# Minimum Wage (New Entrants) Amendment Bill

Member's Bill

As reported from the committee of the whole House

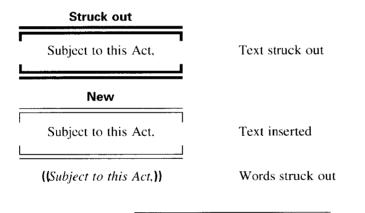
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# Key to symbols used in reprinted bill

# As reported from a select committee

Struck out (majority)	
Subject to this Act,	Text struck out by a majority
New (majority)	
Subject to this Act,	Text inserted by a majority
$\langle Subject \ to \ this \ Act, \rangle$	Words struck out by a majority
(Subject to this Act,)	Words inserted by a majority

# As reported from the committee of the whole House



# Sue Bradford

# Minimum Wage ((Abolition of Age Discrimination)) ((New Entrants)) Amendment Bill

# Member's Bill

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# The Parliament of New Zealand enacts as follows:

#### 1 Title

This Act is the Minimum Wage ⟨(Abolition of Age Discrimination)⟩ ⟨(New Entrants)⟩ Amendment Act 2005.

#### Struck out (majority)

In this Act, the Minimum Wage Act 1983<sup>1</sup> is called "the principal Act".
 1983 No 115

#### · 1965 NO 113

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# 2 Commencement

This Act comes into force  $\langle 30 \text{ days after the date on which it receives the Royal assent} \rangle$  (on 1 April 2008).

#### New (majority)

## 2A Principal Act amended

This Act amends the Minimum Wage Act 1983.

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#### Struck out (majority)

#### 3 Purpose

The purpose of this Act is to amend the principal Act to end age discrimination in employment by removing the ability of the Governor-General in Council to set minimum wage rates defined by reference to the age of workers.

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New	1111	aju	11697

#### 3 Purpose

The purpose of this Act is to amend the principal Act to provide expressly for a minimum rate of wages to be prescribed for new entrants, being workers who-

- (a) are 16 or 17 years of age; and
- meet certain criteria. (b)

#### Struck out (majority)

#### 4 Prescription of minimum wages

Section 4(1) of the principal Act is amended by-

- omitting the words "either or both of the following"; (a) and
- (b) repealing paragraph (a).

#### New (majority)

- 4 Prescription of minimum wages Section 4(1) and (2) are repealed and the following subsections substituted:
- The Governor-General may, by Order in Council, prescribe "(1) 20 the minimum rate of wages payable to-

#### Struck out

"(a) 1 or more classes of workers-



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#### Minimum Wage ⟨(Abolition of Age Discrimination)⟩ ⟨(New Entrants)⟩ Amendment

	(New Entrants) Amendment cl 4	
New (majority)		
Struck out		
	<ul> <li>"(i) defined in the order by reference to the age of the workers; and</li> <li>"(ii) to whom paragraph (b) or (c) does not apply:</li> </ul>	
	New	
"(a)	workers— "(i) who are 16 years of age or older; and "(ii) to whom neither <b>paragraph (b) nor (c)</b> applies:	
	Struck out	
"(b)	<ul> <li>workers who are new entrants, being workers who—</li> <li>"(i) are 16 or 17 years of age; and</li> <li>"(ii) meet criteria specified in the order relating to their employment experience, such as—</li> <li>"(A) a worker's length of employment service:</li> <li>"(B) whether a worker has completed any specified length of employment service with 1 or more employers:</li> <li>"(C) the position held by a worker:</li> </ul>	
	New	
"(b)	workers who are new entrants, being workers who are	
	<ul> <li>16 or 17 years of age except workers—</li> <li>"(i) who have completed 3 months or 200 hours of employment, whichever is the shorter; or</li> <li>"(ii) who are supervising or training other workers; or</li> <li>"(iii) to whom paragraph (c) applies:</li> </ul>	

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#### New (majority)

	"(i) defined in the order; and
	"(ii) who are employed under contracts of service
	under which they are required to undergo train-
	ing, instruction, or examination for the purpose of
	becoming qualified for the occupation to which their contract of service relates.
<b>*</b> (2)	A minimum rate of wages prescribed under <b>subsection (1)</b> may be prescribed as—
	"(a) a monetary amount; or
	"(b) a percentage of any other minimum rate prescribed under <b>subsection (1)</b> .
"(3)	However, a minimum rate prescribed for the purposes of <b>subsection (1)(b)</b> must not be less than 80% of any rate pre-
	scribed for the purposes of subsection (1)(a) (that applies to
	workers who are 18 years of age)).
	Struck out
<b>'</b> (4)	To avoid doubt, an order made under subsection (1)(b) may
	specify the extent to which the criteria specified in the order
	may be satisfied by circumstances occurring before the order
	may be satisfied by circumstances occurring before the order is made."
	• •
	is made."
[4)	In subsection (1)(b)(i), employment—
(4)	In subsection (1)(b)(i), employment— (a) includes employment undertaken with more than 1 employer; and
(4)	In subsection (1)(b)(i), employment— (a) includes employment undertaken with more than 1 employer; and (b) includes any employment undertaken before the com-
(4)	In subsection (1)(b)(i), employment— (a) includes employment undertaken with more than 1 employer; and

new entrant turns 16 years of age.

Act 2005; but does not include any employment undertaken before a

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(c)

#### Minimum Wage ⟨(Abolition of Age Discrimination)⟩ ⟨(New Entrants)⟩ Amendment

#### Struck out (majority)

# 5 Consequential amendments to Minimum Wage Order 2005

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The Minimum Wage Order 2005 is consequentially amended in the manner indicated in the Schedule.

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#### Struck out (majority)

# Schedule Consequential amendments to Minimum Wage Order 2005

# **Regulation 2**

- (a) Amend the definition of **adult worker** by omitting the expression "18" and substituting the expression "16"; and
- (b) Revoke the definition of **youth worker**.

### **Regulation 5**

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Revoke regulation 5.

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7 December 2005	Introduction (Bill 9–1)
22 February 2006	First reading and referral to Transport and Industrial Relations Committee
21 August 2006	Discharged from Transport and Industrial Relations Committee
30 August 2006	Referral to Transport and Industrial Relations Committee
29 June 2007	Reported from Transport and Industrial Relations Committee (Bill 9-2)
25 July 2007	Second reading
15 August 2007	Committee of the whole House (Bill 9-3)

# Legislative history

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