



Human Rights
Commission
Te Kāhui Tika Tangata

Crown entities and the good employer

Annual Report Review 2008



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1. Introduction

How are Crown entities delivering on their statutory requirement to be good employers?

In a letter to Crown Entity Chairs dated 22 December 2008, the Ministers of Finance and State Services clearly stated their expectation that Crown entities will comply with the equal employment opportunities provisions set out in the Crown Entities Act, sending a strong signal that EEO is seen by them as being important in the public sector.

This, the second review of Crown entity annual reports continues the analysis of reporting whereby Crown entities are obliged to include in the Annual Report “information on compliance with its obligation to be a good employer (including its equal opportunities programme) Crown Entities Act s151.1 (g).

The review this year also examines one of the seven good employer elements in greater detail. Crown entities were asked to respond to questions on flexibility and work design in light of the Employment Relations (Flexible Working Arrangements) Amendment Act 2007 and the growing demand by employees to attain greater work life balance.

The results show that Crown entities continue to respond positively to the challenge of being good employers with a steady increase in reporting of most good employer elements compared to 2007. A high number of Crown entities (92%) reported either EEO or good employer provisions in their 2008 Annual Reports.

Of those Crown entities that responded to questions on flexible work practices, 58% said they had formal flexible work policies, many of which went beyond the provisions made in the Employment Relations (FWA) Amendment Act 2007. Those who reported an absence of formal flexible work policies still indicated that they offered their staff a variety of flexible work arrangements.

As with last years review, there are many examples of best practice in the development and promotion of equal employment opportunities initiatives including flexible work arrangements. These are highlighted later in this report.

1.1 Challenges and Next Steps

How can Crown entities improve their good employer reporting in their next Annual Reports 2008/09?

Better reporting of ‘Good Employer’ and ‘EEO’ sections

- There are very good examples of where Crown entities have included all good employer/personnel information in one place. View the annual reports of later mentioned “Stars” to learn from their example.

Improve workplace profile reporting

- Less than half of respondents reported a workplace profile. This is critical data to inform EEO and business planning and monitor progress.
- Only 6% of Crown entities included disability in their workforce profiles. Barriers to people with disabilities are a significant employment issue. Crown entities may like to refer to the guidelines published by the State Services Commission “Enabling Ability: Meeting the requirements of people with disabilities in the public sector: Appendix 1 – Collecting disabilities information”.

Be more comprehensive when reporting good employer elements

- Two key employment elements were under-reported across the sector. These were ‘remuneration, recognition and conditions’, and ‘harassment and bullying prevention’.
- Remuneration continues to be reported in the limited context of meeting market forces without due consideration to the structural inequalities of the gender pay gap. A number of respondents reported equitable transparent and gender neutral remuneration systems for staff on individual contracts, but were silent on remuneration systems for staff employed on collective contracts.
- Less than half of respondents reported on harassment and bullying prevention despite the high reported incidence of mistreatment in the modern workplace.

Encourage and report employee participation

- Over a quarter of respondents did not report that they had involved employees in the development of programmes and policies. The involvement of employees in improving workplace practices is a central component of being a good employer and there is room for improvement in this area.
- Active engagement and participation of staff and their unions is important at all stages of EEO planning, development and implementation.

Reporting good practices

- Identify good practices and report on them. The ‘good employer’ values equity and fairness and has policies, programmes and practices that are promoted. Other organisations can learn from good examples of EEO practice.

Seek ongoing support

- Let us know how we can support good employer guidance and practice further. Forums such as the combined Human Rights Commission and State Services Commission “EEO Practitioners Group” meetings are a place to network and learn more about EEO from other public sector members.

Data collection

- Formalise the collection of EEO data. Workplace profiles can assist in setting up this up. Also look to collect data on flexible work requests though this is not a requirement of the FWA Act.

Be more descriptive when reporting

- Treasury advice to Crown entities indicates that Annual Reports should move past mere description and demonstrate evidence of meeting their good employer obligations.

2. Findings – Annual reports

The findings in this report relate to the 88 Crown entities that sent their 2008 Annual reports to the Commission. Of the total 94 Crown entities, two do not employ staff, two merged and had not produced annual reports, two entities are covered by one annual report and one Crown entity had not tabled their annual report at the time this report was written.

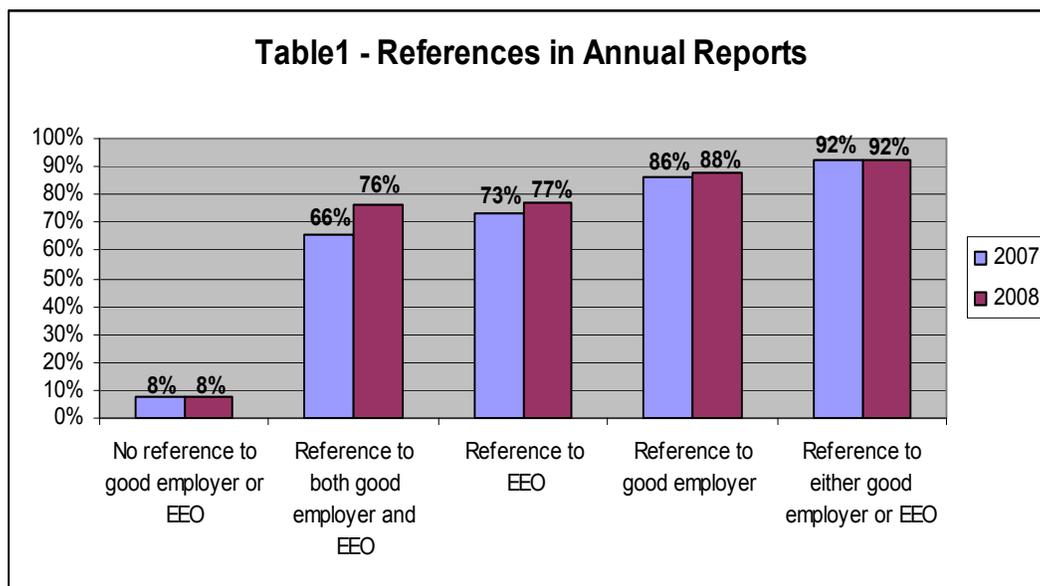
Most of the Crown entities who submitted annual reports had complied to some extent with their legal obligations to report on being a good employer.

To determine whether Crown entities referred to either being a good employer or to equal employment opportunities, the 88 Annual Reports were analysed and cross checked by EEO staff at the Commission.

The results (Table 1) show that 92% referred to either being a good employer or EEO somewhere in their Annual reports the same percentage as in 2007. Only 8% made no reference to either, also the same as in 2007.

However the number of Crown entities who referred to both good employer and EEO increased from 66 to 76% in 2008. There were also small gains in those distinctly referring to either EEO or good employer.

The description about good employer obligations and EEO varied among Crown entities. Some reporting was comprehensive, while other Crown entities provided minimalist or no commentary.

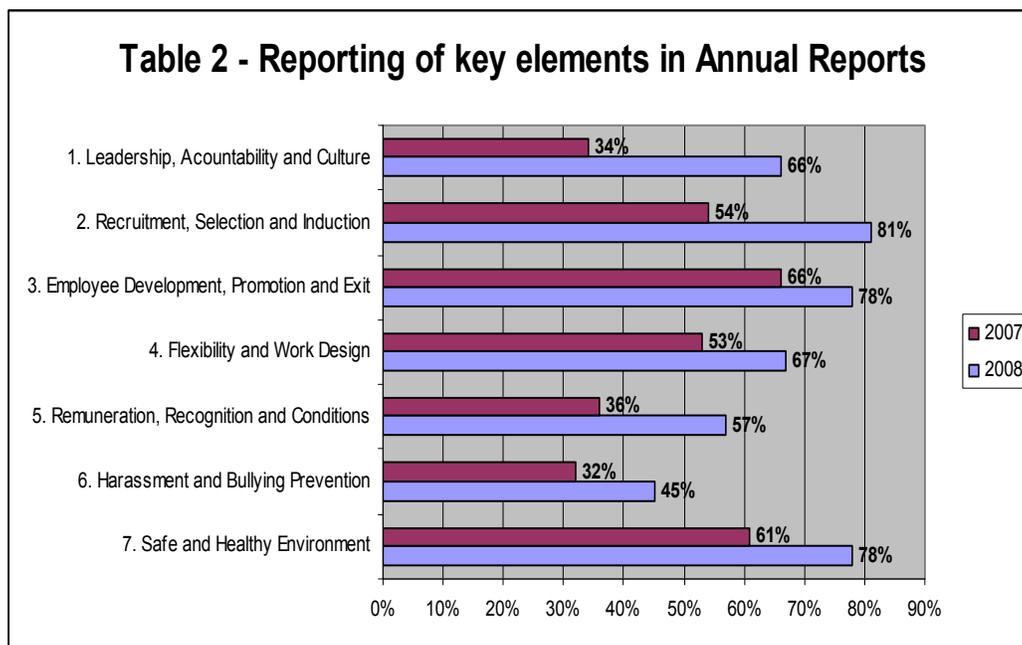


A crucial part of the analysis was to see how many organisations reported on one or more of the seven elements of being a good employer in their annual reports.

Overall the results (Table 2) show a marked increase in reporting across all seven elements. Major increases were in reporting 'leadership, accountability and culture' up by 48%; 'remuneration, recognition and conditions' up by 36% and recruitment, selection and induction' up by 33%. The elements of 'employee development' and 'health and safety' also gained ground and continue to be reported well by Crown entities.

Similar to the previous year the elements that are least reported despite also gaining ground were 'remuneration, recognition and conditions' and 'harassment and bullying'.

Most notably the number of Crown entities that covered all seven elements in detail more than doubled from 17% in 2007 to 35% in 2008.



The proportion of Crown entities that described an ongoing process of good employer/EEO development slightly increased from 73% in 2007 to 77% in 2008. Sixty-nine percent reported staff consultation and participation in the development process, a significant increase from 49% in 2007.

As in 2007, the majority (58%) of Crown entities did not report a workforce profile in their 2008 annual reports. Those that reported profiles showed increases in the reporting of most EEO groups including age which increased by 55% and Pacific by 36% (see Table 3).

Crown entities continue to analyse their workforce by gender in significant numbers as would be expected, however numbers for disability rates continue to be the least reported at just 7%.

Workplace profiles tended to be more comprehensive this year with some Crown entities reporting by management level and/or occupational group. This disaggregated data should better allow Crown entities to see how groups such as women, Māori, people with disabilities, and ethnic or minority groups are represented in their workforce and allow for better workforce planning.

A number of Crown entities signalled their intention to undertake workplace profiles in the coming year.

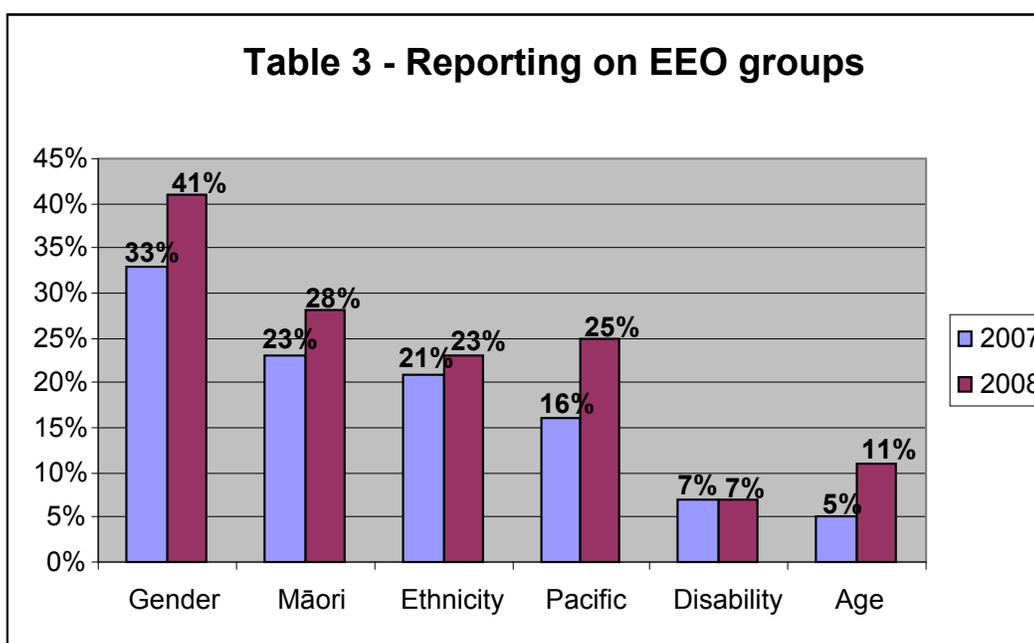


Table 4 provides an opportunity for Crown entities to benchmark their own progress against other similar organisations. Larger organisations like the District Health Boards (DHB) can compare the way in which they have reported on EEO by examining the other DHBs in the table. Clearly smaller organisations will be interested in the results of Crown entities of similar size and function.

A key to reading Table 4 is provided below:

Estimated staff numbers

Staff numbers are based on information in the Annual Report and information sent to the Commission at the time of verification.

Good employer reference

The words “good employer” appear in the Annual Report.

EEO reference

“Equal Employment Opportunity or “EEO” appear in the Annual Report.

Good employer elements

- 1= Leadership, accountability and culture
- 2= Recruitment, selection and induction
- 3= Employee, development, promotion and exit
- 4= Flexibility and work design
- 5= Remuneration, recognition and conditions
- 6= Harassment and bullying prevention
- 7= Safe and healthy environment

The number of the element appears if the Crown entity reported on or provided evidence of related EEO programmes or activities. If little detail was reported the number is asterisked to indicate reference only.

Ongoing review/renewal of programmes/policies

Y for yes appears if a process or intention to review programmes and policies was mentioned and N for no if this was absent. “Passing” refers to a less explicit statement of review.

EEO groups

- G = Gender
- M = Māori
- P = Pasifika
- D = Disability
- E = Ethnicity
- A = Age
- NRP = No reported profile

Staff participation

Y for yes appears if staff participation in the development of policy and practice is mentioned, N for no, if this was absent. “Passing” refers to a less explicit statement about staff involvement. If staff were involved in the development of one of the policies or programmes only, this is indicated.

Table 4 – Analysis of Annual Reports

Crown Entity	Estimated	Good employer	EEO	Good employer	Ongoing review/renewal	Workplace	Staff participation
	Staff nos.	reference	reference	elements	of programmes/policies	profile	EEO programmes development
		Yes/No	Yes/No	List #	Yes/No/passing	G,M,P,D,E,A	Yes/No/passing
Accident Compensation Corporation	2835	Y	Y	1,2,3,4,5,6,7	Y	G,M,P,D,E,A	Y
Agresearch Limited	1010	Y	N	1,2,3,4,5,7	Y	E	Y
Alcohol Advisory Council	27	Y	N	1,2,3,4,5,6,7	Y	NRP	Y
Antarctica New Zealand	30	Y	Y	1,2,3,4,5,6,7	Y	NRP	Y
Auckland District Health Board	9286	Y	Y	1,2,3,4,5,6,7	Y	G,M,P,E,A	Y
Aviation Security Service (see Civil Aviation Authority)							
Bay of Plenty District Health Board	2928	Y	Y	1,2,3,4,5,6,7	Y	G,M,P,E,A	Y
Broadcasting Standards Authority	9	Y	Y	1*,2*,3,4,5*,6*,7*	Y	NRP	Y
Canterbury District Health Board	8000*	Y	N		N	NRP	N
Career Services	198	Y	Y	1,2,3,4	Y	G,M,P,E	Y
Charities Commission	60	Y	N	1,2,3,5,6,7	Y	NRP	Passing
Children's Commissioner	16	Y	Y	1,2,3,5,6,7	Y	G,M,P,E	
Civil Aviation Authority	193	Y	Y	1,2,3,4,5,6,7	Y	G,M,P,D,E,A	Y
Commerce Commission	157.63	Y	N	1,2,3,4,7	Y	NRP	N
Counties Manukau District Health Board	5061	Y	Y	1,2,3,7	Y	G,E	Y
Creative NZ	55	Y	Y	1,2,3,4,5,7	Y	NRP	Y
Crop & Food Research	325	Y	Y	2,3,4,5,6,7	Y	G,A	Y
Crown Health Financing Agency	7	Y	Y	1*,2*,3*,4*,5*,6*,7*	Y	NRP	Y
Drug Free Sport NZ	8	N	N		N	NRP	N

* Reported estimate of staff numbers from HRC Good Employer Benchmarking Report 2007

Crown Entity	Estimated	Good employer	EEO	Good employer	Ongoing review/renewal	Workplace	Staff participation
	Staff nos.	reference	reference	elements	of programmes/policies	profile	EEO programmes development
		Yes/No	Yes/No	List #	Yes/No/passing	G,M,P,D,E,A	Yes/No/passing
Earthquake Commission	21	Y	Y	1,2,3,4,5,6,7	Y	G	Y
Electoral Commission	4	N	N		N	NRP	N
Electricity Commission	50	Y	Y	1,2,3,4,5,6,7	Y	G	N
Energy Efficiency & Conservation Authority	101	Y	N	1*,2,3,4,5,7	Y	NRP	Y
Environmental Risk Management Authority	95	Y	Y	1,2,3,4,7	Y	G,M,P,E	Y
Families Commission	41	Y	Y	1,2,3,4,5,6,7	Y	NRP	Y
Film Commission	19	Y	Y	1,2,3	N	NRP	N
Foundation for Research, Science & Technology	95	Y	Y	1,2,3,4,5,6,7	Y	NRP	Y
Government Superannuation Fund Authority	0	N/A	N/A	N/A	N/A	N/A	N/A
Guardians of NZ Superannuation	38	Y	Y	1,2,3,4,5,6,7	Y	G,A	Y
Hawke's Bay District Health Board	2400*	Y	Y	2,3,7	Y	NRP	Y
Health & Disability Commissioner	51	Y	Y	1,4,7	Y	NRP	N
Health Research Council	36	Y	Y	1*,2,3,4,7	Y	NRP	Y
Health Sponsorship Council	25	Y	Y	1,2*,3,4	Y	NRP	Y
Historic Places Trust	101	Y	Y	1*,2*	N	NRP	Y
Horticultural & Food Research Institute	482	Y	Y	1,2,3,5,7	Y	NRP	Y
Housing New Zealand Corporation	1051.3	Implied	Implied	2,3,7	y	G,M,P	Y
Human Rights Commission	72	Y	Y	1,2,3,4,5,7	Y	NRP	Y
Hutt District Health Board	2200*	N	N	3	N	NRP	N
Industrial Research Limited	316	Y	Y	1*,2,3,4,5,6,7	Y	NRP	Y

Crown Entity	Estimated	Good employer	EEO	Good employer	Ongoing review/renewal	Workplace	Staff participation
	Staff nos.	reference	reference	elements	of programmes/policies	profile	EEO programmes development
	Yes/No	Yes/No	List #	Yes/No/passing	G,M,P,D,E,A	Yes/No/passing	
Institute of Environmental Sciences & Research	400	Y	Y	2,3,4,5,6,7	Y	G,M,P,E,A	Y
Institute of Geological & Nuclear Sciences	350	Y	Y	1*,2,3,4,5,7	Passing	NRP	Y
Lakes District Health Board	1263	Y	Y	1,2,3,4,5,6,7	Y	G,M,P,D,A	Y
Landcare Research	400	Y	Implied	2,3,7	Passing	E	Passing
Law Commission	37	Y	Y	2*,3*,4,7*	N	G	N
Legal Services Agency	245	Y	Y	1*,2,3*,5*,7*	Y	G,M,P,E	N
Maritime New Zealand	141	Y	Y	1,2,3,4,5,6,7	Y	G,A	Y
Mental Health Commission	21	Y	Y	1,2,3,4,5,6,7	Y	NRP	Y
Midcentral District Health Board	2468*	Y	Implied	1,2,3,4,5,6,7	Passing	G	Y
National Institute of Water & Atmospheric Research	753	N	N	1*,2*,3*,4*,5*,7*	N	NRP	Y
Nelson Marlborough District Health Board	2400*	Y	Y	2,3,4,6,7	Passing	NRP	N
Northland District Health Board	2200	N	N	2,3	Passing	NRP	Y
NZ Artificial Limb Board	46.5	Y	Y	2,3,4*,5,6,7	Passing	NRP	Y
NZ Blood Service	440	Y	Y	1,2,3,4,5,6,7	Y	G,A	N
NZ Fire Service Commission	2205*	Y	N	1,2,3,4,7	Y	G,M,P	Passing
NZ Lotteries Commission	120	Y	Y	1,2,3,4,7	Y	G,M,P,E,A	Y
NZ On Air	15	Y	Y	1,2,3,4,5,6,7	Y	G,M,D	Y
NZ Qualifications Authority	366	Y	Y	1,2,3,4,5,6,7	Y	G,M,P,D	Y
NZ Symphony Orchestra	114*	Y	Y	1,2,3,7	N	NRP	Y

Crown Entity	Estimated	Good employer	EEO	Good employer	Ongoing review/renewal	Workplace	Staff participation
	Staff nos.	reference	reference	elements	of programmes/policies	profile	EEO programmes development
		Yes/No	Yes/No	List #	Yes/No/passing	G,M,P,D,E,A	Yes/No/passing
NZ Trade & Enterprise	567.53	Y	Y	3,4,5,6,7	Y	G,M,P,E	Y
NZ Venture Investment Fund	6.5	N	N	2*,3*,4*,7*	N	NRP	N
Office of Film & Literature Classification	35	Y	N	4,7	N	G	N
Otago District Health Board	2900	Y	Y	1,2,3,4,5,6,7	Passing	NRP	Passing
Pharmac	57	Y	Y	4,7	Y	G	Passing
Police Complaints Authority	25	Y	Y		N	NRP	Y
Public Trust	500	Y	Y	1,2,3,4,5,6,7	Y	NRP	Y
Radio New Zealand	291	Y	Y	1,2,3,4,5,6,7	Y	G,M,P,E,A	N
Retirement Commission	6	Y	Y	1*,2,3,4,5*,6,7*	Y	NRP	Y
Scion	340*	Y	Y	1,2,3,4,5,6,7	Y	NRP	Y
Securities Commission	49	Y	Y	1*,2,7*	N	NRP	N
Social Workers Registration Board	3.6	Y	Y		N	NRP	N
South Canterbury District Health Board	813*	N	N		N	NRP	N
Southland District Health Board	1400	Y	Y	1,2,3,4,5,6,7	Y	NRP	Y
Sport & Recreation NZ	96	Y	Y	1,2,3,4,5,7	Y	NRP	Y
Standards NZ	53	Implied	Implied	1*,3,	Y	NRP	Y
Tairāwhiti District Health Board	543	Y	Y	1,2,5,6,7	Y	NRP	Y
Takeovers Panel	0	N/A	N/A	N/A	N/A	N/A	N/A
Taranaki District Health Board	1357	Y	Y	1,2,3,5,6,7	Y	G,M,P,E	Y
Te Mangai Paho	13	Y	Y	2,4,5,6,7	Y	G,M,D,E,A	Y

Crown Entity	Estimated	Good employer	EEO	Good employer	Ongoing review/renewal	Workplace	Staff participation
	Staff nos.	reference	reference	elements	of programmes/policies	profile	EEO programmes development
		Yes/No	Yes/No	List #	Yes/No/passing	G,M,P,D,E,A	Yes/No/passing
Te Papa Tongarewa	526	Y	Y	2,3,7	Y	NRP	N
Te Taura Whiri I Te Reo Māori	20	Y	Y		N	NRP	N
Teachers Council	40	Y	Y	1,2,3,4,5,7	Passing	G,M,P	N
Television New Zealand	1200*	Y	N	1,2,3,4,5*,7	Passing	NRP	N
Tertiary Education Commission	290	Y	N	1,2,3,4*,5*	Y	NRP	Y
Testing Laboratory Registration Council	87	Y	Y	2,3,4,6,7	Y	G,M,P,D,E,A	Y
Tourism New Zealand	124	Y	Y	1,2,3,4,5,6,7	Y	G,M,P,E	Y
Transport Accident Investigation Commission	15	N	N	3,4,7	N	G,P,E	N
Waikato District Health Board	5548	N	N		N	NRP	N
Wairarapa District Health Board	620*	Y	Y	1,2,3,4,5,6,7	Passing	NRP	Y
Waitemata District Health Board	5000*	Y	Y	1,2,3,5,7	Y	NRP	Y
West Coast District Health Board	1100*	Y	Y	2*,3*,6*,7*	N	NRP	N
Whanganui District Health Board	953	Y	Y	1,2,3,4,5,6,7	Y	G,M,P,E	Y

* Reported estimate of staff numbers from HRC Good Employer Benchmarking Report 2007

Findings – ‘Flexibility & Work Design’

Seventy-seven Crown entities responded to questions on flexible work practices. Overall the results show Crown entities recognise the need for greater flexibility at work and have responded positively to this.

Over half (58%) of respondents reported that they had a formal flexible work policy and provided evidence of this. The majority of these policies were based on the provisions of the Employment Relations (FWA Amendment) Act though a number exceeded the statutory requirements of the Act. In these instances requests for flexible work arrangements were usually made available to all staff.

Sixty seven percent of respondents provided data on formal requests for flexible working arrangements since the introduction of the Act on 1 July 2008. Nineteen percent acknowledged that they formally collect flexible work request data; and it was deduced the remainder collected data because they sent flexible work data to the Commission.

A total of 121 formal requests were received by respondents, 91 were approved, 8 are pending, and 22 were declined.

The most prominent reasons reported by respondents for the approval of requests were:

- 44% The request met personal needs.
- 21% The request met both personal and business needs.
- 27% The request met business needs.
- 9% The request met the requirements of the Act.

The most prominent reasons reported by respondents for the refusal of requests were:

- 45% Detrimental impact on performance
- 27% Detrimental impact on quality
- 18% Detrimental effect on ability to meet customer demand
- 5% Burden of additional costs
- 5% Inability to reorganise work among existing staff
- 5% Insufficiency of work during the periods the employee proposes to work
- 5% Conflict with a collective employment agreement.

(*Note: the percentage is not directly indicative of the number of requests as more than one reason may have been reported for each request.)

3. Best practice examples – Annual reports

Some of the Crown entities demonstrated in their Annual Reports that they have developed and are implementing best practice in equal employment opportunities.

The following best practice examples relate to the 7 elements of being a good employer that have been the core of the guidance to Crown entities from the Human Rights Commission. These examples provide an illustration for other Crown entities wanting to compare themselves within the sector.

1. Leadership, accountability and culture

Antarctica New Zealand conducts annual focus groups with all staff so that they can identify ways to continually improve their performance.

Antarctica New Zealand reports that: “The focus groups are a key component of our Equal Employment Opportunity (EEO) Programme to gain feedback from staff across a wide variety of issues to measure the impact of leadership on the development of the organisational culture”.

Examples of issues discussed in these focus group sessions include: discrimination, fairness, performance management, and leadership.

“The feedback enables the Management team to track specific issues and monitor development of the organisational culture over a longer time period. It is invaluable in improving the quality of working life for all current and further Antarctica staff”.

2. Recruitment, selection and induction

Lakes DHB is committed to ensuring equality of opportunity and reject discrimination on any grounds for all employees, whether they be current or prospective employees.

“Lakes DHB believes that it will benefit from a diverse workforce and is committed to recognising and valuing different skills, talents, experiences and perspectives of employees”.

Lake DHB reports that: “The board consults with employees on EEO matters and has clear and measurable EEO objectives which are monitored and evaluated regularly”.

3. Employee development, promotion and exit

The Transport Accident Investigation Commission reports that “helping people grow professionally and personally is central to the Commission’s core values”.

The Commission supports professional development through a process of individual performance planning and review for all staff, based on their personal, professional and cultural aspirations.

“In the past year, courses were provided on report writing, interview techniques, coastguard boat master courses, InDesign essentials, Microsoft access, and first aid courses. Staff also attended various conferences both in New Zealand and overseas

including rail conference in India, a marine conference in Canada, and aviation conferences in Australia and Singapore”.

“Over the past two years the Commission has sent two staff members to Cranfield University in the United Kingdom to further develop their investigative knowledge. This year a further two staff will be attending similar courses at Cranfield University”.

4. Flexibility and work design

AgResearch reports that increasing numbers of their staff have reached agreement with the company to alter their working arrangements. “Changes to working hours and start/finish times have been particularly popular”

“This focus on enhancing the work/life balance precedes the legislative requirement to facilitate flexible working, with 16% of staff already working less than the standard 40-hour week”.

TVNZ provides a family-friendly work environment as part of their ‘Thrive’ wellness programmes.

Employees are offered “a subsidised on-site crèche for children of staff members, who enjoy a healthy and stimulating ‘Educare’ programme and are frequently involved in fun and games with their parents and the rest of the TVNZ community”.

5. Remuneration, recognition and conditions

Creative NZ developed and implemented a new remuneration and recognition framework in 2008.

Creative NZ reported that: “the framework is equitable, transparent and gender neutral, using job evaluation and market surveys to inform remuneration levels”.

“The remuneration policy, including conditions and remuneration ranges, has been published on Creative New Zealand’s intranet and is accessible for staff”.

“Performance agreements for senior management include responsibility for leading diversity and fairness in their regions and business units”.

The framework will be reviewed before the next remuneration round in 2009.

6. Harassment and bullying prevention

The Civil Aviation Authority provides training to managers and staff on their rights and responsibilities, operates prevention policies, and provides services for addressing complaints.

CAA reports that: presentations are provided to “staff on human rights, natural justice, and employee rights during induction and through internal seminars”.

Internal employee assistance advisors and in-house chaplain services are provided to facilitate complaints resolution. Prevention measures include a bully prevention policy and a discrimination and harassment prevention policy.

The Institute of Environmental Science and Research (ESR) implemented an ‘Acceptable Behaviour’ policy.

ESR reports that: “This policy was written jointly with the PSA and covers behaviours that are expected of all ESR staff and how to deal with undesirable behaviour, including harassment and bullying. Contact people were also appointed at each site to assist staff if required”.

The HR team delivered workshops across ESR’s sites to promote this policy and training was attended by all staff including the Chief Executive and Leadership Team. A new web-based training site was also implemented and all new employees must complete the online module for the Acceptable Behaviour policy.

7. Safe and healthy environment

Crop and Food Research reports that: “Health and Safety is a key focus for management and staff across the organisation”.

In maintaining a safe and healthy work environment, Crop and Food research:

- Participates in the ACC Workplace Safety Management Practices Programme.
- Regularly reviews harassment prevention policy and procedures and monitors and investigates all accidents.
- Operates a health monitoring programme including tests for hearing function, vision tests, ergonomic/workstation assessments, and subsidised medical checks and flu vaccination.

Lakes DHB “promotes a social and physical environment which improves and protects health”.

Lakes DHB developed a ‘Healthy Eating Healthy Action’ action group in which a number of initiatives were identified through staff participation. It also provides a range of health and well-being services to staff including:

- Discounted gym fees.
- Encouragement to participate in Activ8 and bike to work day.
- Wellness committee to assist staff with health issues.
- Discounted childcare.

8. Workplace Profiles

Bay of Plenty DHB analysed numbers of full-time and part-time staff, and female and male staff by occupational group. The DHB also provided age and ethnicity profiles of their workforce.

This comprehensive analysis enabled Bay of Plenty DHB to report that:

“Māori make up over 22% of the Bay of Plenty working age population however only 13% of the District Health Board employees. There are a number of strategies in place to grow this segment of the District Health Board employee population”.

“Employees receive training on cultural issues and the Treaty of Waitangi, and Te Reo classes are available for staff

Bay of Plenty DHB also reports that: “the Mainstream (supported employment) programme has been endorsed”.

Bay of Plenty DHB key staff statistics 30 June 2008

The % of staff who are fulltime

Occupational Group	Fulltime	Part time	Fulltime
Medical	121	43	74%
Nursing	308	594	34%
Allied health	238	138	63%
Non-clinical Support	93	30	63%
Administration/Management	319	104	75%
Total	1079	909	54%

Our staff mix by gender

Occupational group	Female	Male	Total	%Female
Medical	82	177	259	32%
Nursing	1,317	118	1,435	92%
Allied Health	386	84	470	82%
Non-clinical Support	83	97	180	46%
Administration/Management	504	80	584	86%
Total	2,372	556	2,928	81%

The age profile of our staff

Age Band	Number of staff
10-19 years	22
20-29 years	259
30-39 years	630
40-49 years	910
50-59 years	808
60-69 years	274
70-79 years	23
Unknown	2
Total	2,928

The ethnic mix of our workforce

Ethnicity	% of workforce
NZ European	53%
Other European	18%
Māori	10%
Pacific Islander	1%
Asian & Indian	3%
Unknown/Other	15%

NZQA analysed numbers of women and men by full-time and part-time work, Māori, Pasifika, people with disabilities, and management.

NZQA Gender and Ethnic Workplace profile 2008

Women	F-T	P-T	Total	Māori	Pasifika	People with disabilities
Management	29	0	29	4	0	0
Non-management	159	22	181	19	11	3
Total	188	22	210	23	11	3

Men	F-T	P-T	Total	Māori	Pasifika	People with disabilities
Management	39	0	39	2	0	0
Non-management	123	2	125	9	6	2
Total	162	2	164	11	6	2

9. Disabilities

ACC provides active encouragement and support for the participation of people with disabilities.

ACC reports in their disability profile that: “at 2.5%, the rate of employees with disability is significantly lower than the estimated national workforce rate of 15%”.

The key strategic goals for ACC in the three year period to 2010 are:

- Match the public sector norms for employing people with a disability or impairment.
- Increase staff competence in working with those with disabilities.

During the next 12 months, ACC will improve diversity competencies throughout the organisation with specific proficiency levels relevant to people with disabilities. A return to work programme for people with disabilities linked to the ACC Scheme will also be established.

ACC further reports that the company will: “partner key training and education providers in the North Island to access skilled workers from EEO target groups, and engage and maximise internal staff networks in delivering initiatives to better attract and retain target groups”.

Best practice examples – ‘Flexibility & Work Design’

Some of the Crown entities demonstrated in their survey data that they have developed and are implementing best practice in flexible work arrangements.

The following best practice examples provide an illustration for other Crown entities wanting examples of what others are doing.

1. Small organisation: 40 FTE

The NZ Teachers Council has a formal flexible work policy and collects data on requests received under the Amendment Act.

Flexible work arrangements have been provided by the Council for several years under their guide ‘Whanaungatanga/Family and work Responsibilities’.

The guide sets out opportunities available to staff with family and work responsibilities which can be negotiated with their manager.

These include:

- Flexible work hours
- Employee Assistance Programme
- Working reduced hours or working at home
- Part time work
- Special leave
- Returning to work after child care
- Unpaid leave during school holidays.

Flexible work arrangements can be extended beyond the guide under negotiation, allowing other groups of workers to benefit.

The main areas for approval have been:

- Pre and post-graduate study
- Reduced hours due to health issues
- Flexible hours to look after the needs of school age children
- Reduced hours/tasks due to rehabilitation after a major accident.
- Job share hours allocation

2. Medium organisation: 193 FTE

The Civil Aviation Authority has two formal flexible work policies which together provide a range of flexible work options for all employees.

The 'Working From Home' policy provides a flexible and life-friendly workplace by considering any need or request to work from home on a regular basis. The Authority reports that: "the reasons someone may wish to work from home are various including the needs of the CAA, family commitments, health, type of work, and geography".

The 'Hours of Work & Provision for TOIL – Overtime' policy allows staff some flexibility within their working hours to meet other personal commitments. Guidelines for part-time work, working reduced hours and overtime are also provided.

3. Medium organisation: 567.53 FTE

NZ Trade and Enterprise has a formal flexible work policy including reference to the statutory requirements of the Act, and collects data on requests received under the Act.

NZTE "recognises the benefits in supporting flexible working practices and assisting employees to achieve balance in their work commitments and their life outside work".

The companies 'Flexible Working Arrangements' policy is based on the Act and formal request process but is not limited to those with caring responsibilities.

"There are two guiding principles for this policy:

- All requests for flexible working conditions will be considered on a case by case basis, taking into account job requirements.
- Flexible working requests by employees will be considered regardless of family composition and location".

Flexible work arrangements and practices which support this policy include:

- Flexible start, finish and break times.
- Working slightly reduced total hours
- Leaving work by specific times on specific days to accommodate childcare arrangements
- Regularly working one day per week from home due to long commutes to work each day
- Staff members returning from parental leave part-time or job sharing.

4. Large organisation: over 2,400

MidCentral DHB similarly provides guidelines for staff when requesting flexible working arrangements both within the provision of the Act and for requests that fall outside these provisions.

The DHB's guidelines on 'Flexible Working Hours Arrangements' outline the process for considering requests outside the guidelines of the Act. Application forms for both types of request are provided.

This policy will be reviewed in 2009 in conjunction with MDHB Health Sector Unions, as part of an overall workforce Development Strategy.

MDHB's 'Work and Family' policy provides an environment which is supportive and accepting of the responsibilities of employees with care-giving responsibilities.

MDHB reports that: "Flexibility in working arrangements is not new to the health services, and within our organisation over recent times, has become a key recruitment incentive for pool and casual nursing staff. Part-time work, job-sharing and compressed working hours arrangements are not uncommon".

4. Stars and honourable mentions

Last year we applauded a single Crown Entity for its outstanding effort in reporting its good employer and EEO programmes.

This year we have noted vast improvements in reporting by a number of Crown entities and in recognition of their efforts we applaud the following:

Annual Reports

Stars: (both improved and comprehensive reporting).

- ★ NZQA
- ★ Lakes DHB
- ★ Radio NZ

Honourable Mentions:

- ✓ Children's Commission
- ✓ NZ on Air
- ✓ Teachers Council
- ✓ ACC
- ✓ Civil Aviation Authority
- ✓ EQC
- ✓ Legal Services Agency
- ✓ Auckland DHB
- ✓ Bay of Plenty DHB
- ✓ NZ Blood Services

Flexibility & Work Design

Stars:

- ★ Teachers Council
- ★ Radio NZ
- ★ Auckland DHB
- ★ Taranaki DHB
- ★ MidCentral DHB

Honourable Mentions:

- ✓ NZ on Air
- ✓ Te Taura Whiri
- ✓ Civil Aviation Authority
- ✓ Trade and Enterprise New Zealand
- ✓ Waikato DHB

5. Methodology

All 94 Crown entities were telephoned in November 2008 and asked for a copy of their latest Annual Reports including equal employment opportunity (EEO) plans. Letters were also sent in November 2008 requesting information on 'Flexibility and Work Design', one of the seven key elements of being a good employer. Crown entities were asked to include information on formal requests received since the introduction of the Employment Relations (Flexible Working Arrangements) Amendment Act 2007. Follow-up calls were made to ensure all annual reports were sent to the Commission.

5.1 Objectives

The aims of the review were to examine:

- whether Crown entities reported their good employer obligations as required
- the depth of good employer initiatives evidenced
- whether there were any improvements in good employer reporting since 2007.

The aims of the survey were to examine:

- whether Crown entities adopted flexible work policies
- whether they collected data on formal requests for flexible work
- what the outcomes of the request process were.

5.2 Process

Of the 94 Crown entities, two do not employ staff, a further two merged and did not produce Annual Reports, two are covered by one Annual Report and one had not produced an Annual Report at the time this report was written. Therefore, only 88 of the 94 Crown entities are included in this review.

Annual Reports were assessed against the same criteria developed by EEO staff for the 2007 Benchmarking report. This allows for a comparison of data across time. These criteria reflect compliance with the legislation and reference to the guidance provided by the EEO Commissioner.

An additional focus for this report is flexible work, following legislative change in 2007. Follow-up calls and emails ensured that 77 Crown entities were able to respond to questions on flexible work practices. These responses were then analysed and the findings presented in this report.

5.3 Criteria / Survey questions

The criteria for the review were:

- Reference to being a "good employer"
- Reference to equal employment opportunities (EEO)
- Reporting on the 7 key elements of being a good employer. These were:

1. Leadership, accountability and culture
2. Recruitment, selection and induction
3. Employee development, promotion and exit
4. Flexibility and work design

5. Remuneration, recognition and conditions
6. Harassment and bullying prevention
7. Safe and healthy environment

- Reporting on an ongoing process of developing policies and practices
- Reporting on the workplace profile
- Reference to staff participation in the development of good employer programmes.

The questions asked in the survey were:

1. Do you have flexible work policies? If so, please send them to us.
2. Since the introduction of the Employment Relations (Flexible Working Arrangements) Amendment Act in July 2008, have you collected data on requests for flexible work? If so, how many requests have been received, how many have been approved and how many have been declined?
3. Please indicate why requests are approved or declined.
4. Do you have any further comments about flexible work practices in your organisation?

5.4 Analysis

Annual reports and survey data were examined and the data collated. A process of cross-checking ratings between EEO staff undertaking the analysis ensured consistency. Each Crown entity was sent a summary of the review of their annual report and survey data and asked for feedback about the accuracy of the information. Responses were considered and information amended if the assessors were convinced that the suggested amendments were consistent with the evaluation criteria or survey questions.

The assessment of annual reports considered:

- Reference to being a “good employer”
The words “good employer” appeared somewhere in the Annual Report
- Reference to EEO
The words “equal employment opportunities” or EEO appeared in the Annual Report.
- Reporting on the 7 key elements
Listing the key elements only or listing them with very little detail was signalled with the number of the element and an asterisk. We did not give credit for a key element if it was apparent that the good employer principles of equity and fairness were not being referred to. For example, remuneration was credited if reference was made to ensuring that the remuneration system was equitable, transparent and gender neutral.
- Reference to ongoing review and renewal of programmes and policies
Credit was given if a process or intention to review was included.
- Workplace profile
Crown entities who either reported on the actual profile of their workforce or who had reported that they had undertaken a profile were credited. Whether the workforce profile covered gender, ethnicity, number of Māori and Pacific peoples, people with disabilities and age was also noted.

- Reference to staff participation in the development of good employer programmes.
Noted if staff participation in the development of good employer programmes and policies was reported.

The assessment of survey data considered:

- Flexible work policies.
Crown entities that made reference to flexible work policies and attached copies as evidence were credited.
- Collection of data on formal requests for flexible work arrangements.
Credit was given if a process for collecting data on requests had been established since the introduction of the Amendment Act in July 2008 or before its enactment.
- Number of requests.
The number of formal requests received since the Amendment Act was introduced.
- Number of requests approved/declined
The number of formal requests approved and the number of formal requests declined since the Amendment Act.
- Reasons why requests were approved or declined.
The 'work and life' grounds for the approval of formal requests and the statutory grounds for refusing formal requests under the Amendment Act.

5.5 Limitations

This analysis is limited by what is reported in Annual Reports of Crown entities to ensure compliance with the Crown Entities Act 2004. Description and commentary in the Annual Reports is not on its own an indication of how well an employer is doing as a good employer. Clearly many Crown entities have a range of internal and external good employer policies, processes and that they have not reported in their Annual Reports. This analysis is based on what is reported, which in some cases may differ from what is actually done or undertaken. Despite these limitations, this report provides a positive picture of a sector responding to the benefits, challenges and opportunities inherent in EEO.

6. Resources

Getting It Right: The Good employer

<http://www.neon.org.nz/crownentitiesadvice/>

Crown Entities 'The Good Employer' a Status Report

<http://www.neon.org.nz/documents/HRC%20Crown%20Entities.pdf>

Pay and Employment Equity Unit – Department of Labour

<http://www.dol.govt.nz/services/PayAndEmploymentEquity>

Bullying kit

<http://www.neon.org.nz/newsarchive/bullyindex/>

Flexible working arrangements – a guide for employers and employees

<http://www.dol.govt.nz/worklife/flexible/flexi-work-generic-guidelines.pdf>

Work Life Balance

<http://www.dol.govt.nz/worklife/index.asp>

Quick Guide to the Good Employer

<http://www.neon.org.nz/newsarchive/quickguide/>

Valuing Experience: Older Workers

<http://www.neon.org.nz/eeogroups/valuingexperience/>

National Conversation about Work

www.haveyoursayaboutwork.org.nz

'The Good Employer'

7 Key Elements

- 1 Leadership, Accountability and Culture
- 2 Recruitment, Selection and Induction
- 3 Employee Development, Promotion and Exit
- 4 Flexibility and Work Design
- 5 Remuneration, Recognition and Conditions
- 6 Harassment and Bullying Prevention
- 7 Safe and Healthy Environment

APPENDICES

Appendix 1: Seven Key Employment Elements

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.



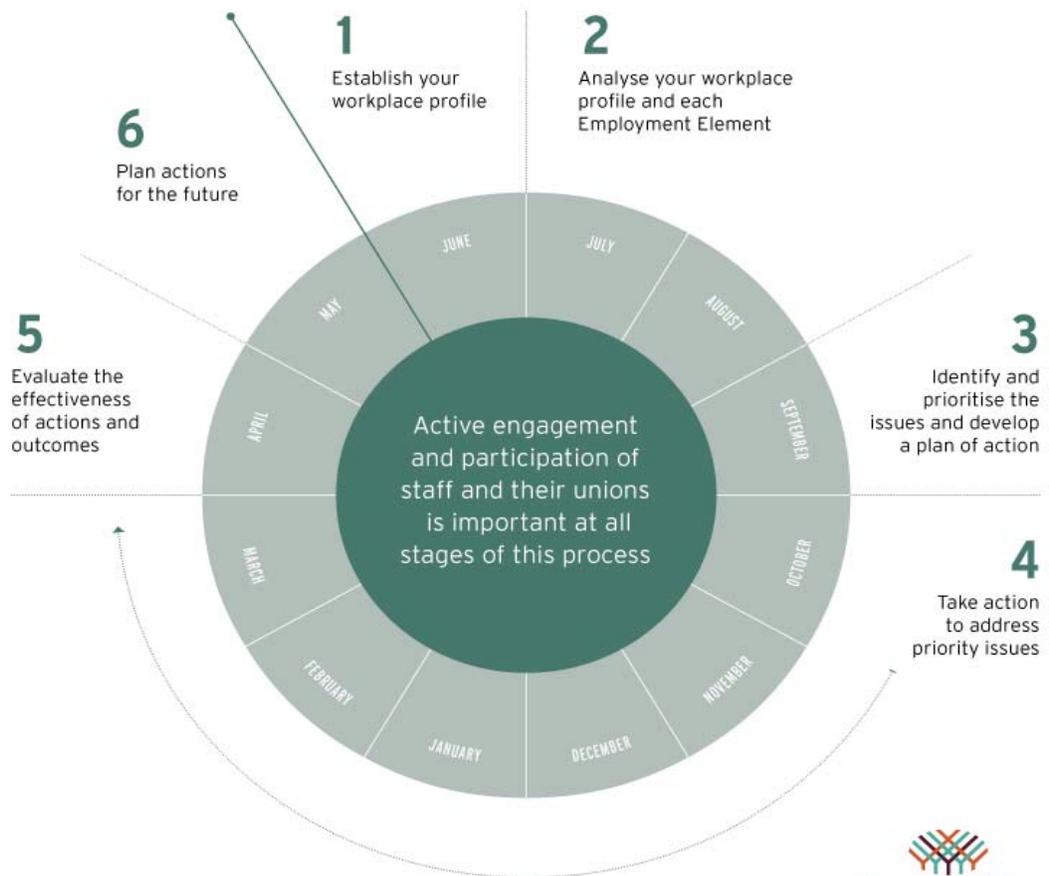
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- 1 Leadership, Accountability and Culture**
 - > strong leadership and clear vision where people are valued
 - > engagement processes with employees and their representatives and opportunities for them to engage and participate in organisational decisions.
 - > 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

Appendix 2: Development of EEO – A Change Model

Development of Equal Employment Opportunities

A Change Model



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