Employer Bulletin

Our Weekly News Digest for Employers

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Cases

Court of Appeal: One Case

Successful appeal on discretionary payments not part of gross earnings

Metropolitan Glass & Glazing Limited (Metropolitan Glass) implemented a discretionary bonus scheme for its employees in 2016 and 2017 called Short Term Incentive bonus schemes (STI schemes). Metropolitan Glass considered payments made under the STI schemes as discretionary payments and therefore did not fall under the definition of gross earnings under section 14 of the Holidays Act 2003 (the Act). On the contrary, the Labour Inspector argued that the payments were not discretionary payments and were therefore required to be part of the holiday pay calculation.

The dispute began in the Employment Relations Authority (the Authority) however, following a joint application, the matter was removed to the Employment Court because it was considered to raise an important question of law. The Employment Court found in favour of the Labour Inspector. Dissatisfied with the outcome, Metropolitan Glass then sought and obtained leave to appeal the decision to the Court of Appeal.

Metropolitan Glass advanced two key grounds of appeal. It argued that the payments under the STI schemes were not detailed in the employment agreement itself and that the payments under the STI schemes were wholly discretionary. The Court of Appeal held that is it a well-established principle that a contract of employment between employer and employee may comprise of terms arising from several different sources. In essence, the formal written employment agreement is never the entire contract of service. It is often the main source, but only one source of contractually binding terms between parties.

The Court of Appeal agreed with the Employment Court and stated that despite the STIB schemes being in separate documents to the individual employment agreements, this did not prevent them from being found within the meaning outside of gross earnings.

The Court of Appeal then had to consider whether Metropolitan Glass had a contractual obligation to make the payments. The Employment Court's decision centred on the premise that incentive or productivity-based payments will always be gross earnings within the meaning of the Act and could never be a discretionary payment.

However, the Court of Appeal noted that the Employment Court never considered whether Metropolitan Glass had the discretion under the STI schemes to not make any payment, even if all conditions were met.

In the Court of Appeal's view, that was an error because the key element of the definition of gross earnings is that the payment must be one the employer is contractually bound to pay.

The Court of Appeal noted that Metropolitan Glass included an express term in the STI schemes which stated that irrespective of all the conditions being met, it retained the discretion not to make any payments. Therefore, being neither guaranteed nor conditional, the payments would still retain the character of a discretionary payment for the purposes of the Act. The appeal was allowed.

Metropolitan Glass & Glazing Limited v Labour Inspector, Ministry of Business innovation and Employment [[2021] NZCA 560 CA246/2020; 26/10/2021; French, Cooper and Clifford JJ]

Employment Relations Authority: Four Cases

Employee who was unjustifiably dismissed during COVID-19 lockdown awarded $40,000

Ms Stevens sought compensation after being made redundant by Square Peg Limited (Square Peg). Square Peg believed it had genuine reasons for the redundancy and adequately consulted Ms Stevens before it made its decision to terminate her employment. Square Leg is the umbrella company for four other companies and has two Directors, Ms Williams and Mr Kennedy. Ms Stevens was required to work across all four of these companies.

When New Zealand went into lockdown in March 2020, Ms Williams learned that some of the companies under Square Peg would potentially be without revenue for an extended period. On 20 March 2020, Ms Stevens was asked to take two weeks annual leave to which she did not object or consent. She was told that at the end of these two weeks she would be advised if her employment would continue. Square Peg did not apply for the wage subsidy as it could not ensure continued employment for its staff beyond the wage subsidy. This was confirmed by Mr Kennedy by email, on 26 March 2020.

Square Peg identified eight roles as surplus to requirements, including Ms Steven's role. Ms Stevens and her support person were invited to a meeting on 6 April 2020. Mr Kennedy claimed Ms Stevens' role was surplus based on falling revenues and the Government's changes to its policies which directly impacted the work Ms Stevens was doing. Ms Stevens then asked to be included in the wage subsidy instead of being made redundant as some of the companies under Square Peg were receiving it. Mr Kennedy told Ms Stevens that he would take her feedback to senior management for consideration. During the meeting, Mr Kennedy also suggested that Ms Stevens would be better off to claim a benefit rather than the wage subsidy. Ms Stevens dismissed this suggestion.

On 7 April 2020, both parties met again. Mr Kennedy explained that Ms Stevens did not qualify for the wage subsidy even though she worked across all four companies. Ms Stevens asked about alternative roles within the business, to which Mr Kennedy advised that there were none although he did say that one employee had been redeployed into a significantly reduced role. A letter dated 7 April 2020 confirmed Ms Stevens' termination for redundancy and the payment of four weeks salary in lieu of notice. She replied on 14 April 2020 suggesting Square Peg may have acted too quickly.

The Employment Relations Authority (the Authority) held that Square Peg was not fair and reasonable when it conducted the redundancy process. Square Peg did not provide Ms Stevens with any information about the proposal to disestablish her position. It decided her role was one of eight which was no longer required but it failed to explain how or why her position was chosen. It denied her an opportunity to comment on the decision. Mr Kennedy made commitments to refer her alternative ideas to senior management for follow up, however, the Authority was not persuaded that he did not do this.

The Authority noted that Square Peg should not have suggested that Ms Stevens would have been better off on the benefit rather than the wage subsidy and her requests to be paid the wage subsidy should have been considered. Furthermore, that Square Peg should also have identified alternatives to the redundancy as there was an alternative role offered to another affected employee. This opportunity was not extended to Ms Stevens.

The Authority also found that Ms Stevens was unjustifiably dismissed when she was forced to take annual leave on 20 March 2020. She was not presented with a choice especially when annual holidays are to be taken by an employee at a time that is agreed between the parties.

The Authority found that Ms Stevens had a personal grievance for unjustified dismissal and Square Peg was ordered to pay Ms Stevens the gross sum of $25,000 for a loss of income she suffered. The Authority was satisfied Ms Stevens had suffered hurt and humiliation because of the unjustified dismissal and Square Peg was ordered to pay her $15,000 as compensation. A determination on costs was not made.

Stevens v Square Peg Limited [[2021] NZERA 451; 12/10/2021; L Robinson]

Withdrawal of a warning and predetermined redundancy led to unjustified disadvantage and unjustified dismissal

Ms Vile was a long serving employee of Marilyn Sainty Limited (Marilyn Sainty) until she was made redundant in 2020. Ms Vile brought claims against Marilyn Sainty because she believed she was disadvantaged by a warning issued against her, the redundancy, and changes to her employment agreement during the 2020 Alert Level 4 lockdown. Marilyn Sainty denied the allegations and claimed that it acted justifiably.

On 23 March 2020, the Prime Minister announced New Zealand was to go into Alert Level 4 lockdown within two days because of the COVID-19 pandemic. On 24 March 2020, Ms Batt, who had long term involvement with Marilyn Sainty stores on an operational level, phoned Ms Vile and advised her that the store she worked at would be closed.

On 28 April 2020, the country moved to Alert Level 3. There was no written advice to Marilyn Sainty staff about a return to work at levels two or three. On 27 April 2020, Ms Vile was asked to come into work on 29 April 2020 to complete a stocktake. Ms Vile agreed. She then received a text from Ms Batt advising her that the stocktake had moved to 30 April 2020. Ms Vile had arranged for her new puppy to be dropped off on 30 April 2020 so she messaged Ms Batt asking if the stocktake could be moved as she was expecting a "*delivery*".

It was agreed that the stocktake be moved to 1 May 2020. As Ms Vile had been required to work on short notice and was unable to arrange care for her puppy given the country was under level three, she took her puppy to work but kept it in a cage while performing the stocktake. She had previously taken her dogs to work without needing to ask permission.

On 5 May 2020, Ms Batt texted Ms Vile and asked her to come into the store to work. Ms Vile responded that same day and explained that she was unable to come in until the following week as she had a compromised immune system. Although not specified by Ms Vile, the following week appeared to relate to the anticipated move to level two. Ms Batt messaged back and told her that she was expected at work on the days requested unless she had a medical certificate confirming that she was immune compromised. Ms Vile claimed that she was shocked at this request as she had never been asked for a medical certificate before. She provided a medical certificate to Marilyn Sainty on 7 May 2020 which indicated that she should stay away from work until level two.

On 6 May 2020, Ms Batt emailed Ms Vile and issued her with a formal warning for serious misconduct. Mt Batt claimed that Ms Vile had brought an animal to work without getting permission from Marilyn Sainty beforehand, refused to come to work on 20 April 2020 when requested and failed to provide a valid reason for failing to come to work that day. Ms Bett claimed that expecting a *"delivery"* was not a valid reason for not coming to work.

Ms Vile responded back in an email claiming she was unaware that bringing pets to work was an issue. She also claimed that the date of the stocktake had been moved by agreement, so she did not understand why this was an issue. Marilyn Sainty did not acknowledge the email or respond to it. It was six days after a personal grievance was raised by Ms Vile's lawyer, that Marilyn Sainty's lawyer wrote back noting that the warning had been withdrawn.

Marilyn Sainty argued that as the warning had been withdrawn, there was no personal grievance. The Employment Relations Authority (the Authority) did not agree. The warning was in place for over three weeks after it was first issued. There was no formal process leading to the warning being issued. Marilyn Sainty did not do what was required of a fair and reasonable employer, as outlined in section 103A(3) of the Employment Relations Act 2000. The Authority held that Ms Vile was disadvantaged by Marilyn Sainty's unjustified action in giving her a warning.

In relation to the redundancy, Marilyn Sainty provided some information to the Authority on its financial position during early 2020 to show that the redundancy was genuine. It faced an extended period without any income during the level four lockdown and had also sought the wage subsidy, a bank loan, and a government loan.

While there was a financial and operational basis on which to make her role redundant, the Authority held that Ms Batt was particularly influenced by Ms Vile's lack of willingness to come into work at level three. This showed that Marilyn Sainty did not come to the consultation with an open mind. The Authority could not accept that the predetermined decision to make Ms Vile redundant was a minor matter and held that she was unjustifiably dismissed.

Ms Vile was awarded $4,845 in lost wages and awarded $23,000 as compensation. The parties were encouraged to reach an agreement on costs.

Vile v Marilyn Sainty Limited trading as Scotties Boutique [[2021] NZERA 438; 07/10/2021; N Craig]

Penalties sought despite employee's friendship with Directors

Mr Robertson began working for Stevryn Holdings Limited (Stevryn Holdings) as a Truck Driver in November 2018. He claimed he was constructively dismissed and sought reimbursement of expenses, lost wages, holiday pay and compensation. He also sought penalties against both Stevryn Holdings and its Directors.

Prior to working for Stevryn Holdings, Mr Robertson drove trucks for Baiden's Contracting Limited (Baiden's Contracting) from about April 2018, for which he was paid $25 an hour. Baiden's Contracting subsequently sold its assets to Stevryn Holdings. Malcolm MacDonald was a Director of Stevryn Holdings from November 2018 but in February 2021, Darryn MacDonald was appointed as sole Director.

Mr Robertson was given no written employment agreement when his employment with Stevryn Holdings began. He understood he would continue to be paid the same hourly rate as at Baiden's Contracting. When his fuel card stopped working, Mr Robertson decided to pay for fuel himself and claim reimbursement. However, he was never fully reimbursed and was not paid regularly.

Embarrassed, Mr Robertson did not initially raise his concern because of his friendship with Darryn MacDonald and Malcolm MacDonald. In December 2018, he finally raised the issue with Darryn MacDonald who said he would investigate it but did not respond further. Although Mr Robertson raised the issue five more times and was told the situation would be fixed, things did not improve. The pay he did receive was well short of the hours he worked. Consequently, Mr Robertson advised Darryn MacDonald on 14 February 2020 that he could not continue to work until he was paid properly. Proceedings were lodged in the Employment Relations Authority (the Authority) in June 2020.

A Statement in Reply was not received from Stevryn Holdings, Malcolm MacDonald or Darryn MacDonald. Instead, the Authority received an email on 6 July 2020 from Darryn MacDonald advising that Stevryn Holdings had suffered *"dramatically with COVID-19 and the lockdown"* and was unable to make a lump sum payment.

Mr Robertson's logbook records showed that he was owed $53,093.75 for unpaid wages. Furthermore, during the period of Mr Robertson's employment, there were 16 statutory days that would have otherwise been working days. The Authority ordered that a calculation for public holiday pay be made in accordance with the Holidays Act 2003 which would be added to wages and holiday pay owing.

The Authority decided that consideration of a penalty was appropriate because there had been a breach by Stevryn Holdings of its obligations in the employment agreement. This failure did not advance good faith, as it was a very serious and intentional breach, the Authority decided the starting point should be 80 percent of the maximum penalty. Mr Robertson was a vulnerable employee due to his longstanding friendship with the current and previous Director of Stevryn Holdings.

An amount totaling $9,315 was paid by Stevryn Holdings after proceedings were lodged, however, this could not be seen as a significant mitigation. Furthermore, there was insufficient information about Stevryn Holding's financial issues to support any significant reduction to a penalty. The Authority concluded that a penalty of 80 percent of the maximum penalty of $20,000 was proportionate and consistent with other cases.

Penalties were also claimed against Malcolm MacDonald and Darryn MacDonald on the basis that they incited, instigated, aided and abetted the breaches of Stevryn Holdings. This conduct did not promote the obligations of good faith or address the inherent inequality of power that exists in an employment relationship.

In summary, the Authority ordered that Stevryn Holdings pay Mr Robertson $53,093.75 for unpaid wages, $9,952.04 for reimbursement of work-related fuel expenses and $12,000 as a penalty. It further ordered that Stevryn Holdings pay the Crown a $4,000 penalty. It would make an order in relation to holiday and public holiday pay once these were calculated. The Authority ordered that Malcolm MacDonald and Darryn MacDonald pay penalties to Mr Robertson of $4,500 and $3,750, and to the Crown of $1,500 and $1,250, respectively. Costs were reserved.

Robertson v Stevryn Holdings Limited [[2021] NZERA 452; 13/10/2021; H Doyle]

A timely reminder for employers to ensure a fair process for redundancy is followed

Since 2014, Mr Lall was employed by Jade Financial Services Limited (Jade Financial Services) at their Ellerslie branch in Auckland. On 11 June 2020, Jade Financial Services notified Mr Lall that he was being made redundant and a termination notice was issued shortly after. Mr Lall claimed the redundancy was procedurally flawed, not genuine and that he was placed in a position of significant financial hardship. He claimed $50,000 for humiliation and distress, lost wages, legal costs, and a written apology.

Jade Financial Services claimed it consulted all its employees, considered their feedback, and proceeded with Mr Lall's redundancy accordingly. Jade Financial Services also acknowledged it deducted four days salary from Mr Lall's final pay from his holiday and sick leave to offset a previous overpayment. The issues for determination were whether Jade Financial Services followed a fair process, whether the redundancy was genuine, and whether Jade Financial Services was entitled to deduct the overpayments from Mr Lall's final pay without his consent.

Jade Financial Services gave evidence that it had been in decline over the last few years. Jade Financial Services measured its success with "*notices of proceedings"'*, which had dropped from 80 to 100 per month to just 12 new notices of proceedings per month. Jade Financial Services' accounts also evidenced a decline in annual profits falling from $248,000 in 2014 to $58,618 by March 2020. Against this background, Jade Financial Services decided to restructure.

On 4 June 2020, Jade Financial Services circulated a document to its employees titled *"Workplace Change Process"* which advised that it considered it necessary to reduce staff to keep the business viable but would retain as many employees as possible. It also asked staff to provide feedback. On 20 June 2020, Mr Lall provided written feedback. While he initially agreed with Jade Financial Services' approach, he inferred he would have liked to have been notified earlier that the business was not performing to expectation. He concluded by stating he agreed that the only rational approach was reducing employee salaries.

At this point, Mr Lall's personal circumstances became complicated due to his wife's health, and he became particularly vulnerable. On 11 June 2020, Mr Lall attended the staff meeting and was told in front of his co-workers that he had been selected for redundancy. Shocked by this, Mr Lall claimed he would raise a personal grievance. Jade Financial Services responded by explaining that it had considered Mr Lall's feedback but made the decision was made because he was the last staff member employed by Jade Financial Services and had the smallest workload. This enabled the remaining staff to easily absorb his work. Jade Financial Services did admit, however, that it did not raise any selection criteria with Mr Lall.

From Mr Lall's perspective, his employment ended before he was made aware of why he was selected. He also disputed the factual basis to the extent there were no discussions or any opportunity for him to comment on issues regarding his workload. Mr Lall claimed the news of the dismissal caused his mental health to decline and he was prescribed antidepressants to cope with anxiety and depression. The financial strain put pressure on his marriage and relationship with his daughter and he had been unsuccessful in obtaining subsequent employment.

The Employment Relations Authority (the Authority) determined that, despite Jade Financial Services having genuine reasons for redundancy, its method of selection was unfair. Jade Financial Services was required to be open with Mr Lall regarding any selection criteria including what it was and why this meant he was selected for redundancy. Without that vital information, Mr Lall was denied the opportunity to participate in the process and comment on his workload or raise

the fact that he was not actually the last person employed by Jade Financial Services. Other employees had been hired after him at a different branch. It followed that the process was flawed and procedurally unfair resulting in Mr Lall being unjustifiably dismissed.

Jade Financial Services accepted they were wrong to deduct four days' pay and set it off against sick leave or annual leave taken in advance without Mr Lall's express consent. Jade Financial Services was ordered to pay Mr Lall $18,000 for significant hurt and humiliation, three months lost wages of $15,900, and a sum equal to four days salary for wrongfully deducting from Mr Lall's final pay. No order for costs was made as neither party had legal representation at the investigation meeting.

Lall v Jade Financial Services Limited [[2021] NZERA 456; 27/07/2021; G O'Sullivan]

For further information about the issues raised in this week's cases, please refer to the following resources:

Restructuring and Redundancy

Holidays Act

Termination of Employment

Personal Grievances

Employer News

Gender pay gap smallest ever

The gender pay gap in the Public Service is the lowest it has ever been, at 8.6 percent, the Minister for Women Jan Tinetti announced this week.

"The gender pay gap is the lowest it's ever been which is a great result. This is a direct result of concerted effort this Government has made," said Ms Tinetti.

"We made a commitment to closing the gender pay gap in 2018 and we've delivered the largest three-year drop since measurement began in 2000. We've shown what can be achieved when the Government, the Public Service and unions work together.

This is a 30 percent decrease since the Public Service Gender Pay Gap Action Plan was launched in 2018, when the gap was 12.2 percent. By comparison, the national gender pay gap has remained flat in the same period.

The gender pay gap in the Public Service continued to fall in the last year, down from 9.6 percent in 2020 to 8.6 percent, as at 30 June 2021. When measurement began in 2000 the gap was 18.6 percent.

Māori, Pacific and Asian pay gaps have also dropped. The Māori pay gap has fallen in the last year from 9.3 percent to 8.3 percent. The Pacific pay gap has fallen from 19.5 percent to 17.9 percent and the Asian pay gap has come down from 12.8 percent to 11.6 percent.

"More work is needed. We need to make a bigger difference, for more people, by closing ethnic pay gaps as well."

Ms Tinetti today launches Kia Toipoto, a three-year Action Plan to tackle gender and ethnic pay gaps and, Te Orowaru, a new pay equity work assessment tool that helps recognise the value of cultural skills in work, including te reo Māori.

These two initiatives will support the Public Service to continue to close the gender pay gap and to accelerate gains for Māori, Pacific and ethnic communities.

To read this article, please click here.

New Zealand Government [15 November 2021]

Clarity around border welcomed but still uncertainty around business reopening

The EMA says while it is good to have clarity about the Auckland border reopening on December 15, it remains concerned about a firm reopening date for business.

Chief Executive, Brett O'Riley, says that while the EMA's 7,600 business members understand the announcement on moving to the traffic light system will be made on November 29, they want assurance that they will be back in business from December 1.

"That's the pattern we've seen so far with these announcements - that the day following is when it comes into play - but business needs clarity so we can plan for this. The worst outcome would be to have to wait an extra few days or even a week to reopen," he says.

"Retail's open now, but Auckland's hospitality industry is on its knees and needs to plan for restocking, organising staff and getting prepared to open on December 1.

"At the moment it feels like we're in the last kilometre of a marathon and someone forgot to mark the finish line so we don't know where it ends."

Mr O'Riley says it is good to see COVID Vaccine Certificates are now available, although we are still waiting for the frameworks for workplaces requiring CVCs. We also need those to make a quick transition to more fully reopening after the November 29 announcement, he says.

"Business understands the risks, they've showed how well they have managed them before, and they're desperate to get back to it. I urge the Government to give them the hope and certainty they need around reopening."

To read this article, please click here.

Employers and Manufacturers Association [17 November 2021]

Tourism transformation takes another step

Skills shortages and career progression in the tourism and hospitality industries are the first priorities of the new Industry Transformation Plan being drawn up for tourism.

Tourism Minister Stuart Nash has outlined next steps in the Industry Transformation Plan (ITP) for the sector, originally foreshadowed in May as part of the $200 million Tourism Communities Support, Recovery and Re-set package.

"The Tourism ITP will be ground-breaking because the industry's recovery strategy will be based on a partnership between government, industry, workers and Māori interests," Stuart Nash said.

"The Tourism ITP will prioritise regenerative tourism, which means the industry seeks to build social licence by giving back more than it takes from people, places and the environment.

"The first stage of the ITP will focus on 'better work' and developing the tourism workforce. Like any industry, success depends on those working within it. This means investing more in people, deepening the talent pool, lifting skill levels, and ultimately providing better work for those in the tourism and hospitality industries.

"There is a huge opportunity for all of us with a stake in tourism to support and develop different pathways for people keen on a career in the industry. This includes formal education and training, direct paths through paid work, experience in conservation or the primary sector, or cultural knowledge of manaakitanga and kaitiakitanga.

"The disruption of the global COVID-19 pandemic presents an opportunity to step back and work collaboratively on a vision for tourism of the future. The Tourism ITP will focus on actions that all partners can take to address skills and career questions in the industry.

"I am also signalling the second priority for the ITP will be environmental challenges posed by tourism. This will build on valuable work by the Parliamentary Commissioner for the Environment, the Tourism Futures Taskforce, and the NZ Aotearoa Government Tourism Strategy, amongst others.

Stuart Nash also announced the co-chairs and wider leadership group who will develop the ITP. "I'm pleased Gráinne Troute has accepted the position of industry co-chair. She is currently chair of Tourism Industry Aotearoa, and an experienced leader in the sector.

"John Crocker, National Secretary of Unite Union, has accepted the role of union co-chair. The government co-chair is Karl Woodhead, acting General Manager of MBIE's Tourism Branch.

To read further, please click here.

New Zealand Government [17 November 2021]

Effects of COVID-19 on trade: At 10 November 2021 (provisional)

Effects of COVID-19 on trade is a weekly update on New Zealand's daily goods trade with the world. Comparing the values with previous years shows the potential impacts of COVID-19.

The data is provisional and should be regarded as an early, indicative estimate of intentions to trade only, subject to revision.

We advise caution in making decisions based on this data.

To read further, please click here.

New Zealand Government [17 November 2021]

Trade Minister to represent New Zealand at key Indo-Pacific economy and multilateral trade meetings

Trade and Export Growth Minister Damien O'Connor will travel to Singapore, Australia, and Switzerland from 16 November to 6 December for a wide-ranging programme focused on building on New Zealand's COVID recovery by furthering the country's economic and trade objectives across the Indo-Pacific region and through the WTO multilateral system.

"I am looking forward to strengthening ties with partners across the Indo-Pacific region and attending the critically important World Trade Organization (WTO) Ministerial Conference. A more prosperous and resilient Indo-Pacific region, and a strong multilateral trading system, are vital for New Zealand's economic and trade interests," Damien O'Connor said.

"I am particularly pleased to be engaging in these discussions so soon after New Zealand's successful hosting of the APEC Economic Leaders' Week, where APEC partners resolved to energise the region's economic recovery."

To read further, please click here.

New Zealand Government [15 November 2021]

Legislation

Note: Bills go through several stages before becoming an Act of Parliament: Introduction; First Reading; Referral to Select Committee; Select Committee Report, Consideration of Report; Committee Stage; Second Reading; Third Reading; and Royal Assent.

Bills open for submissions: Thirteen Bills

Thirteen Bills are currently open for public submissions to select committees.

Local Government (Pecuniary Interests Register) Amendment Bill (23 November 2021)

Retail Payment System Bill (25 November 2021)

Animal Welfare Amendment Bill (2 December 2021)

Civil Aviation Bill (2 December 2021)

Digital Identity Services Trust Framework Bill (2 December 2021)

Pae Ora (Healthy Futures) Bill (9 December 2021)

Inquiry into learning support for ākonga Māori (10 December 2021)

Crimes (Child Exploitation Offences) Amendment Bill (10 December 2021)

Protection of Journalists' Sources Bill (10 December 2021)

Remuneration Authority Legislation Bill (10 December 2021)

Data and Statistics Bill (22 December 2021)

Oversight of Oranga Tamariki System and Children and Young People's Commission Bill (26 January 2022)

Inquiry into migrant exploitation (3 February 2022)

Overviews of bills - and advice on how to make a select committee submission are available at: https://www.parliament.nz/en/pb/sc/make-a-submission/

The Employer Bulletin is a weekly update on employment relations news and recently published legal decisions. It is EMA's policy to summarise cases that contain legal issues relevant to employers. The purpose of the Employer Bulletin is to provide and to promote best practice in employment relations. If you would like to provide feedback about the Employer Bulletin, contact advice@ema.co.nz

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