

Justice Jamieson about fighting out quarrels "in a proper and seemly manner" may well be greeted with some bitterness by the Combined Council of Delegates because their frustration may have arisen in the context of allegedly undemocratic union rules. For example, by Rule 27, "Only members who have had at least four years' experience as an Executive member of a branch . . ." can stand for national office. By Rules 5 and 6, the national officers are elected triennially. Assuming, by way of example, that these triennial elections are held simultaneously with national parliamentary elections, an aspirant to national office might have joined the union in 1970

(or in 1960, or in 1950), taken branch office in 1975, and yet be unable to stand for national office until 1981.

That such a requirement is undemocratic may have been conceded by the union in as much as a proposed amendment to Rule 27 provides that eligibility to national office be reduced to "... two years in the industry and one year as an executive member of a branch . . ."

Other rulebook problems concern management of union funds. At present two trustees are appointed by the National Council; a proposed rule change would provide for three trustees to be elected by an annual conference. ©

INTERNAL UNION DISPUTE: INJUNCTIVE RELIEF

Kenneth Robert Schultz v. P. Best, G. Bell, M. Collins, S. Isbey, B. Logan, T. Manning, A. Milne, B. Pugh, K. Thorne, and M. Williams (First Defendants) and Airline Stewards and Hostesses of N.Z. I.U.W. (Second Defendants)

Supreme Court, Auckland. 8 February 1978 (A 82/1978). Barker J.

Mr Justice Barker, in the Supreme Court at Auckland, issued an *ex parte* injunction to the plaintiff against the ten first defendants, officers and executives of the union, to restrain them from executing any contract of employment on behalf of the union (second defendant) without first obtaining a resolution of a special meeting of the union. The judicial order was based on a strict interpretation of the union rule book.

Comment: Although judicial intrusions into union affairs are usually greeted by the Federation of Labour with stentorian

cries of outrage about the undemocratic weapon of injunction, when such legal devices are used in intra-union power struggles, a veil of silence usually pervades the dispute. That may be especially so in this case, since the secretary of the union is the head of the F.O.L.

See also *Gould v Herbison (1st Defendant) and Auckland Amalgamated Society of Shop Assistants and Related Trades I.U.W.* (unreported), A 142/77, Supreme Court, Auckland. ©

BILL HODGE

EDUCATIONAL FORUM

ADVANCE NOTICE

The 1978 Annual General Meeting of the Industrial Relations Society of New Zealand Inc. will be on Monday, 28th August, 1978.

WORKER PARTICIPATION - EMPLOYEE INVOLVEMENT

The Department of Labour has had a continuing interest in research on worker participation during the 1970's and has

published several reports on the subject (listed below and available on request).

"Worker participation," "employee involvement" and "industrial democracy" are some of the many terms used to describe arrangements allowing employees an increased share of decision-making within an enterprise. Each of them expresses a slightly different set of expectations held by different groups within New Zealand society. Government policy of encouragement is expressed under all three headings, acknowledging these different approa-

ches. For brevity's sake and continuity with past research, the Department of Labour uses the term with the longest currency in New Zealand, "worker participation" to cover all these viewpoints.

To qualify for this description, any given arrangement must allow employees to make a greater contribution to decision-making. This may or may not include schemes allowing for financial rewards keyed to the company's performance. Schemes where unions go into business with, or subcontract to, their employers are also included in the concept.

The Department of Labour wishes to contact:

- (a) Firms and unions practising worker participation;
- (b) Organisations conducting research into worker participation;

in order to update its records in response to the many requests received for information. Anonymity will be preserved if desired. Please send details to:

THE DIRECTOR,
Research and Planning Division,
Department of Labour,
Private Bag,
WELLINGTON.

PUBLICATIONS OF DEPARTMENT OF LABOUR

1. Worker's Participation in New Zealand. An Interim Report (January 1973).
2. Worker Participation in New Zealand: A Study of Worker Participation in 65 Manufacturing Firms (March 1976).
3. Worker Participation: A New Zealand Approach (Brief booklet 1976).

PUBLICATIONS RECEIVED

SMITH, David F., 'Worker Participation: A Critical Appraisal of Present Practice in New Zealand,' Department of Business Administration Commentary Paper No. 6, Victoria University of Wellington, September 1977.

ROTH, H. O., *New Zealand Trade Unions: a bibliography*, second edition, revised, Auckland University Press, 1977.

JACKSON, Michael P., *Industrial Relations: a textbook*, London: Croom Helm, 1977.

TURNER, H. A. et al., *Management Characteristics and Labour Conflict*, Cambridge University Press, 1977.

NEDD, A. N., and MARSH, N. R., *Attitudes and Behaviour of the Multi-cultural Industrial Workforce in New Zealand*, Department of Management Studies Working Paper No. 1, University of Auckland, December 1977.

ANDERSON, G. J., *Trade Unions and Trade Law in Fiji: a preliminary study*, Department of Business Studies Occasional Paper No. 20, Massey University 1977.

R. G. SCOTT. *151 Days*. Christchurch Labour Reprint Society, 1977. This official history of the 1951 waterfront dispute was first published in 1952, when emotions were still running high, on behalf of the New Zealand Waterside Workers Union (Deregistered). It has now been reprinted as a "labour classic," and thanks to modern technology this is actually a better production than the original printing. The illustrations have been rephotographed, captions once blacked out to avoid libel claims appear in full, and the author's foreword to the third edition of 1954 has been added. This is not bloodless, dispassionate history, on the contrary, it is totally biased on the side of the wharfies, but it captures the spirit of the time and it is good value for \$2.95.

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INDEX OF ARTICLES PUBLISHED IN THE NEW ZEALAND JOURNAL OF INDUSTRIAL RELATIONS DURING 1977

Cole, B. H., and Mason, B. L., 'The Mere-mere Coal Gang: a study of a Multi-Cultural Workgroup,' Vol. 2, No. 3, November.

Deeks, J. S., 'Trade Unions and Politics in New Zealand,' Vol. 2, No. 1, May.

Graves, Nancy B., and Graves, Theodore D., 'Preferred Adaptive Strategies: an approach to Understanding New Zealand's Multi-cultural Workforce,' Vol. 2, No. 3, December.

Hellaby, F. R. A., 'The Changing Balance of Power in New Zealand Industry,' Vol. 2, No. 2, August.

Marsh, N. R., 'South Pacific Work Research Project: a progress report,' Vol. 2, No. 3, November.

Twinn, W. J., 'The Kiwi and the Work Ethic,' Vol. 2, No. 3, November.

Williams, A., 'Worker Participation in Management: a dimensional approach,' Vol. 2, No. 2, August.