

ATTACK ON YOUR RIGHT TO APPEAL AGAINST UNFAIR DISMISSAL

The Government has announced its plans to remove every employee's right to appeal against unfair dismissal in their first 90-days in a new job. They are extending the Fire-at-Will law which removed any right of appeal for workers in small and medium enterprises to all companies.

Now *all* workers will have no rights to protect themselves from unfair dismissal in the first 3 months.

The Government said that this provision would increase employment – but there is no evidence of this.

And it will reduce appeal rights for every single worker in New Zealand who changes jobs. Around 700,000 workers start a new job each year.

The Government is also reducing the rights of all workers to be treated fairly when an issue arises about their performance.

Currently when an employer has a concern they need to tell you about it, explain what the issue is, allow you to explain and have that explanation considered, and allow you to be represented if they intend to take action against you. These are the basic rights of natural justice and should not be changed.

Now however the Government is going to water down the need for employers to follow these fair procedures when warning and dismissing workers

We agree that workers should be able to be dismissed – provided there is a clearly justified reason – and a fair process. But the Government is going to reduce your rights of appeal against unfair treatment or dismissal.

Currently the system works to resolve many cases at the workplace level. There are only about 2,500 cases submitted to Employment Relations Authority every year. Of these only about 1,000 make it as far as a first-stage investigative meeting. Given about 800,000 workers change jobs every year for one reason or another and there are 2 million workers in the country this is not bad. And compensation to workers averaged \$2800 despite in many cases there had been a finding of unjustified dismissal.

Security of employment and protection from unfairness are the fundamental rights of every worker. The current system works and offers those protections in a low cost process. Everyone should let the Government know that they oppose these changes.

