

ALWU NEWSLETTER

THE OFFICIAL NEWSLETTER OF THE AOTEAROA LEGAL WORKERS' UNION

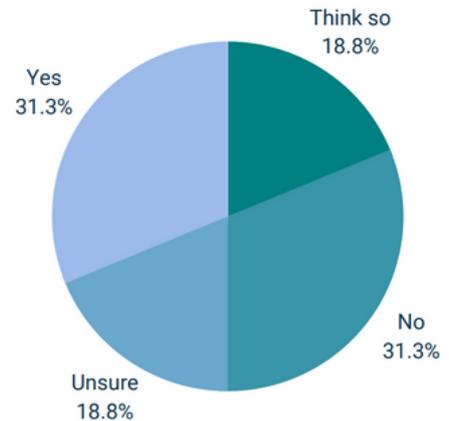
PROGRESS REPORT

What has ALWU been doing since the last newsletter?

EMPLOYMENT INFORMATION SURVEY REPORT

ALWU released its inaugural Employment Information Survey Report in November, which was publicised by Alison Mau for Stuff as well as the National Business Review and the Law Society media outlets. The Report was the outcome of ALWU's survey that gathered information on legal workers' salaries and working conditions, in particular junior lawyers.

Large law firms



Answers to the question "Have you been paid an average wage below the minimum wage for the hours you have worked in a fortnight?". Grim.

KEY RESULTS OF ALWU'S REPORT

- 50% of respondents who were working at large law firms reported that they had, or thought that they had, worked for an effective hourly wage of less than the minimum wage when their fortnightly salary was divided by the number of hours that they had worked.
- Legal workers at large firms are paid very similar salaries at junior levels, regardless of the hours that they work or the amount of revenue that they generate for the firm.
- Almost all respondents reported consistently working overtime. However, virtually no private sector employers have a transparent and consistent method of providing time off in lieu or payment for overtime work.
- Bonuses for junior legal workers are opaque, rare and of low value, especially when compared with the hours legal workers are required to work to get them.



MARLON'S MARVELLOUS MUSINGS

Marlon Drake is ALWU's student representative. Hailing from Te Herenga Waka where he was president of VUWSA last year, Marlon shares his "why" and some messages for ALWU's invaluable student membership below.

Kia ora! It's December, and even with the holiday season upon us, the Aotearoa Legal Workers Union is planning up a storm and preparing for next year. In this edition of Marlon's Musings I'm going to talk a little bit about two very exciting projects I'm working on at ALWU, but before we get to that, a bit about me and what I've been up to lately.

A LIVING WAGE

I do a lot of campaigning in my spare time. As a part of this I am a member of the national governance board for the Living Wage movement. This year, down in Wellington, we've had massive success across the region for the movement. With the continuation of a living wage rate committed by the Wellington City Council, and majorities of living wage supportive councillors out in the Hutt and Porirua, hundreds of workers in the region are now getting paid a decent wage, and that was because people in the community got together and turned up when it counted.

ALWU might not be running a living wage campaign yet (at least not until everyone is on the minimum rate...) but the principle is the same. By campaigning together, being proud and ready to rally when it counts, and by supporting each other, we can all make real change in our workforce too.

WHAT DO I DO FOR ALWU?

Every student should know the reality of what it's like in the firms so they can make informed decisions about where they work. I'm currently planning a roadshow for next year, visiting law schools around the country, and setting up alongside law firms at the careers days.



In my recent conversations with student representatives around the country, one of the big messages coming through is that law students want to know how they can apply their degree outside of the big firms. This presents an awesome challenge for ALWU - what role will it have in educating students and graduates alike on how they can use their degree? Why not email contact@alwu.org.nz and let me know your thoughts.

WHAT'S NEXT?

ALWU is prepping for some big campaigning and big exposure next year, and part of that is doing the groundwork now for a clear plan going into 2020. Smart, grassroots campaigns are very effective and communications are a big part of that, so at the moment I'm helping ALWU consider how it can best present solutions to employers and employees next year with some slick comms strategy that members can be a part of.

If you haven't guessed already, the real theme of this article is that we need to work together to solve issues in the workplace. A union isn't just a service provider, or a research organisation. A union is a collective of workers standing and working together to do the big stuff as a team. I've given you a bit of a rundown of some of the stuff I'm working on in the next year, so the question I leave you with is simply this; **how will you contribute to ALWU in 2020?**

THE BIG PICTURE: BROADER ENGAGEMENT

What else has ALWU been doing this month?

NO AVERAGE JOES HERE: TOWARDS A MINIMUM WAGE APPROACH SUPPORTED BY THE COURTS

ALWU's minimum wage campaign continues this month with a focus on education and research. ALWU's approach to minimum wage compliance is supported by the courts (see more at alwu.org.nz). In brief, the Minimum Wage Act and the Minimum Wage Order 2019 require employers to pay salaried workers a minimum of (a) \$1,416 per fortnight; and (b) \$17.70 per hour for each hour over 80 hours worked in a fortnight.

In effect, the Act requires that legal workers on a fortnightly salary are paid a salary payment of \$17.70 x 80 hours in a fortnight, *plus* payments of at least \$17.70 for every additional hour worked over 80 hours in that period. To comply with that minimum standard, the courts have expressly stated that employers *cannot* average out the amount of a worker's salary across the hours that they work in a fortnightly period, ie, a salary alone cannot compensate a worker for hours worked over 80 hours in a fortnight.

ALWU has incorporated this approach into its best practice policy, which it will share with some employers before Christmas. Watch this space...

ALWU TALKS IMMIGRATION AND FAIR PAY

As the union for the legal industry, ALWU has been asked to provide feedback on a legal employer seeking accreditation from Immigration New Zealand. ALWU has also submitted on MBIE's consultation on fair pay agreements. As ALWU builds its relationship with government, it looks forward to being part of further conversations and legal developments.

PACIFIC LAWYERS ASSOCIATION

ALWU also met with the Pacific Lawyers Association this month to better understand and be able to work for its members. ALWU is committed to building relationships with representative groups. If you know of issues that you think ALWU should hear about, please get in touch at contact@alwu.org.nz.

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LEGAL WORKERS IN AOTEAROA, LIKE EVERY WORKER, HAVE THE RIGHT TO BE RESPECTED AT WORK AND PAID FAIRLY FOR THEIR TIME. IN PARTICULAR, BREACHING LEGAL MINIMUM STANDARDS IS ABSOLUTELY UNACCEPTABLE, PARTICULARLY BY PEOPLE WHO HAVE BEEN TASKED WITH UPHOLDING THE LAW.

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Professor Petra Butler,
academic, barrister and human
rights expert

MEME CORNER

Some comic solidarity to provide relief from the strain of collective action. Submit to us at contact@alwu.org.nz.



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