

New Zealand court approves fire service job cuts

A correspondent
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The New Zealand Employment Court has given the go-ahead for the retrenchment of up to 400 firefighters, a quarter of the national workforce, after the Professional Firefighters Union sued the Fire Services Commission.

The court's chief judge, Tom Goddard, handed down the judgement almost five months after New Zealand's firefighters were first informed of the commission's 'modernisation' plan. This program proposed sacking the 1,600 firefighters and forcing them to apply for a reduced number of jobs.

Following the release of the plan in May, firefighters held demonstrations and public meetings around the country, gaining wide support. The union failed to call any industrial action. Instead, anger was directed at Fire Service chairman Roger Estall, who was exposed as having been a consultant and shareholder in an insurance brokerage firm that advised business on how to avoid fire insurance levies.

After some weeks in June and July during which the dispute was clearly escalating, with the Fire Service threatening disciplinary action against protesting firemen, the union decided to place the matter in the hands of the courts. It applied for an interim injunction to have the proposals put on hold because there had been a lack of consultation by the commission.

The court has now granted the injunction, providing the Firefighters Union with the opportunity to proclaim the case as a sweeping victory. However, as with the similar case of the Australian waterfront lockout, the court has merely condemned the manner of the execution, not the retrenchments themselves. It has given the Fire Services Commission a green light to decide on its own manning levels, so long as it involves the union in consultation over the cuts.

Union secretary Derek Best hailed the judgement as

proving that employers 'must abide by the law'. It represented the 'restoration of the rights of firefighters'. He argued that the decision established the illegality of lockouts and showed that employers are bound by collective employment contracts to 'negotiate'.

However, even Best was forced to concede that the ruling 'doesn't dispose of the central issue', namely the job cuts. He went on to declare that the restructuring would have to be 'solved legally through collective negotiations'. In other words, the union would give its blessing to the commission as long as its own involvement is guaranteed.

Union vice-president John Devereux confirmed that the Fire Service was likely to go ahead with the job cuts. However, he claimed that the service would be 'unlikely' to force through changes of conditions for those who were left. He described the result as a 'nil-all draw'. Yet fire crews will be reduced from four to three. This will inevitably mean cuts to conditions, and greater safety risks.

Internal Affairs Minister Jack Elder, formerly of the New Zealand First Party, welcomed the court's ruling. He said he was confident the government and the commission would get 'the reformed Fire Service' they were seeking, and in a 'relatively simple' manner.

Elder underlined the union's role in organising the restructuring, saying the commission and the union would 'have to talk seriously'. He hoped the union and the commission would 'get around the table as soon as possible and come to a settlement which advances the modernisation process while ensuring a just settlement for those working in the industry.' A 'just settlement' is likely to mean simply a redundancy payment.

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