

Constitution Remit from Greater Wellington Regional Council

“To delete from the NZNO Constitution: Schedule Three, clauses 5.4, 5.5 and 5.6, and the words ‘to a Board Election Committee for approval to stand for election’ in clause 5.3”.

Rationale

The NZNO Constitution has been the most contentious and divisive issue facing our organisation in recent memory.

Controversy has surrounded the process (with change implemented on the basis of a 3020 votes – 6.52 percent of total membership), the legalities (with concerns expressed in writing by the Registrar of Incorporated Societies) and the content.

A Special Session was held prior to AGM 2011 for conference delegates to express concerns about the content of the final draft document¹. Even the architects of the Constitution have acknowledged the widespread sentiment that it may require amendment.

NZNO President Nano Tunnicliff told the 2012 Greater Wellington Regional Convention that the Constitution is “not perfect”.

Kerri Nuku, Kaiwhakahaere of Te Runanga o Aotearoa NZNO, has acknowledged that “we may need to modify the design as we go along”².

It is now up to our organisation to rectify the inherited problems to the best of our ability, so that we can overcome the contention created by the Constitution and go forward together.

Greater Wellington Regional Council has consistently maintained that the most significant problem in the Constitution relates to democratic deficits in the BOD election process^{2, 3, 4, 5}.

Specifically, clauses 5.4 and 5.5 of Schedule Three of the Constitution create a “Board Election Committee” (also called a “Board Selection Election Committee”, one of many apparent typographical errors in the Constitution document) and give them the power to bar NZNO members from standing for election to our governing body.

Schedule Four of the Constitution provides the criteria for the committee’s decisions. It is strongly implied they are to reject any member who cannot demonstrate “business and commercial acumen”, and experience in “governance” and “finance and legal compliance”.

Empowering an unelected committee to exclude NZNO members from standing for the BOD, based on criteria from the corporate world, is undemocratic and alien to union values.

We believe that this will exclude most members from ever standing for election and entrench corporate values at the top of our union.

Diversity on our governing body will be significantly decreased. We believe that these provisions discriminate against Maori members in particular, who have been disproportionately affected by the rise of corporate values in Aotearoa/New Zealand and are less likely to have previous experience in governance, finance and commerce due to structural social inequalities.

There is no dispute that “skills” are needed for leadership of NZNO. This Remit is simply about upholding democracy.

If it is passed, candidates for BOD would still be required to supply a CV stating their skills across the full range of experience and knowledge criteria stipulated in the Constitution.

But NZNO members would be able to decide for themselves, through their democratic vote, the best candidates to lead our organisation.

We ask all those who support this fundamental democratic principle to vote for this Remit at AGM 2012.

References

1. New Zealand Nurses Organisation, 2011. 'Further information on the process for Deciding on the Proposed Constitution'. Unpublished document.
2. Manchester, A., & O'Connor, T. 2012. 'New Constitution Voted In But Turnout Low', *Kai Tiaki: Nursing New Zealand*, **18(4)**, pp11-13.
3. Brookes, G. 2011. 'NZNO Constitution – Get Informed', Letter to *Kai Tiaki: Nursing New Zealand*, **17(9)**, pp4-5.
4. O'Connor, T. 2011. 'NZNO democracy network formed', *Kai Tiaki: Nursing New Zealand*, **17(8)**, p8.
5. www.nznodemocracy.org.nz, accessed 11 June 2012.