



4 October 2023

Ref: DOIA 2324-0539

James

By email: fyi-request-23533-3e3af398@requests.fyi.org.nz

Tēnā koe James,

Thank you for your request on 19 July 2023 to Minister Sepuloni requesting, under the Official Information Act 1982 (the Act), the following information:

'Any and all meeting minutes or internal papers from the Fair Pay Agreement Working Group.'

You were advised of a timeframe extension on 9 August for an additional 35 working days due to the large quantity of information in scope of the request and that several of the documents required consultation. On 7 September, the request was transferred by the Minister to the Ministry of Business, Innovation and Employment as the information was not held by Minister Sepuloni's Office. This was advised to you on 7 September.

We have identified 96 documents within scope of this request, noting that this is less than our initial indication of 140 documents as many were duplicates. Please refer to the tables below that outline the documents that have been released to you. We have grouped the documents in PDFs by putting like documents together – for example, all the minutes in one Appendix PDF. The documents' titles are based on the Working Group meeting they were shared at, for example 2A, 2B, and 2C were shared at the second meeting. Please note some information has been withheld under the Act, and the reasons for this for each document have been listed in the table. I do not consider that the withholding of this information is outweighed by public interest considerations in making the information available.

Documents have been withheld and redacted under section 9(2)(ba)(i) to protect information which is subject to an obligation of confidence where the making available of the information would likely prejudice the future supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied. Documents have also been withheld and redacted under section 9(2)(g)(i) to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any public service agency or organisation in the course of their duty. Further redactions have been made under section 9(2)(a) to protect the privacy of natural persons.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Nāku noa, nā



Beth Goodwin
Manager, Employment Relations Policy
Workplace Relations and Safety Policy Branch

Documents publicly available

Title	Public link
1A Supp (3/3) – Cabinet Paper	https://www.mbie.govt.nz/dmsdocument/3251-improving-the-employment-relations-and-standards-system-fair-pay-agreements-pdf
4A – Can the kiwi fly – Achieving productivity life-off in NZ	https://www.productivity.govt.nz/publications/nz-productivity/
5G – TSY Report – Increasing the Minimum Wage	https://www.treasury.govt.nz/sites/default/files/2019-05/oia-20190012.pdf
8C – Fair Pay Agreements – issues and challenges for a new wave of collective bargaining	https://medium.com/from-the-exosphere/fair-pay-agreements-issues-and-challenges-for-a-new-wave-of-collective-bargaining-f5fe760a051e
9F – Hospitality Benchmark (Hospitality Industry Report) (April 2018)	https://www.anz.co.nz/business/resources-insights/business-insights/industries/food-and-beverage/
9G – Raising the bar – the impact of minimum wage hikes (April 2018)	https://www.westpac.co.nz/assets/Business/economic-updates/2018/Bulletins/Raising-the-bar-April-2018.pdf

Documents released in full

Appendix #	Title
1	1 - Agenda
1	2 - Agenda
1	3 - Agenda
1	4 – Agenda
1	4E – Forward Agenda
1	5 – Agenda
1	5F – Forward agenda as of 28 August 2018
1	6 – Agenda
1	7 – Agenda
1	7F – Forward Agenda
1	8 – Agenda
1	8E – Action register
1	8F – Forward Agenda
1	9 – Agenda
1	10 – Agenda
1	11 – Agenda
1	12 – Agenda
2	2A – Minutes from 5 July 2018 meeting
2	3A – Minutes from 20 July 2018 meeting
2	4D - Minutes from 31 July 2018 meeting
2	5A – Minutes from 16 August 2018 meeting
2	6A – Minutes from 31 August 2018 meeting
2	7A – Minutes from meeting 6 – 13 September 2018 meeting
2	8A - Minutes from meeting 7 – 27 September 2018 meeting
2	9A - Minutes from meeting 8 – 11 October 2018 meeting
2	10A – Minutes from meeting 9 – 6 November 2018 meeting

2	12A – Minutes from meeting 11 – 27.11.18
2	12AA – Minutes from meeting 10 – 22.11.18
2	12AAA – Minutes from meeting 12 – 19.12.18
3	1D – Talking points for JB
3	2G - Talking points for JB
3	3E – Talking points for JB
3	4F – Suggested talking points for JB
3	5H – Suggested talking points for JB
3	8G – Suggested talking points for JB
3	10X – Talking points for JB
4	5E – Draft Panel report structure, including proposed problem definition and objectives
4	7D – Draft Working Group report in bullet form
4	10C – Draft Working Group report – version 0.5
4	10E – Draft Working Group report – version 0.6
4	11B – Draft Working Group report – version 0.7
4	12B – Draft Working Group report – version 0.8
4	12C – Draft Working Group report – version 0.9
5	10H – Photo options for the Working Group Report
5	11D – Revised photo options for the Working Group Report
6	4A Supp – Supplementary slideshow - Achieving productivity life-off in NZ
6	6C – Trends in collective bargaining
6	6D – Collective bargaining experiences across industries
6	9H – Effects on small business and the hospitality industry
7	1A – Background Information
7	1A Supp (1/3) – Labour and skills overview slides
7	1B – Draft work programme
7	1C – Fees and reimbursement for members
7	2B – Current labour market outcomes for firms and workers

7	2C – Collective bargaining landscape in New Zealand
7	2D – International Comparisons
7	2D Supp – Notes for international comparisons
7	2E – Country comparison tables
7	2F – Real minimum wage table (OECD)
7	3B – Potential objectives of a FPA systems
7	3C – Design questions to consider
7	3D – Research questions
7	4B - Productivity in collective bargaining - international comparisons
7	5B – Summary of OECD Employment Outlook 2017 and 2018 re CB
7	5C – Highlights of OECD Employment Outlook 2017 and 2018 re collective bargaining chapters
7	5D – FPA design choices slides
7	6B – Two possible models from a Fair Pay Agreements system
7	6E – Table from ILO (2018) re extension of collective agreements
7	6F – Training provisions extract from the Care and Support Worker Settlement
7	7B – Introduction to occupation and industry data summaries
7	7C – Occupation and industry data summaries
7	7E – Plan for item 3 small group session
7	8B – MBIE presentation on remaining building blocks
7	9B – updated FPA model – A+ B – version 2
7	9B – Updated FPA model – A+ B
7	9C – New Zealand’s international obligations
7	9E – Points for discussion on design features
7	10G – Information on education funding
7	11C – Diagram of dispute resolution

Documents released in part

Appendix #	Title	Summary of reasons for withholding material
2	12A – Minutes from meeting 11 – 27.11.18	S9(2)(ba)(i) to protect confidential information S9(2)(g)(i), to maintain the effective conduct of public affairs through the free and frank expression of opinions
3	11X – Talking points for JB	S9(2)(ba)(i) to protect confidential information S9(2)(g)(i), to maintain the effective conduct of public affairs through the free and frank expression of opinions
6	4C – E tū experience of MECAs	S9(2)(g)(i), to maintain the effective conduct of public affairs through the free and frank expression of opinions
7	1A supp (2/3) – 0747 17-18 Developing a Fair Pay Agreement System	S9(2)(a), to protect the privacy of natural persons

Documents withheld

Title	Summary of reasons for withholding material
9D – Draft Working Group report – version 0.4 (<u>tracked</u>)	S9(2)(ba)(i) to protect confidential information S9(2)(g)(i), to maintain the effective conduct of public affairs through the free and frank expression of opinions
10B – Draft Working Group report – version 0.5 (<u>tracked</u>)	S9(2)(ba)(i) to protect confidential information S9(2)(g)(i), to maintain the effective conduct of public affairs through the free and frank expression of opinions
10D – Draft Working Group report – version 0.6 (<u>tracked</u>)	S9(2)(ba)(i) to protect confidential information S9(2)(g)(i), to maintain the effective conduct of public affairs through the free and frank expression of opinions
10F – Table to resolve Working Group comments on draft report	S9(2)(ba)(i) to protect confidential information S9(2)(g)(i), to maintain the effective conduct of public affairs through the free and frank expression of opinions
10F(A) - Table to resolve Working Group comments on draft report (with Kirk comments added)	S9(2)(ba)(i) to protect confidential information S9(2)(g)(i), to maintain the effective conduct of public affairs through the free and frank expression of opinions
11A – Draft Working Group report – version 0.7 (<u>tracked</u>)	S9(2)(ba)(i) to protect confidential information S9(2)(g)(i), to maintain the effective conduct of public affairs through the free and frank expression of opinions
12C – Draft Working Group report – version 0.9 19.12.18 (<u>tracked version</u>)	S9(2)(ba)(i) to protect confidential information S9(2)(g)(i), to maintain the effective conduct of public affairs through the free and frank expression of opinions
8D – Proposed Fair Pay Agreement Design	S9(2)(ba)(i) to protect confidential information