



## National's 'get-the-sack-in-90 days' Bill Fact Sheet

A member's bill from National Party MP Wayne Mapp introducing a 90 day probationary period of employment for new workers has passed its first reading in Parliament. It gained the support of National, Act, NZ First, United and three Maori Party MPs. Labour and the Greens voted against it and attacked the Bill as undermining the rights of workers to fair treatment at work.

The Bill has gone to the Transport and Industrial Relations Select Committee where unions will be making submissions about what an unfair piece of legislation it is and calling on MPs to stop it going any further.

### **What would the Bill mean for New Zealanders if it became law?**

- For the first 90 days of new employment, workers would be on a probationary period and able to be dismissed for no reason.
- Employees starting new jobs would have no job security or employment rights for the first 90 days of employment.
- During the probationary period, workers would not be able to go to the Department of Labour's Mediation Service about any employment issue, nor raise a personal grievance or use any other dispute settlement process.

### **Who will be affected if this Bill becomes law?**

- In 2004, nearly 300,000 New Zealand workers changed their job and most workers have about 6 jobs in a lifetime. Every worker who changes their job could be subject to a 90-day probationary period for each new job.
- Vulnerable and casual workers that have no union representation would be particularly affected by this Bill. If dismissed in the 90-day period, they might also have to wait 13 weeks before getting a benefit.

### **What is the experience in Australia?**

- John Howard's new legislation in Australia removes the right to unfair dismissal protection for workers at businesses with fewer than 100 staff.
- On the day that the legislation came into force in Australia, workers were being sacked for no reason. One worker said that the day the reforms came in, she was called into her manager's office at 12:30 and had lost her job by 1pm despite never receiving feedback that her performance was not up to scratch.

### **What ability do employers currently have to use probationary periods?**

- Employers can already start someone on a probationary period, however currently an employer must be able to justify the decision to dismiss an employee during a probationary period of employment.
- Employers can already employ people on a casual basis.
- Employers can already employ people for a fixed term.

### **Why are Wayne Mapp and the National Party promoting this Bill?**

- Wayne Mapp claims that this Bill will improve New Zealand's productivity and competitiveness and would help workers find their first job.



- The real story is that under the Employment Relations Act 2000, productivity and economic growth have increased significantly while unemployment is at the lowest level ever recorded.
- Wayne Mapp has also said that health and safety legislation would be “gone by lunchtime” under a National government.
- The 90-day Bill is a taste of what National would do if they got into government again.

#### **What are unions doing about this Bill?**

- There will be a protest rally at Parliament on the 20<sup>th</sup> July for workers to express their opposition to this Bill.
- Unions will be running public campaigns against the Bill to ensure that New Zealanders understand why the legislation must be stopped.
- Unions will be making submissions to Parliament’s Transport and Industrial Relations Select Committee opposing the Bill and outlining to MPs why the Bill will lead to unfair treatment of workers.

#### **What you can do to stop this unfair bill**

- Hold a meeting in your workplace to ensure that all union members understand the implications of the Bill and why it needs to be defeated - there is a meeting kit on the RMTU web site under hot topics.
- Make a submission against the Bill with RMTU members in your workplace – there are ideas and template submissions on the RMTU web site under hot topics.
- Contact your RMTU organiser about contributing to the RMTU submissions.
- Come to the protest rally at Parliament on 20<sup>th</sup> July.
- Contact your local MP and tell them why you do not support the Bill.
- Talk to your friends and family about why the Bill is unfair.
- Check out the RMTU web site <http://www.rmtunion.org.nz/> about upcoming events and activities relating to the campaign against the Bill.