

25 January 2017

Hon Christopher Finlayson QC, Attorney-General

Consistency with the New Zealand Bill of Rights Act 1990: Employment Relations (Allowing Higher Earners to Contract Out of Personal Grievance Provisions) Amendment Bill

1. We have considered whether the Employment Relations (Allowing Higher Earners to Contract Out of Personal Grievance Provisions) Amendment Bill ('the Bill'), a member's Bill in the name of Scott Simpson MP, is consistent with the rights and freedoms affirmed in the New Zealand Bill of Rights Act 1990 ('the Bill of Rights Act').
2. The Bill amends the Employment Relations Act 2000 ('the principal Act'). It provides that employees with an annual gross salary over \$150,000 can contract out of the personal grievance provisions contained in the principal Act. If that option is taken, whatever the employee and employer have agreed to concerning the application of personal grievance provisions in their employment contract stands provided specified conditions are met.
3. We have concluded that the Bill appears to be consistent with the rights and freedoms affirmed in the Bill of Rights Act.

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