employer. Any worker who is a member of the union, and does the work described in the coverage clause, is automatically covered by the collective agreement.

COVERAGE, COVERAGE CLAUSE

This is the clause that describes the work done by workers who are covered by the collective agreement.

CTU (Council of Trade Unions)

This is the central organisation of the union movement in NZ to which 33 unions are affiliated, covering 300,000 workers.

DISPUTE

A dispute is where there is disagreement over the interpretation, application or operation of any part of a collective agreement.

EMPLOYMENT COURT

The Employment Court mainly hears appeals against decisions made by the Employment Relations Authority. The Employment Court also hears applications for injunctions by one party to a collective agreement against the other party -unions or employers.

ERA

Either

the **Employment Relations Act 2000**, or
the **Employment Relations Authority**.

The Employment Relations Authority looks at employment related problems -the facts presented by the parties then makes a decision based on the merits of the case. An appeal against a decision can be taken to the Employment Court.

EREL

Employment Relations Education Leave is a provision of the ERA that provides paid time off work for union members to attend approved union training courses. NZMWU delegates attend courses that have been approved by the Minister of Labour. The union allocates the leave and the employer can only refuse permission for a delegate to attend if there are reasonable grounds to do so.

ENDORSE

To show agreement or support for something.

ITO

Industry Training Organisation.

LOCKOUT

When an employer refuses to provide work for workers in order to get them to agree to new terms and conditions in a collective agreement, the employer has “locked out” the workers. This is the employer’s version of a strike and can only be done when negotiating for a collective agreement or when there are issues relating to unsafe work.

MEDIATION

A service provided by the Department of Labour under the Employment Relations Act to assist workers, unions and employers resolve employment related problems. If an agreement can’t be reached between the parties, the issue may be taken to the Employment Relations Authority.

MINUTES

The record of a meeting.

NQF

National Qualifications Framework

NZQA

New Zealand Qualifications Authority.

OSH

Occupational Safety and Health -the part of the Labour Department that ensures employers and workers comply with the provisions of the Health and Safety in Employment Act.

ORGANISER

Paid union official who organises, negotiates for/with and represents workers.

PART TIME EMPLOYEE

A worker who works for less than 40 hours per week and is paid pro- rata the weekly wage and leave entitlements of a permanent full time employee. They may be permanent or temporary.

PERSONAL GRIEVANCE (PG)

A claim by a worker that they have been unjustifiably treated or dismissed, or been subjected to duress because of membership or non-membership of a union.

PICKET

A picket occurs when striking workers stand outside their workplace, their employer's head office or some other place, to draw attention to the existence of their strike.

PRO RATA

This is a term meaning "in proportion to". A part time worker who works for 4 days per week (32 hours) will get paid 4/5 of the 5 day (40 hours) rate, and 4/5 of the leave entitlements.

RATIFICATION

When a collective agreement has been negotiated between the union and the employer, the workers covered by the proposed settlement must meet and vote either to accept or reject the deal. This process is called ratification - if the majority agrees to accept the proposed settlement, then it becomes a collective agreement binding on both parties. The standard majority required for ratification is 50% + 1, but members can vote on setting a different majority figure.

REMIT

These are proposals to alter rules or policies of the union put forward from the districts or regions of the union for consideration at the national conference.

SCAB

A worker who continues to work when other workers are on strike. This person will usually have to cross the picket line.

SHOP STEWARD

A traditional name for a senior union delegate.

STOP WORK MEETING

The Employment Relations Act provides all workers covered by a collective agreement a minimum of two 2 hour paid stop work meetings per year to discuss union business. Many NZMWU collective agreements already allow for four hours of paid stop work meeting time.

STRIKE

Sometimes called industrial action, a strike is a refusal by workers to carry out any work or duties that they would normally do, ranging from a “work to rule,” to being “out the gate,”

Under the ERA, workers can legally strike if they have been in negotiations for a collective agreement for 40 days and can't reach agreement with the employer.

Workers may also take strike action over health and safety issues where there is a risk of injury.

The union rules require a secret ballot if it is requested through a motion at a meeting, is seconded and supported by a hand vote of 30% of the members present.

TEMPORARY EMPLOYEE (TEMP)

A worker employed for a fixed term either fulltime or part-time sometimes to cover a specific project, parental leave, long-term illness or ACC. An employer needs to have genuine reasons for employing temps and the temp employee must be made aware of the nature of their employment – s66 ERA.

CASUAL EMPLOYEE

Casual employment is defined as the employment of a person on an on call and as required basis without any commitment from either party to ongoing employment. This includes staff engaged for one-off situations. They do not have pre-determined hours of work and work arrangements are made on an hourly, daily or weekly basis as the employer's needs arise.

A casual employee is defined as an employee who:

- is engaged to work only on “as and when” required basis; and
- is under no obligation to accept work offered; and
- is employed for a discrete casual work engagement(s); and
- has no expectation of ongoing or further casual work engagements being offered; and
- is paid full at the end of each completed casual work engagement (including holiday pay).

Useful Websites

NZ Meat Workers Union	www.nzmwu.org.nz
Health and Safety - Worksafe Accident Compensation	www.business.govt.nz/worksafe www.acc.co.nz
Companies Office	www.companies.govt.nz
Consumer Affairs, Ministry of:	www.consumer-ministry.govt.nz
Council of Trade Unions (CTU)	www.union.org.nz
Cultural Affairs, Ministry of:	www.moca.govt.nz
Economic Development, Ministry of:	www.med.govt.nz
Ministry of Business, Innovation & Employment (old Labour Department):	www.dol.govt.nz
Foreign Affairs and Trade, Ministry of:	www.mfat.govt.nz
Good Faith Bargaining	www.dol.govt.nz/er/starting/relationships/goodfaith.asp
Health, Ministry of:	www.moh.govt.nz
Housing, Ministry of:	www.minhousing.govt.nz
Housing NZ Ltd	www.hnz.co.nz
Labour Start (International Labour Affairs)	www.labourstart.org