

Employment Relations (Workers' Secret Ballot for Strikes) Amendment Bill

Member's Bill

Explanatory note

General policy statement

This Bill amends the Employment Relations Act 2000 to require unions to hold a secret ballot vote of their members to approve a strike before undertaking any strike action.

Clause by clause analysis

Clause 1 is the Title clause.

Clause 2 provides that the Bill comes into force 1 year after the date on which it receives the Royal assent.

Clause 3 provides that the Bill amends the Employment Relations Act 2000 (the **principal Act**).

Clause 4 sets out the purpose of the Bill.

Clause 5 provides that the Bill binds the Crown.

Clause 6 amends section 81 by adding subsection (4), which requires unions to hold a secret ballot vote of their members to approve a strike.

Hon Tau Henare

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The Parliament of New Zealand enacts as follows:

- 1 Title**
This Act is the Employment Relations (Workers' Secret Ballot for Strikes) Amendment Act **2010**.
- 2 Commencement**
This Act comes into force 1 year after the date on which it receives the Royal assent. 5
- 3 Principal Act amended**
This Act amends the Employment Relations Act 2000.

4 Purpose

The purpose of this Act is to require unions to hold a secret ballot vote of their members to approve a strike before undertaking any strike action.

5 Act binds the Crown

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This Act binds the Crown.

6 Meaning of strike

Section 81 is amended by adding the following subsection:

- “(4) A strike may not proceed under this Act, unless the question has been submitted to a secret ballot of those employees who are members of the union that would become parties to the strike if it proceeded.” 10