

12. COUNCIL SUBMISSIONS ON THE EMPLOYMENT RELATIONS BILL AND THE PUBLIC AUDIT BILL

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Corporate Plan Output: Public Accountability - Decision-making	

The purpose of this report is to submit, for the Committee's information, the Council's submissions on the above Bills.

As submissions on both Bills closed prior to the Committee meeting the draft submissions prepared by the Legal Services Manager were referred to the Legislation Subcommittee for approval. The Council has delegated authority to the Subcommittee to approve submissions on proposed legislation where time does not permit the Council to approve such submissions. The Subcommittee met on 2 May to consider the draft submissions on both Bills.

EMPLOYMENT RELATIONS BILL

The Employment Relations Bill implements the Government's policy to repeal the Employment Contracts Act 1991 and introduces a new framework for the conduct of employment relations. In brief, the Bill:

- Restores the balance for the employee in employment relationships, perceived to have been lost in the ECA.
- Aligns with the model principles and practices recommended by the International Labour Organisation, in particular Convention 87 (freedom of association) and 98 (right to organise and bargain collectively).
- Focuses on "good faith" bargaining and good employment practices.

The members, in noting that the Bill gives effect to the new Government's policy on employment relations and that the Government has made it quite clear that submissions seeking a change in philosophy would not be supported, concluded that the Council's submission should address technical aspects of the Bill which affect the Council as an employer. Given that the Council has always endeavoured to act as a good employer and most of its staff have been employed under collective agreements the Subcommittee did not consider the Bill would have a significant impact on the Council. Accordingly the Council's submission dealt with only one part of the Bill, namely the impact of a new provision dealing with fixed term contracts upon the contractual relationship between Councils and their CEOs.

PUBLIC AUDIT BILL

The purpose of the Public Audit Bill is to reform and restate the law relating to the auditing of public sector organisations. The Council's submission addressed a new provision in the Bill dealing with the recovery of losses from elected members.

The Council's submissions, as approved by the Subcommittee, are attached.

Chairman's

Recommendation: That the information be received.