



A Quick Guide to the 'Good Employer'

Guidance from the EEO Commissioner
NZ Human Rights Commission



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ISBN: 978-0-478-32924-7 (PDF version)

November 2008

Aotearoa New Zealand

Foreword

New Zealanders increasingly choose to work for good employers. They want fairness for themselves and others and want to contribute to organisations that are sustainable, productive and innovative, and demonstrate sound values.

The following advice is aimed at helping organisations develop, practice and promote equal employment opportunities.

The experience of being a 'good employer' is likely to change over time in response to changes in the labour market and requirements for human capital. Technological imperatives, environmental change and socio-economic dynamics will also impact on equal employment opportunities.

Being a 'good employer' is vital for New Zealand's future as a vibrant economy and a decent society.

Dr Judy McGregor
Equal Employment Opportunities Commissioner

Introduction

The Good Employer Getting it Right publication was developed by the Human Rights Commission in consultation with Crown entities, the CTU and PSA, the State Services Commission, the Pay and Employment Equity Unit in the Department of Labour, CCMAU and portfolio departments.

This 'Quick Guide' provides advice for all public and private sector organisations to become 'good employers' and provide equal employment opportunities for staff.

It contains the following sections:

1. The legislation.
2. Why be a 'good employer'?
3. What is a 'good employer'?
4. How to be a 'good employer' and develop an EEO programme

Also available ONLINE are the Good Employer resources which can be found at www.neon.org.nz. A new, free reporting tool to help employers profile their workforce is also now available.

This online reporting tool "is a fantastic, on-line initiative that will enable employers to see who they employ and look at things like the age of their workforce, the number of women, and the diversity of their employees and managers," says EEO Commissioner Dr Judy McGregor.

"It also allows organisations to report on and assess their EEO initiatives and should make it easier to tell staff what is happening in their organisation."

To check out the reporting tool and other Good Employer resources go to www.neon.org.nz

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1. The Legislation

Equal employment opportunities

Providing Equal Employment Opportunities (EEO) is an essential part of being a 'good employer'. It is intended to eliminate workplace discrimination. EEO means that people are treated fairly when they apply for a job, and receive equal pay, conditions, training and promotion opportunities once employed

EEO is referred to in a range of employment related laws that deal with being a good employer in both the public and private sectors in New Zealand.

The following pieces of legislation either directly or indirectly refer to the 'good employer':

- Crown Entities Act 2004
- Disability (United Nations Convention on the Rights of Persons with Disabilities) Act
- Employment Relations Act 2000
- Employment Relations (Flexible Working Arrangements) Amendment Act 2007
- Equal Pay Act 1972
- Government Service Equal Pay Act 1960
- Hazardous Substances and New Organisms Act 1996
- Health and Safety in Employment Act 1992
- Holidays Act 2003
- Human Rights Act 1993 with amendments
- Immigration Act 1987
- Injury Prevention, Rehabilitation and Compensation Act 2001
- Local Government Act 2002
- Machinery Act 1950
- Minimum Wage Act 1983
- Minimum Wage (New Entrants) Amendment Act 2007
- Modern Apprenticeship Training Act 2000
- New Zealand Bill of Rights Act 1990
- Parental Leave and Employment Protection Act 1987
- Privacy Act 1993
- State Sector Act 1988
- Volunteers Employment Protection Act 1973
- Wages Protection Act 1983

The State Sector Act and the Crown Entities Act refer to four specific EEO target groups. The Acts state that:

- the aims and aspirations, employment requirements, and need for involvement of Māori as employees of the entity;

- the aims and aspirations and employment requirements and the cultural differences of ethnic or minority groups;
- the employment requirements of women, and
- the employment requirements of people with disabilities

should be taken into account when developing a 'good employer' EEO programme.

The Employment Relations Act 2000 (ERA) places obligations on all employers. It requires employers, employees and unions to deal with each other in good faith. The basic requirement is that the parties may not mislead or deceive each other.

This requirement applies to all aspects of the employment relationship including, but not limited to, collective bargaining, interaction generally between employers, employees and unions, union access to workplaces, and consultation about restructuring.¹

The framework for the conduct of employment relations "is based on the understanding that employment is a human relationship involving issues of mutual trust, confidence and fair dealing, and is not simply a contractual economic exchange".²

Please note the Disabled Persons Employment Promotion Act has been repealed and amendments were made to the Minimum Wage Act.

1 Guidelines to the Employment Relations Act published September 2000 by the State Services Commission

2 Explanatory note that accompanied the ER Bill when it was introduced to Parliament

2. Why be a 'good employer'?

There are many reasons why an organisation would want to be a 'good employer' and provide equal employment opportunities for all staff. The most important reason is that it is the fair and reasonable thing to do. Other business-related reasons include:

- a. attracting and retaining employees
- b. improving productivity and innovation and utilising the talent, creativity and energy of employees
- c. meeting the needs of diverse customers, clients and members of the public
- d. diversifying business management style
- e. improving organisational reputation
- f. ensuring legal compliance and reduce risk.

a. Attracting and retaining employees

Being a 'good employer' and having an EEO programme is a powerful way to increase workplace efficiency, competitiveness and profitability. By supporting EEO strategies that encourage merit-based appointment and people-focused management practices, organisations are more likely to attract and keep the people they need to be successful.

EEO strategies ensure that organisations maximise the benefits of a diverse talent pool, which will improve business success. A 'good employer' encourages employees to develop in ways that respect their abilities and needs as individuals, and values them as a critical strategic asset to the organisation. An inclusive and tolerant workplace motivates employees to perform to the best of their ability. It promotes understanding between people, creating a stronger and more focused organisation, and cohesive teamwork.³

Like other OECD countries, New Zealand currently has a systemic skills shortage and at August 2008 had one of the lowest unemployment rates of OECD countries at 4%.⁴ However, the four target groups referred to in state sector EEO legislation are more likely to be unemployed or under-employed, and will form a growing proportion of the future workforce. Below is a summary of factors influencing labour market participation in New Zealand.

Employment

As at August 2008 the New Zealand workforce participation rate is 68.8%⁵

³ Edited from EEO Trust website www.eeotrust.co.nz

⁴ Stats New Zealand Household Labour Force Survey June 2008 quarter

⁵ *ibid*

The female workforce participation rate is steadily increasing. In 1971 women's labour force participation rate was less than half that of men (39% compared to 82%). Thirty years later in 2001, there were 60% of women in the labour force compared to 74% of men. In 2008 the female participation rate was 62.4% and the male participation rate 75.4%.⁶

New Zealand is near the top of the OECD in rates of workforce participation among older people. Workers aged 55 and over now comprise about one in six of the total labour force, at 17%.⁷

Firms continue to report significant difficulty finding both skilled and unskilled labour. The deepening of skill and labour shortages appears to be the result of strong demand for labour outstripping growth in the supply of labour. With the unemployment rate at a record low, the number of people available and actively seeking work, that employers can easily hire is very limited.⁸

The unemployment rate, as measured in the second quarter of 2008, was 3.9%. The unemployment rate has remained below 4.0% for over three years and is the sixth lowest of the 27 OECD countries with comparable data.

However the global economic turmoil has led to uncertainty about future employment rates.

Substantial differences in unemployment rates persist for different ethnic groups. Māori unemployment rose from 11% in 1986 to a peak of 25% in 1992, but had fallen to 7.1% by August 2008. This is the lowest rate recorded for Māori unemployment since the Household Labour Force Survey began, but is still a little under double the Pākehā rate.

Between 1986 and 1991, the unemployment rate for Pacific peoples rose from 6.6% to 28%, the highest rate for any ethnic group. It has declined significantly since the mid-1990s, and was 6.5% in August 2008⁹. The rate for New Zealand Pākehā is 2.8%.¹⁰

The unemployment rate for women is 4.0% as reflected in the Household Labour Force Survey June 2008 quarter. Available data on the employment of people with disabilities indicates persistent underemployment. The labour force participation rate for people with disabilities is 4.5% compared to 77% for non disabled people (Statistics NZ Information Request 2006 Census Data). People with disabilities are more likely to be employed part-time than their non-disabled peers.

⁶ Stats New Zealand Household Labour Force Survey June 2008 quarter

⁷ Derived from data in Department of Labour, Labour market reports June 2008 quarter

⁸ *ibid*

⁹ *Ibid*

¹⁰ *Ibid*

Births

The annual birth rate for the year ending March 2008 was 2.1 births per woman, the replacement rate. This represents a slight increase from recent years. The birth rate has been relatively stable at around 2.0 births per woman over the last 30 years.¹¹

The changing environment

The age structure of the population will continue to undergo gradual but significant changes. By 2012, half of the New Zealand labour force will be older than 42 years compared to 39 years in 2001 and 36 years in 1991.

Between 2001 and 2021, Asian, Pacific and Maori ethnic populations are all projected to grow faster than the New Zealand population overall.

Migration flows indicate a net gain of 5,500 in the year to December 2007, down from 14,600 the previous year. The fall in annual net migration flows is mainly due to more New Zealand citizens leaving, mostly to Australia and fewer New Zealanders returning. This is partially offset by a small increase in non-New Zealanders arriving.

“In the context of falling net migration, low unemployment and high participation, economic growth based predominantly on increasing the number of people entering employment cannot be sustained indefinitely. Therefore, raising the productivity of the workforce is even more crucial to maintaining economic growth and also alleviating skill shortages.

Over the long-run, increases in labour productivity can be achieved through both raising the skill level of the workforce and through the better utilisation of the skills New Zealand already has.”¹²

ASB Bank chief economist Anthony Byett has noted that “global trends mean New Zealand's labour market will remain tight and more needs to be done to improve the lot of workers in New Zealand. It makes it very important that we have good working environments for people and that we have got the latest technology in the workplace.”¹³

“We may be close to the limit of our labour utilisation in New Zealand, and the gains to be made are around ensuring that the best matching between skills and jobs is happening, for example highly qualified women are able to work in high skilled jobs rather than low skilled (often) part time jobs. And that skill levels rise generally and they are effectively used.”¹⁴

¹¹ Stats New Zealand Births and Deaths March 2008 quarter media release

¹² <http://www.dol.govt.nz/lmr/lmr-skills.asp>

¹³ Predictions Brain Drain will Worsen, www.stuff.co.nz Nov 05.

¹⁴ David Paterson, Principal Analyst, Labour Market Dynamics, Department of Labour

Many New Zealanders are currently being under-utilised, and would want paid work if workplaces were willing and able to accommodate their needs. This includes part-timers (mainly women) who want longer hours or higher-skilled work; people with disabilities; and parents who are currently out of the workforce and need flexibility.

“Even with a slowing in demand for workers, as labour is expected to stay in short supply, skill and labour shortages are set to remain a major issue in the New Zealand economy.”¹⁵ Skill shortages can occur for a number of reasons. Genuine skill shortages occur when there are insufficient job seekers with the required skills. However, recruitment and retention difficulties occur when there is a considerable supply of individuals with the required skills in the potential labour market but they are unwilling to take up employment at current levels of remuneration and conditions of employment.¹⁶

For example across the health sector there are massive recruitment and retention problems; at the same time, about 30% of nurses with annual practicing certificates are not actively nursing. The New Zealand Nurses Organisation spokesperson Rob Haultain says ‘We need to look at what would attract these nurses back to nursing and for many who care around the clock, having flexible working hours is a key factor.’¹⁷

Māori, Pacific peoples and workers who have migrated to New Zealand will increasingly become a larger proportion of the labour force. Employers will need to adequately address the needs of these workers, if they wish to attract them to their workplaces, utilise their skills effectively, increase productivity and retain them. A survey by recruitment agency Hays NZ has shown that due to the skills shortage, far more employers now believe retaining staff is more important than recruiting new talent.¹⁸

b. Improving productivity and innovation and utilising the talent, creativity and energy of employees

The first strategic overview of EEO across the public and private sectors in New Zealand stated that ‘one of the government’s objectives in New Zealand has been to promote the economic conditions whereby the country could return to the top half of the OECD rankings, when judged in terms of per-capita income. To achieve the permanent income gains that would allow for such movements up the OECD rankings, two things must happen. First, more people must enter and remain in the paid labour force. Second, productivity gains must be achieved within the workplace, so that there is continual growth in the levels of income generated by each worker. Although it may seem counter-intuitive to some members of the business community, efforts to promote EEO can contribute significantly on both counts.’¹⁹

¹⁵ <http://www.dol.govt.nz/lmr/lmr-skills.asp> Skills in the Labour Market, Labour Market Report

¹⁶ *ibid*

¹⁷ The Jobs Letter, No 247 24 February 2006, www.jobsletter.org.nz

¹⁸ The Jobs Letter, No 247 24 February 2006, www.jobsletter.org.nz

¹⁹ Mintrom M and True J, Framework for the Future, EEO in New Zealand, June 2004.

“The emerging approach to achieving high performance sees managers as responsible for creating the environment which enables employees to perform through focussing on the needs of employees – and this in turn is what drives improved organisational results.”²⁰

Workers who are treated with respect and dignity, and whose differences are accepted and celebrated, are much more likely to be loyal to the organisation. Committed workers are productive workers. People are the driving force for excellence.

People will be drawn to workplaces that treat them as individuals. Without recognition of employees’ unique qualities, their contribution is often minimised or lost. Employees from diverse backgrounds are happier and more productive if they are appreciated and included, not assimilated or ‘tolerated’.

Improved innovation and creativity are documented benefits of diversity. Teams that are diverse and inclusive find innovative, feasible and effective ways to overcome challenges. They bring a variety of perspectives to a situation and thus offer a wider range of solutions.²¹

There is a correlation between societies and workplaces that are socially diverse, and the degree of creative intellectual and technological endeavors occurring within them. For example, Richard Florida, who conducted research in this area, has found that cities with a large ‘creative class’ also happen to have large socially integrated gay communities.²² This idea is also explored by Frans Johansen who describes the innovation possible when diverse disciplines and cultures intersect.²³

c. Meeting the needs of diverse customers, clients and members of the public

If employees identify with the customers or clients they service, the employer benefits. Diversity enriches the knowledge base of the workforce, and brings a broader range of personal networks and resources to work. This makes it more likely that staff will understand the needs of clients, and be able to draw on the skills required to provide excellent client-focused services. Also, if employees feel respected and valued, they are much more likely to deliver great service to customers. Providing equal employment opportunities for employees is linked to improved staff satisfaction, and ultimately to better service.²⁴

²⁰ People Capability Sub Committee, Strategic Plan for Goals 1 and 2, State Services Committee, 28 November 2005

²¹ Diversity@work, <http://www.work.asn.au/businesscase/>

²² Richard Florida, *The Rise of the Creative Class And How Its Transforming Work, Leisure Community and Everyday Life*, Basic Books, June 2002.

²³ Frans Johansen *The Medici Effect What elephants and epidemics can teach us about innovation*, Harvard Business School Press, 2006

²⁴ EEO Trust, *Versatile workplace Business Success*, p7

d. Diversifying business management style

The diversification of management is more likely to lead to creative thinking, technological innovation and greater return on investment, as 'group-think' is diluted.

For example, in 2007 the US research organisation Catalyst conducted a survey of Fortune 500 companies.²⁵ They examined three critical financial measures: return on equity, return on sales, and return on invested capital.

Catalyst found that companies with the highest representation of women board directors outperformed those with the least women directors by 53 percent for return on equity, 42 percent for return on sales, and 66 percent for return on invested capital.

e. Improving organisational reputation

A 'good employer' can brand and position themselves as an Employer of Choice. They can use this terminology in their recruitment, advertising and other promotional material. This is a powerful way to attract talented people in a competitive marketplace. Being a 'good employer' allows organisations to differentiate themselves from other organisations and achieve public acknowledgment for providing equal employment opportunities.

The New Zealand State Services Commission "is focussed on improving the overall performance of the State Services to ensure the system can meet the needs of New Zealanders, whilst serving the government of the day". They have established a set of Development Goals for the wider State Services, which were launched in March 2005. The goals are "aspirations for how the State Services will be arranged and perform". Being an Employer of Choice is the first of these Development Goals.

Equality and Diversity - the new EEO policy for the Public Service - was launched on 17 April 2008. The policy states: "Integrating equality and diversity is a key ingredient for organisational success. It helps to improve services to the government and people of New Zealand, and to attract and retain talented staff."²⁶

²⁵ The Bottom Line: Corporate Performance and Women's Representation on Boards, Catalyst 2007

²⁶ <http://www.ssc.govt.nz/display/document.asp?DocID=6546>

f. Ensuring legal compliance and reducing risk

The first section of this paper lists the legislation relevant to 'good employer' obligations.

In the 12 months ending 30 June 2008 the Human Rights Commission received 1326 complaints with an element of discrimination.

A total of 43% of complaints related to unlawful discrimination in employment or pre-employment. Of these complaints 27.7% related to one of the race grounds; 24.4% related to disability; 14.9% related to sex discrimination and 9.3% related to age discrimination.

'Good employers' treat all staff with respect and dignity. They ensure that they comply with their legal obligations and therefore reduce the risk of an employee complaining of discrimination and taking legal action.

3. What is a 'good employer'?

Case law

There are some common themes in the legal cases where the 'good employer' has been referred to:

- There is no one recipe or template for being a 'good employer', as it relies on context and the facts of each case.
- The State Sector Act 1988 reaffirmed the concept of the 'good employer' and "elevated it to a principle" which permeates other pieces of legislation (such as the Crown Entities Act 2004), policy and practice.
- The concept of the 'good employer' is bound up with the principles of natural justice and requires employment procedures to be 'fair in all the circumstances'.
- The 'good employer' obligations, including administrative fairness, can readily be adapted to all stages of the employment agreement. For example, there is a duty to act fairly in appointments, recruitment, promotion, pay relativities, redundancy and so on.
- A failure to consult adequately with staff about aspects of the employment relationship breaches the 'good employer' obligations.
- The 'good employer' principle imposes obligations of 'trust, confidence and fair dealing'.
- In the Rankin case, for example, it was stated that "where an employer required by statute or by contract to be a 'good employer' had it in mind not to renew the fixed term employment of an employee who was eligible for reappointment by reason of dissatisfaction with his or her conduct or performance, the employer was under a duty to disclose the factors being considered so far as they were not obvious or present to the mind of the employee and to give him or her a reasonable opportunity to address the employer's concerns".
- The 'good employer' requirement may not necessarily be explicit in the employment agreement, but this does not mean that it does not apply. In one particular case, it was said that the agreement was not immune from the implied term of fairness. That implied term was bolstered by the 'good employer' provisions of the State Services Act 1988.
- It has been said that the duty to treat employees fairly and reasonably exists independent of statute. The statutory duty is to put in place a personnel policy that will ensure that the contractual duty is carried out.
- In a case involving constructive dismissal, after a request for one year's unpaid leave for family reasons was denied, it was argued that the 'good employer' notions required consideration of Māori notions of extended family.

Exceptional workplaces

What makes a workplace good or even exceptional? In 2004, an Australian research project, *Simply the Best*, located 15 themes or drivers for workplace excellence. These are shown in Figure 1.²⁷

Figure 1: Drivers for workplace excellence



The researchers said:

“As we discussed and analysed our findings further, it became clearer that the central focus for excellent workplaces was the quality of the working relationships between the people who worked in them. All the other dimensions were important, but somehow the issue of working relationships linked all of them together”. “We cannot emphasise enough that what distinguishes the excellent workplaces from the very good workplaces is that these 15 drivers are all present in the excellent workplaces, without exception...”²⁸

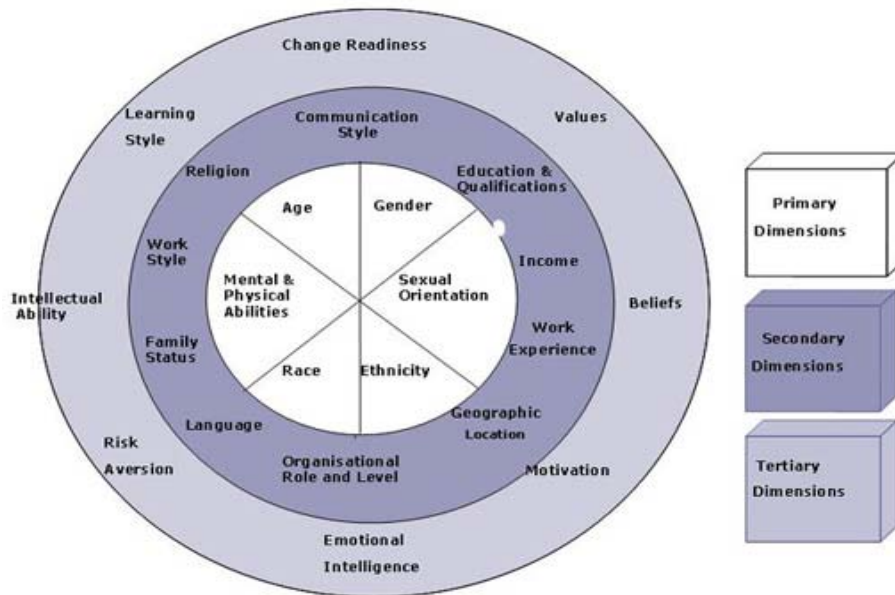
²⁷ ACIRRT, University of Sydney, *Simply the Best Working Paper 88*, 2004.

²⁸ ACIRRT, University of Sydney, *Simply the Best Working Paper 88*, 2004

Layers of diversity

There are many layers of diversity, and people identify with many characteristics or qualities, not just with gender, ethnicity or whether they have a disability. Loden and Rosener²⁹ have developed a model of diversity which involves the interaction of three dimensions. This is shown in Figure 2.

Figure 2: Layers of Diversity



It is the combination of these diverse factors in the model above that makes workplaces and people unique and diversity complex. Any EEO programme or plan needs to take this into account.

²⁹ Loden M and Rosener J: *Workforce America!* 1991.

4. How to be a 'good employer' and develop an EEO programme

Organisational employment elements

A 'good employer' is an organisation that provides and supports an environment where employees feel valued and respected, where difference is celebrated and diversity encouraged, and where there is active staff engagement, transparency on policies and procedures, clear complaints procedures, and regular feedback. The 'good employer' makes maximum use of the skills and strengths of all staff, but has special regard for those groups most commonly overlooked - Māori, women, ethnic or minority groups, and people with disabilities.

There are seven key elements that organisations need to concentrate on to ensure they are a 'good employer'. They are:

1. Leadership, Accountability and Culture

Demonstrates leadership and vision that articulates the values of the organisation and the importance of people and diversity; a structure that is supportive and equitable; managers that are accountable for providing equal employment opportunities for their staff and managing diversity; willingness to build engagement processes with employees and their representatives; opportunities for staff to participate in organisational decisions; and a learning culture which recognises and supports the aims and aspirations of all employees.

2. Recruitment, Selection and Induction

Uses diverse networks when recruiting staff; implements an impartial, transparent employment process with no barriers or biases to employing the best person for the job regardless of gender, ethnicity and disability; and provides a comprehensive introduction to the organisation for all employees setting out the organisation's values and employee opportunities.

3. Employee Development, Promotion and Exit

Provides a learning environment and takes a positive, equitable approach to developing all employees through internal and external training, coaching and mentoring; develops employees in line with organisational and individual requirements; provides equal opportunities for all employees to move up, through and out of the organisation in a positive way; and provides performance management practices that are transparent and fair.

4. Flexibility and Work Design

Workplace design and organisation takes account of the need to assist employees to balance work with the rest of their lives and ensures managers relate to employees in a respectful and flexible way, considering the employment requirements of all groups including parents and other carers.

5. Remuneration, Recognition and Conditions

Has a transparent, fair, gender neutral remuneration system which is regularly reviewed; ensures equitable job opportunities and conditions; and recognises employee contributions.

6. Harassment and Bullying Prevention

Provides a zero-tolerance environment to all forms of harassment and bullying; takes a pro-active approach to training managers and staff on their rights and responsibilities; has a specific policy and procedure for dealing with harassment complaints and acts quickly to address complaints.

7. Safe and Healthy Environment

Provides a healthy and safe workplace and trains all employees on their rights and responsibilities; creates an environment that supports and encourages employee participation in health and safety; takes a pro-active approach to employee health and wellbeing in order to provide physical, cultural and psychological safety; deals with issues in a supportive way;

The Good Employer

7 Key Elements

The 'good employer' values equity and fairness and has policies, programmes and practices that promote these values.

The 'good employer' makes maximum use of skills and strengths of all staff but has special regard for those groups often overlooked or marginalised – including women, Māori, other ethnic communities, people with disabilities and other minority groups.

Key elements of being a 'good employer' relate to recruiting, developing, managing and retaining staff to achieve the results set out in each Crown entity's Statement of Intent and output agreement.



Human Rights
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1. Leadership, Accountability and Culture
 - strong leadership and clear vision where people are valued
 - engagement processes with employees and their representatives and opportunities for them to engage and participate in organisational decisions.
 - managers accountable for providing EEO and managing diversity
2. Recruitment, Selection and Induction
 - impartial, transparent employment process
 - no barriers or biases to employing the best person for the job
3. Employee Development, Promotion and Exit
 - positive, equitable approach to developing all employees
 - equitable treatment for all employees to move up, through and out of the organisation
 - transparent and fair staff development practices in training, coaching, mentoring, promotion and performance management
4. Flexibility and Work Design
 - workplace design that assists employees balance work with the rest of their lives
 - consideration of flexible work practices to accommodate staff employment requirements
5. Remuneration, Recognition and Conditions
 - equitable, transparent and gender neutral remuneration system
 - equal access to job opportunities and conditions
 - recognition of employee contributions
6. Harassment and Bullying Prevention
 - zero-tolerance of all forms of harassment and bullying
 - managers and staff trained on their rights and responsibilities
 - policies for addressing harassment complaints
7. Safe and Healthy Environment
 - pro-active approach to employee health, safety and well-being
 - managers and staff trained on their rights and responsibilities
 - obstacles for people with disabilities reduced
 - environment that supports and encourages employee participation in health and safety

Engagement, consultation and participation

“We need to give more attention to what kind of workplaces we need in the future and what are the characteristics of that workplace. The CTU’s vision is for workplaces that are based on respect and fairness, value diversity and use the skills and capability of the workforce. Modern unions play a critical role in providing structures that enable all workers to be engaged, participate in workplace issues that matter to them and processes to improve workplace practices”.

(Helen Kelly, President, Council Trade Unions)

Employee engagement has been described as employees being intellectually and emotionally committed to the goals of their organisation and work group. When an employee is ‘engaged’ they are more likely to speak positively of their organisation to others, to apply their best efforts to their work, and to want to remain part of the organisation. Effective engagement is a proven way to foster better organisational results. “Research has shown a clear link between certain behaviours and attitudes (which measure “engagement”) and business results such as customer satisfaction, productivity, health and safety, and retention”.³⁰

‘Good employers’ must ensure that they engage staff. They cannot know fully about issues and concerns unless they have consulted with their employees. Obtaining staff participation in the process to analyse employment areas and address any concerns raised is critical to ensuring that the right areas are addressed and the most effective changes are made.

Creating a culture of engagement between employers, staff and unions:

- builds commitment to equal opportunity and change
- provides employers with the opportunity to test their own thinking
- encourages the development of ideas and worker innovation
- provides the opportunity for employees to participate in decision-making
- helps identify barriers to equal employment opportunities
- enables employees to share responsibility for action
- improves workplace morale.

To engage everyone, it is critical to ensure that the organisation has a well developed system or process for consultation and information-exchange between and among the workers, unions and employer. Consulting workers is a ‘powerful approach to measuring and improving people management practices and leadership behaviours that impact on organisational results’.³¹

³⁰ People Capability Sub Committee, Strategic Plan for Goals 1 and 2, State Services Committee, 28 November 2005

³¹ People Capability Sub Committee, Strategic Plan for Goals 1 and 2, State Services Committee, 28 November 2005

It is important to consult as widely as possible, for example with:

- a cross-section of women and men of different ages and ethnicities who work in diverse roles
- established employee and union groups or committees
- managers, to elicit their commitment to EEO and to organisational change, and to establish what the business issues are so that EEO interventions are aligned with workplace change (for example, if the organisation is re-structuring, this may mean that issues around recruitment are a high priority)
- Chief Executives, because leadership from the top is vital if EEO is to become part of organisational culture.

Ways to engage and consult with staff could include:

- establishing a working group consisting of employee, unions and management representatives at the beginning of the process to develop and implement the EEO programme. Where there is a partnership relationship already in place, this would be a helpful starting point, for example Quality for Partnership Bipartite Forums.
- liaising with workplace union/s. 'Good employers' recognise and actively engage with unions in their workplace on substantive issues that affect the workforce. They are supportive of unions, work constructively with them and recognise the right of employees to be union members and to participate in union activities.
- working with pay and employment equity (PAEE) review committees.³²
- working through staff or team meetings, or other networking meetings for specific groups such as women, Māori, or Pacific peoples
- undertaking surveys, either questionnaires, focus groups and/or one-on-one interviews.
- having discussions in performance management reviews and exit interviews.
- working through diversity or EEO councils or summits.

³²Pay and Employment Equity Review Workbook, <http://www.dol.govt.nz/PDFs/peeu-review-workbook.pdf>

“A work team’s [or organisation’s] action plan should be developed by the team using the results [of the consultation] as the basis for identifying opportunities for improvement and celebrating areas of strength...To simply conduct a survey and then not take action is actually counter-productive, as employees then feel that it was not worth expressing their views and in all likelihood become less engaged”.³³

Many organisations already engage employees and form partnerships between staff, unions and management on workplace issues. Provision should be made to use and develop existing mechanisms and methods so as to ensure that the organisation integrates the development and implementation of the EEO plan of action throughout the organisation.

Models where engagement and worker participation are occurring or have occurred successfully are:

- in the health sector, where unions and employers have formalised a Health Sector Code of Good Faith. This consensus document was developed by DHBNZ and the CTU and is now a Schedule in the Employment Relations Act. The Code establishes processes about relationships, advocacy and speaking out, contracting out, collective bargaining, industrial action and patient safety.
- in some District Health Boards, where there are engagement workshops involving unions and management.
- Pay and Employment Equity (PAEE) Reviews, which are currently occurring in the education, health and broader public sector and require a committee to be established in partnership from the beginning. www.dol.govt.nz/services/payandemploymentequity
- In the Partnership for Quality (PfQ) agreement between the PSA and government. The PfQ agreement is available on the PSA website www.psa.org.nz. A resource kit for HR practitioners, ‘Partnership for Quality’, is available on the State Services Commission website www.ssc.govt.nz/pfq-resource-kit07
- in Part 2A of the Health and Safety in Employment (HSE) Amendment Act 2002, where the purpose and provisions of employee participation in health and safety are outlined. As it is mandatory for all organisations to have such provisions, these structures and processes for participation can work well for other matters of employee wellbeing, including EEO. The purpose is to require the participation of employees in processes relating to health and safety in the place of work, so that:
(a) all persons with relevant knowledge and expertise can help make the place of work healthy and safe; and

³³ People Capability Sub Committee, Strategic Plan for Goals 1 and 2, State Services Commission, 28 November 2005

(b) when making decisions affecting employees and their work, an employer has information from employees who face the health and safety issues in practice.

A common response to this HSE Act requirement is to have a committee structure that goes from front-line to executive levels of organisation - using cascade 'up and down' or 'over and across' communications.

The publication *Work-Life Balance: a resource for the State Services* provides an example of how implementing work/life balance can be done in partnership: www.ssc.govt.nz (see Chapter 5, Making Work-life Balance Happen in the SSC).

Another example can be found in an NZCTU publication "It's about Time: A Union Guide to Work Life Balance: www.union.org.nz

EEO programme development – a change model

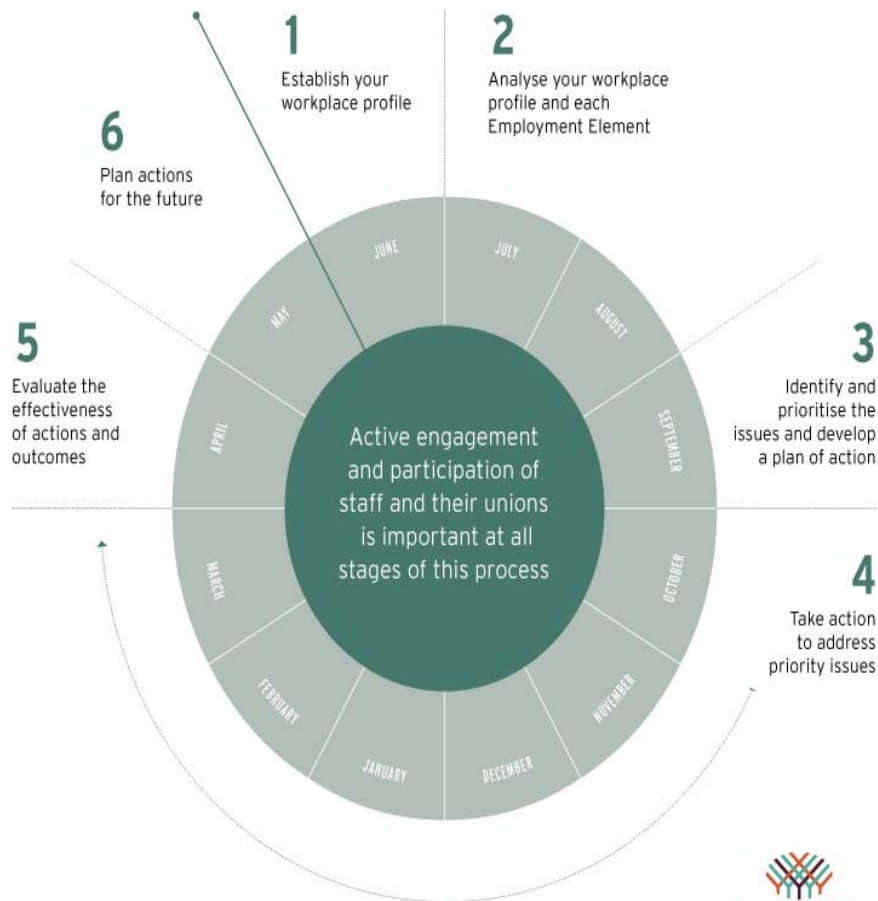
There are many different paths to improving equal employment opportunities. The following six-step methodology can be adapted by organisations of any size, to suit their existing data collection methods, structures and ways of doing business. It relies on excellent analysis of the issues, identification of what is working well, and areas where improvement is needed. This cannot be done without consulting staff and their representatives. They are the ones most likely to identify issues that need to be addressed, and to highlight what is working well, so that the organisation can build on success.

Steps

1. Establish and review the workplace profile
2. Analyse the workplace profile and each employment element
3. Prioritise the issues and develop a plan of action
4. Take action to address priority issues
5. Evaluate the effectiveness of those actions and outcomes achieved
6. Plan actions for the future.

Development of Equal Employment Opportunities

A Change Model



Download poster from website www.neon.org.nz

Workplace profile

The workplace profile needs to include factual information about the composition of the workforce. As a minimum, information relating to gender, ethnic background and job-based characteristics of the workplace should be included. Key questions to answer are:

- How many men and women work here?
- What are the ethnic backgrounds of people who work here and how many in each group?
- How many people with disabilities work here?
- What types of jobs do these groups have?
- At what level are people in the identified groups within the organisation hierarchy?
- How many people in the identified groups work part time?
- What are the average salaries of groups of employees, so they can be compared?

ETHNIC WORKPLACE PROFILE															
	Māori			Pacific Peoples			Asian (incl. Sth Asian)			Other Ethnic Groups			Pakeha /European		
	Full time	Part time	Av Salary*	Full time	Part time	Av Salary*	Full time	Part time	Av Salary*	Full time	Part time	Av Salary*	Full time	Part time	Av Salary*
Managers**															
Professionals															
Technicians & Trade Workers															
Community & Personal Service Workers															
Clerical & Administrative Workers															
Sales Workers															
Machinery Operators & Drivers															
Labourers															
Total															

* This could be the average annual salary or hourly salary depending on what information is more valuable for the organisation

**This could be divided into managers and senior managers if the organisation has both

The organisation may also want to examine open term and fixed term and perhaps casual workers if applicable

GENDER WORKPLACE PROFILE

	WOMEN			MEN			TOTAL
	Full time	Part time	Av Salary*	Full time	Part time	Av Salary*	
Managers**							
Professionals							
Technicians & Trade Workers							
Community & Personal Service Workers							
Clerical & Administrative Workers							
Sales Workers							
Machinery Operators & Drivers							
Labourers							
Total							

* This could be the average annual salary or hourly salary depending on what information is more valuable for the organisation

**This could be divided into managers and senior managers if the organisation has both

The organisation may also want to examine open term and fixed term and perhaps casual workers if applicable

Analysis

The organisation should undertake a thorough workplace analysis. This is the first step in identifying the issues which may be preventing the employment of, or hindering the advancement of, particular employees, OR conversely uncovering initiatives that may be supporting equal employment opportunities. Analysis can occur through reviewing:

- the workplace profile
- human resource statistics
- information received through employee consultation and discussion
- human resource policies and practices relevant to the seven employment elements.

The level of investigation will vary depending on the organisation's specific circumstances. For example, if the organisation is re-structuring, more time may be spent analysing recruitment data than other data.

For small organisations, this will be a much less time-consuming process. It is still important to clearly identify the issues facing the workforce, and the actions required to make the most difference.

When analysing issues, some key questions to consider are:

- What is working well for all the staff?
- What are the reasons for particular individuals or groups doing well, or the reasons for them not doing as well as others?
- What needs to be improved so that more individuals or groups can fulfil their potential?
- What needs to happen to increase the diversity of the organisation at all levels?

At the end of this process, the organisation should know its EEO strengths and weaknesses and what the issues are for various groups within the organisation, as well as the priority issues for individuals.

Diagnosing Equity Issues

The Department of Labour's Pay and Employment Equity Unit has produced a pay and employment equity (PAEE) review process, and a supporting workbook. This process will assist organisations in undertaking gender equity reviews, as part of the Government's Pay and Employment Equity Plan of Action. The workbook provides a structured sequence of enquiry for diagnosing gender equity issues in organisations.

This review process can also be tailored by organisations to produce a workplace profile on a range of 'good employer'/EEO issues.

The review asks organisations to assess their success in providing pay and employment equity against three key indicators:

- Women and men have an equitable share of **rewards**
- Women and men **participate equitably** in all areas of the organisation, and
- Women and men are treated with **respect and fairness**.

Each of the above indicators has four or five questions targeting key aspects of the indicator, and each key question is supported by a range of possible prompt questions which allow organisations to examine equity dimensions in more detail.

The review involves a **six step process** that helps organisations to **identify the issues to investigate**, and undertake a **preliminary analysis**, then a more rigorous **follow-up analysis**; provides for a **validation process** across the organisation; results in the preparation of a **review report** of issues raised and discussed, and a **response plan** of issues for the organisation. These can either be responded to within the current work programme, or may require additional information or resources to resolve.

It is important to note that while the Pay and Employment Equity review workbook specifically covers 'gender equity' issues, the review process can be tailored by organisations to cover a broader range of diversity/EEO groups, such as Māori, other ethnicities, those with a disability, and other groups.

The review process also includes participation from staff within the organisation, through their involvement on a review committee and wider participation in the review validation process.

Further information can be obtained from the Pay and Employment Equity Unit, by email to equity@dol.govt.nz or telephone 931-6052 or on www.dol.govt.nz/payandemploymentequity

Prioritising issues

Once the issues are known, the next step is to distinguish between those needing long term focus and those needing priority over the next year. A realistic assessment should be made of what is most important to the organisation, and what can be achieved over the course of a year. A number of the issues identified may be the result of a single concern, or a handful of systemic key concerns. If these are addressed, the other problems may resolve themselves.

At the end of this process, the organisation may end up with one or two key issues, or several smaller issues. It then needs to work out what the priorities are, based on a range of considerations. These may include the cost to the organisation and the employees if specific issues are not addressed, the speed with which the issue can be addressed, and whether addressing the issue fits with other changes the organisation is going through. For example, the priority areas might be any number of the following sample issues or they might be quite specific to the workplace. Sample issues are:

- Lack of Pasifika or Māori recruits
- significant occupational segregation
- mainly Pākehā representation in management
- poor rate of return from parental leave
- women with children leaving the organisation in higher numbers than anyone else
- no people with disabilities employed in permanent, regular, ongoing employment
- sex or race based harassment or bullying in the workplace
- fewer training resources devoted to Asian or other ethnic minority groups, relative to others
- lack of awareness among staff of equal employment opportunity practices
- little access to regular part-time or home based work
- no leadership around the importance of good people management and the value of difference.

Priority issues can relate to any of the employment elements or can span a number of them.

Taking action

The organisation now needs to determine what actions (or targeted interventions) it is going to take to address the priority issues that have been identified.

Example 1: Issue - Poor rate of return from parental leave

Actions could be:

- develop guidelines to facilitate conversations between employee and manager regarding future plans for job and baby
- implement a stay-in-touch programme
- make flexible work practices available for parents returning from parental leave
- train managers and employees on how to access flexible leave practices
- provide assistance to new parents to find child care
- increase paid parental leave
- provide facilities to suit breast-feeding mothers

Example 2: Issue – Despite good representation in lower ranks, no Māori representation in management

Actions could be:

- build relationships and engage with Tangata Whenua (local Iwi)
- establish a clear reason why the organisation wants to attract Māori and do a culture audit to establish the importance of things Māori and the workplace attractiveness to Māori
- establish mentoring and coaching programmes with emphasis on Māori
- establish a succession planning scheme and provide career development opportunities, and leadership training for high potential employees, with emphasis on Māori
- give line/operational experience to Māori in staffing roles, as line experience is more likely route to senior positions
- write job advertisements to encourage Māori to apply, and indicate the value the organisation places on equal employment opportunities
- train recruitment consultants and interview panels on EEO and advise them to produce a balanced field of appointable candidates
- remove names from job applications prior to circulating to relevant department or selection committees, and ensure interview panels have Māori representation

- track the diversity of applicants, interviewees and appointments to measure numbers and bias at different stages of the recruitment process
- make diversity of management a senior management performance indicator.
- integrate tikanga into organisational practices through Māori principled policies (e.g. Manaaki policy).

Most actions will need to be continued over successive years before significant results will be seen. However, it is important to regularly assess whether the identified issues remain a priority. Many issues will be longer-term strategic problems which demand concerted action, on-going education and initiatives that will need to be continuously assessed and improved to meet prioritised EEO needs.

Example initiatives – a drop-down list

The following table provides ideas for provisions and practices that eliminate barriers to equal employment opportunities and assist with managing diversity, especially with regard to groups which have traditionally been overlooked. State sector legislation; the State Sector Act 1988 and the Crown Entities Act 2004 refers specifically to Māori, women, people with a disability, and ethnic and other minority groups. These are the groups referred to in the list below with the term 'target groups'.

This drop-down list identifies *possible* provisions, practices and initiatives under each of the employment elements. These are ideas only, but some provisions mentioned, such as the anti-harassment or health and safety policy and procedure, are mandatory. These initiatives will not all be appropriate, desirable or affordable for every workplace. The size of an organisation and the type of industry are both critical factors in determining what the workplace can and should focus on.

EMPLOYMENT ELEMENTS: Drop-down List of Interventions	
1. Leadership, Accountability and Culture Demonstrates leadership and vision that articulates the values of the organisation and the importance of people and diversity; a structure that is supportive and equitable; managers	Initiatives
	High level documents i.e. values, code of conduct, strategic and operational documents, articulate the value of staff and the importance of EEO for all
	Organisational acknowledgement of the different aims and aspirations, employment requirements and the need for involvement of target groups
	Organisational recognition of the value of things Māori; making visible a Māori dimension in the workplace including use of Māori language, culture, practices and/or acknowledgement of the Treaty of Waitangi; and opportunity for staff to understand and contribute to the organisational approach to valuing Māori

<p>that are accountable for providing equal employment opportunities for their staff and managing diversity; willingness to build engagement processes with employees and their representatives; opportunities for staff to participate in organisational decisions; and a learning culture which recognises and supports the aims and aspirations of all employees</p>	Chief Executive champions EEO publicly and articulates its importance externally and internally
	Senior management's responsibility and accountability for EEO included in position descriptions, performance agreements and reviews, and they regularly report on results of EEO initiatives to the Chief Executive, and are rewarded for good practice
	Managers are knowledgeable and skilled in EEO and managing a diverse workforce
	Analyses are undertaken on policies and practices to identify areas of bias and discrimination that have a disproportionate impact on target groups
<p>2. Recruitment, Selection and Induction Uses diverse networks when recruiting staff; implements an impartial, transparent employment process with no barriers or biases to employing the best person for the job regardless of gender, ethnicity and disability; and provides a comprehensive introduction to the organisation for all employees setting out the organisations values and employee opportunities</p>	Initiatives
	Policy addresses recruitment of target groups
	Organisation encourages under-represented groups to consider study/employment in non-traditional areas through career day participation, classroom presentations, and competitions
	Job advertisements indicate the value the organisation places on staff and EEO for all
	Job advertisements are placed to maximise exposure to target groups eg ethnic media
	Where appropriate for the job, competence in kaupapa Māori is included in job specifications and descriptions eg te reo, tikanga; and development and management competencies include the ability to develop relationships with iwi and understand Māori goals and aspirations
	Build relationships and engage with Tangata Whenua (local Māori) eg Tenth Trust in middle Wellington
	Interview panels have representation from target groups
	Recruitment consultants and interview panels are trained on EEO and are advised to produce a gender-balanced field of appointable candidates
	Names are removed from CVs before circulating to relevant departments or selection committees
	There is a place for whānau and other support people in recruitment interviews, advocacy and welcomes, including powhiri/whakatau
	All jobs are advertised as potential job share or part time unless there is specific reason why this would not be appropriate

	<p>The diversity of applicants, interviewees and appointments is tracked and used to measure numbers and bias at different stages of the recruitment process</p> <p>Comprehensive induction procedure with welcome and in-depth programme introducing the culture of diversity, the value placed on staff within the organisation and the importance of EEO</p>
<p>3. Employee Development , Promotion and Exit Provides a learning environment and takes a positive, equitable approach to developing all employees through internal and external training, coaching and mentoring; develops employees in line with organisational and individual requirements; provides equal opportunities for all employees to move up, through and out of the organisation in a positive way; and provides performance management practices that are transparent and fair.</p>	<p>Initiatives</p>
	<p>Policy addresses training, development, promotion, progression, transfer and exit of target groups</p>
	<p>People from target groups are promoted or transferred into non-traditional roles</p>
	<p>Mentoring and coaching programmes in place with emphasis on target groups, especially when people are recruited or transferred into non-traditional work areas</p>
	<p>Succession planning operates with high potential staff identified from target groups</p>
	<p>Line/operational experience is provided for women and other target groups in staff roles as line experience is most likely route to senior positions</p>
	<p>Exit interviews are regularly monitored to identify EEO reasons for staff leaving</p>
	<p>All staff are trained in understanding of EEO and diversity, including cultural and disability awareness</p>
	<p>Forums and dialogue occur on the aims and aspirations, employment requirements and the need for involvement of Māori, ethnic minorities, women, people with disabilities and other groups that are sometimes overlooked</p>
	<p>There is dialogue on Māori culture, language and practices, and the opportunity to develop understanding and knowledge, for example through learning te reo and attending forums on the Treaty of Waitangi</p>
	<p>All staff have equitable access to training and development opportunities, including part timers, and there are regular training needs analyses and audits</p>
	<p>Career development, leadership training and challenging assignments provided to target groups</p>
	<p>Networking is encouraged and opportunities are provided internally and externally</p>
<p>Performance management conversations take account of different peoples' styles and ways of talking about themselves and their accomplishments</p>	
<p>Performance reviews provide opportunity to discuss training and development needs and work/ life balance issues</p>	
<p>4. Flexibility and Work Design Workplace design and organisation takes</p>	<p>Initiatives</p>
	<p>Regular analyses of the needs of staff from target groups, and strategies introduced and evaluated to address their needs</p>

<p>account of the need to assist employees to balance work with the rest of their lives and ensures managers relate to employees in a respectful and flexible way, considering the employment requirements of all groups including parents and other carers</p>	Policies and practices address work/life balance, and their uptake and effectiveness is measured
	Barriers to workplace participation, for example women returning after parental leave, are identified and action taken to address barriers
	Policies and practices support worker participation and workplace democracy, including the role of unions and union delegates. Staff are consulted on their work life and their views are taken into account
	Work from home on a regular or occasional basis with organisation's computers available to use if appropriate
	Flexible rostering and shiftwork offered in consultation with staff, including union and health and safety representatives if appropriate
	Flexible work, particularly part time work, is an acceptable option for staff and managers at all levels of the organisation, especially after parental leave and heading towards retirement
	Employees able to request flexibility in hours of work on temporary or permanent basis and this will be considered by management, taking business and employee's needs into account
	If an employee's work hours reduce (ie they become part time), their job should be evaluated and re-designed to take account of less time available, while ensuring responsibilities and status are preserved
<p>5. Remuneration, Recognition and Conditions Has a transparent, fair, gender neutral remuneration system which is regularly reviewed; ensures equitable job opportunities and conditions; and recognises employee contributions.</p>	Initiatives
	Clear policies and practices on pay, including how performance reviews, job-sizing, service and/or market relativities are taken into account in setting pay
	Starting salaries set equitably and reviewed regularly
	Transparent pay structures with increments documented and included in individual and collective employment agreements
	Jobs evaluated to ensure they are accurately valued and ranked according to the level of knowledge, skill, understanding, emotional intelligence and problem-solving they require
	Historical pay inequities along gender and ethnic lines are addressed
	Managers provide regular feedback and recognition to all staff
	Carers, personal or dependant leave offered
	Short-term or casual work assessed and workers consulted about permanency if they have been doing the same job for a lengthy period
	Need for child care or elder-care assessed and places and/or subsidies offered to staff

	<p>Extended leave provisions offered such as career breaks, sabbaticals and 48/52, where an employee takes 8 weeks annual leave per annum in exchange for a slightly reduced fortnightly salary</p> <p>Paid parental leave offered, to supplement the government-funded PPL scheme</p> <p>Breaks and facilities available for breastfeeding or expressing milk at work</p> <p>Pregnancy and parenting handbook developed with a keep in touch programme, and other relevant information provided</p> <p>A resource and referral service is offered to staff to help them balance their work and family responsibilities</p> <p>Te reo or other language allowance offered</p>
<p>6. Harassment and Bullying Prevention Provides a zero-tolerance environment to all forms of harassment and bullying; takes a pro-active approach to training managers and staff on their rights and responsibilities; has a specific policy and procedure for dealing with harassment or bullying complaints and acts quickly to address complaints</p>	<p>Initiatives</p>
	<p>Anti-harassment / anti-bullying / wellness/ positive work environment policy in place, with grievance handling procedures included in induction programme</p>
	<p>Email and intranet misuse policy which all staff are familiar with</p>
	<p>All staff trained, and regularly re-trained or reminded on identifying, preventing and dealing with sexual and racial harassment and bullying, at least every 2 years</p>
	<p>Regular emails or computer pop-ups occur alerting staff to the organisation's zero-acceptance and intolerance of harassment, and the promotion of a positive work environment</p>
	<p>Anti-harassment/bullying/grievance staff members are known to all employees</p>
	<p>Complaints are treated seriously and expeditiously according to the policy</p>
<p>7. Safe and Healthy Environment Provides a healthy and safe workplace and trains all employees on their responsibilities in this respect; creates an environment that supports and encourages employee participation in health and safety; takes a pro-active approach to employee health and wellbeing in order to provide physical,</p>	<p>Health and safety policy is accessible to staff, with opportunities for workers to participate effectively in improving workplace health and safety</p>
	<p>All staff are adequately trained and supervised for the work they are doing, including training in safe work practices</p>
	<p>All staff have physical, emotional, psychological and cultural safety</p>
	<p>Staff are treated with respect regardless of sexuality, for example homophobic jokes are unacceptable and social occasions do not assume heterosexuality</p>
	<p>Stress management policy in place which acknowledges and addresses stress as a workplace hazard</p>
	<p>Clear process for considering and responding to stress-related complaints and concerns from employees, and for identifying and minimising hazards</p>

<p>cultural and psychological safety; deals with issues in a supportive way; and reduces workplace obstacles to accommodate people with disabilities.</p>	<p>All staff take annual leave on a regular basis and a reasonable proportion is taken in one uninterrupted period</p>
	<p>Employees returning from extended sick leave are provided with support when they return to work</p>
	<p>An employee assistance programme is available and staff are regularly reminded of it</p>
	<p>The workplace is designed to meet the needs of those with a disability and any barriers are removed</p>
	<p>If applicable, the organisation has a policy around changed work requirements in the case of pregnancy</p>
	<p>The wellbeing of staff is addressed, for example anti-repetitive strain injury training, eye tests, fitness and yoga are introduced and/or staff exercise programmes are subsidised</p>

Evaluation

Evaluation is always much easier if the organisation has previously identified what progress it hopes to achieve as a result of each action, and over what timeframe. An evaluation then measures whether and to what extent change has taken place. The effectiveness of the actions can then be considered. Some questions to help evaluate this are:

- What change did the organisation hope to see as a result of the action, and over what time period?
- What happened? How many people were affected? How long did it take? For example, if gender and ethnic segregation were an issue in particular jobs or areas of the organisation, were there changes to the make-up of workers in these jobs? Was the first female electrical apprentice appointed?
- What is the link between the action and what happened? Do employees and/or their managers think the actions made a difference?
- What were the learnings for next time?

Evaluation techniques may include the use of quantitative data that measures numerical changes, e.g. increases in the number of Māori in senior positions or a higher percentage of women in non-traditional jobs. Updating the workplace profile may be a useful way to measure changes. Additional data available through Human Resources or surveys may also need to be collected.

Consulting with staff is useful at this point for identifying how well the interventions worked. Focus groups and one-on-one interviews provide an opportunity to get more in-depth qualitative information, where people can describe how the interventions affected their experiences at work.

If the actions do not produce results, it may mean the organisation needs to analyse whether the right issues are being addressed, and to explore whether the best actions are being taken to address the concerns and issues. Finding a way to share experiences with other organisations with the same issues can help with ideas.

Future actions

Many initiatives will take longer than 12 months to bear fruit. The organisation should be clear about what it will do in the long term to keep an issue on the agenda, or to monitor an initiative that will take a number of years to succeed. Future actions will be determined by the workplace issues that still need to be addressed, some of which will be ongoing or need more time and resources allocated to addressing them.

Further assistance

If you have a 'good employer' enquiry please contact Moana Eruera at the Human Rights Commission on 04-496-9773 or email moanae@hrc.co.nz

Visit our website www.neon.org.nz



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Access the best advice from the EEO Commissioner on 'good employer' obligations here:

- ❑ [Legislation](#) This section lists all the New Zealand legislation that mentions the 'good employer'; it specifically refers to the Employment Relations Act and the relevant clauses of the Crown Entities Act 2004 and the [Cabinet Minute](#) giving the EEO Commissioner the responsibility to provide guidance.
- ❑ [Why be a good employer?](#) This section provides facts and figures about why being a good employer is good for business.
- ❑ [What is a good employer?](#) This section provides models on what an exceptional employer looks like and how diversity is layered; as well as case law and case studies.
- ❑ [How to be a Good Employer](#) This section lists:
 - the key [Employment Elements](#) a good employer should consider;
 - guidance on [staff engagement and consultation](#) throughout the process;
 - [the steps](#) to ensure a comprehensive EEO programme;
 - an [annual timeframe](#);
- ❑ [Statement of Intent and Reporting](#) This section deals with 'good employer' intentions in the SOI and reporting on plans and progress in the ['good employer' report](#) and the [Annual Report](#).

Access the on-line reporting tool at <http://www.neon.org.nz/crownentitiesadvice/reportingtool/>
First time users need to click on the [Not registered, click here to register](#) and add your own user name and password. The on-line reporting tool developed specifically to allow Crown entities report more easily on good employer obligations, is available to any public or private sector organisation.