

CHRONICLE

June 2001

The long running dispute between the Fire Service and the Professional Firefighters Union (PFU) drew to a close (see *May Chronicle*). The *NZ Herald* reported that PFU members overwhelmingly accepted the Fire Service's latest offer. The new 24-month agreement gave PFU members an immediate 9.7 percent pay rise backdated to 1 July 2000, to be followed by two percent pay rises for each of the next two years. The agreement heralded the end to a decade long dispute.

The protracted row over the use of casual labour at South Island Ports dragged on (see *May Chronicle*). The police arrested five protesters during a demonstration at Bluff Port. According to the organisers, the demonstration was one of two organised for the purpose of protesting against casualisation of jobs on the waterfront. A police spokesperson said that none of those arrested was believed to belong to a union, but were members of the local community. The Waterfront Workers Union commented that the issue was not going to go away. The union recommended a government inquiry into the matter since negotiation, mediation and the courts had not worked.

The driver of a vehicle, which had struck and killed a woman standing on a picket line at the Port of Lyttelton on 29 December 1999, was convicted of manslaughter and sentenced to nine month's periodic detention. The Council of Trade Unions (CTU) expressed shock and alarm at what it considered to be a "very minor sentence" for a person found guilty of manslaughter. The CTU Secretary, Paul Goulter, said that the sentence sent the wrong signal about the right to protest and the safety of picket lines. However, the convicted man's lawyer said that an appeal would be lodged against the sentence.

A lot of media attention was devoted to the court case between the Crown and former Head of Work and Income New Zealand, Christine Rankin. Mrs Rankin was seeking \$818,000 in damages as she alleged political interference in the decision not to reappoint her as Head of Department. During the Employment Court hearing Mrs Rankin claimed that she was the victim of political interference and sexism (exemplified by comments about her appearance) amongst ministers and public service heads. However, the counsel for the Crown told the Court that the decision not to reappoint Mrs Rankin was based on her performance and lack of suitable skills, rather than her appearance.

It was reported in the *Dominion* that former National Commander of the Fire Service, Ken Harper, had resigned in April 2001 after an internal investigation found that he had spent "a significant amount" of public money on family travel and private international phone calls. Information about the investigation was released after three months of negotiations involving the Ombudsman, the Privacy Commissioner, the Fire Service and Mr Harper.

Details of bonuses paid to hospital managers were released as a result of an Official Information request made by the *Dominion*. The information revealed that hospital managers received pay rises of up to \$16,775 a year in the wake of health sector restructuring and that some chief executives were given additional payments of up to \$26,000. The Minister of State Services, Trevor Mallard, asked the Auditor General to conduct an investigation into this after it was revealed that at least one chief executive received an additional payment which was not written into the terms of his contract.

Probation officers returned to work after three days of strike action in protest against the suspension of 12 probation officers who had refused, as a protest against stalled contract negotiations, to take part in a training session and perform routine tasks. However, the *NZ Herald* reported that the probation officers were considering further industrial action after rejecting the latest pay offer from the Community Probation Service.

Waterside workers at the Ports of Auckland called off a strike in spite of the fact that the Employment Court permitted them to proceed with the strike. The case was brought before the Employment Court by the Ports of Auckland Company to test the meaning of the good faith concept under the Employment Relations Act (ERA). The Company alleged that the strike threatened by the waterside workers breached the good faith notion because the strike notice was issued while mediation talks were taking place. However, Judge Travis held that there was no evidence that the strike notice had significantly undermined the mediation talks and he was not persuaded that the workers' actions contravened the principles of good faith. The waterside workers announced that they were still considering strike action in support of their negotiations and in opposition to moves by the Ports of Auckland Company to increase its casual labour force.

Journalists at the New Zealand Herald went on strike for four days after a breakdown in negotiations over collective employment agreements. The *National Business Review* reported that telephone-advertising staff had joined the striking journalists.

Figures released by the Police under the Official Information Act showed that 68 sexual harassment complaints were lodged within the force in the previous five years. However, the number of complaints had peaked in 1996-97 and had progressively declined since that time. It was also revealed that the police faced 79 public lawsuits totalling \$45 million.

The Employment Court awarded compensation to a former police officer who had suffered stress-related ill health which had forced him to retire from his job. The Court heard evidence that the officer had become unwell as a result of bullying tactics employed by a superior officer. He said that senior officers had ignored his complaints and that he was forced to take sick leave for almost two years before he was compulsorily retired. The Court awarded him \$250,000 in lost earnings and around \$13,000 in costs.

The Employment Court also made a significant ruling with regard to procedures during cases at the Employment Relations Authority. The Court held that witnesses could be cross-examined in employment related cases. The Court argued that cross-examination was an integral part of the process of ensuring that the principles of natural justice (that is, the right to a fair hearing) were observed during hearings at the Authority. The case was brought by

an employee who took exception to an Employment Relations Authority ruling which prevented him from cross-examining an employer.

A union-employer advisory group failed to reach agreement on the ways to protect employees when businesses were sold or work contracted out. The employer representatives took the view that the issue should be dealt with by monitoring and enforcing the employee protections under the Employment Relations Act. Union representatives proposed instead new legislation that would guarantee workers their jobs, wages and conditions if work was contracted out or a business sold. According to the *NZ Herald*, the Minister of Labour, Margaret Wilson, said that she would decide herself what measures should be taken if the group was unable to reach agreement. Employers warned that the proposed legislative changes would affect investment decisions and their ability to become more competitive.

The *National Business Review* (NBR) reported that a considerable number of submissions from businesses and business representative groups had been critical of the Government's Injury Prevention and Rehabilitation Bill. Employers had been particularly critical of the part of the Bill that proposed to reintroduce the lump sum accident compensation payments. The NBR wrote that Government officials and business representative groups such as the Insurance Council, the Meat Industry Association and the Society of Actuaries, had informed Government Ministers that the Bill would have a significant fiscal impact on the cost of the proposed accident compensation scheme.

July 2001

Police staff shortages featured in the news again (see May 2001 *Chronicle*). The *NZ Herald* reported that three of the country's largest police districts had nearly 130 fewer officers than they had had in the previous year. Statistics released by National Party Police Spokesperson Tony Ryall showed that Auckland City police numbers had fallen by 40, Wellington by 48 and Canterbury by 40. President of the Police Association, Greg O'Connor, said that the situation had not been helped by the fact that the Government had suspended three intakes of police college trainees (see December 2000 *Chronicle*).

The settlement of the firefighters' long-running dispute worked to the disadvantage of about 300 firefighters who did not belong to the Professional Firefighters Union (PFU). The *NZ Herald* reported that almost all of the 300 firefighters had asked to switch to the collective contract settled between the Fire Service and the PFU despite being reduced in rank and pay as a result. The firefighters, who made the switch, had previously been employed on two other employment contracts that enabled them to work longer hours and to earn more money than their PFU colleagues. However, they had little option but to accept the new agreement because the Government wanted all firefighters to be covered by a single collective employment agreement.

The *NZ Herald* reported that the Government had decided to scrap moves to offer ACC premium refunds to around 100,000 self-employed people who were overcharged in 2000

(see March *Chronicle*). The Minister of ACC, Lianne Dalziel, said that the Government had decided not to grant relief to those who had been overcharged because the cost of doing so was too great.

Staff shortages in the medical profession again featured in the news (see 2001 *Chronicle*). The Wairarapa District Health Board was forced to suspend maternity services as a result of staff shortages. The Board said that obstetrician and gynaecologist numbers had been reduced by a combination of factors, including staff retirement, resignations and leave. Doctors at Auckland's Green Lane Hospital threatened to walk off the job in protest over a shortage of doctors. The Resident Doctors Association said that Green Lane Hospital was "critically understaffed" and that doctors had to look after the patients of two shifts concurrently to cover the shortage of doctors.

A survey conducted by Victoria University showed that union membership grew by more than 16,000 in the previous year. The survey found that union membership had increased to a total of 319,000 at the end of 2000. The *Dominion* reported that almost 150 groups had registered as unions since the Employment Relations Act was passed in October 2000.

Figures released by Statistics New Zealand revealed that work stoppages rose from five in the first and last quarters of 2000 to eight in the first quarter of 2001. Six of the stoppages were strikes and two of them were lockouts. The figures also showed that there were 24 stoppages in the year to March 2001. President of Council of Trade Unions (CTU), Ross Wilson, said that the rise in stoppages was to be expected because the CTU was putting a lot of effort into educating people about their rights. Anne Knowles, Executive Director of Business New Zealand, said that the Employment Relations Act made industrial action more probable because it tilted the balance towards unions.

Journalists employed by the New Zealand Herald went on strike again (see June *Chronicle*) as a result of the breakdown of negotiations for a collective agreement.

At the Sanford salmon plant, a line of protesting workers prevented a truckload of salmon from being put into the freezer. The workers, who had been locked out by their employer, took this action to support their claim for a multi-site employment agreement.

Waterfront workers employed by the Ports of Auckland Company called off their announced strike (see June *Chronicle*).

Probation officers went back to work after the Community Probation Service lifted a suspension notice on officers who had refused to implement new work practices (see June *Chronicle*).

Workers at Bluebird snack foods accepted a pay offer of 4.25 percent and a further rise of three to six percent in a year's time.

Hawkes Bay nurses accepted a four percent pay rise. The settlement marked the end of seven months of negotiations and a recent threat of strike action.

The *NZ Herald* reported that the size of pay settlements appeared to be heading upwards in the wake of the enactment of the Employment Relations Act 2000 (ERA). Peter Tritt, the Employment Relations Manager of the Employers and Manufacturers Association (Northern), said that at the beginning of 2001 most settlements were around the three percent mark but that the range was now around three to four percent. The upward trend was also commented upon by the Economist of the Council of Trade Unions (CTU), Peter Conway. He said that CTU records indicated that settlements in 2001 were on the average 0.5 to 1 percent higher than the previous year.

Primary school teachers and principals accepted a two-year collective agreement which included a new \$1,500 allowance to recruit teachers to so-called "hard-to-staff areas". The collective agreement contained a two percent pay rise backdated to July and another 1.5 percent rise next July. The settlement also included paid study leave, sabbatical leave and government superannuation contributions. The agreement would continue the pay parity relationship with secondary school teachers.

However, achieving a contract settlement with secondary school teachers proved to be a more difficult task. The Post Primary Teachers Association (PPTA) predicted that one of the main barriers to a successful conclusion of the negotiations was the policy introduced in 1998 which ensured that primary teachers have pay parity with secondary teachers. The PPTA said that it was not prepared to settle for the two percent pay rise that had been awarded to primary teachers. The PPTA and the Ministry of Education agreed to mediation as a way forward in the stalled negotiations.

The Leader of the National Party, Jenny Shipley, accused the Government of double standards after it was revealed that a former NZ Post executive was paid up to \$180,000 to leave her job. Mrs Shipley said that the Prime Minister and her Government had reneged on election campaign promises to end golden handshakes and they had also allowed a state-owned enterprise to fight for 10 months to keep the payout a secret.

Act MP Rodney Hide revealed that the Government was paying up to \$1,800 a day for managers contracted to Government departments. The figures were based on 97 "leased executives", including 41 employed by Work and Income New Zealand.

The court hearing involving the Crown and former WINZ Chief Executive, Christine Rankin came to an end (see June *Chronicle*). Counsel for the Crown stated that Mrs Rankin's allegation that the Government would not let State Services Commissioner Michael Wintringham reappoint her to her position was "fatal to her claim". He said that she had personalised all aspects of her position and performance and blamed others for her non-reappointment, including a conspiracy of cabinet ministers.

The Employment Court awarded \$100,000 compensation to an airline pilot who was grounded without pay by Air New Zealand when he turned 60. Judge Graham Colgan held that the pilot should have been paid during the time that he was grounded and that Air New Zealand had no right to terminate his career when he reached 60 years of age.

The *Dominion* revealed that nearly 2,000 grievances lodged under the now repealed

Employment Contracts Act had yet to be dealt with. Labour Department Figures showed that the temporary Employment Tribunal (due to be disestablished in January 2002) still had 1,956 outstanding cases at the end of May 2001.

August 2001

Cereal maker Dick Hubbard published the firm's annual results in several newspapers as part of his campaign of making "triple bottom line accounts" popular amongst New Zealand businesses. The new accounts were accompanied by a staff bonus, equivalent to 10 percent of the firm's pre-tax profit. The 'triple bottom line accounts' showed results in three areas: economic, social and environmental. The economic results referred to standard profit measures as well as the sustainability of the business and its human capital. The social results measured employment relations issues – such as wage levels, working time, occupational safety and health – and contributions to the local community. The environmental measures estimated the impact on the environment of the firm's activities. The promotion of "triple bottom line accounts" was part of Hubbard's support of sustainable business development, more openness about business activity and social responsibility of businesses. The accounts would also emphasise whether firms pursued high-quality employment relations approaches.

The dispute between the newspaper publishers INL and the Amalgamated Engineering, Printing and Manufacturing Union reached a new phase when the two sides appeared to be close to settle on a compromise agreement (see *May Chronicle*). The compromise agreement would consist of site agreements, as demanded by the company, but the agreements would include some common (multi-employer) conditions, as demanded by the union. Changes in remuneration would still be left to site negotiations while superannuation and industry training would be common, standard issues. Prior to this, the INL had experienced an important set-back when the Employment Relations Authority ruled that the company had breached the good faith obligation of the Employment Relations Act. As this was the first time that the good faith obligation had been tested in front of the Authority it could become an important ruling (see *June Chronicle* for an Employment Court ruling on good faith obligations).

The dispute at the prisons appeared to be set for the long haul (see *July Chronicle*). Prison officers were expected to reject a two-year agreement proposal which included a two percent pay rise this year and a one percent pay rise next year. Other prison officers, members of the Public Service Association, had already accepted a similar type of collective agreement. The prison officers, members of the Corrections Association, had taken low-level industrial action for several weeks in support of their six percent pay claim.

Radio New Zealand staff staged a 25-hour strike as their negotiations over a new collective agreement stalled. Around 130 staff, belonging to the Public Service Association (PSA), went on strike and Radio New Zealand subsequently suspended these staff so their pay could be docked.

Secondary school teachers published their demands for a three-year collective agreement

which included a pay increase of \$2,500 over the next three years, higher staffing levels and changes to class time. The negotiations were expected to be difficult and mediation was already a part of the talks with the Government. While the secondary school teachers' union, PPTA, had called for another 1,850 new positions, the Government announced that another 350 positions would be funded to the tune of \$27 million over the next year.

An Employment Court ruling arrived surprisingly quickly in the "Rankin case" (see July *Chronicle*). The ruling was completely in favour of the Crown's position and none of Christine Rankin's claims were supported. Chief Judge Goddard made it clear that several of the claims were irrelevant in terms of employment law.

The shortage of nurses continued to put surgery and other services at risk. According to the *New Zealand Herald*, hospitals were facing a nation-wide shortage of 2,000 nurses as the number of nurses going overseas had increased from 700 in 1991 to 1,873 in the 2000-2001 year.

Several newspapers wrote about the Government's interest in developing new legislation in the area of redundancies and organisational restructuring (see June *Chronicle*). The newspaper reports were prompted by draft legislation being prepared by an independent advisory group of employer and union representatives as well as academics. The advisory group, chaired by Professor Nigel Haworth from the University of Auckland, had focussed on issues associated with organisational restructuring and outsourcing. It was still to be decided what the level of redundancy payments should be and whether the legislation should cover the public sector.

Nine former Employment Tribunal members launched a High Court case to contest the curtailment of their four-year appointment as part of the shift to new institutional arrangements under the Employment Relations Act. The Act put less emphasis on tribunal activities, as opposed to mediation, and the new Employment Relations Authority had, therefore, fewer members.

The *National Business Review* (NBR) reported that the Occupational Safety and Health Service at the Department of Labour was reviewing the Health and Safety in Employment Act. The review was likely to recommend higher penalties and a mandatory role for unions in the workplace management of safety and health.

The Government announced a re-write of the Human Rights Act which would end the existence of a separate Race Relations Office. Instead a full-time Race Relations Commissioner would become part of a seven-person Human Rights Commission.

A Treasury report about a more "inclusive society" in New Zealand suggested both traditional and new approaches. The traditional Treasury approach could be detected in suggestions of tougher administrative tests of beneficiaries and the emphasis on education and training. However, the report also suggested that beneficiaries could be paid extra if they took on full-time work in low-paid occupations. According to the *Dominion*, the suggestion was modelled on a Canadian scheme where beneficiaries were paid extra money up to a maximum of three years.

New Zealand Insurance (NZI), the second largest general insurer in the country, unveiled a major restructuring plan. The restructuring was estimated to cost at least 100 jobs, out of the firm's total staff of 724 employees.

The official unemployment figure fell to its lowest level for 13 years as unemployment dropped to 5.2 percent in the June quarter, down from 5.4 percent in March quarter. The figures showed a fall from 114,000 to 100,000 unemployed over the past year and recorded a 57,000 increase in people employed during the same period.

The Government postponed for at least another month a final decision on the length of paid parental leave as well as the actual level to be paid.

September 2001

Auckland's Sky City Casino and the Service Workers Union reached a settlement that included a three percent pay rise, and a \$200 one-off payment for full-time staff and \$100 for part-time staff. A two weeks paid parental leave entitlement was also agreed.

The advisory group charged with modernising the Holidays Act was split in their recommendations. The group, consisting of employer and union representatives, had been unable to agree whether minimum annual leave entitlements should be increased from three to four weeks. Their lack of agreement left the decision on that issue with the Minister of Labour, Margaret Wilson. However, the advisory group appeared to have reached agreement on many other issues aimed at making the Act easier for employers and employees to understand and apply.

Many unions were thrown into limbo with a Court of Appeal decision which nullified the registration of 40 unions. The unions had launched their registration at the Department of Labour before the Employment Relations Act came into effect. The court decision placed many negotiations and agreements in jeopardy because collective employment agreements could only be concluded by registered unions. However, Parliament quickly enacted retrospective legislation that remedied this "technicality".

The claim, frequently reported in the media, that strike action was on the increase under the Employment Relations Act, was disputed when recent statistics were released. The data showed that the first six months of the Employment Relations Act had generated less industrial action, compared with the first six months of the Employment Contracts Act. The President of union confederation CTU, Ross Wilson, claimed that this showed that "stats don't back up any theory that the new law has lead to more stoppages".

Nevertheless, there were several high profile disputes and negotiations such as the prison officers' dispute, the sporadic strikes in the newspaper industry, unrest on the waterfront and amongst secondary teachers. Most of these disputes and negotiation stalemates were solved quickly and this influenced the dispute statistics positively.

The dispute between prison officers and the Correction Department continued to escalate and the Government was forced to send in around 1,400 army personnel to man the prisons (see August *Chronicle*). As neither the union nor the Correction Department had modified their positions, there existed a significant gap – nearly three percent – in the wage rises offered and demanded. Additionally, the Minister of State Services, Trevor Mallard, threatened to suspend staff if the strike continued; a move that would likely lead to a mass walkout of staff. Although the prison officers returned to work, the dispute was far from solved and the union promised to resume their pay demands during next year's general election.

The dispute at the New Zealand Herald was settled when the sporadic strikes forced the newspaper to reconsider its demand for fewer people being covered by the collective employment agreement (see July *Chronicle*). However, neither side seemed overly pleased and the after-effects of the bitter dispute were still evident. The newspaper considered calling in industrial counsellors to solve the bitterness arising out of the opposing factions within the organisation. There was also an upcoming court date for the parties to air their grievances regarding the alleged bad faith bargaining and attempted union sabotage.

The Ports of Auckland were also faced with industrial action when approximately 250 staff threatened a 48-hour strike. The strike threat was prompted by stalled negotiations between the Waterfront Workers' Union and the Ports of Auckland with the union demanding a five percent pay rise over the next two years, the pay rise being back-dated and more extensive coverage of the collective employment agreement.

Secondary school teachers also threatened strike action if their stalled negotiations were not resolved soon. A one-day strike was announced for 11 October and other restrictive measures were being considered.

Auckland bus commuters suffered delays when a six-hour stop work meeting involved over 600 drivers and support staff. However, the meeting considered two collective agreement proposals and both parties declared afterwards that they were confident of reaching settlement without further disruption.

Nurses at Christchurch's Princess Margaret and Hillmorton hospitals withdrew their month long overtime ban as a gesture of good faith before the resumption of their stalled pay talks. However, the peace was short-lived with nurses "overwhelmingly" rejecting the hospitals' pay offer.

Police spokespeople warned that the proposed Police Amendment Bill would cause a mass exodus of officers if it was passed. The Police Association claimed that the Bill would skew negotiations in the Government's favour and "straightjacket" the Association because the Arbitrator would be required to consider the Police Commissioner's ability to pay in accordance with the Police Budget.

There were suggestions that the 7,500 workers in Auckland's largest healthcare provider, the Auckland District Health Board, faced job losses with a major streamlining operation to start in the New Year. The streamlining would involve the merging of Auckland, Green

Lane, National Women's and Starship hospitals. The Board claimed that the restructuring was not a cost-saving measure but union and staff were reported to mistrust these claims.

Staff at Air New Zealand offered to sacrifice their pay to keep the ailing airline flying. In a bid to help the company and save their jobs, staff appeared willing to accept a 10 percent pay cut.

Business groups again sought a cut in the company tax rate. A study from economic consultants Infometrics, commissioned by Business New Zealand, estimated that cutting tax rates from 33 to 20 percent over six years would only lead to a limited loss in revenue. This was based on the assumption that the tax cuts would generate significant additional economic and job growth.

The Employment Court ruled that escorting an executive from the building because he intended to bring a personal grievance amounted to an unfair dismissal. The executive was awarded a year's salary along with \$10,000 for humiliation and loss of dignity and \$3000 to compensate the loss of the company car.

A woman was fined \$24,000 for running a sweatshop factory staffed by Thai immigrants. The immigrant workers were forced to work 14 hours a day, six days a week. The money was awarded to the six workers who would not receive the \$295,000 in unpaid wages due to the firm's bankruptcy.

An international report indicated that smokers were generally less efficient workers. The research showed that smokers called in sick on average four days in a three-month period, with former smokers averaging 2.4 days, and non-smokers 1.3. Likewise, research showed that working for extended periods without sufficient sleep had similar effects as drinking on the job, reported the Occupational Health and Safety Service of the Department of Labour.

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Invitation to contributors

1. Articles: The editors welcome articles for publication in the *Journal*. They also welcome shorter more speculative pieces for the Commentary section, research notes, practitioner pieces that need not be research based, and contributions to the Legal Forum. All papers are subjected to a refereeing process before an editorial decision is made.
2. Submissions:
For all categories detailed below, authors are required to submit four hard copies and a copy of the manuscript on disk in WordPerfect 8 or ASCII. Categories are:
 - (a) *Articles*: Academic papers which should not normally exceed 6,000 words. An abstract of 50-100 words should be included.
 - (b) *Commentaries*: Shorter more speculative pieces, also with abstract.
 - (c) *Research Notes*: Should not normally exceed 3,000 words. Content more descriptive and less analytical than articles.
 - (d) *Practitioner Papers*: either descriptive or analytical pieces, normally not to exceed 3,500 words, on any subject of wide interest to the readership. An abstract should be included.
 - (e) *Legal Forum*: Analysis, discussion and debate on recent industrial relations cases and statutes.
 - (f) *Comments/Replies (on published articles)*: Before making a submission, the author of a comment should first communicate with the article author to ensure there are genuine disagreements or points at issue. Should not exceed 1,500 words. If accepted for publication the article author will be given the right of reply. (To not exceed 1,500 words).
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4. Payments are not made to authors. Authors receive a free copy of the issue of the *Journal* in which their article appears, together with 10 reprints of the article.

Preparation of manuscripts

1. Style: Articles must be submitted in the *Journal's* style. For guides on style, authors should consult a recent issue. Particular attention should be paid to the method of citation and the style for lists of references (including the citation of legal cases and references).
2. Footnotes: The first footnote should be asterisked and contain: the authors's position(s), affiliation(s) and any acknowledgements.
3. Quotations: Quotations longer than 35 words should be indented. Short quotations should be enclosed in double quote marks and run on in the text.
4. Tables and diagrams: Tables and diagrams should be numbered consecutively in arabic numerals and their place in the text indicated clearly. (a) *Tables*: Tables should follow the style of tables in recent issues of the *Journal*, (b) *Charts and diagrams*: Authors are responsible for preparing the final copy of any charts and diagrams. These should be drawn to a professional standard with black ink on white paper. The headings, labels, etc. should also be drawn professionally or prepared on a computer and reduced to a size suitable for inclusion directly into the final text. The original plus one reduced copy must be provided and it is the responsibility of authors to ensure that the changes and diagrams are proof read *prior* to submission.
5. References: References should be listed in full, alphabetically at the end of the paper in the following style:
Anderson, G. (1991), The Employment Contracts Act 1991: An Employers' Charter? *New Zealand Journal of Industrial Relations*, 16(2): 127-142.
Fox, A. (1974), *Beyond Contract: Work, Power and Trust Relations*, London, Faber.
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Walsh, P. and Ryan, R. (1993), The Making of the Employment Contracts Act. In Harbridge, R. (ed.), *Employment Contracts: New Zealand Experiences*, Wellington, Victoria University Press.

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