

>>> ITUC Press <press@ituc-csi.org> 10.06.2009 11:28 >>>
INTERNATIONAL TRADE UNION CONFEDERATION

ITUC OnLine

088/100609

New Zealand: Problems Of Discrimination Must Be Tackled

Brussels, 10 June 2009 (ITUC OnLine): A new report by the ITUC on core labour standards in New Zealand, which coincides with the World Trade Organisation's (WTO) review of its trade policies, has found that there are significant steps the government of New Zealand must take to improve equality between men and women and between indigenous and non-indigenous people, and to better protect children and migrant workers.

Although the government has not yet ratified ILO Convention No. 87 on Freedom of Association and Protection of the Right to Organise, the report found no serious violation in law or in practice of the right to organise, to bargain collectively or to take industrial action in New Zealand.

"The government must further strengthen collective bargaining, particularly for multi-employer agreements, not weaken it through its proposals to allow collective bargaining by non-union parties," commented ITUC General Secretary Guy Ryder.

"Furthermore, the ITUC sees the proposal to restrict union access to workplaces by requiring employer consent as a retrograde step against free association and effective union representation," Ryder added. "We note with concern recent legislation which allows small- and medium-sized firms to dismiss employees in their first 90 days without appeal rights."

However, the gender pay gap persists despite prohibition of discrimination on the grounds of gender. The decision recently by the New Zealand government to close down the Pay and Employment Equity Unit will have a serious impact on prospects for reducing the gender pay gap and gender inequity. Furthermore legislation needs to be amended to provide equal pay for work of equal value in line with international standards.

Strong measures are required to assist the disproportionate number of Maori and Pacific Island people facing unemployment. Additionally, action programmes are required to address the low representation of indigenous persons in high-skilled positions.

The report calls upon the government to ratify ILO Convention No. 138 on Minimum Age, and to improve statistics in order to better monitor and protect working youth. The rights of children under the Minors' Contracts Act are rarely exercised, and the government must ensure employers' full compliance with the new Health and Safety in Employment Regulations which extend protections against hazardous work.

While forced labour does not generally occur in New Zealand, there are growing concerns about potential exploitation of migrant workers from other Pacific countries, in particular under the Recognised Seasonal Employer (RSE) scheme, as the current government is reducing minimum wage protection for workers on the RSE scheme. The ITUC report calls for increased

protection and the stepping up of government inspections.

The ITUC report is available at:

http://www.ituc-csi.org/IMG/pdf/2009_ITUC_Core_Labour_Std_NZ_FINAL2.pdf

The ITUC represents 170 million workers in 312 affiliated national organisations from 157 countries. <http://www.ituc-csi.org>

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