

# ALWU NEWSLETTER

THE OFFICIAL NEWSLETTER OF THE AOTEAROA LEGAL WORKERS' UNION



## HAPPY NEW YEAR



To all of ALWU's members and supporters - thank you for an incredible 2019. ALWU looks forward to a new year full of advocacy and action.

## PROGRESS REPORT

What has ALWU been doing since the last newsletter?

### WORKPLACE MEETINGS (OF DIFFERENT KINDS)

2020 has got off to a roaring start with meetings of all kinds planned at legal workplaces across Aotearoa. ALWU delegates are busy planning meetings with their members. Why not start your year off right by organising a meeting of union members at your workplace? If you're not sure how to start talking about ALWU at work, some members have found distributing the newsletter (or leaving it in the break room) an excellent conversation starter. And remember, union membership is a protected right and your employer cannot discriminate against you for belonging to ALWU.

January has also seen ALWU's first meetings with law firms to discuss ALWU's best practice minimum wage policy. ALWU's next step in its minimum wage campaign is helping employers to ensure accurate time recording and monitoring by April this year.

## ALWU BY THE NUMBERS

730+ members  
30+ delegates across 80+ workplaces

### AUCKLAND BRANCH FORMATION

After a gradual start, ALWU's support in Auckland has gone from strength to strength. ALWU received so many offers of support and help in Tāmaki at the end of 2019 that it established an Auckland Branch Council, which met for the first time this month. The Branch Council will assist with strategy, planning and union support as ALWU continues to grow, and will have a particular focus on growing Tāmaki membership and engagement. If you are based in Auckland and interested in helping out ALWU more actively, get in touch at [contact@alwu.org.nz](mailto:contact@alwu.org.nz). ALWU will also look to establish branch councils in other centres as membership expands.

ALWU ▼

AOTEAROA LEGAL WORKERS' UNION

# INTRODUCING...

ALWU's more than 30 delegates are the backbone of the union. As the conduit between the executive and employees at each workplace, delegates are your on-the-ground support and advice network. Josie and Jake are ALWU's Chapman Tripp delegates, and they introduce themselves below.

If you're interested in becoming a delegate at your legal workplace, get in touch at [contact@alwu.org.nz](mailto:contact@alwu.org.nz).

## **JOSIE TE RATA, 3RD YEAR SOLICITOR AT CHAPMAN TRIPP WELLINGTON**

I strongly believe that we need to shift our attitudes around the culture of working and overworking. I joined ALWU because it challenges assumptions our employers have held onto for decades. Working with ALWU so far, I have been struck by shocking simple concepts like paid overtime, TOIL (time off in lieu), and not working weekends have been for our employers. Previously, it wasn't even a question. Even if the only thing we achieve is increased awareness of the value of people's time, I will consider that a success. At the end of the day, time is the only thing we have. I don't want to spend my whole life billing it out to other people.

## **JAKE HENDERSON, 2ND YEAR SOLICITOR AT CHAPMAN TRIPP WELLINGTON**

Kia ora, I'm Jake. I followed the formation of ALWU with interest. I'm now stoked to be part of it in a delegate capacity for Chapman Tripp in Wellington. I see the formation of the union as an opportunity to challenge the power imbalances inherent in our profession, through collective demand for greater transparency, diversity and value for worth. I would love to see ALWU become institutionalised into something that all law graduates join automatically, as a matter of course, especially those joining smaller and rural law firms. So far the delegate role has involved organising information sessions and communicating with management on continuing minimum wage requirements. Anyone considering getting into the profession or joining Chapman Tripp is more than welcome to be in touch if you have any questions!



### **SO FAR JAKE AND JOSIE HAVE...**

- Organised information sessions for staff and summer clerks across the Auckland, Wellington and Christchurch offices
- Followed up with HR on minimum wage concerns
- Driven communication with members and staff about ALWU and CT's actions to date
- Distributed ALWU's employment information survey report
- Liaised with interested partners

ALWU ▼

AOTEAROA LEGAL WORKERS' UNION

# COLLECTIVE BARGAINING: FAQS



As ALWU picks up its wider engagement again this month, find out more about collective agreements and what they can do for you here.

## WHAT IS A COLLECTIVE AGREEMENT?

A collective agreement is an employment agreement between a group of union members at a workplace and their employer. A collective agreement must include:

- who the agreement covers;
- the rates or salary - this can be expressed as a minimum (e.g. "law clerks will be paid at least \$x") or a range, and can include different categories (e.g. "PQE3 solicitors" or "legal administrators with over 5 years experience");
- an explanation of how to resolve employment relationship problems;
- provision for variation of the agreement; and
- the date the agreement expires.

Beyond these key terms, unions can bargain for better terms in areas such as salaries, time off in lieu, overtime payments, annual leave, sick leave, and any other term or condition that the parties agree to (as long as it is not inconsistent with legislation).

## HOW DO WE GET A COLLECTIVE AGREEMENT?

A collective agreement is the conclusion of a collective bargaining process. The typical process is that a union would approach a workplace and tell the employer it would like to initiate bargaining. Employers (and unions) cannot refuse to enter into bargaining. A process is then agreed and the two sides work together to negotiate terms and conditions they would both accept. There is no time limit on negotiations, but the parties may draw on external mediators and must deal with each other in good faith.

The union must disclose the names of its members at the workplace at the beginning of collective bargaining, and any collective agreement reached must be ratified by union members through a vote.

## WHAT'S THE DIFFERENCE BETWEEN A COLLECTIVE AGREEMENT AND A FAIR PAY AGREEMENT?

A collective agreement is an agreement privately negotiated between ALWU and an employer (or employers). A fair pay agreement is negotiated with all relevant stakeholders in a sector (e.g. large law firms) and then becomes a set of requirements at law. Everyone in that sector, regardless of union membership, would be covered by a fair pay agreement and employers could not opt out. While not currently in place in Aotearoa, a fair pay agreement system is currently under consideration by the government.

## SO TELL ME... ARE WE GOING TO STRIKE?

Strikes can lawfully only occur during collective bargaining or for health and safety reasons. There are strict voting, notice, and procedure requirements, so striking or similar action is not a decision to take lightly. Ultimately, a strike would only occur if deemed necessary by ALWU's membership.

## DO I NEED TO BE A MEMBER TO BE COVERED?

Yep. And there's legal restrictions on "passing on" negotiated collective terms of employment to workers who remain on individual contracts, so a collective agreement is definitely in your interests - join us!

## MEME CORNER

Some comic solidarity to provide relief from the strain of collective action. Submit to us at [contact@alwu.org.nz](mailto:contact@alwu.org.nz).



ALWU ▼

AOTEAROA LEGAL WORKERS' UNION