

# New Zealand union rallies mount sham opposition to new labour laws

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The New Zealand Council of Trade Unions (CTU) staged rallies in the country's main centres last weekend, ostensibly to open up a campaign against the conservative National Party government's labour laws, which were introduced into parliament the previous week.

The legislation extends to all newly hired workers a 90-day "trial period" during which they can be sacked for no reason and without recourse. The measure was imposed in March last year for workplaces with fewer than 20 workers but will now cover every worksite in the country. According to Labour Department figures, 22 percent of workers recruited under the initial phase had been dismissed within the 90-day period. Extending the provision means it can apply to more than 400,000 workers who start new jobs every year.

The legislation also empowers employers to demand sick notes from workers after a single day off work, and allows workers to "sell" a week of their annual leave to top up their wages. The provision most concerning the union bureaucracy, however, gives employers the right to refuse union representatives entry into worksites.

Rallies were held on Saturday in Wellington, Auckland and Christchurch and the following day in Dunedin. The CTU had earlier declared the law changes to be the most significant labour reform in 20 years, and predicted that thousands would be mobilised in opposition. In the event, the largest rally, in the capital city Wellington, attracted about 1,500 people, a large percentage being union officials and delegates. In other cities, including Auckland, the country's largest city and industrial centre, the turnout was between 500 and 1,000.

The modest numbers are indicative of the indifference and disgust with which most working people regard the

unions, which for more than two decades have been instrumental in imposing the free-market agendas of governments of all stripes. Union membership plunged from 45 percent of wage and salary earners in 1989 to 22 percent in 1999, when the Helen Clark-led Labour government entered office, and 21 percent at the end of last year. In the public sector, 66 percent of workers are unionised, but in the private sector only 12 percent.

Far from mounting any serious challenge to the legislation, the union bureaucracy is seeking to contain mounting anger over deteriorating living standards. Its perspective is to bring "pressure" to bear on the government, above all to maintain the unions' position as chief industrial enforcer of its austerity program. The unions did nothing to oppose the 90-day trial legislation when it was first passed by parliament in 2008.

According to the CTU, its "Fairness at Work" campaign will include a day of action on October 20, the "naming and shaming" of employers identified using the 90-day provision to sack workers, Facebook activities encouraging victimised workers to tell their personal experiences and yet-to-be announced—and highly unlikely—industrial action.

During the National Party's annual conference in mid-July, unions organised a protest of 300 people outside the venue at Auckland's SkyCity hotel and some 40 protesters attempted to force their way inside. CTU president Helen Kelly promptly dispatched a memo to affiliates directing them to conduct all future protests in a "responsible" manner.

Last weekend's rallies were designed to obscure the real causes of the mounting attacks on working people—the moves by governments around the globe to

make the working class pay for the global financial crisis through unprecedented attacks on jobs and living standards. Not a single reference was made in any of the CTU's speeches or printed material to the austerity programs being imposed in Greece and other countries.

The main speaker at the Wellington rally was Andrew Little, head of the Engineering, Printing and Manufacturing Union (EPMU), the biggest private sector union. Little is also Labour Party president and a likely parliamentary candidate at the next elections. He ascribed the government's attacks to the "old fashioned, mean, pettifogging... Toryism" of the National Party, which had "no plan for New Zealand" and was simply "having a go at workers" by attacking the unions. In other words, according to Little, there is no objective or systemic basis for the assault on working conditions—it is simply an invention of the National Party.

Public Service Association national secretary Brenda Pilott similarly claimed that the government was motivated simply by its "hatred of public servants". Pilott expressed concern that Prime Minister John Key had "broken his word" to her and CTU president Helen Kelly by not involving them in "consultations" over the legislative changes.

A central theme at all the rallies was that Key had backed out of previous "commitments" to the unions. CTU secretary Peter Conway told the Dunedin gathering that the legal changes were a sign that the government had "turned against the workers". In fact, since assuming office in 2008, the Key government, with the collaboration of the unions, has imposed job cuts, shortened working weeks and attacked living standards. The unions justified their treachery in the name of supporting New Zealand's employers and the "national economy".

In his column in the *New Zealand Herald* on Sunday, "left" leader of the Unite union Matt McCarten made clear that he wanted to re-establish close working relations with the conservative government. He wrote that "up until a couple of months ago, the relationships with John Key were reasonably affable". The problem, according to McCarten, is that "it seems the era of partnership is over".

Under the previous Labour government's industrial

legislation, which was drawn up in collaboration with the CTU, preference had been given to the unions to negotiate and enforce collective employment contracts, with the aim of consolidating the role of the unions as industrial policemen. Anti-strike provisions remained in place, including bans on strikes outside of contract negotiations, and the outlawing of secondary or "support" strikes. The effect was the continuing erosion of workers' pay and living standards, with the CTU blocking industrial stoppages which sunk to historically low levels.

The CTU's main concern with the legislative changes is not the plight of workers but the new restrictions on union access to workplaces. Little insisted that "not one single employer" had publicly complained about union access rights. The provision would enable "scumbag employers" to "go behind the backs of the unions" in collective employment negotiations. According to Little, this makes the new legislation worse than National's Employment Contracts Act of the 1990s that introduced individual contracts.

People at last weekend's rallies were exhorted to lobby National Party MPs and to make parliamentary submissions, in order, according to Pilott, to "get National to back off and give working people a fair go". Vague references were made to "getting rid" of the National government, indicating that the Labour Party will again be boosted as a supposed alternative in the lead-up to next year's scheduled elections.

Writing in the *Dominion Post's* business pages on August 23, CTU president Kelly reminded her readers that with union co-operation, working time lost to strike action was "at its lowest level for seven years" and warned that the government's bill would have a "negative effect" on "productivity and workplace relations". It was an obvious appeal to big business to encourage the government to continue to use the CTU's services to impose its anti-working class agenda.



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