

New Zealand court bans strike by 10,000 health workers

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In an extraordinary last-minute ruling on March 3, New Zealand's Employment Court banned a 24-hour nationwide strike by 10,000 healthcare workers that was to take place the following day, and a second strike scheduled for March 18.

The court ruled in favour of an injunction application by the District Health Boards (DHBs), which manage the country's public health system on behalf of the Labour Party-led government.

The ruling is another sign that the ruling class, in every country, is resorting to anti-democratic measures to suppress workers' opposition to soaring inequality, high living costs, and unsafe working conditions during the COVID-19 pandemic.

In Australia, tens of thousands of nurses in New South Wales participated in a strike last month in defiance of a ban by the state's Industrial Relations Commission. In Sri Lanka, about 65,000 health workers also went on strike despite a court ban.

In the United States, a federal judge in January banned a strike by 17,000 BNSF railway workers, and the ruling was upheld again last month.

Like these measures, the New Zealand court ban is a major attack on the basic democratic rights of workers. Its aim is to discipline the working class as the Labour government imposes drastic austerity measures, including a public sector pay freeze, and allows COVID-19 to spread across the country.

The 10,000 allied health workers cover dozens of professions including physiotherapists, pharmacists, dieticians, dental therapists, workers who sterilise medical equipment, laboratory workers, hundreds of workers responsible for processing COVID tests, and contact tracers.

The members of the Public Service Association (PSA), NZ's largest union, voted overwhelmingly to

strike after rejecting a pay offer that did not even match inflation. The cost of living has risen by 5.9 percent in the past year, according to official figures.

Workers across the health sector are also deeply concerned about understaffing and lack of resources, which has forced many to work long hours. Hundreds of staff are currently sick from COVID-19, compounding the pressure on the workforce.

In justifying its ruling, the Employment Court pointed to the dire conditions in hospitals, saying it would not be safe to allow the strike to go ahead. The court also noted that facilitated bargaining is scheduled for next week between the PSA and DHBs.

More than 152,000 people are known to have COVID-19 and 562 people were in hospital as of yesterday. Cases are increasing by more than 20,000 per day. Yesterday, five more people died of COVID, bringing New Zealand's total deaths in the pandemic to 67. Some hospitals have cut back on other services to accommodate COVID patients.

Epidemiologist Rod Jackson told the *New Zealand Herald* that once the virus spreads to older age groups "we are going to see more severe disease and more deaths."

The rapidly worsening crisis is the result of decades of underfunding of the healthcare system, and the Labour Party-led government's decision in October 2021 to abandon its elimination policy for COVID-19. To meet the demands of big business, Prime Minister Jacinda Ardern promised that businesses and schools will remain open.

Like governments around the world, with the exception of China, the Ardern government is telling the population it must "live with" the deadly virus circulating in the community. Now, the government is using the disaster that it has created as the pretext to

ban strike action by workers, who are demanding decent pay and the resources necessary to deal with the crisis.

On Thursday, the director-general of health Ashley Bloomfield told the media: “A strike in the middle of a significant Omicron response would be disruptive and I guess the concern that the district health boards would have, and I would share, is that it could compromise care for some people.”

In response to the Employment Court ruling, PSA official Will Matthews told *Stuff*: “We’re incredibly angry... the DHBs think it’s okay to drag their employees through court instead of talking to them about fair pay.”

The union, however, had already sought to appease the government by limiting the strike action as much as possible. Just before the court made its decision, the PSA called off the strike for Auckland, NZ’s biggest city and home to about a third of the country’s population.

On the union’s Facebook page, one worker commented ironically: “So they are worried about the lack of staff being on the floor for patient safety, so they asked for the strike to stop... so they acknowledge how much we all contribute to the healthcare system... but don’t want to pay us for what we contribute.”

Another wrote: “I wonder what would happen if people just didn’t turn up to work? Good luck finding more workers.”

In Blenheim, hospital workers prevented from striking took part in a lunchtime protest on Friday. Outside the local hospital, one worker, Louise Baker, told *Stuff* that she made just \$2 more an hour than her 15-year-old son makes as a retail worker. Starting wages for allied health workers are \$NZ20.40 an hour (\$US13), i.e. 40 cents above the legal minimum.

The PSA has not put forward any concrete pay demands ahead of Monday’s negotiations and will undoubtedly seek to organise a sellout. The conditions in hospitals and other public services are the result of decades of cutbacks and privatisation by successive governments, assisted by the unions’ suppression of strikes.

The PSA and other health unions, including the New Zealand Nurses Organisation, have presided over what is essentially a pay freeze pay for years, echoing the governments’ false claims that they cannot afford

substantial increases and decent conditions.

The anti-strike legislation used by the Employment Court against allied health workers was introduced in 2000 by the Labour Party-Alliance coalition government, supported by the Council of Trade Unions, which assisted in drafting the law. The Employment Relations Act prohibits strikes outside the negotiation period for collective agreements.

This is not the first time that the 2000 law has been used to ban industrial action, although it has not been done before in relation to such a large group of workers. In March 2012, for example, the Maritime Union called off industrial action by 150 workers in Lyttelton after the port company won an injunction forcing workers to unload a blacklisted ship that had been loaded by strikebreakers in Auckland. Sympathy strikes are basically against the law.

Under the law, workers are permitted to strike in opposition to unsafe working conditions. The trade union bureaucracy, however, supports the Labour government’s reckless reopening of schools and businesses, which has allowed Omicron to spread, endangering workers everywhere. The unions represent a well-heeled middle-class bureaucracy, tied to the Labour Party, and hostile to any movement of the working class that would undermine corporate profits.

Workers need to form new organisations. The Socialist Equality Group calls for rank-and-file safety committees, controlled by workers themselves and independent of the trade unions, to fight for a properly-resourced zero COVID strategy, and for a major transfer of funds to the healthcare system. This is the only way to save lives, prevent large numbers of severe illnesses, and secure decent living standards and working conditions for workers.



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