

Contentious remits get the go-ahead

TWO CONSTITUTIONAL remits that will mean major changes to NZNO's ways of working were passed at the annual general meeting (AGM) last month.

One means NZNO negotiating teams can no longer make recommendation to members on proposed collective agreements (CAs). The other gives hui ā-tau the power to veto constitutional remits before they reach the NZNO AGM.

The remit on staff CA recommendations arose from "overwhelming feedback from members", membership committee chair Sandra Corbett told the AGM. Southern delegate Anne Daniels said nurses were "highly educated and intelligent" and should be allowed the right to make their own decisions.

The written rationale for the remit said it would allow members to make their own decision "without feeling pressured or free from coercion". It also stated many members had felt "disenfranchised" by negotiating teams making recommendations that "strongly influenced decisions" and believed the best outcomes for NZNO members "have not been achieved".

After protracted debate on the wording of an amendment and after seeking legal advice, the final wording was: *NZNO will put the proposed collective agreement to the members with no recommendation*. It was carried with a vote of 56.15 per cent.

Speaking after the AGM, industrial services manager Cee Payne said the remit had major implications for industrial

staff and for members, particularly those in single employer CAs or in multi-employer CAs where each site had a small number of members and few delegates. The remit also had the potential to undermine NZNO's obligations in relation to good faith in bargaining.

NZNO primary health care industrial adviser Chris Wilson agreed. "Often members in smaller workplaces really want to know what the bargaining team thinks of the proposed deal, as they are the ones with all the information," she said.

NZNO aged-care industrial adviser David Wait believes the remit will create confusion among aged-care members. "Most of our aged-care agreements are multi-union CAs (MUCA) involving E tū. E tū is required to make a recommendation on any proposed MUCA. I think it will create confusion if our sister union makes a recommendation and NZNO doesn't."

Hui ā-tau endorsement

The te poari/Te Rūnanga remit amends the constitution so any constitutional remits affecting Te Rūnanga or inconsistent with its rules, will now need to be endorsed at hui ā-tau before being presented to the NZNO AGM. It was carried, with 62.3 per cent of delegates in favour and 31.4 against. Legal advice at the AGM said the remit effectively gave hui ā-tau veto power over such remits.

NZNO kaiwhakahaere Kerri Nuku said te poari had no intention of being a "gatekeeper" for NZNO constitutional remits.

It was not interested in exercising veto power but wanted to improve communication and be consulted about remits which might affect Te Rūnanga and its responsibility to uphold the mana of ti-kanga Māori within NZNO. Such consultation had been rare, and Te Rūnanga had often been taken by surprise by remits which influenced how it operated.

Her advice to NZNO groups developing constitutional remits was to "consult early" with te poari. If the consultation was "robust", she was sure endorsement at hui ā-tau would be a formality.

However, NZNO chief executive Memo Musa said implementing the remit would be complex and challenging because it was overridden by two other clauses in the constitution. These set a timeline which he had to adhere to, in which remits must be received four months before the AGM date and be sent to members at least two months before AGM. Another clause required all constitutional remits received by the chief executive to be presented to the AGM.

"Our work will focus on how we can make it work in line with decisions by members at AGM," Musa said. "This requires extensive planning and exploration of options, which might require further constitution alterations." He agreed with Nuku that best democratic practice would be to consult with te poari on constitutional remits at the development stage. •

* See 'One member, one vote remit passed', p19.

NZNO to review DHB MECA process

NZNO IS to carry out a review of the district health board multi-employer collective agreement (DHB MECA) negotiation process. It will be conducted by an "independent, external" person.

Chief executive Memo Musa said the review was not in response to a resolution from the Greater Auckland Regional (GAR) Council, calling for an independent evaluation, which was tabled at NZNO's annual general meeting (AGM) last month. "The management team had already recommended to the board that a full review be undertaken by an inde-

pendent, external person. It is normal process to conduct a review after each DHB MECA round, but previously these had been done internally," he said.

The move has been welcomed by GAR council chair Esther Linklater. "I'm happy to hear that and that members' concerns have been heard."

The GAR resolution was discussed, but not voted on at the AGM. It included a long list of evidence to support the need for an independent evaluation. During discussion at the AGM, one delegate said the document was a vote of no confi-

dence in the negotiating team. Others supported the need for an independent evaluation, saying the resolution was not "anti" the negotiating team, but rather an attempt to improve processes and ensure members' voices were heard.

Linklater said the resolution was presented to a GAR council meeting by an NZNO members' action group, which asked for it to be tabled at the AGM. The meeting, which had "more than a quorum", voted unanimously to do so. "It contained valid concerns we've been hearing from our members," she said. •