



NEW ZEALAND COUNCIL OF TRADE UNIONS
Te Kauae Kaimahi

**Submission of the
New Zealand Council of Trade Unions
Te Kauae Kaimahi**

**to the
Education and Workforce Committee**

**on the
Regulatory Systems (Workforce) Amendment Bill
(No 2)**

**P O Box 6645
Wellington
25 March 2019**

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Committee Secretariat
Education and Workforce Committee
Via electronic submission

Dear Education and Workforce Committee

Re: Submission on Regulatory Systems (Workforce Amendment) Bill

This submission is made on behalf of the 30 unions affiliated to the New Zealand Council of Trade Unions Te Kauae Kaimahi (CTU). With 320,000 members, the CTU is one of the largest democratic organisations in New Zealand.

The CTU acknowledges Te Tiriti o Waitangi as the founding document of Aotearoa New Zealand and formally acknowledges this through Te Rūnanga o Ngā Kaimahi Māori o Aotearoa (Te Rūnanga) the Māori arm of Te Kauae Kaimahi (CTU) which represents approximately 60,000 Māori workers.

The Bill is an omnibus Bill making changes to the Employment Relations Act 2000, the Holidays Act 2003 and the Parental Leave and Employment Protections Act 1987. The CTU submits as follows in relation to each section:

Employment Relations Act 2000

The CTU supports the amendments to clarify the ability of labour inspectors to effectively investigate whether workers are employees.

In relation to the change to remuneration of members of the Employment Relations Authority, the CTU considers attention should be paid to the how Employment Relations Authority is structured moving forward, particularly in the light of multiple reforms with the potential to require modification to the structure and operations of it.

Parental Leave and Employment Protections Act 1987

The CTU supports the change to the Parental Leave and Employment Protection Act 1987 to enable a spouse or partner to become a primary carer within the first 12 months of the child's birth in circumstances where:

- the biological mother dies or for any other reasons the spouse or partner becomes the person who has permanent primary responsibility to the exclusion of the mother, for the care, development, and upbringing of the child; and
- the biological mother does not have an entitlement to parental leave payments or does not take up that entitlement by giving notice to her employer.

Holidays Act 2003

The CTU supports the amendments to the Holidays Act 2003 to clarify that the penalty to be applied to a person involved in a breach of the Act is for an individual, a penalty not exceeding \$10,000, and, for a company or other body corporate, a penalty not exceeding \$20,000.

The NZCTU does not wish to appear before the Select Committee to present its submission.

A handwritten signature in black ink, appearing to read 'Richard Wagstaff', with a long horizontal stroke extending to the right.

Kind Regards,

Richard Wagstaff
President