Amendments to the NZNO Rules
as passed by 2011 NZNO AGM

Amend Cover page to read “Rules of the NZ Nurses Organisation 2011 – 2012
Inside Cover add “Revised/Reprinted March 2012

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Amend Index of Rules to reflect new rule 9 and subsequent rules’ numbering change

RULE 7: MEMBERSHIP OF NZNO
Amend to read:
(1) Subject to other provisions in these rules any person in New Zealand who qualifies under one or more of the following shall be eligible to become a member of NZNO:
   a) Persons qualified for registration as a nurse or midwife under the Health Practitioners Competence Assurance Act 2003 or subsequent legislation; or
   b) Any student who is undertaking a nursing or midwifery programme of training prescribed by the Health Practitioners Competence Assurance Act 2003 or subsequent legislation with a view to registration as foresaid; or
   c) Persons employed, engaged to become employed or seeking to obtain employment as a caregiver; health care assistant; hospital aide; nurse aide; a practice assistant; or an assistant to the nursing or midwifery team performing nursing tasks relating to patient care; or private sector occupational or physical therapy aide; or
   d) Persons qualified as a Karitane nurse; or
   e) Other health workers who are employed, engaged to become employed, or seeking to obtain employment in the voluntary or private health sectors as a counsellor, educator, social worker, researcher, community health worker, smoking cessation adviser, diversional, occupational or recreational therapy aide, kaiawhina, anaesthetic technician, operating theatre assistant, sterile services employee, health promoter or medical laboratory employee; or
   f) Any workers employed in the private or voluntary health sector involved in clerical work, administration, reception, research, computer work, finance, accounts or accounting, dealing with cash, or office work; or
   g) Health workers employed by the New Zealand Blood Service; or
   h) Other groups of health workers whose positions are described in 7(1)(e) and (f) but who work in the public sector, and who have collective agreement coverage provided by NZNO as at 1 October 2011; or
   i) Other workers at the discretion of the Board; or
   j) An honorary member of NZNO; or
   k) NZNO may grant affiliate membership to persons, whether in New Zealand or overseas, who have ceased to practice in New Zealand.

CARRIED

NEW RULE 9: AFFILIATE MEMBERSHIP:
New Rule 9: Affiliate Membership
(1) NZNO may grant, on application, affiliate membership to a member who:
   a) has retired from employment within the health sector;
   b) has ceased to practise nursing or midwifery; or
   c) resides or works outside New Zealand.
(2) Affiliate members may not hold office, be a delegate, propose nominations or motions, or have voting rights.
(3) Affiliate members are not entitled to industrial services or professional indemnity cover.

CARRIED

NOTE: All rules following the above to be renumbered as appropriate

RULES RELATING TO ELIGIBILITY TO INDUSTRIAL SERVICES, BARGAINING AGENT/ REPRESENTATION, NEGOTIATION AND RATIFICATION AND WORKPLACES AND DELEGATES:

Amendments

Rule 9: Eligibility to Industrial Services
Delete current 9 (1) and 9 (1) (a)-(f) and replace with:
9 (1) All members are entitled to the industrial services of NZNO except:
   a) retired and affiliate members
   b) NZNO members who are also members of another union and pay a reduced fee
   c) members residing overseas
   d) students (except where there is no student union association); and
   e) members who own a health sector facility

9 (2) Notwithstanding any of the rules above, at the discretion of the Board any other person may be entitled to industrial services of NZNO.

Rule 15: Bargaining Agent/ Representation
Amend heading to "Representation"

15 (1) NZNO is authorised by its members to:
   (a) represent the member in any relevant collective agreement negotiations for their current and future employment agreement; and

15 (4) NZNO reserves the right to:
   (b) develop and apply a bargaining strategy which may include limiting the types and content of employment agreement for which NZNO will conduct negotiations.

Rule 16: Negotiation and Ratification

16 (1) (a) The negotiation team shall consist of NZNO staff and a group of NZNO members employed by the relevant employer(s) and covered by the negotiations. The team shall be as representative as practicable of the members covered by the negotiations and must be authorised by NZNO to negotiate on behalf of members.

16 (1) (e) The NZNO staff member assigned as the bargaining advocate has the authority on behalf of NZNO to sign the agreement(s) resulting from the settlement on behalf of all authorising members where a majority of votes cast in accordance with the ratification procedure are in favour.

16 (3) (c) Delete

Rule 37: Workplaces

37. (3) Workplace(s) shall elect a delegate(s) and/ or delegate committees by vote of individual members at the workplace. (Delete remainder of the clause).

37. (6) In larger workplaces (over 50 members), nominations for Regional Council representatives shall be sought from Workplace Committees. (Delete remainder of the clause)

Rule 38: Delegates

38 (1) Delegates may be elected from each workplace by the members in that workplace. A delegate must be a financial member of NZNO.

38 (2) All delegates shall be elected at meetings of members from the workplace for a period of two years. There is no limit on the number of terms a delegate can stand for re-election.

38 (5) In no case shall any delegate commit NZNO on any matter. (Delete the remainder of the clause)

New 38(6)(f) To support member rights education and encourage member participation in NZNO's activities, projects and campaigns;
New 38(6)(g) To develop and maintain workplace committees and representative delegate structures;
New 38(6)(h) To attend delegate education to gain skills and knowledge to carry out their role as delegate.
New 38(7) NZNO delegates are eligible to stand for election to the relevant National Delegates Committee in their sector. The sectors are aged care; DHB; private hospitals and primary health care.

CARRIED

RULE 16: NEGOTIATION AND RATIFICATION:
Amend to read:
(2) Ratification
(d) In the event of the Board of Directors, or any member, wishing to propose for ratification of decision making in a particular set of negotiations, a higher percentage than a simple majority, or an alternative procedure, the Chief Executive Officer shall be asked, in writing, to agree to that process being put to all members covered by the negotiations. If the Chief Executive Officer agrees, then a question about the percentage required and/or the alternative procedure will be put to the members concerned. Voting shall be described in Rule 29(1) and (2) for the Board of Directors. The Board of Directors may make supplementary policy on the detail of the ratification process.
(e) Subject to any agreement under 16 (2) (d) above:
(i) the only members who may vote are those who have authorised NZNO to represent them in the negotiations, and whose own employment is covered by the proposed settlement;
(ii) members may be required to present proof of membership when voting;
(iii) voting shall be as specified in Rule 29 (1) and (2) for the Board of Directors.
(f) The Board of Directors may make supplementary policy on the detail of the ratification process.

CARRIED.

RULE 38: DELEGATES:
Amend to read:
(1) In order to maximise the effectiveness of NZNO in pursuing its professional, industrial, cultural, social, health and safety, economic and political interests as outlined clause 4 (Objectives) of these Rules, and in order to strengthen participation by members in their organisation, NZNO commits to giving priority to:
a) the election and support of worksite convenors where applicable for all workplaces and;
b) the election and support of workplace delegates within workplaces to assist and support the worksite convenor in the representation of members
c) the establishment of a worksite committee in each workplace where applicable which will meet monthly to give effect to the policies of NZNO and the duties of delegates as per section 38.6 below.
d) The worksite committee shall consist of the worksite convenor and as many workplace delegates as the worksite committee decides.
e) All election voting at workplaces shall be as described in Rule 29(1) and (2) for the Board of Directors
(2) The worksite convenor shall be elected by the members at the worksite every two years. Workplace delegates shall also be elected every two years by the members in that workplace.
(3) Delegates may be elected from each workplace or group of workplaces by the members in that workplace or group of workplaces. A delegate must be a financial member of NZNO.
(4) All delegates shall be elected at meetings of members from the workplace(s).
(5) Any delegate may be suspended or removed from her/his position on the motion of the members in the workplace concerned; or the Regional Council Committee or the Board of Directors (where a delegate actively works against the objects of NZNO or these Rules, after consultation with the workplace members).
(6) In no case shall any delegate commit NZNO on any matter without prior consultation with the Regional Council, Board of Directors or Organiser.

(7) The duties of delegates shall be as follows (unless decided otherwise by the Board of Directors):

(a) to take up on behalf of members represented any workplace matters with the employer;

(b) to enrol new members and maintain NZNO membership in the workplace of those employed who are entitled to be members;

(c) to carry out instructions from Regional Council meetings and act as a means of communication between the Regional Council and the Board of Directors of NZNO and the members in the workplace;

(d) to gather any information required by the Board of Directors or Regional Council for research purposes;

(e) to report to Regional Council or an Organiser immediately any suspected breach of the industrial agreement currently in force in her/his workplace, impending redundancy, or other concern in the workplace.

CARRIED.

RULE 39: NZNO SECTIONS AND NZNO COLLEGES:
Amend to read:

39.1 NZNO Colleges

(1) Members of a National Section with a defined area of professional clinical practice shall, subject to the approval of the Board of Directors, constitute a New Zealand Nurses Organisation college (NZNO College), provided that only one NZNO college shall be approved for each area of practice.

(2) The Board of Directors, in considering whether to confer NZNO college status, shall have due regard for the policy, guidelines and criteria for the establishment of NZNO Colleges.

(3) All NZNO Colleges shall use the words “New Zealand Nurses Organisation” in the title of the College. The words may be abbreviated to “NZNO”.

(4) Any funding to NZNO Colleges shall be the responsibility of the Board of Directors.

(5) NZNO Colleges, along with National Sections, shall be represented on the Board of Directors in terms of Rules 39.3(4) and 24(1)(f).

(6) NZNO Colleges shall be entitled to representation at the NZNO Annual General Conference and Special General Meetings in terms of Rule 23.2.

(7) Rule 39.1(1) above notwithstanding, the Board of Directors may approve the formation of a NZNO College by more than one existing national section, where that NZNO College best represents that area of practice.

(8) Rule 39.1(1) above notwithstanding, the Board of Directors may approve the formation of a NZNO College where a group of members meet the policy, guidelines and criteria for establishment of a new NZNO College.

(9) Rule 39.1(1) above notwithstanding, the Board of Directors may approve the formation of an NZNO College where a body, already existing outside NZNO, applies to join NZNO and meets all other criteria.

(10) NZNO Colleges will support the Board by working in partnership to achieve NZNO strategic aims in giving effect to Te Tiriti o Waitangi.

39.2 National Sections

(1) The Nursing Research, Duty and Clinical Nurse Managers, Enrolled Nurses and Pacific Nurses constitute National Sections of NZNO. Other existing National Sections as at 25 August 2011 shall remain Sections until they transition to become NZNO Colleges. The transition shall be completed by 2016.

(2) No new National structure shall be constituted.

(3) Any funding to National Sections shall be the responsibility of the Board of Directors.

(4) NZNO National Sections and Colleges shall be entitled to representation by a total of two positions on the Board of Directors. The representatives shall be nominated by NZNO National Sections and Colleges and elected by NZNO members. The process of nomination and election shall occur in terms of Rule 43.

(5) National Sections shall be entitled to representation at Annual General Conference and Special General Meetings in terms of Rule 23.2.
National Sections will support the Board by working in partnership to achieve NZNO strategic aims in giving effect to Te Tiriti o Waitangi.

39.3 Regional Sections
(1) Any group of members within an NZNO Region with a professional; or other common interest, and not of the same specialty as a NZNO National Section or College, may, subject to the approval of their Regional Council, constitute a Regional Section.

(2) Any group of members within an NZNO Region with a professional interest aligned to a NZNO National Section or College may, subject to the approval of the NZNO National Section or College constitute a Regional Section of the NZNO National Section or College in terms of Rule 39.2.

(3) Each Regional Section of a NZNO National Section or College, shall be entitled to send one representative for each 50 members or part thereof to the Regional Council.

(4) Nominations for Regional Council representatives shall be sought from members of the Regional Sections of NZNO National Sections and Colleges. The election may take place at a Regional Section/Division meeting which shall be called no sooner than two weeks later, or by ballot in accordance with Rule 43.

39.4 Administration
(1) Policy guidelines and criteria for the formation of Colleges and Sections will be set by the Board of Directors and amended as required from time to time. Such criteria will be formally recorded as NZNO policy and promulgated accordingly.

(2) Each NZNO National Section and College will operate in accordance with its Rules within the criteria and principles established by the Board of Directors, including requirements to report to the Board of Directors or Regional Council as the case may be.

(3) Finances of Colleges and Sections are deemed part of the finances of NZNO.

(4) Neither NZNO National Sections nor Colleges shall have the powers to borrow or contract unless specifically approved by the Chief Executive Officer and in accordance with the guidelines for approval and delegation for NZNO Sections and Colleges approved by the Board of Directors.

NB: See NZNO Section & College Handbook for the review process regarding decisions made by the CEO.

CARRIED.