Workforce Development in Our Sector

Things are painful at the moment. We are all familiar with the depressing statistic that at least 1,200 jobs are currently disappearing in New Zealand every week.

Some of us are feeling this pain more than others. In a recent issue of New Dialogue, Bill Rosenberg, Council of Trade Unions economist, noted that unemployment has always affected young, Maori and Pacific Island workers more than others. In the twelve months to March this year, youth unemployment rose from 15.5% to 19.6%, Maori unemployment from 10.2% to 11.9%, and most dramatically, Pacific Islander unemployment rose from 8.7% to 13.1%.

Sadly, as Bill says, the social consequences can be reliably anticipated. Foodbanks and budgeting services are already reporting record client numbers as families struggle to put food on the table. Social workers are expecting to see an increased demand for frontline social work in areas that are already under pressure, such as domestic violence and mental health.

Organisations and people working in our sector will experience a double whammy. On the one hand, there will be increased demand on services. On the other hand, it is very unlikely that organisations are going to be resourced adequately to take on this extra workload.

It is equally unlikely that salaries in the sector will increase any time soon. Strategic Pay’s 2009 Not for Profit Sector Remuneration Survey, recently .../3
These one-day workshops are designed for committee/board/trust members and managers of community organisations which employ paid staff. Topics covered include the principles of the Employment Relations Act, managing workplace conflict and performance issues, governance and management in employment situations, mediation, remuneration, unions and workforce development. The cost per participant is $40, which includes lunch and a copy of our new one-stop employment resource, *Mana Mahi.*
Disability Support Workers Gain Historic Victory
PSA/SFWU joint release - 8/7/09
Disability support workers are celebrating an historic legal victory in their battle to be paid at least the minimum wage for providing round-the-clock support for people with disabilities. The Employment Court has ruled that disability support workers are working when doing ‘sleepover’ shifts and should be paid the minimum adult wage for all of that time.
The case is one of two brought by the Service and Food Workers Union and the Public Service Association. These unions have thousands of members working ‘sleepover’ shifts in the disability, mental health and aged care sectors.
The case involved disability support worker Phil Dickson. He works at an IHC community house that is home to five service users with intellectual disabilities. As part of his job Mr Dickson does ‘sleepover’ shifts from 10pm to 7am for which he’s paid $34. This amounts to $3.77 an hour, less than a third of the minimum adult wage of $12.50 an hour.
Mr Dickson is allowed to sleep during the shift but is frequently disturbed and often has to get up to provide support for the service users living in the community house. The court described the responsibilities he has during sleepovers as ‘weighty’ and ‘critical to the business of the employer.’ The IHC argued that doing a ‘sleepover’ shift is not work and so Phil does not have to be paid the adult minimum wage while doing the shift.
“The Employment Court did not accept the IHC argument,” says SFWU National Secretary, John Ryall. “The court has ruled that doing a ‘sleepover’ shift is working and Mr Dickson should be paid the minimum adult wage for a ‘sleepover’ shift. This is a significant and historic decision because there are thousands of workers being paid less than the minimum wage for ‘sleepover shifts,’” says John Ryall.
The court’s ruling is in line with decisions on similar cases heard in Britain, Europe, Canada and the United States. These cases all defined work as time spent on-call or sleeping, when the worker is required to be at work and to be available immediately to do their job.
“The government needs to ensure employers have the funding they need to pay disability support workers, and others working ‘sleepover shifts’, at least the minimum wage.” says PSA National Secretary Richard Wastaff.
The Court has asked for further submissions from the CTU and Business NZ about some issues as to how the payment under the Minimum Wage Act 1983 must be made. www.scoop.co.nz/stories/PO0907/S0091.htm

In the midst of pain, there is hope. Recently, disability support workers in New Zealand celebrated an historic legal victory in their battle to be paid at least the minimum wage for providing round-the-clock support for people with disabilities (see article this page). And across the Tasman, a campaign for ‘Good Work, Decent Wages’ – a joint effort between the Queensland Council of Social Services, unions and employers – resulted in a legislative victory: a new award wage which will see community sector workers receive pay increases of up to 30% over the next two and a half years (p. 5).

But hope is not enough. As we see it, a dual strategy is needed to address employment issues in our sector.
On the one hand, we need to strengthen our HR capacity. While a higher level of unemployment may make it easier, at least on the surface, to retain staff, often the most highly skilled and experienced workers, those who are of most value to the organisation, are the first to go – and the ones we can least afford to lose. We need to strengthen our employment practices and aspire to become employers of choice, skilling ourselves up to retain our staff so they are there to carry us through the hard times. As the global economic crisis rolls out, we also need to remain mindful that many of our staff are poorly paid, and to be looking for ways to ease the pressure of the economic crisis on frontline staff (see articles, p. 6 & 7).
As a sector we also need to get clever about campaigns. We need to develop a long-term strategy for increasing salary funding in our sector; campaigning, perhaps, for our own award system that would set a guaranteed floor for sector wages and conditions. Maybe we can’t achieve this now – it would quickly put many of our organisations out of business – but we do need to think where we want to be in a few years’ time. In the meantime, Workplace Wellbeing continues to put energy into projects like the Waikato Community House MECA (see p. 4), which might help us take some steps in that direction.
Whether we are thinking in terms of HR capacity building or strategic campaigns, this all means we need to be thinking about workforce development. We need to be having dialogue with policy makers about a coordinated long term plan for our sector workforce, incorporating new wage structures, incentives for ongoing education and skill development, industry recognition and accreditation, improved employment conditions, and so much more. We need a workforce development plan.
Workplace Wellbeing is looking at organising a national gathering next year to look at all these issues. Watch this space.
Waikato Community Houses - Taking the Lead on Good Employment Practice

A ground-breaking Multi-Employer Collective Agreement is currently being developed by a group of Waikato community houses. This project is being undertaken in partnership with Community Waikato and the Service and Food Workers Union Nga Ringa Tota, with support from the Department of Labour’s Partnership Resource Centre.

The community houses are passionate about the need to develop common standards and conditions for people working for their organisations. They think that the work they do is important and would like to see the value of their work gain greater recognition.

A MECA is a very positive, collective way of achieving that.

So, what is a MECA?

A Multi Employer Collective Agreement is a collective process where a number of similar organisations (in this case, community houses) have a joint agreement to develop a common set of employment conditions. This helps to create consistency, common standards, and saves time and money compared to when organisations try to do it on their own.

The agreement includes the employer, staff, and the staff union. A MECA is always developed between these three parties. The MECA approach is a bit like having a facilitator in to help ensure that the process runs smoothly and everyone can participate.

This approach is great for smaller organisations which do not have the resources that larger groups do. Working together will support the development of standards and benchmarks for employment policy throughout the sector; it will help secure better funding arrangements leading to improved service quality and security; and it will assist in achieving improved and fairer pay and conditions of employment in the sector. It has the potential to become a national agreement with a role in negotiating with funders at a national level.

A MECA is not costly to put into place either. In fact it is likely to save money on administration time. Because the community houses involved retain complete control over what goes on in the MECA, it isn’t going to mean having to suddenly pay out higher pay rates that haven’t been budgeted for.

A MECA will be of help to the best run organisations, in fact the best run organisations will be those that have a MECA in place. It will help to enhance the collaborative relationships between employers and staff that we all value within our sector. The MECA will focus on partnership and openness – it is very much a two-way relationship and fits the values of our sector like a glove.

The group hopes that a MECA will also help funders. They see that by having an acceptable set of standards and clear agreements about wages and conditions for jobs in the sector, funders will be provided with a clear set of guidelines that they know apply to the whole sector. A MECA will give assurances to boards of trustees by helping organisations budget for future employment costs.

A MECA is a positive process designed to focus on good employment practice. It helps to future proof the employment side of the organisation, providing clear structures and removing uncertainty and poor practice.

It plays a big part in avoiding employment relationship problems as most of these occur due to unclear expectations.

The Community House MECA pilot is expected to be completed soon and in the next issue of Mana Mahi we will report on how this project has progressed.

If you are interested in becoming part of a MECA or would like to learn more about it, contact Jane Stevens at Community Waikato for further information, email jane@communitywaikato.org.nz or phone 07 838 1583.

Mana Mahi Employment Resource - have you got yours yet?

Workplace Wellbeing’s new, one-stop employment relations resource, Mana Mahi, was launched late last year at seminars in Hamilton, Wellington and Christchurch.

Produced specifically for tangata whenua, community and voluntary sector organisations, Mana Mahi contains 17 best practice guides on a variety of topics ranging from employment law and employment agreements through to performance management, managing employment relationship problems, mediation, unions and more.

Also included in the pack are 6 resource booklets, including a sample employment handbook, and an easy-to-use CD containing checklists, templates and a range of best practice material.

Copies are available now for $25 inc GST and postage, and can be ordered from manamahi.orders@gmail.com or phone 04 472 3364.
Employment News from the Sector and Beyond

Queensland Industrial Relations Commission Releases Decision on New Award for Community Service Workers – 7/5/09

A pay equity case handed down by the Queensland Industrial Relations Commission in May recognises the value of the work that non government community service workers contribute to the Queensland community.

“This is fantastic for more than 30,000 non-government community sector workers”, said Queensland Council of Social Services Director Jill Lang. “We welcome the QIRC decision. And we are extremely pleased that it recognises the value of work each and every one of these workers does.

“These workers are at the front line providing vital human and community services to people throughout Queensland. The decision says they deserve decent wages in recognition of the work they do.

“The effects of the global economic downturn continue to flow through into our local communities. Community sector workers face an extra work load with more people needing support”, said Jill.

The Queensland non government community sector works in homelessness, housing, mental health, child protection, youth, violence, Indigenous and many other areas.

“We thank the hundreds of workers, unions, employers and organisations who have contributed to the campaign over the past year”, says QCOSS President Karyn Walsh. “Lower wages make it harder for organisations to meet demand for community services. These low wages make it harder to attract staff and lead to understaffing. This often means services are unable to meet demand and have to turn people away.”

“We thank the QIRC for today’s decision and believe it will help improve staff retention within the sector. We’re also very grateful for the work by the Queensland Services Union in presenting the case”.

The QIRC decision involves a schedule of new wage rates which will see community sector workers awarded pay increases of up to 30% in phased increases through to January 2012.


Maori and Iwi Health Providers Call for Pay Parity with DHBs - 29/04/09

A collective of Maori health providers today called on the government to set up a working group immediately to address funding inequities for Maori and iwi primary healthcare services.

Speaking before the Health Select Committee, spokesperson Ana Winiata said Maori and iwi health providers found it difficult to recruit and retain staff because they were unable to give them pay parity with health professionals in DHBs and mainstream services. A registered nurse working for a Maori and iwi health provider received an average hourly rate of $22.72 while at the DHB they would earn $28.84 an hour.

‘The government relies heavily on Maori providers to reach Maori and high-needs populations. Maori are best placed to serve their own people and will have the most impact if resourced appropriately. However, at the moment, health care workers who choose to work for Maori and iwi organisations are actually being penalised.’

Funding inequities have occurred because Maori and iwi health providers were not included in the 2004 historic fair pay settlement with District Health Boards that closed the gap between DHB-employed nurses, midwives and health care assistants, and other professionals in roles requiring similar skills, experience and qualifications, such as teachers and police.

Maori providers were training and up-skilling staff, only to lose them to DHB and mainstream providers. A recent survey of Maori and iwi health providers within the collective showed that in one organisation, five of the seven staff who had left in the previous 12 months were now employed by the DHB.

Tariana Announces Internships for Community Groups - 22/7/09

Tariana Turia is pleased to announce that $420,000 has been allocated to community organisations so they can employ skilled interns from the government, private and community sectors.

The 2008/09 Community Internship Programme has given 17 non-profit and grassroots organisations throughout the country the ability to engage skilled professionals as interns for three to six months – and therefore, improve understanding and collaboration among the three sectors.

“All these interns have valuable connections, aptitudes and knowledge and I’m sure there will be positive spin-offs for both the interns and ‘home’ organisations as they gain access to new networks and a broader knowledge base,” Mrs Turia said.

“It’s also great to know that applicants can choose not only the skills they are looking for but also the person.”

The minister encouraged other community organisations needing help to develop and grow to apply for the programme in the 2009/10 funding round which closes on September 14.

About 50 per cent of the approved internships are public servants in central and local government. The core work of the various community organisations which received funding for the interns included environmental, cultural, mental health, social services and education.

A complete list of successful applicants to the 2008/09 funding round and more information about the programme is available at www.diagovt.nz/diawebsite.nsf/wpg_URL/Services-Community-Internship-Programme-Index?OpenDocument&ExpandView#five


Healthcare Aotearoa press release
Low Wage Workers and Non-Profits

Although the challenge of providing adequate compensation to low-wage employees may seem overwhelming, especially during a financial crisis, the fact is that nonprofits and funders can consider a number of helpful options without torpedoing the budget.

**Steps to take relatively quickly at little or no cost**

Temporary or episodic flex time: Many low-wage workers have to start and stop at specific times. But many nonprofit professionals take for granted that they can leave the office for a couple of hours to go to the dentist, a parent-teacher conference, or to take an elderly parent to the doctor. Have supervisors talk with staff to figure out ways to allow them to have some of the same flexibility.

Help employees access government and community resources. Some staff may be unaware of how they (or their relatives) can apply for respite care, for free after-school programs, community health and dental clinics, immigration legal help, and so forth.

Funders: As part of a discussion with a prospective grantee, ask about salary levels, and talk about increasing your funding by an amount that would go directly to increasing salaries at those levels.

If you can't provide raises for all staff, make sure you provide them for the crucial-to-the-mission low wage staff who are difficult to replace. It may be possible in this downturn, for instance, to announce small wage increases for the lowest paid staff: it sends an important message, makes business sense and raises morale.

If you are a board member, ask for a presentation on the number and types of positions that are front line and what wages are earned in those positions. Work with staff to provide some comparables so that you can see whether you are paying less than other nonprofits for these positions, the same, or more.

The issue is probably not related to competitiveness; the issue is more likely to be the deeper societal problem that these positions typically command neither respect nor good pay. Think about taking a small step to address these issues: for example, whether you can consider something like making a commitment to raise the lowest salaries by 7% over a four year period.

**More far-reaching steps**

Work with other nonprofits to get increases in salaries for low-wage workers. Such increases are seldom made for one organization, but pressure from multiple contractors (including their board members) can be effective.

If you have a number of people in a particular low-wage position, take an informal poll of similar organizations nearby and see what they pay. If you call them and promise to share the results but keep the organization names confidential, most organizations will be glad to participate. Make a commitment to meet the median level of pay or benefits or strive to reach a pay level of 30% above the median.

Raise the issue within the associations and networks to which you or your organisation belongs. Suggest a survey, an official stance, an opening of discussions with contractors and funders. Everywhere you go, look for opportunities for joint calls to action.

**The business case for supporting low-wage employees**

Both mission impact and financial impact are positively affected by supporting low-wage staff. While nonprofits are used to thinking about strengthening families of clients, they may not be aware that some of their own employees may be in the same economically vulnerable situations. Absenteeism and turnover are also expensive to community nonprofits. Both can be reduced by following some of the suggestions in this article.

-- Jan Masaoka

Read the full text at [www.blueavocado.org/node/376](http://www.blueavocado.org/node/376)
Is Redundancy the Most Effective Way to Reduce Employment Costs?

With unemployment predicted to rise, there are two important reasons to keep redundancy as your very last tactic:

- The companies who manage to retain their best employees during tough times will be poised to succeed when the economy improves;
- Redundancy, particularly when the overall economic outlook is poor, is a particularly damaging form of organisational change for both those made redundant and for those left behind.

Are there any other realistic options? Perhaps, in some cases, the answer is ‘no’, but before you make people redundant, some other approaches are worth considering.

1. **Continuous business improvement, continuous business improvement...**

   Ironically, recession is often a time when employers’ and employees’ interests are most starkly and effortlessly aligned. Employers want to stay in business and employees want to keep their jobs. The best way to keep your employees in jobs is to do everything you can to enhance your business. (Abridged)

2. **Review your organisation chart and consider redeployment**

   While we don’t recommend the wholesale elimination of tiers of middle management, we do suggest reviewing your structure. There may be more useful ways of using the people you have. Think longer-term; quieter times provide ideal mentoring, internal training and job rotation opportunities.

3. **Manage poor performers**

   Tolerating poor performance is never a good idea and when every dollar counts, it can make the difference between survival and not. It may be well disguised – if you noticed some odd arrangements while reviewing your organisation charts, consider whether these are performance-related.

4. **Subject to legal and contractual considerations, reduce work hours**

   Depending on your employment agreements, you will need to be very clear about whether this is a temporary measure and any flow-on effects to employee benefits. A 9-day fortnight saves you about 10% of your salary bill and gives employees something nice in return for a reduced pay packet – more time to do what they want. Even the impact on your productivity may be lower than anticipated, with better rested employees.

5. **Encourage or direct people to take annual leave**

   Paying people to produce nothing in a tough market may seem a strange suggestion. However, there are some good arguments for getting people to use annual leave:

   - Eventually, you have to pay for it. Meantime, it sits as a liability on your balance sheet. If your cash-flow is actually manageable, requiring people to use their annual leave makes financial sense.
   - The tight employment market and consequent recruitment delays placed extra pressure on many employees. Often these individuals took little time off for years. Achieve an OH&S outcome while improving your balance sheet and give them an opportunity to recharge their batteries and return with brains fully functioning. Even if the work pressure is still on, an arrangement allowing a person to take 1 day’s leave per week or fortnight may still be feasible.

   The overall message, therefore, is if you can, preserve your workforce. Your employees will appreciate it and remember it when things take off again.

Surviving Tough Times: New Redundancy Information from the Department of Labour

As economic conditions worsen, many New Zealand businesses are looking for ways to get through difficult times while maintaining employees’ jobs.

The Department of Labour now has a new page for employers and employees called **Surviving Tough Times**.

This new web page brings together information that already exists, along with some new resources. It provides ideas on how a business can survive, and advice for employers and employees if restructuring becomes necessary.

The new resources are:

- **Information on varying an employment agreement**
- **Guide to restructuring**
- **Q&A on restructuring and redundancy**

For more info see the Employment Relations section of the DoL website, [www.ers.govt.nz](http://www.ers.govt.nz)
Workplace Wellbeing Project Partners

Strategic Pay Not-for-Profit Sector Remuneration Survey – 2009 Results Released

The results of this important annual sector remuneration survey have now been released.

This year’s survey was based on an analysis of 6,811 employees representing 225 organisations – an increase of 77 organisations and almost 2,600 participants over last year.

The survey provides detailed analyses of 91 job categories, providing base salary, fixed and total remuneration breakdowns by location and organisation size (employee numbers).

The key finding of the survey is the size of the pay gap between our sector and the broader employment market. On average, the difference in median base salaries between the not for profit sector and the public sector as at 1 May 2009 was 14.6%. On average, the difference in the median base salaries between the not for profit sector and the general market as at 1 May was 16.8%.

The survey also shows that a significant number of staff in the sector are contracted to work less than a full-time week: 48.2% work part-time. When factored against overall salary levels that are notably below the broader public sector and general market, this indicates a large part of our sector is both underpaid and underemployed.

To obtain a survey data-pack or further information about the survey, please contact David Shannon, Senior Consultant - 09 3034053 or david@strategicpay.co.nz

ACC and Working from Home

It pays to think about the implications, from a "work injury" perspective, of allowing your employees to work from home. You may or may not be aware that if your employee suffers an injury while working at home, this will be deemed a work injury.

It would be prudent to think about reviewing your health and safety strategies to include this scenario, in order that you and your employee ensure a safe work environment, as well as assisting you to avoid potential work injury disputes.

You need to have clear agreement and processes regarding:

- what constitutes "the workplace" in the home
- hours of work
- hazard management

e.g. John, an accountant is working from home. He decides to dig his veg garden during his lunch break and injures his back. Would this be deemed a work related accident? No, as John is not in the garden for purposes of employment, even though John was on a break at the time.

e.g. Mark, a computer programmer is working from home. He gets up from his chair to go and get a coffee for morning tea and trips over the leg of his chair, dislocating his shoulder in the fall. This one IS work related, as Mark is in a place of work and was taking a rest break from work tasks when the injury occurred.

If you have any queries on these items please don’t hesitate to give me a call.

Rod Smith, Account Manager, ACC

Workplace Wellbeing

Valuing the Work of the Tangata Whenua, Community and Voluntary Sector

For more information about the Workplace Wellbeing Project or to inquire about hosting a workshop, contact Conor Twyford

📞 04 239 8173 or 021 213 2553
✉️ ere.project@gmail.com