

29 April 2010

S10.09

Submission to the Department of Labour on School Children in Paid Employment

The National Council of Women of New Zealand (NCWNZ) is an umbrella organisation representing 46 nationally organised societies and national members. It has 26 Branches spread throughout the country to which women from national and local societies are affiliated. The Council's function is to serve women, the family and the community at local, national and international levels through research, study, discussion and action. NCWNZ has a longstanding history of encouraging the promotion of social and health issues, particularly as they affect women.

NCWNZ has contributed in many ways to Employment issues and wishes to convey its thanks for this opportunity to participate in the "School Children in Paid Employment: A Summary of Research Findings" Discussion Document.

The members of NCWNZ have always expressed a united concern regarding improving and protecting all people in employment, especially women. NCWNZ has been at the forefront of campaigns to reduce the exploitation of workers and as early as 1924 passed a remit on the exploitation of child workers.

NCWNZ has considered the summary of research findings in this review of school children's participation in paid employment and note members' responses as follows:-

1. Employment Participation.

Members overall expressed their concern at the number of low age, 13 & younger, that some children (majority male) are commencing some form of part time paid employment. Some members would like a restriction of hours to be put in place for this age group such as up to 5 hours per week, although they acknowledge this may be impracticable to implement.

All members were in consensus regarding the impacts that social and economic factors have in school children making choices to participate in paid employment, the hours worked, and the age they commence.

If there was a recorded increase in participation disproportionate to the number of children in this age group, members believed this would require urgent study by the Department of Labour to identify why, ensuring they are not at risk of exploitation.

2. Employment Conditions

Members were not surprised that the lower the age of the school children in paid employment the less likely they were to have an employment agreement or a good understanding of their employment rights. However, it was noted that there was an overall lack of understanding mostly up to the age of 16 years and over.

Members suggested this issue requires urgent redress and suggest the development of the following strategies:-

- a) to provide school children in paid employment information to understand their employment rights expressed in terms they can relate to. Members suggested a website and specific 0800 Youth Employment Rights help line would assist in increasing awareness.
- b) to reiterate to employers that entering into employer/employee paid employment relationships requires formal documented employment agreements as outlined in the Employment Relations Act 2000.
- c) All school children's paid employment agreements to be countersigned by parent or guardian and witnessed by a Justice of the Peace. This provision should be added as a clause in the Employment Relations Act 2000.

3. Pay Rates

Members highlighted their collective concerns that there may be a strong relationship between age and pay rates and the potential for employers to target the 15 years olds and under for positions to limit their legal obligations for paying 16 – 17 year olds. NCWNZ members felt this was potentially unfair, particularly if the position responsibilities are the same.

It was agreed by members that pay rates for school children in paid employment do require robust methods of reporting and measurement to ensure there is no unfair employment practices and economic exploitation.

4. Health and Safety

Members overall considered that it is the responsibility of employers to ensure that the school children they engage in paid employment fully understand all workplace hazards particular to the individual employment environment and all incidents reported no matter what age. Members believed this information may require specific wording/explanation in line with the age of the recipient.

5. Education and Employment

While this study does provide thresholds i.e. part time hours of up to 15 hours a week, the positive outcomes it suggests may not be consistent. Members did note there was little gender analysis provided in this area.

NCWNZ welcomes and supports further investigation and identification of the threshold for the number of hours worked by both sexes, the effects that are detected on their levels of educational grades, attainment of qualifications and future employment as an adult. All members agreed this will assist parent and guardians with proven robust analysis and information to assist them to provide guidelines while assisting their school children's employment decisions.

Conclusion

NCWNZ members welcomed the release of these findings for discussion however a majority view expressed was that it is both the responsibility firstly of the employer to fulfil their legal obligations as set out in current legislation to provide written agreements and adhere to the workplace Health and Safety guidelines established. Secondly and most important, in our members view, it is the responsibility a Parent or Guardian is to ensure the wellbeing and safety at all times of the children under their care.

As new research is collated as detailed under Priority Research Activities Content our Members look forward to participating in future School Children in Paid Employment discussions.

Elizabeth Bang
National President

Juanita O'Brien
Employment Standing Committee