

## Editorial Note

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This Special Issue of the *New Zealand Journal of Employment Relations* is comprised of selected papers presented at the fifth Biennial Conference of the New Zealand Labour Law Society held on 15-16 November 2019 with the support of the Faculty of Law and the School of Accounting and Commercial Law at Victoria University of Wellington.

The purpose of the New Zealand Labour Law Society is to create a space for dialogue and dissemination of ideas as well as research relating to labour law broadly defined. As in previous years, a dynamic mix of international and local academics, judges, practitioners, trade union representatives, policy makers and students attended the conference. Participants enjoyed a stimulating range of contributions centred on the conference theme: “Labour Law in 2019 - continuity, change and emerging challenges”.

The New Zealand Labour Law Society has always aimed to be inclusive and to give a platform to emerging as well as more established voices. This emphasis is reflected in the articles this Special Issue showcases, which includes contributions from eminent established academics as well as talented new voices. These contributions also reflect some of the themes that emerged most strongly in the conference.

There are six articles in this Special Issue and a summary of their content is provided hereunder.

Tonia Novitz’s article discusses the causes of a global trend towards a decline in worker power and argues strongly that the movement toward “collective begging” rather than collective bargaining must be resisted. She provides a set of prescriptions broadly accepted by labour lawyers across the globe intended to shore up this resistance.

Renee Burns focusses on the implementation of freedom of association in Australia. She discusses the Australian Federal Government’s attempt to amend the Fair Work (Registered Organisations) Act 2009 and argues that the effect of this amendment would be to restrict the human rights of the Australian workers entrenching deteriorating conditions of work.

The need for law enforcement and for laws designed to ensure that workers can access legal protections also emerged as a key concern at the conference. In this context, Joanna Howe’s contribution explores this issue with respect to temporary migrant workers in the horticulture industry. Additionally, Kerry O’Brien discusses accessorial liability which is a tool for extending employer liability down the supply chain. He compares New Zealand’s law to Australia’s law and suggests that New Zealand law may require reform.

Martin Graham’s article raises the increasing tension between environmental requirements and labour law standards. The article focusses on the need for “just transitions” for workers displaced by climate change within New Zealand.

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Finally, Quyn Vu's article addresses the problems of proving indirect discrimination in Australian federal law and provides some recommendations for improvement.

As well as being a place for dialogue and intellectual exchange, the biennial conferences are a focal point for community; a chance to make new connections and an opportunity to catch up with old friends. This human aspect was reflected in John Goddard's moving tribute to his father, Tom Goddard, who served as the Chief Judge of the New Zealand Employment Court (1991-2005) and who passed away 14 March 2019. In his tribute, John reflected on Chief Judge Goddard's approach to law with its emphasis on fairness and ensuring that the powerful are accountable.

We could not have known when we gathered for the conference that just a few short months later, all of New Zealand would be in lock down with the borders effectively closed due to the COVID 19 pandemic. Although in many ways the world we now inhabit is a different place to the world we lived in then, the overarching conference concerns are still resonant. Community, solidarity and empowerment seem more vital now than ever, as does the need for law responsive to the imperatives that all workers should be treated fairly and that the powerful should be held accountable.