

# New Zealand government prepares anti-strike law

Tom Peters  
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New Zealand's workplace relations minister Brooke Van Velden announced legislation last month that will dock workers' pay if they take "partial strike action," such as refusing to perform certain tasks or working to rule.

The Employment Relations (Pay Deductions for Partial Strikes) Amendment Bill is part of sweeping attacks on basic democratic rights by the National Party-led government. These include measures to expand police powers and make it easier to imprison people, and proposed laws against "foreign interference," which will enable the state to crack down on opposition to imperialist war and other actions that are deemed to undermine "national interests."

As the country's economic recession deepens, the ruling elite is seeking to resolve the crisis through an historic reduction in workers' living standards. The government is carrying out brutal austerity measures, including cuts to public health, a wage freeze for public sector workers, lowering the legal minimum wage, and mass redundancies. The new law is aimed at making it even harder for workers to resist such attacks.

Under the proposed amendment, employers will be able to respond to partial strikes by deducting 10 percent of workers' wages. Alternatively, they can "reduce an employee's pay by a proportionate amount, calculated in accordance with a specified method that is based on identifying the work that the employee will not be performing due to the strike," according to a government statement.

The Employment Relations Act, passed in the year 2000 by the then Labour Party government with the support of the Council of Trade Unions, already outlaws almost all industrial action, except during a narrow window when wages are being re-negotiated. Workers not in a union, which is about 90 percent of

the workforce, have virtually no legal right to strike.

Technically, workers can strike over health and safety concerns, but the unions make sure this almost never happens. For instance, there has been no organised opposition to the last Labour government's complete abandonment of any measures to stop the spread of COVID-19, such as the removal of mask mandates in hospitals, which endangers workers and patients.

The proposed law against partial strikes was initially introduced by then prime minister John Key's National Party government in 2014, but was repealed four years later by the Labour Party-led coalition government. Labour instead sought to strengthen the role of the unions as an industrial police force to shut down strikes and impose austerity. Its misnamed "fair pay agreements" legislation would have created a corporatist framework to ban strikes across entire industries during wage-setting negotiations.

Despite the existing anti-strike laws, workers are trying to find ways to oppose the increasing attacks on wages and conditions.

Minister Van Velden, a member of the far-right ACT Party in the coalition government, pointed to some recent partial strikes in a statement on December 9. These included hospital technicians limiting the number of scans performed in August 2024; teachers in 2023 who refused to teach certain year groups on certain days; and rail workers in Wellington who took work-to-rule industrial action in September 2024 (before their struggle was sold out by the Rail and Maritime Transport Union).

About 3,000 workers at the Ministry of Business, Innovation and Employment, including immigration border staff, began work-to-rule action in December after being offered a zero percent pay increase.

Van Velden also pointed to disruption caused by

limited work-to-rule action by civilian workers employed in the Defence Force, which has led to some uniformed personnel being redeployed to perform civilian tasks. The government cannot tolerate such actions as it prepares to expand the military and to integrate into US-led wars against Russia, in the Middle East and against China.

Moreover, as the government funnels billions more dollars to the armed forces, while imposing deep cuts to public services, it is deeply concerned about growing anger in the working class that could erupt beyond anything seen up to this point. Governments in the US, Australia and Europe are all strengthening anti-strike measures for this reason.

Van Velden cynically declared that because of partial strikes “we have seen patients face delays to receiving medical scans and treatment due to increased waiting lists, kids missing out on education and parents missing out on work, and train passengers left waiting at platforms.”

It is the systematic running down of public services by successive Labour and National-led governments that has led to the crisis in education, healthcare and public transportation.

The government’s savage attacks on healthcare include a 1.5 percent pay offer for nurses over the next two years, a significant real wage cut, which led to nationwide part-day strikes last month. Nothing is being done to address the severe staffing shortage, which has forced tens of thousands of patients with painful and life-threatening conditions to wait months or years to receive treatment.

The Council of Trade Unions (CTU) warned that the government’s proposed law change could backfire by reducing the ability of the union apparatus to control workers. CTU acting president Rachel Mackintosh told Radio NZ on December 10 that if workers “can’t take partial strike action for fear of this kind of retribution and unreasonable reaction, then what’s left to people is full strike action and far more disruption.”

The CTU noted that, contrary to statements by Van Velden, working to rule is not actually a partial strike. It simply means that workers refuse to perform tasks outside the letter of their employment agreement (such as changing shifts or performing overtime). These non-strikes are a favourite method of the unions to “let off steam” while causing very minimal disruption to

business operations, causing workers to become demoralised and paving the way for a sell-out deal.

Neither the pro-capitalist union apparatus, nor the opposition Labour and Green Parties, have any intention of organising a real fight against the government’s attacks. Over the past year the highly-paid union bureaucracy has worked hand-in-hand with the government and private businesses to implement wage freezes and thousands of job cuts, including the orderly closure of several factories in the meat and paper industries.

For the working class to defend its interests, it must rebel against all these organisations and build new ones. Rank-and-file committees must be established in every industry and workplace, so that workers—both union members and the 9 out of 10 who are not in a union—can democratically discuss and coordinate their struggles.

Workers must also break from the Labour Party, which governed from 2017-2023 with the support of the Greens and the unions, overseeing increased homelessness and child poverty and a vast transfer of wealth to the rich. The only way forward is for workers to build a new party that fights for the socialist reorganisation of society, on the basis of human need, not private profit. This is the program of the Socialist Equality Group in New Zealand and the International Committee of the Fourth International.



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