

A chilling trend towards muzzling workers' rights

BRENDA PILOTT

IT WAS not a good day for a pay equity rally to highlight discrimination against women. Cold, wet and windy, the weather was enough to deter all but the hardiest souls from turning out for the cause.

That 300 men and women attended was testament to their determination and proof that Wellingtonians are made of sterner stuff than most. Almost as chilling as the weather was the Labour Department's warning to employees not to take part in the rally, even though it was in their lunch break.

This is not an isolated incident. The PSA has observed a growing and worrying trend to curb the citizenship rights of public sector workers. It includes blocking union communications to members and trying to prevent union delegates from circulating petitions or posting union notices in the tea room.

The rally last month was a protest at Government decisions to close off avenues to fair pay by axing the pay and employment equity unit and the pay investigations for social workers and school support staff. It's particularly relevant for public sector workers. The 12 per cent gender pay gap - for every \$10 a man earns, a woman earns \$8.80 - is an average that hides the fact of a 20 per cent gender pay gap in the public sector, as evidenced by the equity unit's wide research.

There is good reason for public sector workers to take a keen interest in what's being done - or not done - to put an end to this injustice.

So what grounds did the department have for warning its staff not to take part? Under the heading "Political neutrality", the email to staff said attending the rally "may well be perceived as crossing the line by criticising a decision of the Government" and "may therefore call into question our role as public servants".

It's hard to see how Labour Department employees could be identified as such; generally they don't wear uniforms and are no more likely to be recognised by a government minister than any other person. But apart from these practicalities, the question remains: is attending a political rally as a private individual now to be viewed as a breach of political neutrality and thus not permitted?

Political neutrality is central to our system of government. It places the onus on public sector workers to carry out the policies of successive administrations with professionalism and impartiality.

Government ministers need to be confident that the advice they receive is not



Brave turnout: The equal wages rally at Parliament on a cold, wet, windy day - proof that Wellingtonians are made of sterner stuff than most. Photo: CRAIG SIMCOX



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coloured by personal political views. It contributes to New Zealand's top international ranking for public service integrity and conduct. However, other considerations also have to be weighed in the balance. Our Bill of Rights grants the right to freedom of expression and freedom of peaceful assembly, mirroring rights in the Universal Declaration of Human Rights. The right to join and participate in a union is also protected by international and domestic laws.

Public sector workers have to tread a fine line in balancing these rights and responsibilities but they are not required to cede their fundamental rights as fully participating citizens and union members in a democratic society.

State Services Commission guidelines state that public sector workers have the same democratic rights as all other New Zealand citizens, but they need to exercise judgment about expressing their political

and personal views. Exercising judgment hinges on how close to the centre of action they are. Those who regularly meet and give advice to government ministers will be circumspect about expressing their political views in public. If they are not, their ministers, or those of the next government, may lose confidence in them.

But the vast majority of public sector workers may never meet their minister or have a public profile so must be free to express their political views.

It is fundamental to our democratic values that workers have these rights. And it is a cause for grave concern that the Government, of all employers, is attempting to curtail its workers' political expression. In the face of job cuts, with the added insult of verbal attacks from ministers who should know better, it should come as no surprise that the Labour Department achieved almost 100 per cent compliance with its rally attendance warning. We have good cause to fear that political neutrality is being distorted to erode workers' democratic rights and create a climate of intimidation. Any attempt to gag employees should ring alarm bells for the public at large. A healthy democracy depends on the ability of its citizens to speak up and on union members to give voice when their interests are under threat.

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