



Maranga Mai workbook



Stage 1
2018 edition

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Confidentiality.

Me noho tapu ngā take kua kōrerohia i waenganui i a tātou.

Remember to turn off your cellphone.

Whakawetongia tō waea.

Be on time for each session.

Me tae atu i te wā tika.

Listen to understand, not to contradict.

Whakarongo kia mārama ai koe. Kauga e whakarongo ki te whakahē noa.

Reflect on and think through what you hear.

Āta whakaarohia ngā kōrero i rongo ai koe.

Check your understanding by asking questions.

Me tuku pātai kia pai ai tō māramatanga.

Challenge the ideas, not the speakers.

Werohia ngā whakaaro, kauga ko ngā kaikōrero.

Volunteer to share your views and experiences.

Me tuku kōrero mō ōu ake whakaaro me ōu ake wheako.

Let others have a chance to speak on the same issue.

Me tuku te rākau kōrero kia whaiwāhi ai ētahi atu tāngata ki te kōrero mō te kaupapa o te wā.

Respect the views of others.

Kia maumahara koe, he mana tō te tirohanga o ia tangata.

1. Te Kotahitanga/Solidarity

We champion members' interests with a strong effective voice.
We stand together, supporting and empowering members,
individually and collectively.

2. Te Manatika Tangata/Social justice

We take a stand for decent treatment and justice.
We embrace diversity and challenge inequality.

3. Te Pono me te Whakaute/ Integrity and respect

Our actions are characterised by professionalism, integrity and respect

4. Te Arotahi ki ngā Otinga/Solution focused

We are a progressive and constructive union,
constantly seeking solutions that improve members' working lives.

5. Te Manapori/Democratic

We encourage participation from members.
We aim to be transparent, accessible and inclusive in the way we work.

Glossary

- **Constituency** – means any grouping of members within a workplace or enterprise that elects a delegate or delegates. The constituency for a Māori enterprise delegate would be the Māori membership within the enterprise. The constituency for a Rūnanga delegate might be Māori members within a workplace or across a number of workplaces.
- **Enterprise** – one or more workplaces (where PSA members are employed) forming an organisation with a common employer.
- **Enterprise Rūnanga** – All members in an enterprise who identify as Māori
- **Enterprise delegate committee** – a committee of delegates responsible for co-ordinating union activities in an enterprise and liaising with the other relevant parts of the PSA structures. In the Public Service the Enterprise delegate Committee is typically referred to as the National Delegates Committee. It includes the Māori enterprise delegate, where one is elected.
- **Kōmiti of Te Rūnanga o Ngā Toa Āwhina** - the committee of delegates made up of Sector Māngai from each sector.
- **Māori enterprise delegate** - The Māori enterprise delegate is a Māori member elected by Māori members in an enterprise, to represent the interests of Māori members within that enterprise and to provide a connection with the wider structures of Te Rūnanga o Ngā Toa Āwhina and the PSA. The Māori enterprise delegate is a member of the enterprise delegate committee and is viewed as a leadership position.
- **Māori member** – those members who have formally identified as Māori on their PSA application form or updated information on their PSA records. Only Māori members can stand as a candidate or vote in an election of a Māori enterprise delegate.
- **PSA** – the New Zealand Public Service Association Te Pūkenga Here Tikanga Mahi.
- **Rūnanga delegate** – is a Māori member elected by Māori members to be a delegate within the rūnanga delegate structures in an enterprise, where such structures exist (see below). The Rūnanga delegates are workplace delegates whose primary focus is to represent Māori members on Māori issues in the workplace and to provide a link between members and the Māori Enterprise Delegate.
- **Enterprise Rūnanga** - – structures may be established to represent Māori members within an enterprise at levels below the enterprise delegate committee. This will usually be in large enterprises where the general delegate structures exist across several workplaces and/or regions. The structures should allow for Rūnanga delegates to represent Māori members through all levels of the union in an enterprise.
- **Sector** – The PSA's membership is divided into 5 sectors. Each sector has its own Rūnanga. The current sectors are:
 - **Rātonga Mahi ā Hāpori** - Community Public Services
 - **Te Pōari Hauora ā Rohe** - District Health Boards
 - **Kāwanatanga-ā- Rohe** - Local Government
 - **Rātonga mahi ā te Kāwanatanga** - Public Service
 - **Rāngai Tūmatanui** - State Sector.
 - **Sector māngai** - are representatives elected by sector hui to be a representative for that sector on the Te Rūnanga o Ngā Toa Āwhina Kōmiti and the sector committee. In the rules they are referred to as 'sector rūnanga representatives'.
 - **Sector Rūnanga** – this is made up of all Māori Enterprise Delegates in the Sector – some sectors have formal structures in place – e.g. District Health Board Sector Te Tira Hauora. This is a work in progress for other Sectors.
 - **Te Rūnanga o Ngā Toa Āwhina (TRONTA)** - The structure provided for in the PSA rules for Māori members. All PSA members who identify as Māori are part of TRONTA.
 - **Sector Rūnanga hui** – Hui held biennially where Māori delegates at all levels meet to discuss the needs of Māori members in their sector.
 - **Te Rūnanga Taumata** – commonly known as Hui Taumata, is the congress of Te Rūnanga o Ngā Toa Āwhina, held biennially prior to the date of the national delegates' congress.
 - **Workplace/Worksite** – a place of work operated by an employer containing at least one member.

The role and election of rūnanga delegates

Structures may be established to represent Māori members within an enterprise at levels below the enterprise delegate committee. This will usually be in large enterprises where the general delegate structures exist across several workplaces and/or regions. The structures should allow for rūnanga delegates at all appropriate points in order to reflect the general delegate structures.

The rūnanga delegates are workplace delegates with a primary focus on the representation of Māori members on Māori issues in the workplace although, if necessary, they can represent any member on general workplace issues. They can also vote for the Māori enterprise delegate. As such the role is complementary to the work of general delegates

Elections for Rūnanga Delegates mirrors that of the worksite/Enterprise Delegate except that:

- **They are nominated by Māori Members solely**
- **They are elected by Māori Members solely**

The creation of a rūnanga delegate structure within an enterprise, with rūnanga delegate roles, is a matter to be decided by enterprise delegate committees working in conjunction with Māori members in that enterprise.

What is a Māori enterprise delegate?

The Māori enterprise delegate is a Māori member elected by Māori members in an enterprise, to represent the interests of Māori members within that enterprise and to provide a connection with the wider structures of Te Rūnanga o Ngā Toa Āwhina and the PSA.

What is the role of the Māori enterprise delegate?

The Māori enterprise delegate is focused not only on issues within the enterprise but also the governance structures of Te Rūnanga o Ngā Toa Āwhina and the PSA.

Within the enterprise the main role of the Māori enterprise delegate is to represent the interests of Māori members to the general delegate structures and the employer.

The other part of the role is providing a connection between Māori members within the enterprise and the representative structures within Te Rūnanga o Ngā Toa Āwhina and the PSA. In this role Māori enterprise delegates are the democratic anchor for Māori within the PSA. They channel information and advice up through the structures and information and decisions back to members. Through their involvement in sector rūnanga activities, such as the sector rūnanga hui, they can hold Te Rūnanga representatives accountable on behalf of members. They are also likely to be the ones who go on to fill the representative roles at sector rūnanga hui, on the committee of the sector rūnanga, the sector committee or on the committee of Te Rūnanga o Ngā Toa Āwhina.

Specific roles include:

- acting as a conduit for groups of Māori members within an enterprise with:
 - » the enterprise delegate committee

- » organisers and other PSA staff (e.g. the membership unit)
- » sector rūnanga committee members
- » the Committee of Te Rūnanga o Ngā Toa Āwhina
- » rūnanga delegates (where there are any);
- assisting Māori members in accessing appropriate advice and responses to queries on matters affecting them as Māori workers;
- providing information to Māori members regarding union activity, political activity, and other issues which may affect them as Māori workers;
- helping the PSA maintain an up-to-date list of Māori members of each enterprise;
- assisting in the recruitment of Māori members;
- identification and promotion of Māori issues in collective bargaining. This may include membership of the negotiating team;
- Build Enterprise rūnanga structures
- attending Sector rūnanga meetings, Sector hui and Hui Taumata;
- maintaining contact with other delegates in the workplace and enterprise.

It is worth remembering that the PSA rules contain a 'governance principle'. This says that when someone is elected to a representative body (such as the enterprise delegate committee) on behalf of a constituency (in this case Māori members in an enterprise), while they have a clear responsibility to represent the interests of that constituency, they must also consider the interests of all members who come within the coverage of that representative body (in this case all the members in an enterprise).

How does the Māori enterprise delegate undertake these tasks?

If you have been elected as a Māori enterprise delegate:

- The enterprise delegate committee and PSA Organiser for the enterprise will be aware of your election. If you are unsure of who these people are please call the PSA Organising centre;
- You will be expected to communicate with Māori members in your enterprise about their issues. There might be a network in place already in your workplace. If not, then please work with the PSA (using the organising centre, or your national, local, Māori organiser) to help you map where your members are.
- You will attend meetings of the enterprise delegate committee (or other relevant meetings of the general delegate structure in your enterprise) as a right. You are there to feedback information from and to Te Rūnanga members, and to promote Māori issues within the enterprise;
- You will be confident in explaining the union structure, both general structure and Te Rūnanga, to members. You will only get this confidence when

talking with other members, other delegates, your organiser;

- You should make yourself familiar with any applicable collective agreements for your enterprise. Also, be aware of Māori specific clauses in other Collective Agreements
- If you have not already, you should undertake PSA delegate development training, and, as a leader encourage other delegates to attend training, meetings and other networking opportunities
- You should keep in contact with other Māori enterprise or rūnanga delegates and talk issues through with them. The PSA can assist you with finding these other delegates and connecting you with them

How does the Māori enterprise delegate fit within the structures of the PSA?

A diagram of the structures of the PSA including Te Rūnanga o Ngā Toa Āwhina is attached as schedule B.

Within the enterprise

Every enterprise delegate committee must provide a place for a Māori enterprise delegate, where one is elected (there may not be one elected – see the section on electing Māori enterprise delegates). Presently, there is nothing to stop members in an enterprise having more than one Māori enterprise delegate on their enterprise delegate committee if they so agree.

In larger enterprises, which may have a number of different workplaces and cover different localities or regions, general delegate structures may be organised to reflect these complexities. For example, there might be regional structures, workplace representation or occupational representation. In circumstances such as these there should be rūnanga delegate structures that fit with the general delegate structures (see the glossary on page 2, and the role and election of Rūnanga delegates on page 6).

The exact shape of these is a matter for members and delegates in each enterprise but Māori delegates elected at levels that sit underneath the enterprise delegate committee are known as rūnanga delegates. They are elected by Māori members within the constituency they represent, in a manner in accordance with the PSA rules and regulations. They in turn elect those above them in the structure, including the Māori enterprise delegate.

Within the wider structures of Te Rūnanga o Ngā Toa Āwhina

A hui is held within each sector of the PSA at least every two years. Māori enterprise delegates are expected to form the core of attendees at the hui. It is the sector rūnanga hui that elects the Sector māngai to form a committee for the rūnanga in that sector. Each sector appoints 3 Sector māngai (the DHB sector has been authorised by the PSA's executive board to have 4 Sector māngai).

These Sector māngai are authorised members of both the sector committee and the Kōmiti of Te Rūnanga o Ngā Toa

Āwhina (however, only two at any one time can attend the meetings of those two bodies). They may also provide advice and support to the sector committee and the Kōmiti of Te Rūnanga o Ngā Toa Āwhina.

How does the PSA structure and organisation support Māori enterprise delegates?

Both the PSA elected structure and paid staff exist to support Māori Enterprise Delegates. Resources include:

- The Kōmiti of Te Rūnanga o Ngā Toa Āwhina
- Sector māngai
- Sector Rūnanga
- Kuia and Kaumātua
- Your enterprise convenor and delegate team
- Enterprise Rūnanga (if there is one)
- Māori Enterprise Delegates from other Enterprises
- Your PSA local or National PSA Organiser
- The PSA National Organiser: Māori

These resources can all be accessed via the PSA organising centre. There is also

- Training for Māori enterprise delegates
- Māori enterprise delegate guide
- Sector Hui
- Te Rūnanga Taumata
- Relevant Collective Agreements
- PSA rules
- Relevant Enterprise Agreements

The key message is no member of the union is ever alone. If you have a question, ask. And continue to ask until you find the right person to answer it, you can call the PSA Organising Centre on **0508 367 772** or email enquiries@psa.org.nz

Electing Māori enterprise delegates

Creating the position

Enterprise delegate committees are obligated to support the creation and election process of a Māori enterprise delegate.

It is appreciated that it will not always be possible to elect someone to that role e.g. because no one wants to do it, there are no Māori in the enterprise.

The enterprise delegate committee does not have the authority to refuse to have a Māori enterprise delegate.

It is also appreciated that there may be enterprises which have predominantly Māori Member density and engagement. It may not be appropriate to have a Rūnanga structure when they feel they are appropriately represented by the existing delegate structure.

Establishing who is entitled to vote

Only those who have identified as Māori are able to stand as a candidate or vote in an election for Māori enterprise delegate. This means those who have identified as Māori on their membership form or who have updated their records. This will be managed in the following ways:

- Updated lists of members in enterprises who are entitled to vote, including those who have identified as Māori are available on request. Get in touch with the PSA Organising Centre for lists.
- if a member who identifies as Māori has not noted this on their original membership form they can go on to the PSA website and update their membership records, or call the organising centre on **0508 367 772**, or email **membership@psa.org.nz** to make changes.
- if a vacancy occurs and an election is required outside of these times an up-to-date list of Māori members can be accessed from your PSA organising administrator.

NB. Māori members can vote for both general delegates and Māori enterprise or rūnanga delegates, but rūnanga delegates can only vote within the rūnanga structures. That is, they can only vote in elections for rūnanga delegate positions higher up the rūnanga sector structures or the Māori enterprise delegate.

Conducting the elections

Elections for general delegates should take place at an annual members' meeting within three months from 1 April in the year following a national delegates' congress. This timeframe applies to Māori enterprise delegates, although the election is not tied in the same way to the holding of the annual members' meeting.

Rule 8 of the PSA rules sets out some general principles for the conduct of all elections, which also apply here. These include:

- nominations must be supported by two full (Māori) members. Ideally this will happen in advance of the election but if there have been no nominations prior to the closing date for nominations, then nominations may be accepted from the floor;
- there needs to be adequate time between the calling of the elections and the closing of nominations to allow all potential candidates to be notified. This depends on the circumstances but as a guide it should be not less than ten working days;
- there needs to be adequate time between the closing date for nominations and the election to allow time for the candidates' details to be provided to those voting. This depends on the circumstances but as a guide it should be not less than ten working days;
- there needs to be a returning officer in charge of the election, and they should be appointed by the enterprise delegate committee or the other appropriate committee in larger, more complex enterprises;
- where a position is contested voting is by secret ballot and the candidate with a majority of votes shall be declared elected;
- where a position is uncontested the person nominated shall be declared elected.

Elections for general workplace delegates usually take place at annual meetings. However, given the range of enterprises and workplaces the PSA covers, and the particular challenges of electing a Māori enterprise delegate

(or rūnanga delegates), other methods may be considered, for example:

- election by secret ballot at a special meeting of members called for that purpose. You may be able to take advantage of a hui organised by your employer to bring sufficient numbers of members together to vote, or you may be able to get Māori members to stay on after an annual members meeting;
- election by secret ballot where the ballot box is circulated around workplaces;
- election by e-mail where both access and a secret ballot can be assured;
- election by other means approved by the secretariat.

Checklist for Māori enterprise delegates

Do you:

- have an effective display area with current information displayed?
- have an up-to-date list of members and delegates who identify as Māori?
- time allocated for you to address Māori members in your enterprise or workplace?
- know where to go for help?
- read the latest circular/newsletter?
- have a system for sending information to your delegates/members?
- have a system to encourage attendance at meetings?
- attend delegate development training sessions?
- know who the general delegates are in your workplace or on the relevant delegate committees?
- know who the other rūnanga delegates are in your enterprise (if any)?
- have any Māori enterprise delegate contacts in other organisations?

Frequently asked questions

Why does the position of Māori enterprise delegate exist?

The PSA is committed to the Treaty of Waitangi and recognises the role of Māori as tangata whenua. In our rules it says that we affirm the Treaty of Waitangi as “the founding document of Aotearoa/New Zealand”, we are committed to “advancing the Treaty of Waitangi principles of partnership, protection and participation in activities pursuant to the purpose and objects of the union as they relate to the working lives of members”. Our challenge is to work in partnership with the employer to meet this commitment without our democratic workplace structures to specifically recognise Māori representation and aspirations.

What are ‘Māori’ issues?

Māori face a number of issues in the workplace that arise because they are Māori. Most public sector workplaces are based on Pākehā values and assumptions can be made that exclude or marginalise Māori workers. For example:

- a Pākehā concept of the family for the purposes of bereavement/tangihanga leave or domestic leave is not likely to reflect the Māori concept of whanau or the wider set of obligations that Māori workers often have outside the workplace
- within the workplace the increasing efforts to recognise the tangata whenua status of Māori in the public sector can mean that there is a general expectation for Māori workers to provide guidance and leadership in matters of custom and ceremony when they arise. (How are these extra expectations managed and the contributions acknowledged?)
- significant numbers of Māori work in public sector jobs but they are underrepresented in management roles. (How do we increase the number of Māori in senior roles?)
- increasing the proportion of Māori in the workforce.
- recruiting more Māori members to the PSA
- recognition of the value of Te Reo and Tikanga in the workplace through conditions such as a te reo allowance
- ensuring Māori values and attitudes are properly considered when workplace issues are discussed. An example of this could be the recognition of Te Reo and Tikanga Māori skills in the workplace.

Are all enterprise delegate committees expected to have a Māori enterprise delegate?

Yes, wherever Māori members in an enterprise want to have the position. The rules clearly provide for the position and they are to be elected by Māori, not just be delegates who happen to be Māori. If no one stands for the position, for whatever reason, then it becomes a vacancy that can be filled at any time should there be interested candidates fully endorsed by Māori members.

Is the Māori enterprise delegate an extra to the existing numbers on the enterprise delegate committee?

The numbers on the enterprise delegate committee is usually a matter for the delegates on the enterprise delegate committee. Resourcing is usually negotiated with the employer. The requirement to have a Māori enterprise delegate is something that needs to be factored into the usual discussions with employers about resourcing of delegates.

It is not intended that the election of a Māori enterprise delegate should result in one general delegate having to step down from their role on the enterprise delegate committee. It is recommended that enterprise delegate committees should approach the employer to seek an extra delegate allocation. If the employer does not agree, advise your organiser. If there is no progress then organisers should let the assistant secretary know. If there is no agreement on resourcing at the end of this process then the matter will be referred to the secretariat for consideration of what course of action to take.

How do I get to vote for a Māori enterprise delegate (or rūnanga delegate)?

Only members who have identified as Māori are able to stand as a candidate or vote in an election for Māori enterprise delegate (or Rūnanga delegate). Māori members may have done this when they applied to join the PSA. Members can update their detail on the PSA website, by calling the organising centre on 0508 367 772 or by emailing membership@psa.org.nz

The returning officer should have an up-to-date list of Māori members which is available on request from your organiser.

Can Māori members vote for both general delegates and Rūnanga or Māori enterprise delegates?

Yes. The right to vote on the general, Rūnanga and Māori enterprise delegates rises from the complementary nature of the general delegate and Māori enterprise delegate roles. A Māori member will primarily raise Māori issues through the Rūnanga delegate structures (where they exist) to the Māori enterprise delegate, whereas they will still raise general workplace issues through the general delegate structures.

It also needs to be remembered that many enterprises will only have a Māori enterprise delegate, with no local Rūnanga delegate in the workplace, so Māori would not have representation at that level if they could not vote for their general workplace delegate. In addition the PSA considers it important that Māori members remain connected to the general structures in support of one union.

Can Māori members stand as general workplace delegates as well as Māori enterprise or rūnanga delegate positions?

Yes. Māori members can stand as general workplace delegates as well. It needs to be remembered that the role of workplace delegate on the one hand, and Māori enterprise and Rūnanga delegates on the other, are complementary. That is, the primary focus of the Māori enterprise delegate is about the representation of Māori members on Māori issues within the workplace although, if necessary, they can represent any member on general workplace issues. Workplace delegates carry out general representative functions including representing the collective and individual interests of members to the employer.

Schedule A

Excerpts from the PSA's rules and regulations

Rule 33 defines the purpose of Te Rūnanga o Ngā Toa Āwhina.

33. Definition

Te Rūnanga o Ngā Toa Āwhina is to provide representation and coordination of Māori members within the structures of the PSA. All PSA members who identify as Māori are part of Te Rūnanga o Ngā Toa Āwhina.

Rule 34 specifies that Te Rūnanga will be represented in enterprises through the position of a Māori enterprise delegate.

34. Enterprise representation

(1) Every enterprise delegate committee is to provide a position for a Māori enterprise delegate, where one is elected.

(2) The role of the Māori enterprise delegate is to represent the interests of Māori members within the enterprise and to provide a point of connection with the wider representative structures within Te Rūnanga o Ngā Toa Āwhina.

(3) The Māori enterprise delegate is to be elected by Māori members in that enterprise according to the process set out in the regulations and in accordance with the principles in rule 8.

(4) The term of the Māori enterprise delegate shall be two (2) years and shall run concurrent with the term of the enterprise committee.

(5) Where a vacancy occurs in the course of a two year term, a by-election may be held according to the process set out in the regulations and in accordance with the principles in rule 8. Under these circumstances, the

term of the successful candidate shall run until the next election for the enterprise delegates.

Regulation 15 provides more detail on the Māori enterprise delegate, and introduces the concept of the rūnanga delegate.

15. Māori enterprise delegate

15.1 Rule 34(3) provides for the Māori enterprise delegate to be elected by Māori members within an enterprise.

(a) The election must be held in accordance with rule 8 and regulation 2.

(b) All those within the enterprise who have identified themselves as Māori on the membership form shall be entitled to vote.

(c) The rūnanga delegate structures within an enterprise should be part of the general delegate structures within that enterprise. Accordingly, they should allow for rūnanga delegates (elected by Māori members) at all points of the structure, as appropriate. The rūnanga delegates in an enterprise will ultimately elect a Māori enterprise delegate.

(d) Given the sometimes dispersed nature of Māori membership within some enterprises, consideration should be given to using some of the alternative methods for conducting elections set out in regulation 7.2.

(e) Responsibility for ensuring there is a call for nominations for the position of Māori enterprise delegate rests with the enterprise delegate committee and the process should be conducted at the same time, wherever practicable.

Schedule B

Diagrams of the PSA, Māori and Rūnanga structures



Māori Membership Structures		General Member Structures	
Te Rūnanga o Nga Toa Awhina	All PSA Members who identify as Māori	PSA Members	
Enterprise Rūnanga	All Māori Members in an Enterprise		
Rūnanga Delegates	Delegates elected by Māori Members to represent the interest of Māori members in an enterprise	Workplace Delegates	Elected by all members to represent the interest of members in the workplace
Enterprise Rūnanga Kōmiti	Kōmiti of Rūnanga delegates in that Enterprise	Enterprise Committees/ National delegate committees	Made up of regionally or nationally elected general delegates
Māori Enterprise Delegate – (Convenor)	A Māori Delegate elected by Māori members or delegates in an enterprise	Enterprise Delegate/National delegate Convenor	General delegate – Chair of the Enterprise/National delegate Committee
Sector Rūnanga	All Māori Members in the Sector		
Sector Rūnanga Komiti	Komiti of all Māori Enterprise Delegates in that Sector		
Sector Māngai	Delegates from the Sector Rūnanga Kōmiti – [elected at biennial Sector Hui 3 x Sector (4 for DHB)]	Sector Committee Representatives	Elected delegates from Enterprise/National delegate Committees or Clusters [Elected Biennially]
Te Rūnanga o Nga Toa Awhina – Kōmiti	Kōmiti of all Sector Māngai from the 5 Sectors – including PSA Kaumatua	PSA Sectors x 5 Public Service, State, Community & Public, District Health Boards, Local Government	Each Sector is made up of all Elected Sector representatives and all Sector Māngai for that sector
Te Rūnanga o Nga Toa Awhina – Convenor	Convenor of the Te Rūnanga o Nga Toa Awhina Komiti – member of the PSA executive Board	Sector Convenors	Convenors of respective committees – Members of the PSA Executive Board
PSA Kaumatua & Kuia	Provide advice and Counsel to the PSA Leadership and Te Rūnanga o Nga Toa Awhina		
PSA Executive Board	PSA Executive Board	PSA Executive Board	PSA Executive Board
Sector Hui	Every 2 years		
Hui Taumata	Occurs every 2 years	PSA Congress	Every 2 years
PSA President	Elected every 2 years	PSA President	Elected every 2 years

Public Service Association Te Pūkenga Here Tikanga Mahi

Governance structure

All levels

Te Rūnanga

Te Rūnanga o Ngā Toa Āwhina is the body for all Māori members of the PSA. Te Rūnanga ensures that Māori have a voice at all levels of the PSA, and provide leadership on all issues relating to Māori in the PSA. Te Rūnanga has its own internal structure with a Kōmiti made up of representatives from each sector.

Gender equity

All PSA governance structures must have numbers of women members consistent with the membership they represent.

Networks & Committees

Based on demographics and areas of interest: Women's Network, PSA Youth, Pasefika, Out@PSA, Deaf and Disabled Members, Eco Reps, Ethics Network, Health & Safety, Science Committee, Mental Health Committee, Social Workers Action Network.

Congress

Attended by delegates from each sector. Occuring every second year, this is the highest decision making body of the PSA.

Congress elects the president.

Executive Board - reports to congress

Made up of the president, the two national secretaries, the convenors of each sector committee and Te Rūnanga, and a representative of PSA staff.

The governance body of the PSA between congresses.

Sector committees - represented on the executive board

Delegates in each of our five sectors elect a committee to lead the work of the PSA in their area. Committees are made up of delegates who represent members in a particular region, industry or enterprise, plus representatives from Te Rūnanga. Some committees also have additional women's representation.

DHB sector committee	Community Public Services sector committee	State Sector sector committee	Local Government sector committee	Public Service sector committee
Staff working for district health boards and multi-DHB shared service bodies.	Staff working for NGOs and for private companies delivering community-based services partially or fully funded by national or local government.	Staff working for crown research institutes, other crown entities, in the tertiary sector, state owned enterprises and some private companies formerly owned by the state.	Staff working for councils and council-controlled organisations.	Staff working for public service departments and the officers of parliament.
				

Delegates - elect sector committees

Elected by PSA members at a particular workplace to represent them and to lead union activity in a workplace.

Different workplaces will have different numbers of delegates and structures that they work in.

Workplaces - elect delegates

Where we work, alongside other fabulous PSA members.

WORKPLACE

Enterprise delegate committees

Delegates

Rūnanga delegates

Māori enterprise delegates

Other workplace structures:

- Bargaining teams
- Working groups
- Regional or service line committees
- Rūnanga structures

SECTORS

Sector committees

Representatives of enterprises grouped into constituencies, eg regional

Sector māngai (Māori Representatives)

Convenor elected by sector committee

Te Rūnanga o Nga Toa Āwhina kōmiti

Sector māngai representatives from each sector committee

Networks and clusters (cross sector)

NATIONAL

Executive board

Case Study: Inland Revenue Engagement Agreement

Introduction

The Sector Māngai identified in 2007 that within Inland Revenue's (IR) delegate structure there was no voice present for Māori. It was evident that this needed to be addressed in order to allow the voice of Māori members to be heard across our Organisation.

The initial focus was on the election of a Māori Enterprise Delegate (MED) in order to have a mandate to represent Māori on the National Delegates Committee. This then gave cause to the ability to prepare a proposal on how best to implement a Māori delegate structure, using the general delegate structure that currently exists.

The key relationships available to the MED were:

- The PSA National Organiser
- The IR National delegate Convenor
- The National Delegates

These were important conversations that would see a structure and proposal implemented by Māori for Māori.

Proposal outlined:

- What did the membership of Māori look like within IR? *Did the membership need a Māori enterprise Rūnanga? Or did it just need a Māori Enterprise delegate? Did it need a regional representation or could we do this by site?*
- What did the existing delegate structure look like? *Was it inclusive of a Māori voice? Was their potential too? What did I need to make it happen? Were the election processes inclusive of Rūnanga delegates and Māori enterprise delegate elections?*
- How could a Māori voice be included within the delegate structure?
- What was needed to create it?

It took two years in the making to ensure that the structure was ready to go by the next round of delegate elections:

After NDC endorsement of the original proposal

Elected Rūnanga delegates across the sites (one per site) to begin with – Eight in total

Elected a Māori enterprise delegate from the elected Rūnanga delegates

Name that identified the IR roopu – Nga Māngai Whakatopu

Next steps included:

- Rūnanga Delegates focussing as a collective in representing the IR Māori membership
- Regular teleconferences for one year (without seeing each other).
- Focusing on having Kanohi o te Kanohi hui. This was achieved and after two years the number of rūnanga delegates had grown to 12.
- Identification and raising of members issues monthly, work plans were also constantly formulated and changed to ensure that framework was properly established.

Profiling Nga Māngai Whakatopu

Advising members that there was representation for Māori

Establishing email lists of members on site to engage and feed information to and from

Being the link between members and enterprise Rūnanga and having the vehicle to raise National issues if required

- Advising Te Rūnanga o Ngā Toa Awhina
- Advising Public Service Sector Committee
- Recruitment of Māori members
- Recruitment of Rūnanga delegates

From this Nga Māngai Whakatopu established a list of issues that required National Engagement.

- Tangihanga Leave
- Hura Kohatu
- Bicultural Leave
- Whāngai – What is whāngai?
- Recognition of Māori

In discussing these issues in a National forum it was apparent that the decision makers had a limited understanding of cultural sensitivity or tikanga application. It was identified that Nga Māngai Whakatopu needed to be talking to the group responsible for Māori within the department- The Māori responsiveness unit.

Nga Māngai Whakatopu engaged with the Māori responsiveness unit to assist with the leave issues and develop a mutual understanding of these types of leave. Nga Māngai Whakatopu identified that a significant issue was the inconsistent application of the leave across department.

Some were granted leave, and some weren't, some were close relationships and others were not regarded as such but whānau are bigger in the whakapapa world. Our cousins are our brothers and sisters.

In working together the Māori Responsiveness Unit and Nga Māngai Whakatopu implanted policy and information that could be used across the department for Managers when applying the leave (as described above) and Māori events across New Zealand. The latter was done to inform and educate the managers about the events existence and value in Te Ao Māori.

These documents are now informing HR guidelines for both staff and Managers to use when applying these types of leave.

While it was adhoc, the relationship between Te Māngai Whakatopu and the Māori responsiveness unit has built a very strong relationship to engage on things Māori.

The next bargaining round – Te Māngai Whakatopu arranged to establish a bargaining item to the table which was about gaining recognition of cultural skills, which could have linked in with Māori competencies.

Instead an Engagement Agreement was negotiated that would outline how Te Māngai Whakatopu and IR would engage, work, collectively for Māori members.

Success

2015 successfully signed an engagement with IR's Māori Responsiveness Unit and Ngā Maangai Whakatapu which was also endorsed within the Charter of Engagement to better service Māori members and staff within IR.

DHB Allied and Technical Collective Agreement Case Study

Appendix G

A Framework that is designed to provide a consistent approach to the assessment of employees in positions that come within the definition of Hauora Māori Workers in terms of their cultural knowledge and expertise. When combined with an assessment of the employee's clinical competence, it allows the relevant DHB manager to determine the appropriate level on which to place the employee

Link: goo.gl/zYYpGC

Background

Designed for the 2008 DHB Allied and Technical MECA by the PSA and Te Rau Matatini. This needs to be read in conjunction with Clause 5.4 which holds the actual scale of remuneration. The intent was to allow Hauora Workers be properly and fairly recognised for their skill set even without a degree.

Negotiation

Issues

- Members have reported a number of barriers to a successful uptake of the Appendix G framework. These include
- knowledge of scale and framework at time of employment
- Knowledge or availability of manager to do the assessment
- Scale not able to properly recognise value of skill set.

Note:

This clause continues to be in the Collective Agreement and Te Tira Hauora are looking to have it correctly used by DHBs.

Department of Internal Affairs Case Study

4.1 Te Aka Taiwhenua/Māori Strategic Framework

The Department is committed to the Treaty of Waitangi partnership between Māori and the Crown will promote an understanding of partnership and implement the Treaty of Waitangi principles in the workplace.

The Department's Treaty obligations to employees include:

- ensuring all employees have an appropriate understanding of the needs and expectations of Māori and have the skills, resources and competencies to engage effectively with Māori
- clarification of the Department's responsibilities and obligations as the Treaty of Waitangi partner and applying this knowledge in our workplace
- recognition of Tikanga Māori, Te Reo Māori and Māori contribution to the Department *Page 10 of 54*
- recognition of Māori aims and aspirations and greater involvement of Māori in the Public Service

- increased Māori consultation/participation in the design and development of policies, practices and projects within the Department
- recognising Te Reo Māori by encouraging development in and promotion of Te Reo Māori
- including the Treaty of Waitangi and the Department's obligations to the Treaty as a standard part of the Department's induction process

Background

Te Aka Taiwhenua/Māori Strategic Framework is a clear statement by the Department in determining its Treaty obligations to its employees.

Its development comes from the Departments "Framework for Working Effectively with Māori" which was developed internally to allow the department to work effectively with Māori and accepting its responsibility of holding and protecting the Treaty of Waitangi/ Te Tiriti o Waitangi. Drafted in 2013 the Framework is structured to encompass the articles directly and encourages staff to connect with the Treaty in order to action the Departments obligations to the Taonga.

KAITAKITANGA/ FAIR & SECURE

IMPLEMENT THE CEA AND RELATIONSHIP AGREEMENT (RA)

- Ensure implementation of Relationship Agreement joint (PSA/PC) communication plan
- PSA participation in the CA training (to include info about Relationship Agreement) for managers
- Consider how members/ delegates can be involved in working party(ies)
- Ensure completion of policy review work/working parties outlined in the Terms of Settlement
- Brief members and delegates on what is in Relationship Agreement and how it works
- Ensure B band transition completed
- Ensure sick leave calculation implemented and backdated
- Provide regular communication to members and focused delegate training on clauses in CA

ENSURE MINISTRY ENGAGES EARLY ON CHANGE

- Soft and hard change as a standing agenda item for the PSA/GMPC monthly hui
- Members/delegates notify PSA of any soft change in their area
- Early assignment of delegate(s) to change process
- Develop flowchart for delegates on how to do change process to support members
- Develop templates to be used for change process
- PSA National Delegate Convenor to keep spreadsheet on change processes and who is involved

REVIEW REMUNERATION AND PERFORMANCE MANAGEMENT SYSTEM

- Performance Management/Remuneration working party
- Consider how delegates/members to participate in performance management/REM working party
- Regular communication to members on thinking from working party and ask their feedback
- The working party to look at time in role and position in band; look at market data
- Ensure progression through salary range is maintained

- Ensure members who are disadvantaged due to performance system on hold is resolved
- Guidelines developed for performance management 'formal review panel'
- Continue discussions with PC so that performance letters are delivered in a timely way
- Involvement in evaluation of job relativities
- Look at current policy (no back pay if staff leave before pay increase is paid out)

MANAAKITANGA / H&S

IMPLEMENT THE HEALTH & SAFETY WORKER PARTICIPATION AGREEMENT AND BUILD A HEALTH & SAFETY NETWORK

- Implement the H&S Worker Participation Agreement
- Consider communication plan; info to members re participation agreement; regular updates to members
- Regular engagement with H&S director
- ND H&S attend national HSS forum
- Build a Health & Safety Network
- Set up PSA network of H&S reps; includes the election of H&S reps
- Education to delegates and H&S reps re roles and responsibilities
- Identify training requirements; implement in a timely manner
- Develop communication plan/flowchart and resource sheet
- Regular updates/newsletters to H&S reps; delegates and members

DEVELOP THE DOMESTIC VIOLENCE AND SEXUAL HARASSMENT POLICY

- Set up meetings with HR to develop draft
- Develop communication plan for delegates and members
- Share draft with delegates for feedback; consider links to other policies or CEA clauses
- Finalise policy

Committee Objectives for 2016

TE HUARAHI KI TE AKONGA / CAREER DEVELOPMENT

PROVIDE CAREER DEVELOPMENT FOR ALL DELEGATES

- Write a plan re delegate development; map delegates location and experience
- Contact PSA for list of training attended by delegates
- Communicate to delegates all PSA delegate training opportunities
- Encourage delegates to feed back to NDC about PSA training
- Convenor to do IDP for each national delegate (includes attendance at Ministry leadership training); set up spreadsheet to capture feedback about training
- National delegates to do IDP for local delegates; mentor local delegates / shadowing others
- Opportunity for local delegates to attend NDC meetings
- Ensure all delegates are aware of training opportunities set out in the relationship agreement
- Encourage all delegates to include training and delegate work in their performance agreement

ENCOURAGE MEMBERS' PARTICIPATION

- Map PSA members and non-members
- National delegates to establish delegate/points of contact in each office
- Each national delegate establishes a network and communication plan for delegates
- Encourage members and delegates to participate in working parties/other union work
- Provide opportunities for members to provide feedback
- Regular updates and posters to members
- Encourage members to get non-members to join

WHANAUNGATANGA / PERSONALISED

ENGAGE WITH THE MINISTRY IN PAY EQUITY AND EEO

- Define EEO with the Ministry
- Identify delegates to participate in policy working parties

- Research how pay equity/EEO works in other agencies
- Monitor SSC/PSA working party on equal pay and implement any outcomes

ENSURE MEMBERS ARE TREATED WITH DIGNITY AND RESPECT

- Ensure members are treated with dignity and respect when they raise issues, including change processes
- Provide support and information to members
- Ensure Ministry compliance with the CA
- Ensure consistent and fair practices and processes
- Look at findings from PSA survey and identify any gaps
- Keep register of issues and outcomes

WHAKAMANA / TRUST & EFFECTIVENESS

ROLL OUT SUSTAINABLE WORK SYSTEMS (SWS) PROJECT

- PSA/Ministry to agree to SWS Heads of Agreement documents
- Develop Terms of Reference for SWS working party
- Ensure members/delegates release to attend SWS training
- Regular communication to members during SWS project
- Review/evaluate SWS project(s)

STRATEGIC ENGAGEMENT WITH ALL LEVELS OF THE MINISTRY

- Calendar of meetings between PSA and Ministry leaders
- Convenor to feedback to NDC about strategic meetings held in Wellington ie monthly GM/PC
- National delegates to ensure strategic meetings are set up
- Encourage delegates to seek input from members prior to meetings and to report back to them
- Delegates to build relationships with PC advisors/ business partners

Te Rūnanga Bargaining Strategy Baseline Clauses - Te Kaiwhakarite Māori: Guidance

This resource has been developed by the National Organiser Māori to assist PSA Organisers, and staff in relation to bargaining for Māori as outlined in the Rūnanga Bargaining Strategy. The baseline clauses represent starting steps for articulating Ngā Kaupapa in the workplace, all of which needs to be considered holistically, rather than individual principles. In that regard we urge Organisers and staff to understand that all clauses have equal precedence, however we have offered our perspective of importance. We believe that it is important that these clauses be fleshed out further in a policy.

Cluster One (First Priority)

a) Commitment to Te Tiriti o Waitangi

A framing statement that acknowledges that the organisation's commitments to Te Tiriti are also with its workers. This is negotiated usually within the context of the organisation's legal obligations to Māori workers under differing Acts (See NOM for reference) and/or the organisation's commitment to its clients.

For Māori this means that the organisation sincerely demonstrates its obligations to the principles of Te Tiriti namely Participation, Partnership, Protection and Redress.

A Model Clause would include:

- Acknowledgement that the commitment is living and needs to be reconfirmed daily
- Commitment to proper resourcing
- Link to the organisation's obligations and to recognition that proper application has a positive impact on the workplace.

We think the PSA CA is very good:

(The organisation) affirms Te Tiriti o Waitangi/Treaty of Waitangi as the constitutional basis of partnership between Māori and the Crown, and the unique status of Māori as Tangata Whenua of Aotearoa/New Zealand.

(The organisation) Tiriti obligations to Māori employees will mean that, as part of the definition of a good employer, the PSA will provide a culturally safe working environment that supports and does not invalidate cultural beliefs, aspirations and practices of its employees, particularly Māori; and the aims and aspirations of Māori; and the employment requirements of Māori; and the need for greater involvement of Māori as employees of (the organisation).

We should also look to add a direct link to Ngā Kaupapa. For example:

To ensure that this obligation is clearly identified, (the organisation) and the PSA will work together to establish clear and measurable targets as defined by the PSA strategy Ngā Kaupapa.

An interim would be the following (MOJ CA):

The Ministry recognises Māori Delegates, Te Rūnanga o Ngā Toa Āwhina (the Māori structure of the PSA and Te Rūnanga o Ngā Toa Āwhina Te Runanga 's Ngā Kaupapa principles as part of the PSA's commitment to the Treaty of Waitangi

b) Commitment to work with Māori employees/ delegates on the development of any policy that affects Māori employees.

This will be read in conjunction with the above clause. It can be framed to show that early and considered consultation will result in a policy that is sustainable and reflective of good practice.

This would be achieved through a Māori Policy Advisory Group that has

- Genuine influence on the policy (audit process by external agency as identified in PSA Te Tiriti o Waitangi policy)
- Recognised PSA delegate participation (preferably one involved in leadership programme or has been developed through Maranga Mai)

c) Equal employment opportunities.

A statement that ensures that the organisation is conscious of recruitment bias but that it has identified steps to mitigate this

A good example is the PSA Collective:

The parties are committed to ensuring that no member of staff experiences discrimination because of gender, ethnicity, disability, religious beliefs, sexual orientation or parental or marital status. Accordingly, the PSA will establish policies and practices that facilitate equal employment opportunities through an equal employment opportunities programme which will be reviewed each year by the UMEM.

The employer shall adjust work requirements for employees with disabilities and may provide additional special leave where necessary to accommodate special health needs of such employees.

d) Training and development

Two keys areas for this are;

- The design and oversight of a programme that recognises and develops Māori leaders.
- The PSA being a key stakeholder in developing the Performance and Development system of the Organisation in order for all staff to be more responsive to its clients.

Examples of area 1 would be the Te Aratiatia programme at MSD while an example of area two is the Te Aka Taiwhenua strategy at DIA:

The Department is committed to the Treaty of Waitangi partnership between Māori and the Crown will promote an understanding of partnership and implement the Treaty of Waitangi principles in the workplace.

The Department's Treaty obligations to employees include:

- *ensuring all employees have an appropriate understanding of the needs and expectations of Māori and have the skills, resources and competencies to engage effectively with Māori*
- *clarification of the Department's responsibilities and obligations as the Treaty of Waitangi partner and applying this knowledge in our workplace*
- *recognition of Tikanga Māori, Te Reo Māori and Māori contribution to the Department*
- *recognition of Māori aims and aspirations and greater involvement of Māori in the Public Service*
- *increased Māori consultation/participation in the design and development of policies, practices and projects within the Department*
- *recognising Te Reo Māori by encouraging development in and promotion of Te Reo Māori*
- *including the Treaty of Waitangi and the Department's obligations to the Treaty as a standard part of the Department's induction process.*

Then there is DOC, who look to focus on the following:

Another key area is the influence of the induction process in order to normalise responsiveness to Māori. An example of this is the 5 day Noho Marae process at DOC which sees all new employees experience learning around

- *Creation, stories of the past (Maui, Papa and Rangi etc.)*
- *Treaty, including Treaty principles, differences between the languages and a history of the Treaty relationship over the years including relevant legislation*
- *Marae, protocol explanation around purpose of particular practices*
- *Working with Māori communities*
- *Overview of everything learned/discussed over the last 4 days*

Ref: Kaitiakitanga Working Group Research Report
T Ryall; September 2016

Cluster two (Second Priority)

a) Tangihanga

The Clause should recognise the cultural obligation of grieving in Te Ao Māori. Tangihanga is a process of bereavement that has certain protocols, responsibilities and Tikanga Māori that are adhered to through this process. This is what makes bereavement for non-Māori different to Māori. They would undertake the Tangihanga process where this is usually carried out on a Marae.

The legislation allows for three days leave, but depending on ones circumstances and situation – 3-5 days can

be granted. There needs to be an inclusion of special conditions relating to an individual's responsibility during a Tangihanga. (Whanau Pani, travel, relationship, Hau-Kainga). Consideration for time granted should look to include when our tupāpāku (deceased) returns from overseas. Most of the clauses are good, however, you may find in some areas, it will be the application of the leave that can be a barrier to accessing the leave.

Please note that there continues to be a variation in how common this provision is:

- *The most common Māori provision, Tangihanga leave, was offered to 65% of all employees covered by the selected CEAs. Only 5% of employees in the Public Sector having no mention of Tangihanga specific leave*
- *As of last 2015, 71% of Private Sector employees are still covered by bereavement leave clauses with no mention of Tangihanga.*

Ref: Kaitiakitanga Working Group Research Report
T Ryall; September 2016

A Model Clause would include:

- The minimum of Three days with a provision for longer depending on individual obligations
- That Managers are supported through training and guidance from Māori Responsiveness units.
- That Policy relating to this can only be altered by agreement with the Enterprise rūnanga.

Hura Kōhatu

This is a process of unveiling the headstone typically on or near the one year anniversary of the bereavement (but can be later). An important point to note is that this is integral to the Tangihanga in that it is the conclusion.

This is usually a one day hui and often planned for a weekend, however, provision must be made for weekdays and for travel.

A Model Clause should include:

- Acknowledgement that it is part of the Tangihanga and so should within the Tangihanga Clause
- Given that it is not protected by legislation that there is a stipulation of one day off or three days if travel is required.
- That Managers are supported through training and guidance from Māori Responsiveness units.
- That Policy relating to this can only be altered by agreement with the Enterprise rūnanga.

Whakatahe

Whakatahe is acknowledging bereavement of a still born child. It is important that an employer acknowledges the loss where an employee has suffered a miscarriage and access to bereavement leave for a reasonable period is granted where agreement is made between the employee and employer. We understand that this is seen as a natural part of the bereavement clause and there is added sensitivity around this.

A Model Clause should include:

- Acknowledgement that it is part of a Tangihanga
- That the leave be granted for a reasonable period to undertake their obligations
- That appropriate leave is agreed between both employee and employer
- Acknowledging the bereavement of a still born child.

MOE and IRD have model clauses that can show all three bereavements together:

Bereavement/Tangihanga/ Hura Kōhatu/Whakatahe Leave

An employee shall be granted bereavement leave on full pay to either:

- *Discharge their obligations and/or pay their respects to a deceased person*
- *Attend a Hura Kōhatu (unveiling)*
- *Work through a loss where an employee who is pregnant suffers a Whakatahe/miscarriage during the second or third trimester of the pregnancy. In this case, bereavement leave will be granted for a reasonable period of time as agreed between the employee and their manager.*

Such obligations may exist because of blood or family ties or because of particular cultural requirements such as attendance at all or part of Tangihanga, Hura Kōhatu (or its equivalent).

In granting time off the manager must administer these provisions in a culturally sensitive manner taking into account:

- The closeness of the association between the employee and the deceased. This association need not be a blood relationship;*
- Whether the employee has to take significant responsibility for any or all of the arrangement to do with the ceremonies resulting from the death;*
- The amount of time needed to discharge properly and responsibilities or obligations;*
- Reasonable travelling time should be allowed, but for cases involving overseas travel that may not be the full period of travel;*
- A decision must be made as quickly as possible so that the employee is given maximum time possible to make any arrangements necessary. In most cases the necessary approval will be given immediately, but may be given retrospectively where necessary;*
- If paid special leave is not appropriate then annual leave or leave without pay should be granted.*

Additional Clause

The period of the bereavement/tangihanga/Hura Kōhatu leave will be agreed with the manager. However, for avoidance of doubt employees will receive a minimum of three days paid on the death of a;

- *Spouse or Partner*
- *Parent*
- *Child*
- *Brother/Sister*
- *Grandparent*
- *Grandchild*
- *Spouse or Partners parent.*

Cluster Three (Third Priority)

a) Recognition/Reward for Tikanga/Te Reo

This is an acknowledgement of Tikanga or Te Reo skills that are utilised within the organisation by Māori that are unrecognised.

We are talking about those skills that are used to ensure the organisation is culturally safe and responsive with regards to Pōwhiri, Waiata, Kaikaranga, Whakatahu and Kaikorero, but were not specifically recruited for in a particular job description.

This could also look to incorporate any Te Reo or Tikanga Wānanga/courses that would contribute and add value to the organisation. We would anticipate that there would be considered conversations around how our members would be remunerated for this.

A model clause should include:

- A clear and transparent recognition framework
- A clear and transparent framework for assessment
- Link to training (individual progression) and development (PDAs and career promotion) – this compliments the Learning and Development Clause.

There are a number of approaches to recognising this. We have an opportunity to develop this further with Te Taura Whiri (as a guiding baseline) but also believe that Palmerston North CC have a good system in policy:

Māori competencies for all staff (encouraged). Includes acknowledgement of Treaty partner responsibilities. There's an outline for support of managers who aren't equipped to assess someone with a higher level of competency than themselves (calling upon the Poutakawaenga Matua). Competency levels:

- *Level 1: Basic Pronunciation, awareness of Tikanga Māori and demonstrates basic awareness of the historical significance of the Treaty of Waitangi and its contemporary application*
- *Level 2: Practical working knowledge of te reo (basic use of terms such as whānau, kōrero, whenua, hui and greetings), applies tikanga Māori in work situations and understands Treaty of Waitangi and contemporary application*
- *Level 3: Proficiency in conversational/written te reo (including karakia, mihimihi and pepeha), advanced understanding and engagement of tikanga, and provides advice and leadership in Treaty of Waitangi issues*

Ref: Kaitiakitanga Working Group Research Report

MSD has a model clause: Recognition of tikanga Maori and Te Reo Skills

The employer shall take into account for purposes of recognition proficiency in Te Reo where the needs of a job demand such skills. Where employees are called upon by MSD to use Tikanga Māori and Te Reo Māori in circumstances outside their job requirements and where such duties are above and beyond the normal requirements of the employee, MSD may recognise such contributions either financially or otherwise.

b) Recognition/Reward for Kuia and Kaumātua

This is an acknowledgement of Kuia and Kaumātua skills that are utilised within the organisation by Māori and on their Marae.

There are two examples of this.

- There are the instances where Kuia or Kaumātua would undertake Kaikaranga or Kaikorero for hui held on behalf of their organisations
- There are instances where Kuia and Kaumātua would undertake Kaikaranga or Kaikorero for hui held on their Marae as part of their responsibilities at Tangihanga, Hura Kōhatu or significant Māori events by iwi or hapū.

A Model Clause should include:

We would consider that the Kaitiakitanga Working Group is reinstated to discuss what a model clause should consider depending on the types of recognition our members might put in practice, and how this could be remunerated.

Some suggested principles should involve:

- Clear statement legitimising the roles and status within the organisation of Kaumātua and Kuia whether they be paid or volunteered roles
- Agreed understanding as to how these roles will be recognised (Please note this is reliant on the view of Kaumātua and Kuia and could include money, gifts or time).

Cluster Four (Fourth Priority)

a) Hui Leave

Hui leave is leave that would allow our members to meet their cultural obligations that is required at times during work hours.

This leave would include Māori Land Court, Tribunal hearings, whānau related leave iwi or hapū responsibilities.

A Model Clause should include:

- That the Employer recognises paid leave for Māori to undertake their obligations for purposes of attending Māori hui.

b) Cultural Leave

Cultural Leave allows our members to attend leave for cultural activities which they have an active contribution too, either an event or the organising of an event.

These types of leave could include, kapa haka, Cultural performances – Te Konohete (Cross Public Service Agency kapahaka) Marae commitments, Wānanga, Hui Raupatu and or mahi at their Marae.

A Model Clause should include:

- That the Employer recognises and acknowledges cultural leave for our members that would include the above.
- Accessibility of leave
- Flexi-time provisions

A good example covering both is the PSA CA:

All Māori staff members shall be entitled to paid leave of up to 5 days per annum for the purpose of attending Māori Hui such as:

- Land court hearings concerning land issues of the staff members iwi
- Marae working bees of an obligatory nature
- Hui Raupatu (Hui regarding land claims)
- Hura Kōhatu (unveiling)
- Iwi committee elections.

After each 5 years of service with the PSA all Māori staff are entitled to take up to 3 month's leave without pay with job protection for the purposes of connecting with or contributing to their iwi and/or Te Reo Māori. This leave will be taken at one time within the following five-year period. This leave without pay interrupts but does not break service. The normal procedure for applying for leave without pay applies.

Appendix One: Opportunities to develop Ngā Kaupapa by Sector

Public Service

- MSD- Presentation to Leadership team to agree to an Engagement agreement and HPHE project (Tikanga and Te Reo recognition)
- OT – Supporting .5 Rūnanga Delegate to initiate engagement agreement; Tikanga and Te Reo Recognition and agreement around Ngā Kaupapa principles
- TPK- Presentation to SLT on Ngā Kaupapa
- DIA- Progressing Te Aka Taiwhenua with Māori Responsiveness Team
- DOC- MED led HPHE
- Corrections- Bargaining opportunity for Probation

District Health Boards

Allied and Technical MECA- Supporting Te Tira Hauora and Bargaining Team to develop bargaining claims that include Ngā Kaupapa Principles, Tangihanga, Hura Kōhatu, engagement agreement

Local Government

Delivery to NOG around RBS clauses and Ngā Kaupapa with view to begin bargaining in Auckland Council, Wellington City Council, Christchurch City Council and Dunedin City Council.

State Sector

Focus on Sector capability. Identified initiative of Maranga Mai training in Christchurch

Community Public Service

Some work done in 2017 with Waipareira Trust. Still need to follow up with Sector Organisers re opportunities.

Appendix Two: What does a best practice approach look like for Māori?

Findings in this section show best practice models that would create an environment where future bargaining strategies would flourish. I recommend that the promotion of best practice approaches be considered when informing future bargaining strategies for the PSA and for the betterment of Māori members.

- **Management level competency:** Most organisations had Māori staff who felt either uncomfortable discussing specific Māori cultural events which needed leave approval or managers were inconsistent with the way in which they administered those entitlements. Lifting management competency across the organisation has helped some agencies increase their capabilities to work within a Māori framework and also grow as an appealing employment opportunity for Māori seeking employment in the Public Sector.
- **Buy in from CE:** Successful organisations for Māori have had lasting commitments from their CE's who would lead the entire organisation on the track to supporting Māori staff. This also helps in building a positive culture within the organisation, confident in Te Ao Māori.
- **Māori recruitment across organisation:** Some Māori staff have indicated a need to have Māori in more senior positions, spreading right across the organisation. This has primarily been identified by Māori already in senior positions. This encourages the building of appropriate cultural knowledge and skill-sets within the organisation at all levels. This also ensures management understands the seriousness of a Treaty Partnership in practice and supports a great example of that. Investment into building Māori capacity will help grow an organisation.
- **Treaty of Waitangi commitments:** Commitments to the Treaty of Waitangi are imperative to the success of a great partnership. Not only a statement but a living document, followed up with enough resourcing to implement any plan/strategy based around the commitments.
- **Relationship with local iwi:** building relationships with local iwi and any high level Māori advisory body (internal or external) expands the cultural expertise of an organisation. The stronger the relationship (it won't happen overnight or after one visit) the greater their support to Māori staff and could decrease the chance of using Māori staff for cultural/language matters outside their job description.
- **Organisational Culture:** A culture within a workplace that supports and understands Māori. This has been

achieved a number of different ways and is possibly more supported in the Public Service than in any other industry/sector.

- **Māori specific provisions/policy:** A continuation of recognition for Māori staff within organisation's policy and provisions.

Ref: Kaitiakitanga Working Group Research Report
T Ryall; September 2016

Appendix Three: Te Tiriti O Waitangi References by Sector

The Treaty of Waitangi Act 1975

Preamble

Whereas on 6 February 1840 a Treaty was entered into at Waitangi between Her late Majesty Queen Victoria and the Māori people of New Zealand:

And whereas the text of the Treaty in the English language differs from the text of the Treaty in the Māori language:

And whereas it is desirable that a Tribunal be established to make recommendations on claims relating to the practical application of the principles of the Treaty and, for that purpose, to determine its meaning and effect and whether certain matters are inconsistent with those principles

Local Government: Have a statutory obligation to engage with Māori and to recognise the Treaty of Waitangi. Local Government Act 2002 has similar provisions to the State Sector Act.

Treaty of Waitangi

In order to recognise and respect the Crown's responsibility to take appropriate account of the principles of the Treaty of Waitangi and to maintain and improve opportunities for Māori to contribute to local government decision-making processes, Parts 2 and 6 provide principles and requirements for local authorities that are intended to facilitate participation by Māori in local authority decision-making processes.

Community Public Services: Healthcare New Zealand acknowledges the special relationship between Māori and the Crown under the Treaty of Waitangi, Māori Health and Disability Plan clearly stat that its objectives with The treaty.

District Health Boards: The Employment Relations Act 2000 recognises and respects the principles of the Treaty. This signifies a code of Good faith in the sector as prescribed under Schedule 1B with respect to being a good employer (Clause 5) and to recognise the Treaty (Clause 7)

Principles of the Treaty of Waitangi

The parties must recognise and support Part 3 of the New Zealand Public Health and Disability Act 2000 which, in order to recognise the principles of the Treaty of Waitangi and with a view to improving health outcomes for Māori, provides mechanisms to enable Māori to contribute to decision-making on, and to participate in the delivery of, health and disability services.

Public Service: State Sector Act

State Sector Act 1988

Section 56 2 (d)

Recognition of—

- i. the aims and aspirations of the Māori people; and
- ii. the employment requirements of the Māori people; and
- iii. the need for greater involvement of the Māori people in the Public Service; and

State Sector: Crown Entities Act 2004 has similar requirement to the State Sector Act.

Crown Entities Act 200

Section 118 (2) (d)

Recognition of—

- i. the aims and aspirations of the Māori people; and
- ii. the employment requirements of the Māori people; and
- iii. the need for greater involvement of the Māori people in the Public Service; and

Duty of tertiary Councils to acknowledge the Treaty (as in section 181 of the Education Act 1989).

