

**THE ROLE OF THE UNION IN ANTI-RACISM**  
**RACHEL MACINTOSH, JANICE PANOHO, PAUL GOULTER**  
**20 MARCH 2.30 pm**

>>RINGA HĀPAI: (Te reo Māori). I briefly spoke this afternoon to introduce us to the session to remind us of the two founding documents and the values that underpin it that inform, I think, not only the strategic direction of the relationship between governments and tangata whenua, but of organisations like unions, both private and in the public sector, that work with the values of manaakitanga, of kaitiakitanga, of respect and regard for each other, of the pursuit of justice and the pursuit of equality and equity in all we do. And I feel very privileged today to draw from our early beginnings in the union movement, certainly in the last 50 years, to pay homage to one of the most, I think, important activists, both in the establishment of the union movement, but in confronting the racism that has beset our country as a result of the colonial pedagogy which denied tangata whenua their rights.

It would be wrong, I think, not to mention the great Syd Jackson, and I took a moment to reflect on all that he did in his time walking on the earth and committing to both the establishment of the clerical workers union, where I was actually -- one of my first jobs was as a volunteer for him with a number of, I think, of important organisers in the Māori union movement, but also in the way that he lead Ngā Tamatoa and the other Māori movements for liberation to look at ways that we can find appropriate social justice liberation practises to ensure that workers, to ensure that women, to ensure that those of us that have been oppressed by racism find pathways of well-being.

I also paid homage in my opening comments, it would be wrong not to mention the fact that Wira Gardiner has passed away and is presently with his peoples of Ngāti Porou, Ngāti Pīkiao and Ngāti Awa in Te Kaha. And I would like us to spare a thought for those who have gathered to farewell somebody who, as a bureaucrat in the system, is certainly also someone who has worked very hard in trying for the rights of workers to find equality, to find equity, to find a voice sometimes in spaces within government sectors where they have been silenced.

I'd like to now turn to our panel and introduce them to you. It's a very, very auspicious panel and I'm very grateful to the organisers for bringing such, I think, an important group from an experiential understanding of the union movement, but also for those efforts that they are making now to find clear strategies to address a whole range of discriminatory practises in the workplace and in the union movement itself, develop

covenants of association and arrangement, and, I think importantly, to find ways that they can uphold the Te Tiriti o Waitangi arrangement at a personal and a political way within the functioning of their movements.

Our first speaker today is Rachel MacIntosh. She was elected the CTU Vice-President in 2015, she's an Assistant National Secretary at E tū and she represents the largest private sector union. Her involvement in the union began when she was a copy editor in the publishing industry and she became a site delegate early in her career. She started as an EPMU official in 2003 and as an organiser she worked across media and manufacturing industries. She has coordinated the plastic industry strategy for several years and has assumed leadership roles from that hard ground position doing things on the ground.

As the CTU Vice-President, Rachel works with a number of members of the Te Runanga and the National Affiliates Council to foster Te Tiriti o Waitangi relationships across the union movement, and that task is difficult, given the fragmentation and, I think, the disparities between and amongst so many of our unions within the movement. She has worked with the largest public sector unions to negotiate gender pay principles for the broad public service and is a key worker representative of the ILO organisation for the negotiation of a major international convention, the Violence and Harassment Convention.

Can I now introduce Paul Goulter, who I'm sure needs no introduction for many of us who have been part of the union movement for several years. Until recently he was the National Secretary of NZEI Te Riu Roa in New Zealand. He started working in unions as a field officer for the New Zealand Bank Officers' Union, eventually became General Secretary of FINSEC, the New Zealand Financial Sector Union. Paul then worked as secretary of the New Zealand Council of Trade Unions, followed by time in Australia, Sydney, working for the Australian Council of Trade Union as director of the organising centre. He moved back to New Zealand some seven years ago and has recently taken up a job with NZEO. He is somebody that has worked at the cutting edge of policy developments to confront racism and I'm very much looking forward to what he says today.

I want to pay tribute to our final speaker, Janice. She is someone like myself who's devoted her whole life to the movements for the liberation of Māori people. She started her work in the PSA in 1984, she was previously on the Executive Board of the Clerical Workers' Union, she ran for parliament as a Mana Motuhake and Alliance candidate. In the 1980s Māori unions came together under the leadership of distinguished men and women that have left our folds unfortunately like Eddie MacLeod, like Syd Jackson, like Hana

Jackson, and she demanded with them a genuine Treaty partnership and greater representation with union structures.

To do this she worked within the sectors that she was working with and employed by and vigilantly outside that organisation to try and establish a national Māori organisation as an umbrella group to draw kaupapa Māori initiatives for union strategies.

In her role with Te Runanga a Nga Toa Awhina, with the move to organise by sectors, she was able to organise some 8,000 PSA members as part of her role. She will bring, I think, an important lens to the debate that we are going to have this afternoon. She will talk about the troubled history of Māori with the State, but also the conflicts that unions and State employees with the PSA have had to confront and her own personal experiences of racism where she's been an on the ground advocate for many.

People might not know, but she was also present during the land March and she was part of those that occupied Bastion Point. She is somebody that truly walks her talk. When she got her present position, this phrase which I want to use to end my introduction was gifted to her by one of her main whānau support. I think it's an important phrase for us to reflect on in our kōrero today.

Tuia te Te Tiriti ki runga, tuia te Te Tiriti ki raro, tuia te Te Tiriti ki roto, tuia te Te Tiriti ki waho, tihei mauriora. Let us weave the tapestry of the Te Tiriti understandings and guarantees above us, let us weave the same tapestry below us, ensure that that tapestry of understanding provides an understanding within, and uses it as a basis from which we can challenge without.

Today I introduce at this stage Rachel MacIntosh to start our discussions. I thank all of you for coming this afternoon to listen, to look at how we may find ways forward to confront the racism that unfortunately still besets too many of us in the ways we work in our workplaces and I look forward to your questions being delivered so that we can answer them at the end of our session. Kia ora.

>>MS MacINTOSH: Kia ora Annette, ngā mihi nui ki a koutou katoa. Kia ora Annette mō tō mihi. I'd like to acknowledge my fellow panelists, Paul and Janice, you've just heard about them, and thank you for that introduction Annette. I'd also like to mention -- Syd Jackson I'm aware of, he was before my time, but there are others, and we do stand on the shoulders of giants in the union movement; and I would like to just particularly mention Helen Kelly who was a brave and fearless fighter taken too soon.

When I started working in the union movement it was 19 years ago and I had recently been involved in Tiriti education with Tāmaki Treaty Workers and I started my job

as a union official, and I thought this is going to be good, I'm really going to be able to apply this education here in my role. And at that stage nearly 20 years ago it wasn't obvious how I could do that, and so it felt a little bit like I had some tools but I really didn't know where to use them. And I suspect that that experience is still quite common for a lot of people. But what I did at that time was every time I would speak to Māori members about our rūnanga and every time there was a course for Māori members I would submit names and I didn't really know what else I could do.

The reason I start with that story is because I think there can be a huge difference between what happens at an institutional level and the experience day-to-day for working people. And I am here representing the Council of Trade Unions, and I just want to make the point that everything we do as a peak body needs to have consequences and positive consequences for working people, and in Te Tiriti it needs to have positive consequences for kaimahi Māori.

I want to speak briefly about the evolving relationship in my time between Te Runanga of the CTU and the National Affiliates Council, the CTU itself. About that time when I was starting as a union official there was an agreement document that was signed between Te Runanga and the National Affiliates Council. It was an important document and it was a point in time that marked the increase of the respect and the understanding between tauwiwi and kaimahi Māori in the movement.

If you look at that movement it very much has the National Affiliates Council as the centre and the runanga as a secondary side organisation. And 10 years later there was a document that I was involved in the evolution of, and it's called Te Taka Waenga. It's a one page document and it is no longer the NAC at the centre and the runanga at the side, but it's a very -- it's a relationship document that says this is what Te Runanga will do, this is what the National Affiliates Council will do and this is what we will do together. And so I just think that that does show that there has been an evolution and an understanding.

As a result of that document, we have quarterly conversations, a small group of us from the National Affiliates Council and Te Runanga, discuss the plans of each side of the movement, what we're doing, what we are do together and how we can support each other. And we have an annual meeting of Te Runanga with union leaders where we discuss Te Tiriti and we discuss the experiences of unions, what progress we're making, what ideas we can share and what progress we might be able to make.

I want to particularly just mention the role of tauwiwi. I think our role as tauwiwi is to support and make space for the voices and strength of Māori workers, and also there's a

constant turnover in the union movement which means there are always people right at the beginning of their journey with Te Tiriti and their understanding, and as tauwi, we have a responsibility to be educating new tauwi to the movement.

There's a question, because I think ideas are important as well as what happens on the ground, is there's been a discussion about Kotahitanga and solidarity. Solidarity is the historical value of the union movement and are they the same? They're similar, and I think it's important to acknowledge that they're actually not the same, that Kotahitanga is different, that it involves whenua and whakapapa in a way that solidarity doesn't. So that we -- yeah, so the tauwi in this conversation can be listening and not assuming that you can just translate a word from one reo into the other and that it's going to mean the same thing.

I want to talk about tripartism. So tripartism is an international kind of standard for industrial relations where you have government employers and workers discussing together in three-way negotiations, and in New Zealand it's really important the role of iwi in that conversation. And for unions it's really important that Māori workers have a voice in that conversation as well, because often if you bring iwi into the conversation, they are employers.

So it's really vital that we do have representation of Māori workers. There is a recent example of that, there's a governing advisory body for WorkSafe which is tripartite and it has Māori employers, it has government representatives and then from the union movement it has tauwi workers and Māori workers as part of that. I think it's also really important to acknowledge that representation is necessary, but it's not a sufficient condition to actually make a difference.

So I will talk a little bit about some of the practical things experiences that we have recently and now in the movement for supporting Māori. There was one really significant thing, and Helen Kelly who I mentioned at the beginning was central to this, is that in the Talleys dispute where meatworkers had been locked out for months and months, the iwi leaders came on board because it was their whānau who were locked out, who were suffering in that Talleys dispute and they were key to solving it, and Te Runanga of the CTU was instrumental in that relationship as well.

We now have a requirement for unions to report on iwi affiliation of our membership so that we know where Māori workers are in the movement. That's evolving, because not all unions are equipped to do that, but there is an evolution there.

We have recently negotiated with Te Wānanga o Aotearoa to have te reo courses available in work time for Māori members and we are prioritising Māori workers in that. There are several unions involved in a Waitangi Tribunal claim, which is the mana wāhine claim, I know Janice is going to talk a little bit more about that.

I'm skipping over some things because I think time is moving. I just want to talk briefly about the difference between the public and the private sector in dealing with Te Tiriti. So it's much, much harder to make headway in the private sector. Transnational corporations control a lot of the employment in this country in the private sector, and those employers have absolutely no point of reference for a conversation.

In the public sector, employers at least, they have a point of reference, there is legislation supporting it. The Education Act of 2020 requires honouring Te Tiriti, so it's moved away from the principles. So there are tools available to the public sector that are not available to the private sector. And so that doesn't mean we do nothing in the private sector, it just indicates the uphill battle when you have international capital controlling employment relationships.

So I will just talk about a few of the things. Fair pay agreements, which is a pan-union campaign but very strongly being led in private sector unions, E tū and First Union.

Living wage campaigns and pay equity campaigns. Because initiatives that exacerbate inequality always disproportionately affect women, Māori, Pasifika, initiatives that reduce inequality will have material effects and positive effects on Māori workers' lives. And all those campaigns are supported by runanga across the movement.

I want to briefly mention Ngā Puna Whai Oranga, which is a project in my own union funded by ACC, so we had to get public money to fund this working with Māori and Pacific workers in the manufacturing industry on health and safety, strengthening the representation role and really operating from a Māori-centred view for those workers.

And just finally, I want to mention that what we do institutionally is important, the ideas that we have are important, but actually unions can just get out and do things. And I want to honour First Union for the role that they played supporting the protectors at Ihumatao. So the whole movement was in support of that occupation but First Union, really they just got out there, they did it, they didn't stop and ask questions and hand wring, they did it; so full honour to them.

And yeah, that was a pretty hasty race through some of the issues and happy to take questions a little bit. But for now I will hand over to Paul Goulter. Kia ora tātou.

>>RINGA HĀPAI: Paul, I think you need to unmute yourself, it's Annette speaking.

>>MR GOULTER: Sorry about that, too many Zooms, too much silence. Kia ora koutou. Ka nui te mihi ki a koutou katoa, tēnā koe Annette, ko Paul Goulter tōku ingoa. My name's Paul Goulter, I am currently the Chief Executive of NZNO Toputanga Tapuhi Kaitiaki o Aotearoa which is the nurses organisation, but prior to that, as Annette said, I had many years as the National Secretary of NZEI. I've only just joined NZNO so I can't pretend to speak for them in this space in fact Annette will probably know more than I would about that. So I asked permission of Laures Park, NZEI Te Riu Roa's Matua Takuwaenga if I could speak on behalf of NZEI, which she said I could, so I'm pretty sure you're there Laures.

I also just want to recognise that I first came across and worked with Syd in the 1980s, which sort of dates some people, and I found him a tremendous leader and his influence lives on strongly, certainly in my experience.

I also just want to acknowledge Steph Mills, my successor at NZEI Te Riu Roa, I see she's on. And Steph will do a fantastic job in continuing the changes that NZEI Te Riu Roa has made in this space.

I just want to think that -- say with unions I think there are triple obligations that fall if we're going to properly observe our obligations under Te Tiriti. I think first of all we have to change our own unions. Before we go preaching to anyone else, we certainly need to make sure inside our own unions that we are truly observing the requirements of what we need to do under Te Tiriti. And that means identifying racism where it lies and dealing with it.

I think secondly, we need to work to eliminate racism in the enterprises that we organise and in the sectors and the industries that we work in. And that can take different forms and it works in different ways, but it's an obligation that falls on unions.

Thirdly, we have to take part in what we need to do as a nation if we're going to truly grow and reflect and respect the obligations that fall out of Te Tiriti. I think those three obligations need to work together, because if one gets out of kilter with the others I think change will be dragged back.

Inside NZEI Te Riu Roa we've grappled with this issue for many, many years. And it wasn't until in the last couple of years that Laures Park, and I credit her for this, came up with the notion of Moku te Ao and for me that immediately gave something which I felt we'd been lacking. It's a dynamic construct, it actually says you do things. And I think I'm

sick and tired of organisations, and often unions do this, where we describe ourselves as effective Treaty partners or whatever and we talk all the talk but we don't do anything.

And then just moving the pieces around actually doesn't add up to much either. It's about what's that living force that has to occur within a union if we're really going to make the changes that matter. And when that notion of Moku te Ao came through, for me and for NZEI Te Riu Roa, it was actually the way that we could go about and more effectively do our business, as long as we treated it as a dynamic construct, an actual doing thing not just talking about it.

And so we decided we needed to get our own house in order and we needed to be outward facing. I just want to read from a document that is the preamble to our Moku te Ao work. It says "NZEI Te Riu Roa are leading changes for the education of Māori by showing political strength and industrial leadership to claim a space to flip the education system. The whawhai to change the education system for every mokopuna Māori is real. The time is now and the karanga must be heard. Maranga mai."

That really captures what we're trying to do. We've identified four areas we need to focus on; first of all changing the union internally, and we're very grateful for one of the great leaders in Māori education, Keri Milne-Ihimaera who a number of you may know from her brave stand as a principal, particularly in Moerawa, has been helping NZEI on that.

Secondly, we decided we needed to build and deepen external relationships with groups like the Teaching Council, the Ministry of Education, iwi, etc, and talk through and try and drive change based on the concept of Moku te Ao.

Thirdly, we took on and continued to take on specific projects, outward facing projects. Projects that how do we do our bargaining in a Moku te Ao environment, what are the organising projects we need to focus on, how do we handle other deal with Kōhanga Reo, how do we deal with streaming, that incredibly racist practice that exists across schooling, and since then we've started working with Tokona te Raki at Ngai Tahu.

And then in the pay equity space, the government say that they want to raise the waves of the low paid, Māori and women. We have to take that challenge up, and I'm very pleased to say that very soon it will be announced that NZEI will have secured the first pay equity deal for a solely Māori population, in this case Kaiarahi i te Reo who work in schools supporting teachers and others as they develop te reo. We find that it's very exciting.

Then lastly, we have to move our membership. It's no sense just moving the head office without moving the membership and what does that look like. Very quickly, three things I've noticed in this journey. First of all, when you do these changes there's a big search for a tick the box outcome. People say "tell us what it means so we can tick boxes to say we've done it." And our approach has been no, we're not going to give you a template, we're going to talk you through what it means and then you apply it to your own work. You approach your own work through the lens of that construct and then we'll work together on that. If it's tick the box it's dead.

Secondly, change accelerates. If we can get the start of it right, it accelerates very quickly. And within a couple of years NZEI Te Riu Roa was brave enough to take on changing its whole calendar year to a maramataka year, and that change is underway right now and that's producing all sorts of interesting conversations, as indeed it must, across the organisation. It isn't a change from the Gregorian calendar to another calendar, it's a fundamental change to the way NZEI Te Riu Roa thinks through its work.

Thirdly, change is difficult in this area. Many unions have looked to changing roles, creating, for example, a co-president as evidence of their commitment to Tiriti. That's for them. For our journey, our journey was slightly different. We needed to start doing things and out of that we would grow the maturity to take on the structures that NZEI Te Riu Roa has. I'm a big fan of the Frank Lloyd Wright statement form follows function. If we start to actually do something the rest of it will fall into place.

Lastly, how do we apply it in the workplace? Kōhanga Reo is an excellent example of this and I want to acknowledge the founders of that movement, an incredible piece of work that is enduring. It is enduring but, in our view, it's under some danger and particularly when we look at the terms and conditions of the kaimahi who work within Kōhanga Reo, and NZEI has for many years attempted to organise those workers to deal with what are some pretty ordinary terms and conditions of employment.

We've been opposed to that. We've been told we are a Pākehā institution, that Kōhanga Reo is not early childhood education, which I totally agree with, and then we come up against the very foundational concept of te tino rangatiratanga. How does that apply in circumstances where a workforce is enduring sub-optimal terms and conditions of employment, if for no other reason the funding mechanisms are crook.

So we have to take that on and take that on in a way that works with the trust in order to ensure that the core foundation of the trust, which is the protection and promotion of te reo, is absolutely observed. For many years we struggled with that and I'm very

pleased to say in the last six months or so the trust at NZEI Te Riu Roa have started to find common ground, ironically around the notion of pay equity. And together I think, and I'm ever hopeful, that that will craft out a journey whereby the urgent needs of Kōhanga Reo can be met and the urgent needs of the terms and conditions of the kaimahi who work there can also be met, I'm ever hopeful about that. That's taken years to get to, this stuff just doesn't happen overnight as we all know. And wherever there are levers to advance Te Tiriti conversations we will take them.

So Janice, over to you.

>>MS PANOHO: Kia ora Paul. (Te reo Māori). I'd just like to start off with acknowledging the number of wāhine Māori leaders who are sharing their experiences today and through the week I hope at this auspicious hui. And our grandmothers, our mothers, our aunties, our sisters, our nieces, our mokopuna and colleagues all -- and will also have their own individual stories and similar themes, but however they're similar to what most of us experience around racism and have experienced and continue to experience.

So I see the union as a voice for workers in their own -- voice for workers that play a critical role in the labour market in our economy, government employers. Our focus needs to be lifting the capability and cultural competencies within organisations to bring about progressive and much needed change. These changes can happen through collective bargaining by identifying the issues that most affect Māori and Pasifika and ethnic groups which can influence decisions through policy guidance and procedures.

A lot of the work that I do, I work for the PSA as the Kaihautu Māori, but we look at in terms of through the lens to say what are the issues that affect our members, and what I've found is that Māori tend to be left as an afterthought. And we are now bringing it to the forefront through our ngā kaupapa Māori clauses around the principles that need to be embedded into collective agreements, but also we also need to look at that some of these groups in terms of the influences around policy guidance and procedures, it's essential that our discussions with employers and members include Te Tiriti as a fundamental foundation for our existence, and the importance of embedding this into practice when considering how changes will be implemented to eliminate the systemic issues of bias, discrimination and racism at the workplace and in our society.

We should no longer accept or tolerate subtle or overt bias, discrimination and racism at the workplace and in society today. These behaviours are unacceptable and has been allowed to permeate and fester without challenge or consequence.

So in terms of unions, government and employers have an important role to work constructively to change the landscape to become more inclusive of society by introducing cultural affirmation for Māori as tangata whenua and our brothers and sisters from the Pacific and new immigrants towards a more diverse workplace.

There are a number of projects that we are involved in at the moment, and one of them is actually quite important. Before I do that, I just want to talk about some of the -- in the public service we've only got 39 public service leaders, which include 34 secretaries and chief executives, and out of that we've got about three acting secretaries and chief executives and two deputy Public Service Commissioners. There are 20 women, which is 51%, and 19 men, which is about 49%. We've got less than probably 5%, or not even that I think, that are Māori. There might be two or three Māori that are representative of this group. You can imagine they're the decision brokers, they're making the decisions and this is on government policy. So we need to lift our capability, but we need to also be let in the door. That's one of our biggest problems.

Another big piece of work that I'm working on is called Kia Toipoto, it's closing the gender ethnic pay gap. We did the launch last year in November, and we've provided and we've just developed the guidance that's being rolled out in the next month to public service and Crown entities. And this is looking at their processes, policies, how they actually -- starting salaries in terms of where they're actually starting people to start reducing the gender pay gap.

So back in, I think, 2018 it was about 12%; it has now come down to I think it's 8.6%, which is huge, but we thought by now we would have closed the gender pay gap. But I can be totally honest with you, unless we address the bias, discrimination and racism, we're never going to close the gap for women and for Māori women and for Pasifika women and for ethnic minorities.

So we need to address that and this is what I'm working on, this is one of my big projects and I'm working as the co-chair person with Te Kawa Mataaho with a number of agencies that are a part of Te Whakapiri as well as our union delegates who are involved.

The other piece of work that we're doing is the mana wāhine claim. So we've got three reports and in 2020 we surveyed in terms of Māori public servants 919 of our members actually provided in terms of real data about, provided us with feedback, and some of the data shows 68% of wāhine Māori surveyed were subject to racism, discrimination at the workplace. And the number probably is higher than what was recorded.

Of those who were -- such disadvantage occurred in hiring, promotion, their work, including cultural work as wāhine Māori and many aspects of working life. Some of this was documented on how it affected their mental health and well-being. At least 144 comments such were discrimination were provided(sic).

There were only about a quarter of those participants that said they weren't -- that they'd never experienced unfair treatment at the workplace, which in my lifetime I can't ever say that that's the case for the women that I know and have experienced this.

I'll also talk about in terms of 27% of the participants that agreed that their equitable recruitment(sic) for wāhine Māori in the workplace. The reasons given for believing recruitment is not equitable includes a lack of Māori personnel in organisation, a lack of wāhine Māori in senior positions, HR and that they do not value te reo or tikanga skills in policy and practise.

I could actually provide more data, but it's those types of experiences from the wāhine Māori that we've registered, we're still waiting to hear on when in terms of -- the Tribunal has received a copy of our report, but it's more about in terms of now waiting to hear back. And I know that Annette was also part of the claim, there were other organisations like the nurses' education, the education unions who put in a claim, and so PSA is just one of many.

I haven't got anything other than I've worked for the PSA probably for 38 years now and I just wanted to say during that time I've worked with some great people, as Annette has mentioned, in terms of Syd Jackson when I was on the Clerical Workers' Union executive. But recently I was also the chairperson for Te Ara Mahi Māori. We just finished launching the Māori Employment Action Plan and the Minister Willie Jackson, as well as Minister Sepuloni, thanked us because we identified so many failings in the system around education of our rangatahi, the ability for them to come out with qualifications and good employment is a real issue for our people.

So we've got a number of recommendations, so if you ever want to have a look at that plan, that's on Minister Sepuloni's website. Kia ora Annette, that's all I have to say.

>>RINGA HĀPAI: All three of you have raised a lot of issues. There's a couple of questions that have come through that are generic ones. Perhaps if I start with one of the first ones from Maringi Marsh. "How are the practices of racism identified within your unions?" I think that's an important question.

And then another one I think that's allied to that, is "we're encouraging the acquisition of te reo me ōna tikanga. Is this award being put forward as part of collective

bargaining?" I think if you could answer those two questions together, and if we start with you, Rachel, on those ones. And then there's three other questions that are big, so if we can get through these first two in the next 5 minutes we'll leave those other questions for the last 10.

>>MS MacINTOSH: Kia ora Annette. Thanks for that question, it's a big question, and I'll be frank, that's not a question that I hear very often, how do we identify racism. Like we know that it's all around. I can talk about some of the things that within my union we're trying to do about it. So I mentioned the Ngā Puna Whai Oranga project which is aiming to lift Māori up. Within our staff, we took advice from Māori staff and they suggested that as a first step we offer a tikanga course, so that's just happening this year, and the aim is that that gets rolled out and as a foundation to increase cultural competence so that we can begin to have those conversations and address the issues.

The other -- I've just lost my train.

>>RINGA HĀPAI: The te reo Māori me ōna tikanga, is it part of collective bargaining? From the Education and Training Act now.

>>MS MacINTOSH: No, well it's part of -- it is a legal entitlement to employment relations education leave, so actually we don't have to negotiate for that release, we've already got that legal right and it's been done under that. You know, we could collectively bargain for greater than that, but that's a kind of foundation to start with rights that we've already got.

>>RINGA HĀPAI: Kia ora. Paul?

>>MR GOULTER: Kia ora Annette. The first question, "how are the practises of racism identified in your union?" We decided within NZEI Te Riu Roa to do a survey of all of our union staff, and Keri Milne-Ihimaera I mentioned before, she conducted that, she's a very skilled researcher. There was a separate section for our Māori staff as well, they were interviewed personally, so we didn't just take and wash it all out by whole of union, there was a particular space for that. And that did identify practises that weren't appropriate or right, and workstreams have been developed to address that, workstreams which have accountabilities built into them. So we didn't muck around for NZEI on that, we had had to do it straight away.

In terms of the membership it's more difficult as you'll appreciate. So you tend to be more anecdotally driven. Things like the Teaching Council, one of its teaching standards is understanding and appreciating fully -- I've forgotten the words -- around Te Tiriti; and it never fails any teachers on that, it never fails them. So either we've got a great teaching workforce, or the standards aren't being properly applied.

So these are anecdotal issues; initial teacher education. Very, very often remarked, particularly by Māori principals Te Akatea that it's not delivering what is needed in the classroom -- be it in kura or in general stream schools -- what's needed. So it's a mixture of research, but also anecdotal stuff, which all joins up to say our education system is not working for tamariki Māori and it's racist.

>>RINGA HĀPAI: Janice, have you got anything to add on the other question too about collective bargaining for te reo me ōna tikanga and how we can make that more effective, as well as identifying practises of racism in unions and what are the processes for that?

>>MS PANOHO: Yeah, well with the first question we actually did a Treaty audit and Moana Jackson conducted that Treaty audit within the PSA, and the Runanga had commissioned him to do that. So that was years ago and it identified a number of failings, and which we rectified by appointing a te pou pou, which was Lawrence back then. And then when Lawrence left there was nothing. And it's only recently through my appointment, I'm the Kaihautu Māori part of the leadership team, that they have started to recognise they needed to implement having Māori leadership within our union structure.

The other thing that I have implemented that I have a Māori EA, I've also got Te Runanga organiser that looks after the Runanga and we've got an NSL which is sort of like a middle management Marcia Puru, who's our national lead, and we've just recently appointed Mike Tana to do some mahi for us as a Māori.

So you've got to get your structure in place, you've got to have a framework that's going to be able to have a team of Māori leadership within the union construct.

The other thing is in collective bargaining we've got Kaupapa Māori claims which we've put into a document. Those are expected to be negotiated by organisers at the workplace. So for the te reo and me tikanga clauses we've got that and we've -- there's an expectation that, you know, those clauses are negotiated as part of in terms of normal bargaining claims, yeah. Kia ora, you're on silent.

>>RINGA HĀPAI: Two questions, Rachel, one is for you directly from Catherine Delahunty. "I was wondering if you can comment on the CTU health and safety work for Māori workers poisoned at work, SWAP(?). I'm very familiar with those from Whakatane, and is CTU willing to help SWAP fight ACC as these workers led from Whakatane are mainly Māori?" So that's a question for you.

Then can I direct the next question from Taima Campbell to you, Paul, if you can look at it in your question and answer. It's about the changes in the health sector, the

institutionalised racism when it's raised with DHB staff, they quite often take it personally, and there is no transformation, it gets caught there.

So if I could just leave those for you two and then maybe the last question for you, Janice, we've got about 10 minutes to go. So Rachel, you on the first question please.

>>MS MacINTOSH: Kia ora Annette, kia ora Catherine. Look I am sorry I don't have a direct answer for you on that, but I'm really happy to talk to you about it and see if we can strategise and see how we can marshal some resources for that fight, because I'm also aware of it because I know Catherine. So kia ora, sorry Catherine, that's the best I can do at the minute.

>>RINGA HĀPAI: Paul, have you managed to digest Taima's question, it's a big question with a lot in it. So -- but it's very -- can I say while it's directed at the health sector, I think it's a real concern that there is transformative change coming through both structures, like the Māori Health Authority being instituted and through the Education and Training Act with significant Treaty clauses, but no significant change. And how can the unions take more leadership to provide that, to act as change agents is what she's asking.

>>MR GOULTER: Thanks for that. In terms of the health sector, I don't know how anyone can say that the health sector's working for Māori, it's absolutely broken, it's failing continually. The changes that have been brought in by Labour with the Māori Health Authority -- as I said before I'm nowhere near up to speed on this -- it seems to me to be a very good basis to start to move out. And I listened to Mason Durie yesterday talking about this point, and he was very positive about the opportunities that are provided. His view, you would see the same thing occurring in education, Social Welfare, children, housing, that sort of thing, and that basically these authorities take over and eventually will collectivise under a non-government leadership.

I think that's -- personally I think that's the only way forward because you can have as much stuff as you want in these Acts, and I do note the change in the Education and Training Act to be way past the principles, which didn't appear to me to work particularly well.

But the point is, who's going to make people do it, do people understand what needs to be done, and how will you know it's been done? In the education area, that's completely at large. I would hope in the Māori Health Authority that those questions are answered far more explicitly.

>>RINGA HĀPAI: Thank you, and Janice, there's two questions actually that I think are on the theme of what you've been talking about. One is from Lisa Fox who highlights the pay

gaps for Pākehā women, Māori men, Māori women, Pasifika men, Pasifika women. She highlights that the Pacific pay gap has not reduced in 10 years. What is the union movement's role, or how are we going to change or close the pay gaps?

But I think there's another question that sits in this, which is Kate Bartlett's question, that we've got a range of leadership initiative -- of initiatives and a lot of Pākehā and non-Māori have held those roles of leadership for a long time. But in this new environment of trying to find equitable representation, or the best person to represent te reo me ōna tikanga, for example, there's a reticence to give up that leadership to Māori coming through. How do we deal with that, Janice? These are hard issues, these are cutting edge issues.

>>MS PANOHO: Yeah, it's a really good question. I suppose we've had to challenge it through our Māori structures within our own organisations saying it is not good enough that the union movement has not appointed a Māori leader, and this is my point, only a year ago. So through advocating through the Te Runanga, our Māori delegates, and also through Māori staff who have really challenged the organisation to get their act together. And you know, it comes at a price, but most of us have said this is well overdue and we need to be able to have people that are responsive to our call. How are we going to address these issues if we're not sitting at the table?

And it's like the CEs, how many Māori are sitting at the table in the Public Service. I've let you know that there's only two that you've got at CEs in the public service, and that's not good enough. Because they're making the decisions.

>>RINGA HĀPAI: A question that Grant Brooks raised, Paul you might want to do this one, it's a key issue; is "how does each party in Te Tiriti relationships with unions deal with diversity?". Māori aren't homogenous, iwi leaders and elites are quite different to workers to use that kind of class analogy. There were iwi leaders, to use Rachel's example, that were right there with Tainui and at Wairoa for the freezing workers, there were others that just watched, you know? In Rotorua here, though, there was workers who coalesced together to drop kai off for the workers over at Rangiuuru. So, you know, this is a key issue, how do we deal with the diversity of Māori within the union movement?

>>MR GOULTER: It's a really good question because it goes to a Pākehā world view, that basically all Māori are the same. And in fact until we as Pākehā understand that is absolutely not the case and the full diversity right across the motu within iwi, hapū and the like, we're never going to get it, which is one of the reasons why in NZEI Te Riu Roa we did set out to try and strike relationships with individual iwi or other groups to try and break through that pan-Māori view that many Pākehā hold. And it's one of the things that

holds us back, because we say, you know, they can't -- they don't understand. But the point is we're applying a cookie cutter approach to the whole thing and it doesn't work.

>>RINGA HĀPAI: Okay, I'm going to cut us off here, we've got a minute to go. Can I say one of the themes emerging here, which we haven't really confronted, is Pākehā have to give up power. It's a real issue, it's a real issue and I don't know how we're going to do it. I struggle in the judicial context of appointment of Māori judges to that forum, I struggle in the workplace. How do we give up power without feeling like we're giving up dignity as human beings? Because quite often in our pursuit for equity in giving something up we're actually taking on the need for equality to be seen to be being effected.

So I know we're at the end of it, can I thank the questions. What I may suggest as a way forward is there's some specific to each of your areas that you might want to follow-up as Rachel's doing. But maybe a 10 second sum-up from all of us and thank you for all of you leaving it to the last 5 minutes to put up 20 questions, it makes it all very hard for us. Kia ora. Rachel, can you 10 seconds just to sign us out.

>>MS MacINTOSH: Totally. Te Tiriti and racism is about power and Pākehā have got to get really uncomfortable and give up power as part of this journey. And another thing I'd say is that we haven't really addressed is the lack of resources in Te Ao Māori which makes, you know, if a tauwiwi says we want to have a relationship but people are really stretched, and that's another huge issue along with the lack of homogeneity. And thanks everybody for coming, kia kaha.

>>RINGA HĀPAI: Paul, have you got any final comments? Paul and then Janice.

>>MR GOULTER: It's been a great session. I think the power question goes to the guts of it and it's not given up easily, that's historical truth. But the point that once from the Pākehā side they understand the real answer to your question, we actually see you can move things forward way more quickly and with dignity and respect to all parties.

>>RINGA HĀPAI: Janice, kei a koe te kōrero whakamutunga mo te rā, kia ora.

>>MS PANOHO: Kia ora, I'd just like to say that I'm inspired by our rangatahi because they are our future, and because more of them now have the knowledge, the reo, the tikanga, I'm hoping that they will be able to carry on the fight, for most of us that have been around for a long time, that's what I'm looking forward to, and I will work hard with my own mokopuna to make sure that happens. Kia ora koutou.

>>RINGA HĀPAI: It's time to sign out everybody. Don't go home into your armchairs, reflect on all the hard questions asked there and start organising for change. Kia ora.