



29 July 2025

Tēnā koe

Official Information Act request

Thank you for your email of 5 June 2025, requesting all information on the Ministry of Social Development's (the Ministry) consultation on the Employment Relations Pay Deductions for Partial Strikes Amendment Bill.

I have considered your request under the Official Information Act 1982 (the Act). Please find my decision on your request set out below.

Your full request was for:

I am writing to request, under the Official Information Act, all documents and correspondence in any form pertaining to the Ministry of Social Development's (MSD) consultation on the Employment Relations (Pay Deductions for Partial Strikes) Amendment Bill. This includes, but is not limited to:

- *Internal and external emails, text and chat messages, memos, and letters*
- *Meeting minutes and notes*
- *Drafts of submissions or reports*
- *Feedback from stakeholders, including unions, employers, and other government agencies*
- *Records of discussions or consultations with the Ministry of Business, Innovation and Employment (MBIE) or other relevant entities*

The Ministry was consulted by the Ministry of Business, Innovation, and Employment (MBIE) on this Bill, and we had no feedback.

The only emails the Ministry holds in scope of your request are the cross-agency emails from MBIE dated 5 and 19 November 2024. Both these emails were forwarded once internally within our Policy group, with an administrative note. I have attached both email trails:

1. *Email dated 5 November Agency consultation by 11 November Employment Relations (pay Deductions for Partial Strikes) Amendment Bill.*
2. *Email Update LEG paper from MBIE to MSD.*

You will note that the information regarding some individuals is withheld under section 9(2)(a) of the Act to protect the privacy of natural persons. The need to

protect the privacy of these individuals outweighs any public interest in this information.

MBIE attached two documents to these emails, however I have not considered them to be in scope of your request as I understand the intent of your request is to understand what feedback the Ministry provided to MBIE. However, for your interest, the final version of the Cabinet Legislation Committee paper has been publicly released by MBIE on their website here:

www.mbie.govt.nz/dmsdocument/29975-employment-relations-pay-deductions-for-partial-strikes-amendment-bill-approval-for-introduction-proactiverelase-pdf.

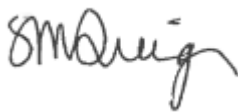
If this was not the intent of your request, please feel free to make a fresh request under the Act.

I will be publishing this decision letter, with your personal details deleted, on the Ministry's website in due course.

If you wish to discuss this response with us, please feel free to contact OIA_Requests@msd.govt.nz.

If you are not satisfied with my decision on your request, you have the right to seek an investigation and review by the Ombudsman. Information about how to make a complaint is available at www.ombudsman.parliament.nz or 0800 802 602.

Ngā mihi nui

pp. 

Anna Graham
General Manager
Ministerial and Executive Services

From: s9(2)(a)
To: s9(2)(a)
Subject: FW: Updated LEG paper - partial strikes (circulated for Ministerial consultation) [IN-CONFIDENCE: RELEASE-EXTERNAL]
Date: Tuesday, 19 November 2024 4:38:00 pm
Attachments: [image001.jpg](#)
[Draft LEG paper Employment Relations \(Pay Deductions for Partial Strikes\) - for Ministerial consultation 18 Nov.docx](#)
[Employment Relations Pay Deductions for Partial S-v4.0 \(clean\).pdf](#)
[image002.png](#)
[image004.png](#)
[image005.png](#)

Think this one's for you but let me know if not. Just gave the email a skim.


Ngā manaakitanga,

Megan

Megan Bruce ([she/her](#))

Kaimātai Matua Kaupapa Here / Senior Policy Analyst

Employment Policy

 s9(2)(a)
The Aurora Centre | 56 The Terrace | PO Box 1556 | Wellington | New Zealand

My working pattern is a 9 day fortnight with every second Friday as my non-working day.



From: Charlotte De Feijter s9(2)(a)
Sent: Tuesday, November 19, 2024 3:45 PM
To: s9(2)(a)

[Redacted email body content]

Cc: Hannah Adams s9(2)(a) Loveday Kempthorne
s9(2)(a); Beth Goodwin s9(2)(a)

Subject: Updated LEG paper - partial strikes (circulated for Ministerial consultation) [IN-CONFIDENCE: RELEASE-EXTERNAL]

Kia ora

Please find attached an updated LEG paper seeking approval for the Employment Relations (Pay Deductions for Partial Strikes) Amendment Bill that has been sent out for Ministerial consultation. The paper has been updated based on feedback from our Minister and also to seek approval of one technical policy change (which PCO has drafted in advance of this approval) and noting a technical change that has been made under our Minister's delegated authority. These changes have been made to ensure the provisions will work in the schooling context.

If you have any comments on the new sections in the LEG paper in relation to these changes (paragraphs 9 to 20), can you please provide them by **midday Thursday 21/11**.

We have also attached the latest version of the Bill (v4), which has also been provided to Ministers as part of Ministerial consultation. The attached version has the changes that have been made since the version previously provided to you (v1.4) highlighted in yellow.

Minor technical amendments have been made during the drafting process to ensure the provisions are clear and align with current drafting styles and to ensure the provisions will be workable in the schooling context.

The technical policy change (outlined in the updated LEG paper) to the overpayment notice requirements are not yet in the draft Bill, but will be in the version provided to the LEG committee next week. Further minor changes are also expected as part of the review process for finalising the Bill.

Ngā mihi
Charlotte

Charlotte de Feijter
Team Leader, Employment Relations Policy
Ministry of Business, Innovation & Employment

s9(2)(a)



From: s9(2)(a)
To: s9(2)(a)
Subject: FW: Agency consultation by 11 November Employment Relations (Pay Deductions for Partial Strikes) Amendment Bill: Approval for Introduction
Date: Tuesday, 5 November 2024 12:23:35 pm
Attachments: [image001.jpg](#)
[image002.jpg](#)
[LEG paper Partial Strikes agency consultation.docx](#)
[Employment Relations Pay Deductions for Partial S-v1.4 \(consultation\).pdf](#)
[Collective bargaining rebalance - Allowing for pay deductions in response to partial strikes.pdf](#)
[image003.png](#)
[image005.png](#)
[image006.png](#)

IN-CONFIDENCE

Think this might be meant for you


Ngā manaakitanga,

Megan

Megan Bruce ([she/her](#))

Kaimātai Matua Kaupapa Here / Senior Policy Analyst

Employment Policy

 s9(2)(a)
The Aurora Centre | 56 The Terrace | PO Box 1556 | Wellington | New Zealand

My working pattern is a 9 day fortnight with every second Friday as my non-working day.



From: Loveday Kempthorne <s9(2)(a)>

Sent: Tuesday, November 5, 2024 10:58 AM

To: s9(2)(a)

[Redacted email body content]

Cc: Beth Goodwin s9(2)(a) >; Charlotte De Feijter

s9(2)(a); Hannah Adams <s9(2)(a)>

Subject: Agency consultation by 11 November Employment Relations (Pay Deductions for Partial Strikes) Amendment Bill: Approval for Introduction

Employment Relations (Pay Deductions for Partial Strikes) Amendment Bill: Approval for Introduction

Mōrena,

Thank you to those who commented two weeks ago on the MBIE Cabinet Paper, *Collective bargaining rebalance: allowing for pay deductions in response to partial strikes*. Cabinet agreed to the recommendations in that paper (final version attached for reference) and so we have now progressed to drafting the legislation for introduction to the House this December.

Attached is a draft LEG paper and accompanying PCO draft Bill, for your review.

If you have comments at this LEG stage, please let us know by **Monday 11 November**

Attached

- Draft LEG paper (in Word, for comment)
- Accompanying PCO draft Bill (PDF v.1.4, for reference/comment)
- Cabinet Policy paper as already approved 4 November (PDF, for reference only)

To note: the attached LEG paper is as it stands today. We already anticipate some technical changes as under discussion with the Ministry of Education.

Nāku iti nei, nā
Loveday


Loveday Kempthorne

Principal Policy Advisor

Labour, Science and Enterprise

HĪKINA WHAKATUTUKI | MINISTRY OF BUSINESS INNOVATION & EMPLOYMENT

s9(2)(a)

Level 6, 15 Stout Street, Te Whanganui-a-Tara Wellington 6011, Aotearoa New Zealand

From: Charlotte De Feijter s9(2)(a)

Sent: Tuesday, October 15, 2024 2:59 PM

To: s9(2)(a)

Cc: Beth Goodwin s9(2)(a) >; Hannah Adams

s9(2)(a); Loveday Kempthorne s9(2)(a)

Subject: Agency consultation by cop Fri, 18 Oct: Cab paper on collective bargaining changes [IN-CONFIDENCE: RELEASE-EXTERNAL]

Kia ora koutou

We are seeking your agency's feedback on a Cabinet paper that proposes to reverse changes made in 2018 that removed employers' ability to reduce pay in response to partial strikes (strikes that fall short of a full withdrawal of labour). This proposal was discussed at the September 2024 Ministerial Employment Relations Forum meeting.

It also seeks Cabinet's view on timing, with two options presented:

- Changes are progressed via an Employment Relations (Partial Strikes) Amendment Bill, to be introduced in December 2024.
- Changes are progressed via Employment Relations Amendment Bill, scheduled to be introduced mid-2025.

Agency and ministerial consultation on the attached paper is being conducted concurrently. Please can you provide any feedback by **close of play, Friday 18 October**, so we can meet our deadlines for consideration at Economic Policy Committee on 30 October (lodging next Thursday, 24 October) and at Cabinet on 4 November.

Due to the sensitivity of the Cabinet paper, we request that you treat the paper in the strictest confidence and do not share it any further than necessary within your agency.

If you have any questions about the paper, please get in touch.

Ngā mihi
Charlotte

Charlotte de Feijter
Team Leader, Employment Relations Policy
Ministry of Business, Innovation & Employment

Telephone: 04 901 2009

9

