

Talley's ordered to pay massive \$144,000 penalties to MWU

posted by DARIEN FENTON



The Talley's owned South Pacific Meats has been ordered to pay \$144,000 in penalties to the NZ Meat Workers Union for repeated breaches of union access rights.

In a determination released from the Employment Authority yesterday, the Authority found that:

- SPM has acted unlawfully in attempting to restrict and /or frustrate access requests, at their Awarua, Invercargill and Malvern, Christchurch plants by requiring a plant manager to supervise the visits of union officials.
- This represents a course of continuing conduct and discloses a pattern of behaviour with considerable impact on employees, so as to remove or potentially remove the right those employees have to choose whether or not to engage with the Union. There is a need for deterrence given that there is a history of this kind of behaviour.

“The union is heartened by this decision. We have repeatedly sought to access rights to talk to workers as guaranteed by law, and we have repeatedly been frustrated by the Talley's owned companies across the board” says Darien Fenton, NZMWU Organising Director.

“This is the third decision in relation to SPM's unlawful behaviour relating to access. On each occasion their actions have been found to be unlawful.”

Daryl Carran, Otago Southland Secretary said that it was down to the determination of workers that this decision had come through. “Their actions have impacted on workers who genuinely want to exercise their freedom of association to join or not join a union

“Some workers have paid the price for standing up for the union: for example, a worker was disciplined and then not engaged for the new season after a distributing a union newsletter” says Mr Carran.

In addition to finding that SPM had repeatedly acted unlawfully in relation to access rights, the Authority found that the company placed an unlawful pre-condition on the commencement of bargaining by requiring the union to identify union members before bargaining could commence.

“Union members in AFFCO owned meat plants, many of whom wish to remain secret out of fear of retribution have been trying to get into good faith bargaining for years now” says Darien Fenton.

The Authority has issued a compliance order requiring SPM to refrain from their practice of unlawfully restricting access and awarded penalties in respect of each breach, bringing the total penalty to \$144,000, all of which the Authority directed to be payable to the union.

“The Authority recognises that the union and members have suffered damage by its inability to get statutory access to the two workplaces. This is an important decision. Access and bargaining difficulties continue to arise at other Talleys owned plants, including their North Island AFFCO plants.

“Workers should not have to go to Court to exercise their basic rights to freedom of association and collective bargaining.

“Sadly, with the Talley's group of companies, it seems it's the only way” Ms Fenton said.