

Media release

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## **FPA's put on list of 'worst case' breaches of international labour law by ILO**

The Government's proposal to introduce compulsory wage bargaining through Fair Pay Agreements has put New Zealand on a Top 40 list for possible prosecution by the International Labour Organisation.

The International Labour Organisation has included New Zealand on the list of the 40 worst cases of breaches of international labour treaties to be examined at this year's International Labour Conference, to be held in Geneva in June.

BusinessNZ Chief Executive Kirk Hope said the fact New Zealand was included on a list bookended by Afghanistan and Venezuela and just ahead of Nigeria showed just how flawed the proposed FPA Legislation was for New Zealand.

"The fact we're on a naughty forty list for labour relations being examined by the International Labour Organisations is seriously damaging for our international positioning as a leading human rights protagonist," says Mr Hope.

"When the New Zealand Government is potentially on the stand at the ILO alongside other breaches such as suppression of unions and the exploitation of children you know that something has gone seriously wrong.

"Clearly the International Labour Organisation, which this Government is a founding member of, sees the introduction of compulsory Fair Pay Agreements as trampling on people's human rights. It is a clear infringement of workers' and employers' right to freedom of association.

"The Government is telling workers and employers that you can't have 'your work, your way' – it has to be 'your work, our way.'

"FPAs are out of step with the reality of the modern day workplace where employees want to choose the way they work and agree terms and conditions that suit their needs while working in with the needs of employers. Imposing fixed terms and conditions on all workers and employers is the old way of doing business in the 9 to 5 era. That is not the modern workplace.

"We have consistently told the Government that compulsory FPAs are unlawful, and with the ILO now officially examining them, we urge the Government to urgently stop, and rethink this flawed policy before it is too late," concluded Hope.

Join our campaign against FPAs – [Your Work, Your Way](https://www.yourworkyourway.co.nz), and sign the open letter at [www.yourworkyourway.co.nz](https://www.yourworkyourway.co.nz).

**‘Worst cases’ breaches of international labour treaties**  
**Committee on the Application of Standards**  
**International Labour Conference**  
**2022**

<b>Country</b>	<b>Convention No</b>	<b>Convention Subject</b>
<b>1</b> Afghanistan	182	Worst forms of child labour
<b>2</b> Azerbaijan	105	Abolition of forced labour
<b>3</b> Belarus	87	Freedom of association
<b>4</b> Benin	182	Worst forms of child labour
<b>5</b> Plurinational State of Bolivia	131	Minimum Wage Fixing
<b>6</b> Bosnia and Herzegovina	122	Employment Policy
<b>7</b> Central African Republic	182	Worst forms of child labour
<b>8</b> China	111	Discrimination
<b>9</b> Columbia	98	Collective Bargaining
<b>10</b> Comoros	122	Employment Policy
<b>11</b> Democratic Republic of Congo	144	Tripartite consultation
<b>12</b> Djibouti	122	Employment Policy
<b>13</b> Ecuador	87	Freedom of association
<b>14</b> Egypt	98	Collective Bargaining
<b>15</b> El Salvador	144	Tripartite Consultation
<b>16</b> Fiji	105	Abolition of Forced Labour
<b>17</b> Guatemala	87	Freedom of Association
<b>18</b> Guinea-Bissau	26	Minimum Wage Fixing (Agriculture)
<b>19</b> Haiti	1/14/30/106	Hours of Work (Industry)/Weekly Rest (Industry)/Hours of Work (Offices)/Weekly Rest (Offices)
<b>20</b> Hungary	98	Collective Bargaining
<b>21</b> Iraq	98	Collective Bargaining
<b>22</b> Kazakhstan	87	Freedom of Association
<b>23</b> Lebanon	29	Forced Labour
<b>24</b> Liberia	87	Freedom of association
<b>25</b> Malawi	111	Discrimination
<b>26</b> Malaysia	98	Collective Bargaining
<b>27</b> Maldives	87	Freedom of Association
<b>28</b> Mauritius	98	Collective Bargaining
<b>29</b> Myanmar	87	Freedom of Association
<b>30</b> Netherlands - Sint Maarten	87	Freedom of Association
<b>31</b> New Zealand	98	Collective Bargaining
<b>32</b> Nicaragua	87	Freedom of Association
<b>33</b> Nigeria	26/95	Minimum Wage Fixing (Agriculture)/Protection of Wages
<b>34</b> Philippines	87	Freedom of Association
<b>35</b> Solomon Islands	182	Worst forms of child labour
<b>36</b> Tajikistan	81	Labour Inspection
<b>37</b> Turkmenistan	105	Abolition of Forced Labour
<b>38</b> Tuvalu	MLC	Maritime Labour
<b>39</b> United Kingdom	111	Discrimination
<b>40</b> Bolivarian Republic of Venezuela	87	Freedom of Association