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THE NEW ZEALAND FARM WORKERS ASSOCIATION

ITS RISE AND FALL 1974 - 1987

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of the requirements for the degree
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ABSTRACT

The New Zealand Farm Workers Association (FWA) grew from a groundswell reaction against the Kirk Government's proposed Agricultural Workers Bill, 1973. The Bill intended to end single sector industrial arrangements for over thirty thousand farm workers on stock, station and dairy farms by bringing them under the Industrial Relations Act 1973. Most farm workers believed this meant the introduction of a forty-hour week, penal over-time rates, compulsory membership and probable representation by the New Zealand Workers' Union (NZWU).

Many farm workers rejected this structure and the FWA resulted, a democratic, grass-roots organisation, run by farm workers for farm workers. It was committed to a framework of voluntary membership and an industrial policy of reconciliation and non-strike activity, concepts believed to suit the rural community of interests.

The Association attracted a membership of over eight thousand in its first year. Its initial success was achieved through the efforts of farm workers, the assistance of prominent people and farmer support. A National Party election promise to recognise the FWA led to the Agricultural Workers Act, 1977, which removed the threat from the rival NZWU and perpetuated single sector arrangements in agriculture.

FWA successes included the upgrading of Orders in Council relating to farm workers' wages after a delay of sixteen years, the first written agreement on conditions, and the development of policies designed to improve members' living conditions, to enhance their career prospects, and to make eventual land ownership more possible for them.

Claims of a rural community of interests were tested by the relationship between the FWA and the employer unions, who were guided by their parent body, Federated Farmers. There was initial cooperation on the updating of Orders, the formulation of the Agricultural Workers Act, 1977, and on research into

securing improvements in rural social life. But a fundamental conflict remained over land settlement and over securing better wages and conditions.

This divergence became apparent when the FWA found voluntary membership did not ensure its viability. In 1979 the employer unions refused to allow the FWA to introduce a draft membership clause into its Awards, offering alternative assistance instead. Federated Farmers' first concern was to safeguard the continuation of separate industrial arrangements in the rural sector.

Although a negotiated clause was accepted in 1982, it did not stop the decline of the FWA which was caused primarily by a lack of support from farm workers themselves. Without a strong following, the FWA was unable to operate as a serious political force. In the face of changing political and economic conditions, the FWA drive for increased status for farm workers was futile, especially after dramatic government policy changes in 1985. Its eventual merger with the NZWU and the passage of the Labour Relations Act, 1987, signalled the end of single sector arrangements and the complete capitulation of the FWA to the trade union system.

PREFACE

The rise of the New Zealand Farm Workers Association (FWA) in rural New Zealand involved a large number of people in an economically and politically important sector. In reconstructing events, I have drawn extensively on private papers, parliamentary records, newspapers, and the invaluable recollections of those directly associated with the FWA.

The existence of the Association tested consistent themes in New Zealand historiography. They encompassed the individualism of New Zealand farm workers, the perception of the trade union movement as alien to the rural scene, and a belief in the rural community of interests, in spite of farmers' superior political power.

The initial influence of the FWA was demonstrated by the passage of the Agricultural Workers Act, 1977. But the Association's brief period of prominence also emphasised the transitory, expedient nature of New Zealand politics and the need for a substantial following to effect lasting change.

The eventual capitulation of the FWA to the NZWU exploded the myth of the rural community of interests at a political level. It demonstrated the weakness of voluntary unionism, especially with a dispersed membership. The crowning irony was that the reaction against compulsory unionism which had led to the rise of the FWA also caused its fall.

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ABBREVIATIONS

AGM Annual General Meeting
ANZAAS Australian and New Zealand Association for the Advancement of Science
ATC Agricultural Training Council
MAF Ministry of Agriculture And Fisheries
NZAIUE New Zealand Agricultural and Related Farmers Industrial Union of Employers
NZDIUE New Zealand Dairy Farmers Industrial Union of Employers
FOL New Zealand Federation of Labour
FWA New Zealand Farm Workers Association
NZOYB New Zealand Official Year Book
NZPD New Zealand Periodical Debates
NZSIUE New Zealand Sheepowners Industrial Union of Employers
NZWU New Zealand Workers' Union
RBFC Rural Banking and Finance Corporation
YFC Young Farmers Club

Chapter One

THE ORIGINS OF THE FARM WORKERS ASSOCIATION

The New Zealand Farm Workers Association (FWA) grew directly from the threat of compulsory unionism embodied in the Agricultural Workers Amendment Bill. Introduced by the Kirk Labour Government in September 1973, the Bill's intention was to remove farm workers from the control of the Agricultural Workers Act, 1962, and to bring them under the Industrial Relations Act, 1973. Instead of the existing single sector arrangement under which farm workers' wages and conditions were determined from time to time by Order in Council, the new legislation proposed to draw farm workers under the same industrial umbrella as workers in any other industry.[1]

Henceforth, farm workers would have to join a union and abide by its rules. The Bill envisaged farm workers joining with the New Zealand Workers' Union (NZWU), and was generally taken to mean the introduction of the forty-hour week, penal rates and overtime. The FWA, drawing support from farm workers and farmers, developed as a vehicle of vigorous and determined farm worker opposition to this possibility.

The Labour Government's legislation had its origin in the Labour Party Manifesto of 1972 and was designed to ensure that farm workers had a reasonable minimum standard of wages and conditions. In the rural sector, however, the general dislike of industrial unionism already prevalent amongst farmers and farm workers, erupted into open antagonism and hostility that

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[1] Orders in Council fixing wages and conditions of employment were issued at the direction of the Minister of Labour.

unionism should intrude into the rural way of life.

Since the turn of the century, industrial matters in agriculture had been dealt with separately from the mainstream arbitration system because of difficulties in extending coverage to the agricultural sector.[2] There had been recognition of the conditions contributing to the need for special arrangements: the nature of the work involving seasonal and daily fluctuations; the close relationship between farmer and worker and isolation from fellow workers.[3]

The power of farmer organisations to influence political decisions against farm workers was another factor. This was illustrated by the refusal in 1908 of W.A. Sim, Judge of the Court of Arbitration, to grant an Award in the case between sheep farmers and the Canterbury Farm Labourers' Union. The grounds Sim gave for his refusal were difficulty of enforcement, cost to the industry, and lack of evidence of grievances.[4]

In 1936, when the Industrial Conciliation and Arbitration Act was amended to provide for compulsory unionism, an attempt was made to protect the interests of the bulk of agricultural workers, especially an estimated thirty thousand on stock, station and dairy farms who previously had not been brought

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[2] A typical comment was made by the Arbitration Court in refusing an application for an award by farm workers in 1925: "there are difficulties which are inseparable from the preparation of an award covering all classes of farm work". Stan Rodger, Industrial Relations - A Framework For Review, Wellington, 1985, p314.

[3] New Zealand farms often employ only one or two people. The Agricultural and Related Farmers Industrial Union of Employers(NZAIUE) claimed that 35.8% of cropping farms employed less than 2 men and 50% employed less than 3 men. Submission to Labour Select Committee on the Agricultural Workers Amendment Bill, 1973, General Assembly Library, Wellington.

[4] H. Gill, "Can Deference Survive", Proceedings of 49th ANZAAS Conference, 1979, pp1-40.

under an Award.[5] The result was the Agricultural Workers Act, 1936.[6] It continued single sector arrangements and stipulated that wages for agricultural workers would be determined periodically by Order in Council, at the discretion of the Minister of Labour. The system was satisfactory for categories of farm workers who were already members of unions, since their Orders were updated regularly.[7]

But the Agricultural Workers Act, 1936, had failed to give statutory protection to the bulk of New Zealand's farm employees, who remained unrepresented. The difficulty was that there was no compulsory wage bargaining and no specified time for review. Unless approached with an agreed proposal by employer and employee organisations, the Minister was unlikely to issue an Order. By 1973 those for stock, station and dairy workers were well out of date. The last Order in Council issued for workers on farms and stations was back in 1959 and that for dairy farms 1960. As a result the Orders had been largely ignored and wages set either by individual agreement or governed by the Minimum Wage Act which, in 1973, specified $47.00 per week for an adult male.[8] By comparison, the legal wage rate was $21.08 for an adult farms and stations worker and $24.80 for an adult dairy farm worker, in both cases not

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[5] In 1971, there were 34,282 farm workers on stock, station and dairy farms. This included 28,801 males and 5,481 females. New Zealand Census of Population and Dwellings, Industries And Occupations, Department of Statistics, Volume 4, 1971, p36.

[6] The Agricultural Workers Act was amended in 1962 but had the same general scope.

[7] Market garden workers were members of the New Zealand General Workers and Related Trades Union; shearers and workers on vineyards and tobacco plantations were members of the New Zealand Workers' Union (NZWU).

[8] Minimum Wage Act, 1973.

"found".[9]

Government legislation had proved anything but adequate in promoting unity, common purpose and a collective voice for the average farm worker. In many cases, farmers paid above the minimum wage and treated their workers well, influenced by labour shortages and the "going rate". However, Social Welfare had been alerted to employees working for the old Order in Council rates and legally there was nothing amiss.[10] A worker was often at a great disadvantage when it came to discussing wages on an individual basis and had little protection from exploitation or victimisation. Some worked in intolerable situations for excessively long hours. Others could be just out of school, a family relative of the employer, or found in a job which isolated them from regular contact with fellow-workers. Those with families living in tied housing were especially vulnerable. There was no legal protection from instant eviction for workers or their families in the event of dismissal.

Farmers themselves often saw nothing wrong in working from daylight to dusk, or even longer, and expected employees to do the same. Furthermore, it was "not done" to discuss items such as wage rates or conditions of work. The genteel condescension of many farmers was another powerful psychological factor in reinforcing the status quo. This could take the form of "perks" or extras over and above wages, installation of a flush toilet on a back country station because "they deserve it", free meat, or use of a farm vehicle. Such privileges were subject to the employer's goodwill and, however well meant, were evidence of a

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[9] 4a Farms and Stations Extension Order 1954, amendment No 4; 4b Agricultural Workers Wages 1960.

[10] J. Kneebone, President of Federated Farmers, had been asked by Social Welfare to find alternative employment for boys misused in this way. Hedderwick to Author, 9 April 1990, p5.

deferential relationship where an employee knew his place.

Since 1936, the NZWU had nominal representation of stock, station and dairy workers.[11] The Agricultural Workers Acts of 1936 and 1962 had been very general about what constituted an "employee organisation", requiring only that it be an organisation of workers affected by the Order.[12] The NZWU's association with rural workers, originally centred on shearers,[13] had resulted in periodic attempts to organise farm workers since 1936, but with little success.[14]

Results had not warranted the cost and effort expended. It was difficult to collect subscriptions from existing members, and other sections of the union objected to spending money on a section that could not pay its way.[15] Farm workers were widely scattered and lacked the kind of collective identity that other trade unionists had, identifying with rural society rather than with the rest of the nation's working class.

In 1949, the New Zealand Federation of Labour (FOL) asked for the Agricultural Workers Act of 1936 to be amended to allow compulsory membership of farm workers in the NZWU, in

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[11] Macalister Mazengarb and Co to Dr G.P. Barton, 21 October 1975, p3. Macalister, Mazengarb, Parkin and Rose, files on the New Zealand Farm Workers Association, Wellington, Macalister Mazengarb files on FWA.

[12] H. Rennie, New Zealand Farm Workers Association lawyer, to New Zealand Universities' Law Review, 18 July 1978, p3, Macalister Mazengarb files on FWA.

[13] J.E. Martin, Tatau Tatau - One Big Union Altogether, Christchurch, 1987.

[14] Groups were to form local committees to enable NZWU organisers to draw up claims to present to employers. Circular letter, A. Cook, General Secretary NZWU, to New Zealand Farm and Station Workers, 13 August 1936, NZWU Order in Council file.

[15] Interview, D. Duggan, General Secretary of NZWU, with Author, 8 May 1990.

the belief that effective representation required such a change.[16] In refusing, A. McLagan, the Labour Government's Minister of Labour, had replied:

> You will appreciate that by the Agricultural Workers' Act, statutory protection was given to classes of workers who were otherwise unable, because of the nature of their work and of the fact they were in widely scattered and often inaccessible areas, to obtain the industrial assistance available to workers employed in areas where similar difficulties were not existent.[17]

With hindsight, the "statutory protection" can be seen as ineffective. However, the statement reiterated and justified the principle of the separate treatment of agricultural workers on the grounds of their special circumstances. It also indicated the influence of the farming lobby in limiting the role of unions.

In spite of this refusal, and the limited response of farm workers generally, the NZWU acted for them in 1953 to secure revised Orders in Council. It eventually did so again in 1966, but demanded preconditions of a forty-hour week and an Unqualified Preference clause which caused employer representatives to walk out.[18] The NZWU failed to follow up

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[16] K. Baxter, Secretary, New Zealand Federation of Labour (FOL) to General Secretary, NZWU, advising he would try to get an amendment, 15 December 1948, NZWU Order in Council file.

[17] A. McLagan, Minister of Labour to K. Baxter, Secretary of FOL, 29 March 1949, NZWU Order in Council file.

[18] It was believed that the setting of preconditions was planned by FOL moderates to ensure that the employer unions would walk out. Their action was believed to have convinced the Labour Party that if it became Government, it would bring farm workers under the Industrial Relations Act and provide a moderating influence within the FOL. Hedderwick to Author, 9 April 1990, p3.

with an application to the Industrial Court for a judgement and there the matter lapsed.[19] Since there was no provision for a general wage order in the Agricultural Workers Act of 1962, legislation on wages and conditions failed to get off the ground once again.

By 1974, the legitimacy of the claim to representation by the NZWU was uncertain, except on the grounds of custom. Membership in the relevant categories was almost non-existent and the NZWU did not deny the assertion by Hon. D. Thompson, National Member of Parliament for Stratford, that only 12 of 9,000 members could claim to be bona fide farm workers.[20] Many farm workers were resentful of the neglect of NZWU officials, and for this reason alone, were strongly anti-union in their attitudes.

The Labour Party Manifesto of 1972 had already indicated Norman Kirk's intention to introduce measures to help farm workers, an objective largely ignored by the rural community until the proposed amendment to the Agricultural Workers Bill was introduced into Parliament the following year by Hugh Watt, Minister of Labour. Kirk had expressed a special interest in doing something for farm workers.[21] He had maintained his link with working people and the NZWU, at times using the Union's holiday home in Queen Charlotte Sound.[22] The Government's nomination of the NZWU as the delegated farm worker organisation was both historically valid and

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[19] At this time the NZWU had been criticised for its failure to cater for its rural membership. Macalister Mazengarb & Co to Dr G.P. Barton, 21 October 1975, Macalister Mazengarb files on FWA.

[20] NZPD, 389, 14 February 1974, p68.

[21] "As soon as it is practicable, we will be doing something to give greater protection to farm workers". Kirk to Rippey, 22 December 1972, NZWU Order in Council file.

[22] Interview, Duggan with Author, 11 April 1990.

politically expedient. The NZWU had just recovered from a major internal scandal over misappropriation of funds and had narrowly escaped deregistration. The appointment of a new and more moderate General Secretary, and the additional membership from representation of farm workers, assured the Union's future. It was believed also that the FOL wanted to boost the moderate element within the NZWU.[23] The wording of the Industrial Relations Act, 1973, effectively ensured that registration under the NZWU was mandatory for farm workers.[24] If members could "conveniently belong to an existing union", registration of another society could be refused.[25] Dan Duggan, General Secretary of the NZWU, claimed that the Bill would not make membership mandatory and that, if passed, would only confirm the NZWU's right to negotiate an Award. Farm workers would then decide for themselves by voting whether to have an Unqualified Preference clause included in their Award.[26] But Unqualified Preference, which required employees to join the appropriate union within fourteen days, had been included in all conciliation agreements since 1961.

The 1973 Bill aimed to give agricultural workers the same protection as other workers, using the same legislation. The

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[23] Duggan's reply was that farm workers would make little difference to the balance of power because "it would probably take ten years to sign them all up". The Farmworker, Volume 1, No 2, October 1975, p3.

[24] The wording was carried over from the Industrial Conciliation and Arbitration Act, 1936.

[25] Department of Labour, Industrial Relations Division, "Some Common Questions Posed Following the Introduction of the Agricultural Workers Amendment Bill", 24 March 1976. Hedderwick files on the New Zealand Farm Workers Association (FWA).

[26] J.A. Eagles, "Farm Workers Will Not Be Forced Into Joining Union", New Zealand Herald, 21 May 1974, p3, NZWU Order in Council file.

proposed amendment appeared to help farm workers rather than harm their case. Rhetoric against compulsion, set hours and a minimum wage seemed illogical from agricultural workers who were at the bottom end of the wages scale. But this reaction was an expression of a complex matrix of beliefs by farm workers who demanded that their special social relationships and conditions of work should be acknowledged by continued separate arrangements.[27]

Farm workers were already disillusioned by the lack of performance of the NZWU in the 1960s and had become conditioned to working out their own terms and conditions. One spokesman, K. Burridge from the Waikato, explained: "each farm worker is himself a mini-union able to negotiate his wages and conditions with his employer according to the circumstances of his work".[28]

Farm workers resisted the pressure to join an "odds and sods" type of union under what they saw as a set of ready-made rules catering for other groups of workers. K.G. Holmes, later to be first national secretary of the FWA, explained an attitude that was prevalent among farm workers: "They do not want to be placed permanently in an agricultural working class subject to the rules of a union or to have their present good and flexible working relationship with employers impaired".[29]

Farm workers widely believed that policies such as the forty-hour, five-day week were incompatible with fluctuations in weather, seasons and workload in the farming situation.

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[27] Government wanted to avoid the proliferation of unions. "Editorial", The Farmworker, Volume 2, No 1, March 1976, p1.

[28] P.J. Freeth, "Anti-Union Moves Grow Among Farm Workers", New Zealand Herald, 20 April 1974, p3, NZWU Order in Council file.

[29] Ibid, p3.

Union involvement was often considered intolerable and the Government's action was interpreted as a railroading of the rural community with its "socialist regimentation".[30]

Exasperation at farm worker attitudes was expressed by the FOL: "...they continue to parade the bogey of industrial unionism as they imagine it to be and appear to believe that workers on the land are a race apart from other members of our community...."[31]

Those in favour of the Bill included the FOL, the NZWU, and the New Zealand Labourers and Related Trades Industrial Association of Workers.[32] All called for farm work to have an established code of working conditions like other industries; they claimed that the present situation made a nonsense of statements that workers could negotiate on an individual basis: "The fact is that they have no effective organisation to carry this out".[33] By adding stock, station and dairy workers to the NZWU membership, the statutory right of representation and bargaining power for farm workers would be assured.

Once the Bill was introduced, the NZWU mounted a publicity campaign designed to persuade rural workers to

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[30] NZPD, 385, 13 September 1973, p3562, (Hon. David Thompson).

[31] Submissions of the New Zealand Federation of Labour to the Labour Select Committee Concerning the Agricultural Workers Amendment Bill, 1973, clause 19, General Assembly Library, Wellington.

[32] The two other submissions in favour were those of The Young Christian Workers' Movement and the Wanganui and Taranaki FWA. Submissions to Labour Select Committee, Agricultural Workers Amendment Bill, 1973, General Assembly Library, Wellington.

[33] FOL Submission to Labour Select Committee, Agricultural Workers Amendment Bill, 1973, clause 18, General Assembly Library, Wellington.

accept the legislative proposals. Modification of the previous hard-line attitude of the NZWU was carried out by Dan Duggan as General Secretary. He gave public assurances that the rigid forty-hour week would not be insisted on.[34] As evidence, Duggan referred to his own experiences as a former farm worker, to agreements among other sectors covered by the NZWU and to the legislation which made this possible. Sections 93 and 94 of the new Industrial Relations Act, 1973, enshrining the forty-hour week, also allowed flexibility:

> (1) In every award the Commission shall fix at not more than 40 the maximum number of hours (exclusive of overtime) to be worked in any one week by any worker bound by the award, unless the Commission is of the opinion after hearing representatives of employers and of workers or affording them the opportunity to be heard, that it would be impracticable to carry on efficiently any industry to which the award relates if the working hours were so limited.
> (2) Where in any award the maximum number of hours (exclusive of overtime) to be worked by any worker in any week is fixed in excess of 40, the Commission shall indicate in the award the grounds that, in the opinion of the Commission, made impracticable the fixing of 40 hours as the maximum number of hours to be worked in any one week.[35]

Flexible hours had been written into Awards covering workers in orchards, vineyards and poultry farms. At the same time, Duggan was still not prepared to concede unlimited hours without penal rates, since it would render an agreement

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[34] "Workers Union Fights For Farm Coverage", The Farmworker, Volume 1, No 2, October 1975, p3.

[35] Industrial Relations Act, 1973.

meaningless.[36]

The NZWU claimed that if the Bill was passed, farm workers could seek election and in time become an effective influence in the union. Duggan claimed that farm workers would have the right to vote, "to change the rules, throw out the officers or reshape the union if that is what they want".[37] Agricultural workers remained sceptical about that line of reasoning because of a six-year qualification for those seeking office, and special provisions that protected a sitting executive from outside challenges:

> No person shall be eligible for nomination for election to any office or position unless he complies with the qualifications required under these rules and provided further that the Executive Council or Management Committee is satisfied that the personal and industrial qualifications would allow him to represent the members with trustworthiness dignity and probity.[38]

Local public meetings, organised by the NZWU and by concerned farm workers, began to be held in anticipation of making submissions. Attitudes were polarising as the significance of the Bill was widely debated. There were farm workers and sympathisers on one side and unionists on the other. Field officers of the NZWU were bombarded with questions by farm workers. Other rural groups became involved, including Federated Farmers and Young Farmers Clubs. Federated

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[36] "Workers Union Fights For Farm Coverage", The Farmworker, Volume 1, No 2, October 1975, p3.

[37] J.A. Eagles, New Zealand Herald, 21 May 1974, p3.

[38] There was also a six year membership requirement for nomination to official positions. "Qualifications For Office", Complete Amendment of the Rules of the NZWU, Rule 32, NZWU Order in Council file.

Farmers was not keen to have the formal coding of working conditions or wages within a union structure. It had already objected to the lack of consultation before the Bill's first reading.[39]

The emergence of organised opposition to the proposed legislation appeared after the Bill's first reading on 13 September 1973. By the time hearings for submissions on the Bill began on 14 October, local groups of farm workers had formed in anticipation of the formulation of submissions against the Bill. Organisation of farm worker groups began from Waikato in the North Island and from North Canterbury in the South Island.[40] The pattern throughout rural New Zealand became one of meetings called by a small local group, always involving farm workers, and often with wives, the occasional farmer and Young Farmers Club members.[41] Along with farm worker representatives, they would invite speakers from the NZWU and occasionally the Department of Labour. After each meeting farm workers would usually withdraw and form a group against the Bill.[42]

In the South Island, the possibility of a farm workers' union had already been considered, but under the aegis of the FOL. Activity by the FOL earlier in the year anticipated both changes in the law and local discontent at the Bill's intention of farm worker representation under the NZWU. This anti-NZWU sentiment was a contributing influence in the rise

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[39] G.K. Stevenson, Chairman of the Dairy Farmers Industrial Union of Employers (NZDIUE). Unidentified newspaper clipping, 25 September 1973, NZWU Order in Council file.

[40] North Island beginnings were reported by P.J. Freeth, New Zealand Herald, 20 May 1974 p3. The South Island beginnings were described by letter, Hedderwick to Author, 14 April 1990, p1.

[41] Wives were often important in organising meetings and in arranging transport.

[42] Hedderwick to Author, 14 April 1990, p1.

of the FWA.

In Christchurch, during May 1973, an advertisement in the public notices of The Press advised of a box number to which anyone who was interested in the formation of a farm workers' union could write. Those who did so received copies of three letters: one was a statement of assurance from Bruce Barclay, local Member of Parliament and Under-secretary for Agriculture, that the Government was acting for farm workers through the Industrial Relations Bill; the second was a formal request to the Secretary of the Canterbury Trades Council that the idea of a farm workers' union be brought before the FOL conference; and the third was notice of a meeting of farm workers to discuss whether to join an existing union or to form a new one, in both cases affiliated to the FOL.[43] Trades Council and NZWU speakers were to attend.[44] It was widely believed that the letters were inspired by attempts of the Canterbury Meat Workers' Union to snatch farm worker representation from the NZWU.

Farm workers became involved when, in turn, the NZWU called a public meeting in Christchurch that was attended by about 100 people. Geoff Harkers, a farm worker who went out of interest only, noticed a discrepancy between the actual meeting and a subsequent press item which reported the formation of a committee to support the Bill.[45] Although publicised as a bona fide committee of farm workers, it

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[43] Three letters, B. Barclay to R. Bruce, 2 May 1973; R. Bruce to G. Walker, 13 April 1973; R. Bruce to G. Harkers, 30 May 1973. Hedderwick files on FWA.

[44] The meeting was to be held at Trades Hall, Christchurch on Saturday 9 June 1973, 3 months before the Bill was tabled. Bruce to Harkers, 30 May 1973. Hedderwick files on FWA.

[45] Geoff Harkers, a former shop floor delegate at an engineering works, came into farming disillusioned with the labour movement. Hedderwick to Author, 13 April 1990, p1.

allegedly included a railway driver, a factory personnel officer and two housewives.

Local farm workers interpreted the press report as an act of presumption. A meeting in Cheviot, attended by about ninety farm workers, organised a further public meeting to determine the consequences should the Agricultural Workers Amendment Bill become law and bring farm workers under the Industrial Relations Act. Speakers from Federated Farmers, the Department of Labour and the NZWU were invited to put their points of view. The ensuing meeting had a large attendance, predominantly of farm workers but also of farmers and their sons.[46] The mood was anti-NZWU, with the result that the General Secretary, Duggan, was heckled off the stage.[47] Subsequently, six or seven meetings were held throughout the province, attended by farm workers, Young Farmers Club members and sympathisers. Each time a farm workers' committee was formed.

Immediately after the Agricultural Workers Amendment Bill was tabled in mid-October, representatives from the Canterbury area gathered at Rangiora. They resolved that delegates appointed by the Mid and North Canterbury Farm Workers' Committee make submissions from the Canterbury area to the Labour Select Committee, due to sit on 24 October 1973. Four farm workers, Doug Searle, Bruce Inch, Geoff Harkers and David Hedderwick, formulated a submission while sitting around Harkers' kitchen table. It requested that the Bill be dropped or delayed until all farm workers had the opportunity to

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[46] In the South Island, there was rivalry between the Sheep And Cattlemens' Association and Federated Farmers. Some farmers who were not Federated Farmers' members supported the FWA, and helped to contribute to its rise. Hedderwick to Author, 13 March 1990, p1.

[47] It has been claimed that the hecklers were paid-up NZWU members who were shearers from the local pub. Hedderwick to Author, 14 April 1990, p2.

become better informed and the chance to express their feelings through a postal ballot. Searle, Inch and Hedderwick presented their submission in person, such was the intensity of feeling in the district.[48]

In the North Island, reaction began in October in the Pirongia district west of Te Awamutu. K. Burridge, a farm worker and former agricultural student at Massey University, assessed the implications of being "regimented" into a union with little say in its affairs and policy. With the help of Karapiro sharemilker, K.G. Holmes, farm workers in the Waikato district were contacted. Subsequently, a group was formed which described itself as a Farm Workers' Association.[49] This Waikato Association presented a lengthy submission. It explained that farm workers perceived their job as one based on a close personal relationship with the employer where there was mutual trust and responsibility rather than a master-servant relationship. It also claimed that a factory type award would be detrimental and objected to legislation which would have "unionism imposed upon us".[50]

Other areas and groups also responded. Three farm workers from Roxburgh asked that the Bill be dropped.[51] A submission

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[48] Delegates appointed by the Mid and North Canterbury Farm Workers' Committee, Submission to Labour Select Committee, Agricultural Workers Amendment Bill, 1973. General Assembly Library, Wellington. The group found its first experience at making a submission somewhat daunting. Hedderwick to Author, 14 April 1990, p3.

[49] P.J. Freeth, New Zealand Herald, 20 May 1974, p3.

[50] K. Burridge, Te Awamutu FWA, Submission to Labour Select Committee, Agricultural Workers Amendment Bill, 1973. General Assembly Library, Wellington. The submission also included a discussion on experiences in Denmark and Britain written by K.G. Holmes.

[51] R.B. Shaw and others, Submission to Labour Select Committee, Agricultural Workers Amendment Bill, 1973, General Assembly Library, Wellington.

from Tapanui reported that an address to a public meeting by a Labour Department representative was followed by a secret ballot on the Bill. Thirty-seven out of forty-one employees and all thirty employers present voted against the Bill.[52] Another group, the Waikato Farm Cadet Scheme Section of Federated Farmers, conducted a questionaire among farmers and cadets. Concern was expressed that changes in farm employment would spoil a cadet's chances of eventual self-employment.[53] Other farm workers presenting submissions and motions included groups from Mahoenui, Waitahura and Wanganui and Taranaki.[54]

Only one group of farm workers was in favour of joining the NZWU. This was a Wanganui and Taranaki group. It focused concern on the high turnover and loss of labour to the industry because of exploitation and abuse of people in the area, especially the young. The group cited cases of seventy hours a week being worked routinely and of youths who had been giving "of their best", being put off after the busy season.[55] Not all farm workers were opposed to the concept of unionism or of some sort of collective representation. Protection had to be afforded the underdog. This group's simple two page document revealed the predicament of exploited workers:

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[52] Tapanui Farm Workers, Submission to Labour Select Committee, Agricultural Workers Amendment Bill, 1973, General Assembly Library, Wellington.

[53] Waikato Farm Cadet Scheme Section of Federated Farmers, Submission to Labour Select Committee, Agricultural Workers Amendment Bill, 1973, General Assembly Library, Wellington.

[54] Full list available at General Assembly Library, Wellington.

[55] Wanganui and Taranaki Farm Workers Association, Submission to Labour Select Committee, Agricultural Workers Amendment Bill, 1973, General Assembly Library, Wellington.

> The only redress they have is to the Labour Department but as there is no limit on hours to be worked and the award wages are so low the Department can do very little. Also most young people are, because of their age and inexperience too embarrassed to approach officialdom, so they leave and sometimes for good. Some employers we know of, have had up to ten employees a year.[56]

Another aspect of union involvement was the place of farm managers under union control. Farm workers wanted status to be built into a farm working career through recognition of experience, skill and responsibility. The Rural Management Association was an organisation of farm managers.[57] They wanted to stay as part of an independent organisation which gave recognition to members' responsibilities, rather than be placed on an equal footing with other farm workers or shearers in an industrial union.

The intense suspicion and antagonism of farm workers to compulsory unionism was not restricted to the prospect of the ailing and recently discredited NZWU picking up extra revenue from new members. There were wider philosophical issues. Unionism threatened the traditional mystique associated with country life. Although workers wanted redress on wages and conditions, to some extent these could be balanced against lifestyle and job satisfaction.[58] It was widely believed

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[56] Ibid.

[57] Rural Management Association, Mahoenui, Submission to Labour Select Committee, Agricultural Workers Amendment Bill, 1973, General Assembly Library, Wellington.

[58] A. Loveridge, "'The Stayers Always Come Out On Top'. The Influence of Aspirations to Farm Ownership on the Attitude of Farm Employees to Trade Unions", December 1987, pp1-16. Paper presented to the Annual Conference of the Sociological Association of Aotearoa.

that union activity would destroy the special relationship in which worker and boss could see eye to eye. There was also a fear that unionism would damage prospects of upward social mobility through land ownership:

> ...a young urban boy leaving school with no previous farming experience can enjoy a fruitful career which in many cases is climaxed by farm ownership. But we feel this whole opportunity will be jeopardised if a union is thrust upon us.[59]

Employment was regarded as an apprenticeship in which the right people could succeed. Many highly motivated farm workers identified with farmers since their own prospects of farm ownership were considered feasible. A strong union was seen to be against their future interests. Flexible work hours, freedom from demarcation issues, perquisites as part-payment, and tenuous economic margins were cited as reasons to keep agricultural arrangements separate.[60]

There were many areas where employers and workers had identical views about proposed changes that were required. Both wanted reform of the existing situation, which was described by one employer representative as "an insult to agriculture".[61] Typically, employers were prepared to agree on minimum standards, regular adjustment of wages, representation of workers, and the establishment of an Agricultural Wages Court with a special knowledge of

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[59] Te Awamutu FWA, clause 4, p1, Submission to Labour Select Committee, Agricultural Workers Amendment Bill, 1973, General Assembly Library, Wellington.

[60] Ibid, pp1-2.

[61] Stephenson, Chairman NZDIUE, unidentified newspaper clipping, 25 September 1973, Walker scrapbook of newspaper clippings.

agriculture. Employers urged that employees should remain under an amended Agricultural Workers Act. They rejected union involvement.[62]

Farm workers and employers both asked for the principle of flexible hours to stay, to allow for variation on farms, between seasons and in work conditions. While workers said nothing against penal rates for overtime, the different employer bodies devoted considerable attention to explaining why the forty-hour, five-day week with penal overtime would increase costs, resulting in loss of production, reduction of labour units and possible changes to less labour-intensive farming.

Farmers presented elaborate arguments to justify why they could not pay more.[63] The trend towards larger dairy farms with an average herd size of 103 cows and reliance on employed labour was also noted. It was claimed that penal overtime would cause farmers to reduce herd size, change to one-man units and alter the type of farming operation. The New Zealand Dairy Farmers Industrial Union of Employers (NZDIUE) argued that hours could not be standardised easily because of the nature of work in the dairy industry. It suggested regular pay in the form of a yearly salary to counter the concept of a forty-hour week and penal rates. This way weekend work and busy periods would be offset by the slack times.

The NZDIUE claimed that dairy farm employment was regarded by "the vast majority" of workers as a stepping stone to ownership via sharemilking. Seventy-two per cent of workers were cited as being under twenty-six years of age. One-third of all milk at that time was produced by sharemilkers and approximately ninety per cent of farm loans at the Hamilton

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[62] For example, NZDIUE, Submission to Labour Select Committee, Agricultural Workers Amendment Bill, 1973, General Assembly Library, Wellington.

[63] Ibid, clauses 8,14,15.

State Advances Office in 1973 went to sharemilkers purchasing their first farm, testimony to the success of those with aspirations towards land ownership.[64]

Farmers on sheep stations argued that the forty-hour week was impracticable.[65] They explained that jobs such as docking, drenching or mustering should not be done in the heat of the day. Other operations requiring contract labour had to be done as the gangs became available or as weather permitted. An attempt to charge overtime rates in shearing had been reversed in the 1960s.[66] If the forty-hour week was introduced, a farmer unlucky enough to have contractors such as haymakers turn up in the weekend would have to pay double. In the event of wet weather during the week, a contract labourer might suffer a loss of income because farmers would resist employment during overtime hours. Contractors themselves were accustomed to doing work when required and taking holidays when work slackened. And, of course, events such as lambing did not keep conventional work hours.

The FOL responded by arguing that such considerations could be catered for within the terms of the Industrial Relations Act, 1973. Union representatives accused farm workers of being dominated by employers. But farm worker antagonism to the threat of blanket union coverage was based on the perception of a shared community of interests with farmers, and a negative attitude to unions that had been hardened over time by the 1951 waterfront strike and continuing industrial unrest in freezing works. Workers and employers joined in common cause against the Bill, but in many

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[64] Ibid, clause 9.

[65] New Zealand Sheepowners Industrial Union of Employers (NZSIUE), Submission to Labour Select Committee, Agricultural Workers Amendment Bill, 1973, General Assembly Library, Wellington.

[66] Ibid.

instances the response of farm workers was their own: "Farm workers from North Cape to the Bluff are showing that collectively they are just as independent as the farmers who employ them".[67]

The return of the Bill to the House unchanged on 14 February 1974, gave the final impetus for the formation of a national organisation of farm workers. In the meantime, farm workers opposing the Bill had expected a response to their submission and had gone back to work.[68] When it became apparent that democratic duty had been done to no effect, the tidal wave of indignation grew. Campaigning against the Bill began in earnest. In rural areas, advertisements in local papers invited contact from parties interested in joining local farm worker associations. Usually an interested farm worker would ring around the local district and rally support. Following the pattern of a few months before, the farm workers would invite speakers from the NZWU and the Department of Labour to a public meeting. After the meeting farm workers would, almost invariably, form a local association.

The threads were coming together. It was a short step from wanting legislative protection, and from dislike of the NZWU, to setting up a national representative organisation. Many employers were willing to give time off or to go to a meeting in person because of their anti-union inclinations. Discussion on alternatives to joining the NZWU was inevitable. Farm workers were adamant that they did not want to belong to the NZWU and that they should have their own representation. The campaign grew as meetings were held around the country in a spontaneous demonstration of support for farm worker associations. New members were levied $2.00 towards a

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[67] P.J. Freeth, New Zealand Herald, 20 May 1974, p3.

[68] W. Withell, Secretary of the FWA, recalled that they were all very naive. Interview, Withell with Author, 12 August 1990.

"fighting fund".[69] Often meetings turned into spirited confrontations between rural workers and the NZWU.

The consensus amongst farm workers attending these meetings was that they needed permanent representation at national level. A decision was made by North Island workers to call a meeting in Wellington on the second Sunday in March. Holmes contacted all those who had made submissions to the Select Committee.[70] Interested parties were invited to attend. Farmworkers from the Waikato, Hawkes Bay, Manawatu and North Canterbury attended, along with other observers.[71] When a delegation to Parliament was told once again that the Bill would go ahead, a small group led by David Mirams from Hawkes Bay went to the Wellington Club. Introductions were made to important contacts who were prepared to assist the cause.[72] Withell, who had joined the delegation as a representative of the Manawatu-Horowhenua area, remembered this group coming back with suggestions for a lawyer, an accountant and a bank for the Association.

T.A. Scoular, subsequently the Association's accountant, wrote of his first meeting: "a small band of obviously outdoor types materialised around our office - weather-beaten and ruddy complexions, bushy beards (and) sloppy thick knit jerseys".[73] Lawyer Heughan Rennie recalled that he was in the office when a group of men arrived at reception. The group was upset and eventually explained that it wanted advice on

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[69] P.J. Freeth, New Zealand Herald, 20 May 1974, p3.

[70] Hedderwick to Author, 14 April 1990, p4.

[71] NZFWA First Annual Report 1975, p3, Hedderwick files on FWA.

[72] The introductions were were given through Dr Mirams, a relative of David Mirams. Interview, Rennie with Author, 9 April 1990.

[73] The Farmworker, Vol 1, No 1, July 1975, p3.

whether anything further could be done to stop the Bill going ahead. The ensuing discussion confirmed that a national farm workers' organisation was a realistic alternative. If it could become an incorporated society, then it would be possible to register the society under the Industrial Relations Act of 1973.[74]

A committee was elected with T. Bridson as National Coordinator and Hedderwick as National President. Mirams and Hedderwick stayed back to draft a constitution and fulfill legal requirements with the assistance of Rennie. On 26 March 1974, the New Zealand Farmworkers Association was registered as an incorporated society.[75] By virtue of its membership, it could claim to be the representative body for farm workers in industrial and social matters.

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[74] The only other alternative the group had was to register a protest by a policy of non-cooperation with the NZWU. Interview, Rennie with Author, 9 April 1990.

[75] NZWU Farm Workers' file 1, 1973-1974.

Chapter Two

CONSOLIDATION: MEMBERSHIP AND PHILOSOPHY

The FWA wanted immediate recognition by Government as the bona fide organisation representing farm workers. In order to do this it had to establish its membership, have an adequate organisational structure, a proper constitution, effective grass-roots participation, and a clear philosophy with defined goals.

Fulfilling incorporation requirements was the first step. David Hedderwick later recalled that eleven flights back to Canterbury were cancelled and rebooked as he and Mirams stayed in Wellington to formulate a constitution. Apart from a hat passed around at the Grand Hotel to cover costs, they had to pay for themselves.[1] The tremendous input of time, energy and money, that was a characteristic of those deeply involved in the organisation of the FWA, had begun. After two weeks, with the help of Rennie, the Association was a functioning national organisation, with a management committee, a regional executive with branch officials and a set of rules that met incorporation requirements. For a fee of $10, the Association's registration was accepted by the Registrar of Incorporated Societies on 27 March 1974.[2]

The next priority was a verifiable membership to give credence to its claim that it was representative of farm workers. As an incorporated society it could apply for

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[1] H. Little, "Battler In The Fray For Farm Workers Rights", New Zealand Journal of Agriculture, September 1985, pp51-53.

[2] NZWU Farm Workers' file 2.

registration as a union for farm workers, on the grounds that there was no union which "presently has coverage or to which they might more appropriately belong".[3] Evidence of a high membership was vital to refute the rival NZWU claims.[4] Consequently there was a hectic round as rural communities were canvassed, with both the NZWU and the FWA giving their points of view.

Initially, the NZWU had organised meetings focused on the Agricultural Workers Amendment Bill of 1973, but when the Bill was unchanged on the second reading, local pockets of farm workers became caught up in the emotional tide and began to arrange meetings themselves. Often a farm worker would rally interest in his own district, organise a meeting, and invite speakers from both the NZWU and the FWA. The average meeting would consist of a gathering of ten to twenty people at a local hall. By early 1974 the concept of a Farm Workers Association was becoming accepted. Local advertisements were often inserted in newspapers, characteristically headed "FWA Meeting", followed by a statement inviting interested parties to attend and to discuss alternative measures to joining a union. A few farmers would usually be present and willing to support any movement against the proposed Bill. Consistent support came from members of Young Farmers Clubs. They had shared concerns with the FWA, and many farm workers became members of both organisations.[5] On occasions, farmers' sons

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[3] Macalister, Mazengarb and Co. to Registrar of Industrial Unions, 24 May 1974, Macalister Mazengarb files on FWA.

[4] NZWU rules covered farm workers since 1935, but it had not succeeded in obtaining broad farm coverage. In 1975, it was thought that the NZWU had 160 farm worker members of which 70 - 80 were on Lands and Survey farms. Macalister Mazengarb and Co. to Dr G.P. Barton, barrister, 21 October 1975, Macalister Mazengarb files on FWA.

[5] Charles Wiffen, Young Farmers Club (YFC) representative, to Author, 31 October 1990.

would turn up out of interest, but the FWA cause was not fashionable and did not attract sustained interest. After an open meeting, farm workers usually withdrew and formed a local association.

Where farm workers had difficulties getting to meetings because of job constraints, a friend would often act as advocate. Wally Withell, a farm worker who was to become the national secretary, recalled being encouraged by his employers to attend a meeting in Hamilton. He had returned home determined to organise a meeting in his own area around Levin.[6] Many farmers encouraged the attendance of workers out of curiosity and because of opposition to the Bill.

The South Island experience was that the FWA could often capitalise on ready-made contacts and an existing social network developed as a result of marriage, old workmates or rural activities. As a result, FWA speakers often had the advantage of being able to stay at private homes, in contrast to NZWU officials, who were expected to pay for accommodation and were often left isolated, rather like "undesirable aliens".[7] Hedderwick, as a farm manager and secretary to the local Collie Club, already had a wide circle of acquaintances and was able to establish rapport among fellow country folk. As he later observed, "the right to be listened to is acquired after talking endlessly about dogs, weather and current farming problems".[8]

Attendance at country meetings was often poor when outsiders called them. As a consequence, the FWA adopted a policy of going only when invited. It required local organisation to get a commitment from farm workers and to

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[6] Interview, Withell with Author, 12 August 1990.

[7] A Hedderwick perception! Hedderwick to Author, 14 April 1990, p6.

[8] Ibid.

arrange transport to meetings over long distances. In one instance, Hedderwick, covering the South Island circuit, had driven from Canterbury to an Invercargill meeting organised by the NZWU. Only twelve people, including the organisers, had turned up.[9] On his return to Canterbury, he was invited back immediately. Accepting the invitation, but sceptical of its outcome, he found that this second attempt, organised by farm workers, resulted in an attendance of over four hundred people.[10] A similar experience occurred at Dunsandel, when virtually no one went to a meeting organised by the NZWU, but where about one hundred and twenty people turned up after locals and friends already in the FWA telephoned around and arranged transport.[11]

The Invercargill meeting had been unusually large and turbulent as a result of a large representation of rival groups of farm workers, Trades Council members and NZWU supporters. Speakers faced heckling, rough treatment and ribaldry as questions were asked on the implications of the Bill. Sets of typical questions and answers, prepared by the Department of Labour for the NZWU to distribute, met with little enthusiasm.[12] The complexities of hitherto remote concepts such as Unqualified Preference were explained.[13]

On this occasion, the membership base of the FWA was questioned. South Island Secretary of the NZWU, Trevor Wearne, reported to Duggan that those in attendance were, "employers

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[9] In this instance lack of response was because of a negative attitude towards the NZWU.

[10] Little, p51.

[11] Hedderwick to Author, 14 April 1990, p4.

[12] Industrial Relations Division, Department of Labour, "Some Common Questions Posed....", Hedderwick files on FWA.

[13] Under Unqualified Preference, an employee was required to become a member of a union within 14 days.

and their sons, with also some wives". He claimed that very few farm workers were present and that when a roll was circulated, "all and sundry" signed up for membership rather than just farm workers.[14] The FWA also drew criticism from the NZWU for quoting incorrect amounts given to the FOL and Labour Party out of NZWU funds.[15] The meeting, held barely a fortnight after incorporation, and strongly pro-FWA, was described by the Association as "vociferous but positive", whereas the NZWU spoke of "unwarranted emotionalism" and false propaganda, and of a "sinister movement afoot".[16]

In the Otago and Southland area generally, the FWA was supported by the Sheep and Cattlemen's Association.[17] The NZWU claimed that it was using the FWA as a front to try to oust its rival, Federated Farmers. For the NZWU, Federated Farmers was definitely preferable!

> Even though we disagree with a great deal of Federated Farmers' policy and they have been difficult to deal with in the past, they are at least, a democratic group and keep to the rules of common decency.[18]

Duggan focused available resources of the NZWU into an attempt to regain farm workers, often attending meetings

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[14] T. Wearne, South Island Secretary to D. Duggan, General Secretary NZWU, 8 May 1974, NZWU Farm Workers' file 1, 1973-74.

[15] The FWA quoted incorrect figures given by the NZWU organising secretary at a public meeting at Masterton. FWA Delegation to Watt, Minister of Labour, 10 June 1974, Macalister Mazengarb files on FWA.

[16] Meeting 8 April 1973. Report, Wearne to Duggan, 8 May 1974, NZWU Farm Workers' file 1, 1973-74.

[17] Hedderwick to Author, 14 April 1990, p1.

[18] Wearne to Duggan, 8 May 1974, NZWU Farm Workers' file 1, 1973-74.

himself.[19] In 1973, Wearne had already been asked to try and extend his duties as South Island Secretary beyond the Christchurch area.[20] But the weakened union was not well equipped to carry out a massive public relations campaign over New Zealand in the face of strenuous opposition. Workers often refused to listen to the NZWU point of view as a tide of emotionalism and prejudice took over. Many complained that union officials had seldom bothered to visit them in the past and were confrontational when officials did show up, claiming that, for farm workers, joining the union was going to be a fact of life.[21]

On occasions, meetings were hectic as a result of NZWU attempts to railroad them. At Dunsandel, near Christchurch, the presence of a burly contingent of North Island members, plus TV cameras, did not save Wearne from having a rough time on stage. Eventually, the union contingent walked out to catch its plane home, to the bewilderment of the chairman and the rest of the meetng.[22]

In the North Island, meetings could also be challenging affairs. Withell recalled that the FWA did not have everything its own way. There was no uniform pattern to reactions. At some meetings, speakers would be hassled because they were wearing ties and and at others because they were not.[23] Occasionally meetings would also attract some locals from the nearby pub, or a few farmers' sons anxious to heckle the union. Generally, however, these events were accepted in good

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[19] P. Halloran, J. Abbot and T. Wearne also attended for the NZWU. Hedderwick files on FWA.

[20] Duggan to Wearne, 6 July 1973, NZWU Farm Workers' file 1, 1973-74.

[21] Interview, Rennie with Author, 9 April 1990.

[22] Hedderwick to Author, 14 April 1990, p5.

[23] Interview, Withell with Author, 8 April 1990.

spirit and did not detract from canvassing activities.

The FWA executive was constantly on the road in both Islands from March to the end of August. Tom Bridson, a Takapau farm worker, accepted a three month position as National Organiser from 1 May 1974. Along with other extensive duties, he attended meetings in Taranaki, Te Kauwhata, Helensville, Hokatika, Rotorua, Awahuri, Te Awamutu, Masterton, Kaitoke and Taihape;[24] he also spoke at Massey University, two Rotary clubs and to a National Party Agricultural Committee meeting, suggesting not only a wide ranging interest, but the beginnings of acceptance of the FWA as a viable organisation.[25] Throughout, the overriding impulse among farm workers was support for the FWA with a consequent increase in membership. Following its formation in March 1974, paid-up membership reached 396 on 1 May, 7,500 three months later[26] and peaked at 8,160 by the end of September, thus giving substance to the FWA's claim to represent farm workers.[27]

While the drive for membership was in progress, there were parallel developments in the Association's formal status. An important need was the formulation of a constitution that reflected both the requirements and the special character of the Association. The rules registered by Rennie at incorporation had been an interim measure only, formulated hurriedly from a set used by a Wellington office cleaners'

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[24] The Taihape meeting was on 26 April 1974. Hedderwick files on FWA.

[25] Report, T. Bridson, National Coordinator, 1 August 1974, Macalister Mazengarb files on FWA.

[26] Ibid, p1.

[27] Rennie to Dr G.P. Barton, 21 October 1975, Macalister Mazengarb files on FWA.

social club.[28] They were to be recast when membership numbers settled down. Discussion on a suitable draft of amended rules thus began in August 1974. Rather than revamp the rules of other employee bodies, the document was written from scratch by Rennie and Bartlett. A draft completed by April 1975, was modified in accordance with the resolutions of the First Annual Conference on 24 May 1975.[29] Having gained the approval of the National Executive, a copy of the revised constitution was sent to Hugh Watt, Minister of Labour.

The new constitution was tailored to Association needs to enable the best possible start. Many hours and much redrafting had been involved to ensure it was a framework that adequately expressed the members' ideals and provided for a national organisation. The final product was a set of rules that contained broadly the same provisions as would be found in unions registered under the Industrial Relations Act of 1973, but adjusted to reflect the special character of the Association. The interest of members at grass-roots level was demonstrated when branches occasionally suggested amendments or queried clauses.[30]

Eligibility for membership was more carefully defined in the new rules. This was necessary for crediblity within the industrial relations community and for the FWA to be accepted as a valid alternative representative organisation to the NZWU. Full membership was granted to "any person employed or

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[28] Interview, Rennie with Author, 22 May 1990. The original rules still referred to "the Club".

[29] Copy of declaration on adoption of new set of rules, signed by Hedderwick, 8 July 1975. Macalister Mazengarb files on FWA.

[30] South Wairarapa Branch proposed restructuring from a two tier to a three tier system. P. Bartlett, FWA legal advisor to G. Palmer, 23 May 1977. South Rangitikei questioned the terms,"collective agreement" and "disputes of interest" and their implications. Rennie to Withell, 29 March 1977. Macalister Mazengarb files on FWA.

engaged for pecuniary gain in agricultural, horticultural or other farming work in New Zealand". Fifty per cent or more of earnings had to come from wages.[31] In addition, the distinction between the employer and worker was clearly spelled out. Membership:

> ... DOES NOT INCLUDE any person whose pecuniary gain is derived by him not in relation to the work performed by him but as a payment in respect of ownership or part ownership of any farm business or the land and improvements on which such business is carried on.[32]

Subscriptions were to be paid in advance. After twenty-six weeks in arrears, a member was to be declared unfinancial and ineligible to vote or speak at any meeting. After twelve months in arrears, the member's name was to be removed from the register.

The original membership rule was very wide. After payment of the subscription, full membership as a farm worker had been open to those with regular employment "other than as owner" on any farm in New Zealand. The early rules also allowed membership "with committee approval for the time being".[33] Consequently, the initial flood of people wanting to join could have been artificially inflated by the inclusion of sympathetic supporters. Yet there was a potential membership of over 30,000 workers in 1971. It was noteworthy that the provisions of the Agricultural Workers Amendment Bill of 1973 were also very wide in defining farm workers. In the case of

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[31] This allowed for situations such as the ownership of a small "stepping-stone unit", or for raising some sheep.

[32] "Rules of the New Zealand Farm Workers Association (Inc)", Rule 7a (1), Macalister Mazengarb files on FWA.

[33] "Rules of The New Zealand Farm Workers Association Incorporated", p2, NZWU Farm Workers' file 1, 1973-74.

a company, all directors qualified as employees, while for partnerships with a fifty-fifty basis, only one owner could be classified exempt. Any person who was engaged in farming, who was not an owner, was described as a farm worker.[34]

It was undoubtedly easier to become a member of the Association with voting rights in the initial stages, than it was after the rules had been amended in May 1975. It was also cheaper at $2 compared with the $10 subscription the following year. When interest was at its height in 1974, sympathetic workers in related jobs such as rural contracting sought membership. A few prominent farmers also joined, trading on their eligibility established as employees of a farming company.

Farmers and their sons did not join in large numbers. Their support was more likely to take the form of a neutral do-nothing toleration of the FWA as preferable to the NZWU.[35] Rennie later endorsed the view that in 1974 the overwhelming membership consisted of farm workers.[36] This claim was also substantiated by the original deeds at incorporation. Of the fifteen signatories, four were farm managers, one a shepherd and ten were farm workers.[37] Farm managers were members throughout, since their main source of earnings came from wages.[38] Assurance that the FWA was not composed of farmers but of farm workers without land equity

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[34] The Farmworker, Volume 1, No 1, July 1975, p1.

[35] Nick Tripe, Mangamahu farmer, stated that farmer interest waned once the Bill was dropped in 1974. Interview with Author, 2 November 1990.

[36] Interview, Rennie with Author, 22 May 1990.

[37] "Application for Incorporation", 26 March 1974, NZWU Farm Workers' file 1, 1973-74.

[38] Their range of responsibilities could be very wide and included hiring other workers and major decision making responsibilities.

was sought by the Government in 1974. On 10 June, a delegation of eight, selected according to whoever could spare the time, went to the Ministers of Labour and Agriculture. When their status was investigated, all were found subsequently to be bona fide farm workers and two happened to be Labour Party members as well.[39] Clearly, the FWA executive was not dominated by right-wing farmers' sons as NZWU rhetoric would have it. Farm workers were confirmed as activists in their own right.

Women were encouraged to join and several were appointed to committees.[40] Their potential was considerable. Some were eligible for a joint subscription as wives, or because they were paid to do farm books. Others were farm workers who, in the relevant categories, numbered about 5,000 out of a total of just over 34,000.[41]

Other amendments appropriate to the nature and philosophy of the Farm Workers Association had also been written into the constitution. They gave the Association a special character compared with other representative groups. Voluntary membership and non-militancy were clearly spelt out in Section 23, allowing for a democratic approach to decisions.

> (h): (i) The Association shall not directly or indirectly encourage, organise, participate in or encourage its members to participate in any strike, without a ballot of members first being held.
> (ii) The Association shall not seek to secure any provision requiring a member to become a member

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[39] Hedderwick to Author, 14 April 1990, p3.

[40] Remit by Hawkes Bay County, Minutes, Annual General Meeting (AGM) 27-28 May 1977, p5, Hedderwick files on FWA.

[41] In 1971, 5,481 women. NZ Census of Population and Dwellings, Industries and Occupations, Volume 4, p36.

against his wishes.[42]

There were also important provisions relating to the purpose of the Association. Its objects and powers included entering into collective agreements, referring disputes to conciliation and providing a common forum for farm workers to advance their wellbeing. Rules for Annual General Meetings, election and duties of Association officers, regular auditing, standing orders and secret ballots on questions of policy contributed to establishing the legitimacy and seriousness of the Association's intent. The constitution affirmed the Association's philosophy of voluntary unionism, industrial agreement by conciliation rather than by strike action, and farm worker representation in rural affairs.[43] The theoretical framework formally expressed in the constitution was reflected in the literature put out by the Association. For much of its existence, the FWA issued a quarterly magazine. At first known as The Farmworker, the magazine was later produced in journal form as The New Zealand Farm Worker. In the 1980s, another smaller magazine, Farmworld, was produced. These publications were all important in providing a forum for discussion and a means of keeping members informed nation-wide. They were a goldmine of information on all sorts of topics that directly affected workers' lives, such as training programmes, surveys, political events, womens' issues and extracts from Acts and Awards.

The FWA also published small brochures to attract prospective members. The pamphlet Broaden Your Horizons advertised the FWA as a registered body that gave the opportunity to establish strength and unity for farm workers.

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[42] Rules of the NZFWA (Inc), section 23, Macalister Mazengarb files on FWA.

[43] Revised rules NZFWA (Inc), Section 3, Objects and Powers, Macalister Mazengarb files on FWA.

Attractively and professionally presented, it also informed readers of the potential benefits and aims of the Association.[44] The letterhead and background logo of a farm worker and his dog helped convey the character of the Association.[45]

By far the most quixotic expression of FWA beliefs was written by David Cosgriff, publicity officer for the FWA. In a statement of purpose commonly known as "the FWA Creed", full recognition was given to farm working as an admirable career and to Association concepts of individual choice, fairness, participation, responsibility and democracy:

> Our Association will strive to reflect the very nature of our members: an independent spirit - the ability to do a wide range of tasks - a responsible attitude - a willingness to help others - a will to succeed - and the ability to stand on our own two feet.[46]

Such ideals provided a change from the traditional conservatism of New Zealand's institutions. Rennie had captured some of this spirit in the constitution by emphasizing the principle of cooperation between farmer and farm worker for the overall good of the industry. The Association philosophy was also endorsed and followed with

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[44] A smaller pamphlet was circulated in 1981, FARMWORKER? The New Zealand Farmworkers Association has a Grip on Your Affairs, Hedderwick files on FWA.

[45] The logo was photographed by Ash Lepper with farm worker Colin Buick alongside Withell's dog. Interview, Withell with Author, 8 April 1990.

[46] "Statement of Purpose", commonly known as "the FWA Creed", Hedderwick files on FWA.

great interest by John Kennedy, editor of The Tablet.[47] But they were ideals that had to be nurtured. Farm workers had to take responsibility to enable the ideals to work. They had gained an unexpected opportunity; it was up to them what they did with it.

Although legislative recognition for the FWA was not granted until the Agricultural Workers Act of 1977, the Association was fully involved in the industrial and political scene. From its inception in 1974, the FWA lobbied Members of Parliament, made submissions and waged a campaign in the press. On 10 June 1974, for example, a delegation met Hugh Watt, Minister of Labour, to convey objections to compulsory unionism and to coverage of farm workers by the NZWU.[48] Attention was drawn to requirements of the farm working community. These included: protection of the minority from exploitation; defined rights in the tied housing situation; provision of retirement housing; and the costs of education. The delegation formally requested further consultation and Watt stated that he would give consideration to its submissions prior to the Agricultural Workers Amendment Bill of 1973 proceeding further.[49] This kind of approach served to convince parliamentarians of the seriousness of the intentions of the FWA and that they were not "dealing with an

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[47] Kennedy often commented publicly in favour of the FWA. For example, "The Farmers and Unionism", Candid Comment in Otago Farmer, 20 December 1976, p2, NZWU Farm Workers' file 2.

[48] The delegation consisted of Hedderwick as national President, Bridson as national co-ordinator, J. Ellis as representative of Hawkes Bay and W. Withell as representative of the Manawatu. Macalister Mazengarb files on FWA.

[49] Bridson to Watt, 11 June 1974, Macalister Mazengarb files on FWA.

apathetic bunch of country hicks".[50]

In industrial matters, revision of wages and conditions was centred around the principle of not striking. Agreement was to be negotiated or, failing this, the decision of a third party at conciliation was to be accepted. It would be difficult for farm workers to strike effectively anyway, but most farm workers were vociferous and genuine in their opposition. Persistent industrial action in some freezing works had made a lasting impression on workers and farmers alike who often had spent days mustering stock, topping them off with the last available feed and sending them to the works, only to have them held over or returned out of condition.[51] These practical experiences endorsed the view that conflict reduced productivity and profit, as well as inhibiting constructive discussion and change.[52]

Much of the reasoning behind FWA policy was based on acceptance of the traditional notion that special conditions pertained in agriculture and that it was impossible to define terms that would cover every circumstance adequately. The "minimum-found" concept, for example, allowed for this by negotiating a basic wage and free board only. It left the bulk of farm workers free to negotiate individual rates and conditions beyond the minimum, according to differing circumstances. The wide variation in going rates from region to region and sometimes between nearby farms was a cause for

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[50] Report, Bridson to FWA members, 1 August 1974, Macalister Mazengarb files on FWA.

[51] Industrial action was endemic at freezing works such as at Ocean Beach or Patea and was constantly cited as the reason for opposition to strikes.

[52] "President's Message", The Farm Worker, Volume 2, No 4, December 1976, p1.

concern.[53] Duggan criticised the minimum-found principle because ruling rates were often 20 to 30 dollars higher.[54]

But the reasoning that the minimum wage was an appropriate answer to the wide variety of individual circumstances was widely accepted. In 1974, A. Williams, from Massey University Department of University Extension, had drawn attention to the legal definition of "worker" and the numbers of categories it could conceivably cover.[55] As an example, the general category of farm managers covered a range of situations. Some managers worked for absentee landowners and had the power to hire and fire labour; some managed a property single-handed and took responsibility for all decisions, while others worked alongside the farmer-owner. The Farming Editor of New Zealand Truth stated that, "It is impossible to define a farm worker in terms that will cover all involved".[56] Farm workers themselves wanted recognition of experience and skills.

With the minimum Award, a farm worker was free to assess the value of his own worth. The Award acted as a safety net only, to protect the few defenceless workers who had been

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[53] The "going rate" was the accepted wage in a district. The wide differences in wages and benefits received was noted in a socio-economic study of paid-up FWA members in 1980. The relatively highly paid were also more likely to receive benefits such as bonus payments. G.T. Harris, A Socio-economic Study of Farm Workers and Farm Managers, Christchurch, 1980, p17.

[54] The Farmworker, Volume 1, No 2, October 1975, p3.

[55] A. Williams, "Agricultural Unionism: Some Comments on the Proposed Legislation", in S. Rolston, D. Drummond et al. editors, Dairy Farming Annual 1974, Palmerston North 1974, pp70-89.

[56] Farming Editor, "Labour Avoids Laying An Egg", New Zealand Truth, 24 September 1974, p14, Macalister Mazengarb files on FWA.

exploited by a minority of "delinquent employers".[57] In practice, once the minimum wage was established, wages were often negotiated on a "minimum-plus" basis.[58]

The FWA also sought to have an Agricultural Industry Tribunal in place of the Industrial Court. Again the grounds for special treatment were the distinctive requirements of agriculture.[59] By October 1975, in conjunction with the employer unions, the FWA had drawn up a proposal which incorporated a special tribunal, a facility which was to be established with the Agricultural Workers Act in 1977.[60]

The Association was also distinguished by its reach beyond narrow industrial matters. In the 1970s unions such as the NZWU confined their role largely to negotiating wages and conditions. The Orders in Council system had been even less encompassing, providing few guidelines for actual conditions of work and living beyond holidays. As an incorporated society, the FWA was able to take a much broader perspective. It aimed "to further the interests and welfare of all farm workers", "to foster their intellectual and social life" and to "promote their advancement in life".[61] It concerned itself with housing, education, rural services, rural safety, tax relief, health, superannuation, employment and agricultural training. Committees were established within the Association to discuss and formulate policy in these areas. Joint discussions were held and representations made on shared issues with other rural organisations such as Young Farmers

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[57] The Farmworker, Volume 1, No 2, October 1975, p2.

[58] Interview, Hedderwick with Author, 12 July 1990.

[59] The Farmworker, Volume 1, No 2, October 1975, p3.

[60] Ibid p3.

[61] "Objects And Powers, 3 (b),(c),(d)", Rules of New Zealand Farm Workers Association, Macalister Mazengarb files on FWA.

Clubs, Womens Division Of Federated Farmers and local branches of Federated Farmers.

Schemes that would help farm workers achieve their aspirations were actively pursued by gaining representation on organisations in the formal structure of the industry. Moves were made to improve the status of skilled farm workers by seeking to establish clear career pathways with recognised training achievements. For those with aspirations towards land ownership, much work was done on land settlement schemes, sharefarming, proposals for a government loan for farm purchase to 85% of farm value, reintroduction of farm worker units as stepping-stones to ownership and control of land aggregation.

The Association wanted grass-roots participation in all of its activities. By involving the membership as fully as possible, it was hoped that the organisation would demonstrate a genuine democratic approach, rather than develop a pattern where those at the top became remote and took all the power in decision-making. In the first Annual Report of the Association, requests were made for active direction from grass-roots level:

> The success or failure of this Association depends not on the action and efforts of the few but on the action and continuing participation of the many. They must make their problems and ideas known, they must produce ideas and devise solutions.[62]

There was plenty of opportunity. There were fifty-one regional branches by the time of the first Annual General Meeting in May 1975. Each branch elected national delegates

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[62] "President's First Annual Report For Year Ended 31 March 1975", Hedderwick files on FWA.

who in turn comprised the National Executive. Remits from branches were considered at the Annual General Meeting, which could also be attended by any member. Committees were appointed to a particular portfolio and members were often asked to contribute ideas prior to making submissions.

Alongside practical, grass-roots participation the Association had a commitment to voluntary membership. This was the outcome of several influences: the attempt to force farm workers under the Industrial Relations Act; their independence and the view that each member was able to negotiate independently; the view that wage-work was a temporary stage on the path to farm ownership; the claim of cooperative rather than conflicting relations between farmer and employer; and the persuasive influence of leaders who were able to express that ideology in a way which accorded with the rural outlook.

A significant amount had been achieved in a short time. The Agricultural Workers Amendment Bill of 1973 had been dropped, an interim wage order had been negotiated and the Labour Government had accepted that the FWA was there to stay. All this was implicit in the presence of Colin Moyle, Minister of Agriculture, at the First Annual Conference of the FWA in May 1975 in Wellington. The Association was up and walking. The trick was to maintain momentum.

Chapter Three

CHALLENGE OVERCOME: THE DRIVE FOR REPRESENTATIVE RECOGNITION

Between 1974 and 1977 the FWA was energetically involved in a range of activities. At the political level, FWA activities were dominated by the NZWU challenge to establish its right to sole representation of dairy, stock and station workers. Federated Farmers, although initially reluctant to endorse the Association, finally declared public support in September 1976. A feature of this period was the delay of revised Orders in Council until the Agricultural Workers Act of 1977, when the National Government made good its promise of clear representation for the FWA.

From the outset, the FWA claimed the sole right to represent dairy, stock and station farm workers. It sought an interim revision of the 1959 Orders in Council, to be followed by negotiated wages and conditions.[1] Negotiations were to take place with the three employer unions, often referred to as "The Industrial Arm of Federated Farmers". They were the New Zealand Dairy Farmers Industrial Union of Employers (NZDIUE), the New Zealand Sheepowners Industrial Union of Employers (NZSIUE), and the New Zealand Agricultural and Related Farmers Industrial Union of Employers (NZAIUE), all of which operated under the umbrella of Federated Farmers, were guided by its Dominion Council policy, and had overlapping personnel and financial arrangements.

The FWA's first contacts with the employer unions were somewhat tentative. It was difficult for newcomers to fit into an established format. Before negotiations commenced, Hedderwick and Rennie had spent time discussing first moves.

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[1] The Farmworker, Volume 1, No 2, October 1975, p2.

There were worries in case Federated Farmers either ignored the FWA or said it would negotiate and then refused.[2] There was also apprehension at what the NZWU might do. Rennie had advised that the NZWU would have problems taking out an injunction, because of the difficulty in proving that it was an organisation of farm workers.[3] His advice was to follow strictly the terms of section 16 of the Agricultural Workers Act of 1962.[4]

In fact, the employer unions were willing to negotiate with the FWA and preliminary updating of the 1959 Orders was readily agreed. Farmers were aware that though most farm workers were paid well above the 1959 orders, abuses had been occurring and a safety net was needed. Wages were assessed on a minimum-found principle.[5] Terms negotiated were based on the rate set by the Minimum Wage Act, plus 12 1/2%, with board calculated at $4.25 per week. On 12 March 1974, Arthur Faulkner, Minister of Labour, received an agreement for revision of wages under section 16 of the Agricultural Extension Orders.[6]

But any satisfaction that the FWA may have enjoyed was

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[2] In informal discussion, the term Federated Farmers was often used as synonymous with the employer unions.

[3] The NZWU never had more than 400 farm worker members in these categories. The Farmworker, Volume 1, No 2, October 1975, p2.

[4] Notes written by Rennie, undated, Macalister Mazengarb files on FWA.

[5] "Minimum-found" meant the wage was the minimum amount that could be paid and intended for a young inexperienced worker. Wages could be negotiated above this level by private arrangement according to the varying circumstances and skills. Found referred to full board and lodgings.

[6] Agreement was reached between FWA and the three employer unions on 4 March 1975, for wage rates only. Recorded in Submission to the Industrial Commision, 1 February 1977, NZWU Order in Council file.

short-lived. In its First Annual Report, the FWA had proudly stated that the Minister of Labour had assured the executive of promulgation within three weeks.[7] Some three months and two visits to the Minister's office later, the Association was still waiting.[8] In a burst of frustration, the FWA declared itself "nonplussed" as to why the Order was being held up.[9] Naive enthusiasm was replaced by dogged determination. Another visit on 11 August was also unproductive. The state of farm workers' wages suffered delay and prevarication, as the issue of contending representation between the NZWU and the FWA remained unresolved.

The Minister's reluctance to act decisively was political. The Labour Government had already been destabilised by the death of Prime Minister Kirk in August 1974, and was worried about keeping the loyalties of marginal rural seats in the November 1975 election.[10] The problem had been compounded by the spontaneous growth of the FWA. It had mushroomed into an 8,000 strong organisation with National Party backing, and posed a threat to the NZWU which was affiliated to the Labour party. Official recognition of Orders negotiated by the FWA meant offending the FOL and other Labour supporters in rural electorates.[11]

Consequently, the FWA had to put up with the Minister's

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[7] First Annual Report 1975, NZFWA (Inc), p3. Promulgation anticipated in The Farmworker, Volume 2, No 2, October 1975, p2.

[8] Visits were made on 19 June and 9 July. Hedderwick, Open Letter to the Prime Minister, p2, NZWU Order in Council file.

[9] The Farmworker, Volume 2, No 2, October 1975, p2.

[10] Kirk was Prime Minister from 8 December 1972 until 31 August 1974.

[11] "NZFWA Calls For Action", The Farmworker", Volume 1, No 1, July 1975, p1.

attempts to effect a compromise between the two organisations. When Faulkner invited the NZWU to comment on the Orders in Council,[12] Duggan's response had been to request a meeting to discuss the proposed Orders.[13] A few weeks before, on 21 March, the NZWU Head Office had informed its branches that the NZWU did not have coverage of farm workers as of right,[14] but that it would take up the challenge.[15] With the backing of the FOL, the NZWU duly submitted a set of rival claims to the employer unions on 15 July[16].

The FWA was encouraged by Government to negotiate with the NZWU.[17] On 12 August 1975, Faulkner set out terms on which the Orders in Council would be promulgated.[18] He

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[12] H. Duncan to D. Duggan, 3 April 1975, NZWU Order in Council file.

[13] Duggan to Duncan, 18 April 1975, NZWU Order in Council file.

[14] The NZWU was covered under the terms of the Industrial Relations Act, 1973, but not under the Agricultural Workers Act, 1962.

[15] "Mr Skinner is of the same opinion as myself and that is that we have to take them on, but, at first we must have a common front with the unions involved." Duggan to Branch Secretaries and Paid Officials, 29 April 1975, NZWU Order in Council file.

[16] Tom Skinner declared open support of the NZWU at the Annual Trade Union Conference of the FOL in 1975. Rival NZWU claims were recorded in Submission to Industrial Commission, 1 February 1977, NZWU Order in Council file.

[17] The two organisations had already met unsuccessfully. G. Holmes, FWA secretary, to Duggan, to acknowledge first meeting to be held in Palmerston North or Feilding on 26 May 1974. Letter, Duggan to T. Bridson, FWA National Coordinator, to organise meeting in Feilding between 8-12 July 1974. NZWU Farm Workers' file 1, 1973-74.

[18] Faulkner issued a short-term Order, due to expire on 31 December 1975, but to continue in force until new Orders were gazetted. Faulkner to Duggan, 12 August 1975, NZWU Order in Council file.

requested a meeting of all parties to confer on amendments, assuring Duggan that the employer unions would be prepared to negotiate jointly.[19] But the attempt failed. Neither the FWA nor the NZWU was prepared to compromise claims to help the Minister of Labour out of his predicament. The union refusal to give up the right to farm worker representation was based on the conviction that the Labour Government was subjecting principle to expediency; it was selling out "a group of workers who have never had the opportunity to enjoy justice in the industry in which they are employed".[20]

Rhetoric raged unabated on both sides. Hedderwick, the FWA President, made no attempt to disguise the feeling of the Association about union interference:

> Repeated public statements...that when employers refused compulsory membership and a 40 hour week, there was nothing the union could do, show that either they had not read the Agricultural Workers Act 1962, or had not understood it. We are unaware of any legislation, this century, in this field, which is so inept as not to include a disputes procedure and this act spells out action to be taken of which these experienced and skilled officials were unaware or could not be bothered to take.
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> ... if their right stands on the historical rule of their officials "experienced and skilled in industrial negotiations", then it is to be noted that their experience and skill have, under these Orders, produced

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[19] Faulkner to Duggan, 12 August 1975, NZWU Order in Council file.

[20] Duggan to Faulkner, 20 August 1975, NZWU Farm Workers' file 2.

no result whatsoever in the past 16 years.[21]

A significant step in recognition for the FWA was made on 25 September 1975, when the Orders agreed between the FWA and the employer unions were finally gazetted and promulgated.[22] Dairy and farms and station workers were awarded a minimum rate of $32.29 for those under 17 years and $61.90 for those over 20 years.[23] Newspaper reports stressed that farm workers were getting their first pay rise for sixteen years.[24]

But the problem of representation was still unresolved. The FWA claimed sole representration by virtue of its membership; the NZWU claimed both had rights of negotiation.[25] The Minister also explained his position; it was impossible to ignore the FWA out of existence; moreover, to have failed to promulgate the Orders "would have opened the Government to criticism that it did not care about establishing even minimum conditions for farm workers".[26]

The NZWU, like the FWA, demanded recognition. Duggan

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[21] The NZWU stated that it was impossible to force conciliation, wage or award negotiations under the Order in Council system, a point conceded by the FWA in submissions to the Select Committee on the Agricultural Workers Bill, 1977. The Farmworker, Volume 1, No 2, October 1975, p3.

[22] The Farmworker, Volume 1, No 2, October 1975, p1.

[23] Published in The Farmworker, Volume 1, No 2, October 1975, p1.

[24] For Example, Hawkes Bay Telegraph, on new wage rates. 27 September 1975, no page number, NZWU Farm Workers' file 2.

[25] The union claim was based on the view that both were an organisation of the class concerned. This view was later supported by the National Minister of Labour. Gordon to Duggan, 12 November 1976, NZWU Farm Workers' file 2.

[26] Faulkner to Duggan, 2 October 1975, NZWU Farm Workers' file 2.

wrote to Faulkner expressing "concern at the Labour Government's attitude to this Union and the promulgation of OIC for Farm Workers".[27] Two weeks later, on 14 October 1975, Duggan approached the employer unions, asking for a response on the old NZWU claims of 15 July 1975.[28] He received notice from the President of Federated Farmers, advising that the Minister had requested another meeting of all the parties to be held on 17 November.[29]

Publicly, the brunt of FWA frustrations was taken out on the Department of Labour.[30] An open letter to National Party Members of Parliament accused the Department of covert support of compulsion and of frustrating Association efforts:

> The Department is there to advise and after three years if they are not clear in their minds that the Association has complete and sole representation then they should be censured and replaced by other personnel. During the 3 years they have been running protection for the Union.[31]

Subsequent events illustrated both the difficulties and tenacity of the FWA, as the Minister attempted to pursue a

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[27] Telegram, Duggan to Faulkner, 29 September 1975, NZWU Farm Workers' file 2.

[28] The claims had not been replied to. Kneebone to Duggan, 20 October 1975, NZWU Farm Workers' file 2.

[29] Ibid.

[30] The Minister and his Department were the subject of severe criticism over the period 1974-1977, because of Order in Council issues.

[31] Withell to All National Members of Parliament, 11 November 1976, Federated Farmers' files on FWA.

middle road between contending interests.[32] The Minister hoped the parties would "confer on further amendments to the Farms and Stations and Dairy Farms Extension Orders, as provided for under section 16 of the Agricultural Workers Act, 1962".[33] Originally, Faulkner had telephoned the Federated Farmers' President personally, to emphasise that he wanted the word "negotiate" to be used in the written communication from the employer unions. But the FWA had succeeded in retaining use of the more innocuous "confer".[34] When the meeting was held, on 17 November, no basis for a joint negotiating team of assessors was found. The union claims were not discussed and nothing was resolved.

Federated Farmers' support for the FWA was also qualified by political considerations. During informal discussion in February 1976, immediately prior to the Industrial Commission hearing, Duggan had admitted to slowing the Orders, while employer union officials had indicated a willingness to "deal the Unions in".[35] The employer unions had refrained from public discourse on the struggle. Whilst it was against their interests to support the NZWU, there was no hurry to expedite wage increases through wholehearted support of the FWA. Squabbles over representation detracted from the business of wage negotiations and delayed wage increases, even if they were minor. In spite of its anti-union bias, the glimmerings of the FWA as an effective industrial relations

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[32] The Agricultural Workers Act, 1962, was inadequate legislation for the situation.

[33] McLagan to Duggan, 20 October 1975, NZWU Farm Workers' file 2.

[34] Withell to Rennie, undated, Macalister Mazengarb files on FWA.

[35] They also felt the 17 November 1976 meeting had fulfilled legal obligations. Handwritten notes headed "Industrial Court", 2 February 1977, NZWU Farm Workers' file 2.

negotiator was apparent. Even so, it was useful for Federated Farmers to have the organisation as a buffer: its presence kept industrial unionism out of farming and its weakness helped to keep wages down.

The FWA was largely unsupported by Federated Farmers until September 1976, when a clause adopted by Dominion Council gave full support to the FWA as sole representative of dairy, farms and station workers.[36] This was followed by a press release on 17 December 1976, when Federation President, John Kneebone, urged the Government to recognise the agreement on conditions of employment reached between the FWA and employers.[37]

For a short period, the FWA was able to negotiate with the employers without interference from the NZWU. During 1976, conditions of work were formalised into an Award for the first time. After preliminary talks,[38] the FWA and employer union delegates met in August, in proceedings chaired by Mr Cranston of the Conciliation Commission.[39] In September, FWA National Secretary, Withell, notified Rennie that the Orders on conditions would be passed when the Minister returned from overseas.[40] The Labour Department had told him that a copy would be given to the NZWU as a matter of courtesy only, since

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[36] Reported in The Farmworker, Volume 3, No 1, March 1977, p1.

[37] Ibid, p1.

[38] The FWA requested meetings to negotiate new Orders in Council twice, on 21 November 1975 and again on 25 March 1976. Preliminary talks were held on 20 May 1976, NZWU Order in Council file.

[39] The meeting was held on 2 August 1976. Recorded in Submission to the Industrial Commission, 2 February 1977, NZWU Order in Council file.

[40] Withell to Rennie, 14 September 1976, Macalister Mazengarb files on FWA.

the Union "has no basis for establishing any nonsense".[41] On 12 November 1976, the Minister of Labour had indicated that the new Orders would go ahead.[42] However, there was another delay caused by the NZWU referral to the Industrial Commission of matters in dispute on the grounds that it had not been consulted on the terms of the agreements.[43]

The legal but ludicrous situation of parallel claims resulted as NZWU claims were referred to the Commissioner under Section 17 of the Agricultural Workers Act, 1962, along with the FWA claims under Section 16. Jointly but unsuccessfully, the FWA and the employer unions requested that their Orders be actioned immediately, rather than wait for the Industrial Commission's recommendation.[44]

In a combined submission of the employer unions to the Conciliation Commission, sitting on 2 February 1977, the inadequacies of the law were outlined: that it was possible to present two different sets of claims for a single Award under different sections; that a Section 16 agreement did not require the Commission's scrutiny anyway; that under Section 17 the Commission could only recommend to the Minister. A political component was implied in the "considerable amount of discretion" the Agricultural Workers Act of 1962 invested in

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[41] Ibid.

[42] Gordon to Duggan, 12 November 1976. The incoming National Party had inherited the problem of representation, but had promised to give clear representation to the FWA. NZWU Farm Workers' file 2.

[43] Gordon to Duggan, 16 December 1976, NZWU Farm Workers' file 2.

[44] Request received by Gordon, 1 December 1976. At the time of writing, the Minister stated that he was considering the request, illustrating the power vested in the Minister. Report to all Government Members of Parliament, 2 December 1976, Federated Farmers' files on FWA.

the Minister of Labour, since his was the final decision.[45]

Later the Commission spoke of its own difficulties in framing recommendations on the claims. The union claims had not been negotiated and conditions of employment were previously unwritten, leaving no point of reference under the Act other than holidays. It recommended that the claim agreed between the employer unions and the FWA go ahead as presently submitted, but only for a limited period of three months from 24 February.[46]

In early March there was activity within NZWU ranks to counter the FWA: "I know the Farm Workers Association are in Wellington for a fortnight at the moment and if we don't watch out we will lose by default".[47] Duggan urged that field officers take prompt action "without publicity" to compile a set of claims based on the feelings of "whatever farm workers we have".[48]

> We cannot immediately action from Head Office what is required by the farm workers themselves. This has got to be done in the field. The argument that's used, we've lost them before and we'll probably lose them again, has got to be put aside and if we're not prepared to do the work that's necessary towards a practicable set of claims then we will lose by default which will be even

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[45] Submission of three employer unions to the Industrial Commission, Reference IC/609 2 February 1977, NZWU Order in Council file.

[46] After three months, fresh negotiations were to proceed with the NZWU included. Recommendations of the Industrial Commission, 10 February 1977, NZWU Farm Workers' file 2.

[47] Duggan to Branch Secretaries, 23 March 1977, NZWU Order in Council file.

[48] Ibid.

worse.[49]

The basic difference between the FWA and the NZWU claims was that the FWA was legislating for minimum payments while the NZWU used the principle of a ruling rate. They also differed substantially over hours to be worked and the amount claimed for wages. The NZWU claimed that hours of work should not exceed 90 per fortnight, or 50 per week, without penal rates. The union wanted one month's notice for termination of permanent employment, compared with the FWA claim of one week's notice or one week's wages plus one week's occupation in a tied housing situation. Both sets of claims stressed the need for written rather than verbal agreements.

The March 1977 Award negotiated by the FWA represented the first written conditions for dairy, stock and station workers. It included details on sick pay, intervals for wage payment, accommodation requirements, specification of a wages and holiday book and conditions for termination of employment. Hours of work were included: 90 per fortnight for farms and stations; for dairy farm workers, five full days of ten hours and two part days of seven hours.[50]

The FWA saw the terms as a starting point. Pay was still very much at the lower end of the national scale and years of neglect could not be caught up overnight. The minimum-award system carried the danger that it would be taken as a ruling rate rather than a minimum and thus alter the wide range of pay rates evident in rural surveys.[51] But the worst abuses, at least, could no longer be carried out with the acquiescence of the law, and farm workers with superior skills, experience

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[49] Duggan to Branch Secretaries, 23 March 1977, NZWU Order in Council file.

[50] The Farmworker, Volume 2, No 4, 1976, p3.

[51] Harris, p17.

or responsibility had room to negotiate on an individual basis.

While this represented considerable progress, publication of the Award provided no security for the FWA. It needed legislative recognition of its right to represent farm members. Newspaper reports drew attention to the long delays and to government attempts to get agreement between the Association and the NZWU.[52] Both organisations bitterly resented press suggestions of reconciliation.[53] The NZWU was unwilling merely to be kept informed or fobbed off as a third party; the FWA was concerned because any improvements it had initiated lost impact and lessened an otherwise creditable performance in the eyes of its members.[54] The need was for legislative recognition.

To this point there had been delays, prevarication, and much unproductive hostility. In 1975 independent legal advice had concurred with the view that the FWA had grounds to take out an injunction if the NZWU was included in negotiations.[55] In December 1976 the Minister had referred to the pressures on the Department and suggested that perhaps the time had come to test the legal opinion which the Association had obtained from Dr G.P. Barton, a Wellington

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[52] For example, Gisborne Herald, Farming Page, Saturday 6 November 1976, NZWU Farm Workers' file 2.

[53] NZWU members enquired how another organisation could negotiate over its own set of claims. Rippey to Duggan, 15 November 1976, NZWU Farm Workers' file 2.

[54] Each delay meant a potential loss of membership, a situation later exacerbated by the wage freeze 1981-1984. Interview, Hedderwick with Author, 14 July 1990.

[55] Legal opinion, G.P. Barton to Messrs Macalister, Mazengarb, Parkin and Rose, 12 November 1975. Macalister Mazengarb files on FWA.

solicitor.[56] But the reality was that, aside from the argument of historical coverage, a test case would be expensive and the court might be reluctant to make a ruling.[57]

The 1975 National Party Manifesto had promised specific rights of representation to the FWA, by legislation if necessary.[58] Throughout 1976, the FWA and its members had applied pressure on the Government to make good its Manifesto promise. After the May Annual General Meeting, the Association began preliminary work on formulating legislation. In September, Withell reported that strong support for recognition of the FWA was coming from the National Party back benches.[59] By 30 March 1977 the Minister was able to indicate that top priority had been given to drafting the necessary legislation.[60]

Originally, the FWA had become an incorporated society because registration under the Industrial Relations Act of 1973 as a society rather than as an industrial union was possible.[61] Since then, the Association's position under the

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[56] Gordon to all Government Members of Parliament, 2 December 1976, Federated Farmers' files on FWA.

[57] "Legal opinion, Barton to Messrs Macalister...." There was also the argument of historical coverage that the NZWU would probably put forward in the event of a test case. Macalister Mazengarb files on FWA.

[58] The 1975 National Party Agricultural policy coincided with FWA policy over recruitment of and assistance to prospective young farmers, more attention to social aspects of rural life, social research and examination of land aggregation.

[59] Withell to Rennie, 9 September 1976, Macalister Mazengarb files on FWA.

[60] The Farmworker, Volume 3, No 2, May 1977, p3.

[61] The Industrial Relations Act of 1973 applied where an Award existed, not the case for farm workers represented by

Agricultural Workers Act of 1962, had proved untenable in light of the ongoing conflict with the NZWU. By 1977, two possibilities had emerged: amend the Industrial Relations Act, 1973, or amend the Agricultural Workers Act, 1962.

In either event, there were specific aims for the FWA to fulfill: removal of the political component created by the Order in Council system; a negotiating system appropriate to the needs of farm workers which included personnel from the farming industry; voluntary membership; features to deal with the unusual requirements of the farming industry; minimum conditions of farm employment and an end to anomalies that allowed demarcation and representation disputes.[62] A further concern for the Department of Labour was how the FWA should be recognised. Other industrial organisations secured their viability and bargaining power from compulsory membership. The voluntary nature of the FWA suggested that caution was needed before giving permanent rights of representation to such an Association through legislation.[63]

Consultation took place during 1976 and work was under way in earnest from early 1977. The Minister had requested that the employer unions assist the FWA in determining the form of recognition. The Southland Times reported on 18 March that the background work was already done, much to the consternation of the Assistant General Secretary of the NZWU, who wrote to the Minister of Labour that he hoped that the

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the FWA. The proposal to extend the Industrial Relations Act to them was acknowledged in a letter, Watt to Rennie on 3 September 1974, Macalister Mazengarb files on FWA.

[62] Document prepared by FWA solicitors, outlining desired objects of reform, Federated Farmers' files on FWA.

[63] Report by R. Richardson, Federated Farmers' legal advisor, February 1977, Federated Farmers' files on FWA.

"reasons for not including the NZWU were an oversight".[64] The legal advisors of the FWA and Federated Farmers pooled their respective skills alongside an input from the Department of Labour.[65]

Factors in favour of registration under the amended Industrial Relations Act of 1973 included protection to the FWA from competing unions and less chance of tinkering by future governments. The FWA would benefit from replacement of the Order in Council system and avoidance of the need to consult other organisations about the changes, as was required at present under the Agricultural Workers Act of 1962.[66]

When the Minister of Labour, J.B. Gordon, had repeated the commitment of the National Party at the Farm Workers Association Annual General Meeting in May 1976, Rennie had recognised the Minister's words as offering a special concession to the FWA: "It is time for you to consider just what the Farm Workers Association wants in the way of lawful recognition".[67] At the conference, Rennie had reinforced the sentiments in the Minister's speech by stating that the Minister's words were a great step forward and that, after three years, it was time to push for finalisation of

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[64] Letter, Duggan to Gordon, 25 March 1977, NZWU Farm Workers file 1. On 13 April, Gordon replied that he accepted, without question, that the NZWU was an interested party whom he had intended to consult when Federated Farmers and the FWA had their draft ready. He enclosed an amended draft that he had just received. Gordon to Duggan, 13 April 1977, NZWU Farm Workers' file 1.

[65] The FWA legal advisors were Phil. Bartlett and Heughan Rennie.

[66] Report by Richardson, 8 February 1977, Federated Farmers' files on FWA.

[67] The Farmworker, Volume 2, No 3, August 1976, p2.

recognition.[68] In July 1976 the Association made formal representation to Government, seeking "a permanent solution to the present lack of clarity in the law". The vehicle of this solution was to be by amendment to the Industrial Relations Act of 1973.[69]

In essence, the proposed amendments to Clause 216 in the Industrial Relations Act of 1973 would have spelt out a "special position" for the FWA and enabled it to have the benefits of being under the Act whilst avoiding compulsory membership or the use of the word "union". The FWA would have been able to negotiate employment conditions free from the fear of a union takeover. The future seemed to be determined. But in September Withell wrote that he was anticipating a letter from the Minister outlining changed intentions: "with all the ballyhoo going on", registration would probably be under an amended version of the Agricultural Workers Act of 1962, after all.[70]

The decision to alter the Agricultural Workers Act arose directly from Federated Farmers' rejection of an association with the Industrial Relations Act of 1973.[71] In the final analysis it was opposed to the implications of an arrangement that lay uncomfortably close to industrial unionism. Federated Farmers used its superior leverage to maintain the principle of a separate Act for the agricultural industry. Without it, single sector arrangements could be jeopardised more easily. At least twenty-eight drafts had been made up, with the

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[68] Minutes of AGM of the FWA, held on May 28, 1976, Hedderwick files on FWA.

[69] Marked "Confidential", and written by Macalister, Mazengarb, Parkin and Rose, Federated Farmers' files on FWA.

[70] Withell to Rennie, 9 September 1976, Macalister Mazengarb files on FWA.

[71] Interview, Rennie with Author, 22 May 1990.

concentrated help of FWA lawyers Bartlett and Rennie before the final document was presented.[72] Months of thought and discussion had been put into the concepts embodied in the final draft.[73]

The new Agricultural Workers Bill was introduced into Parliament on the 28 July 1977. Although Sir Basil Arthur, Opposition member for Timaru, described the Bill as "an industrial can of worms and a patchwork solution to an ongoing problem", it was passed into law on 21 September 1977.[74]

The Act empowered the Association to carry out its responsibilities. In matters such as wage negotiation, where there was a requirement to be present, fares were to be paid by Government. Membership of the FWA was to remain voluntary and the use of the word union was avoided. The FWA was given sole coverage of dairy, stock and station workers and the right to represent these workers was protected. Under the terms of the Act, however, another organisation could still apply to gain registration of an existing class of work if it proved it had a 25% higher membership the previous year than the existing organisation.[75]

The Act preserved single sector arrangements for agriculture, once more confirming separation from the FOL in the rural sector. An Agricultural Tribunal with full jurisdiction was established, consisting of a President and two other members nominated by the employee and employer organisation concerned, ensuring the presence of experts in

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[72] The NZWU was notified of the negotiations but did not send any representatives. Interview, Hedderwick with Author, 14 July 1990.

[73] Hugh de Lacy, "Farm Workers'Union Showing Way in Negotiations", New Zealand Farmer, 14 February 1985, pp32-34.

[74] The Press, Saturday 30 July 1977, Walker scrapbook.

[75] Or the existing organisation agreed to handing over the right of representation.

agriculture. In arriving at a decision, there was opportunity for the intention rather than the technicalities of the law to be exercised.[76] A system of enterprise bargaining was introduced to prevent recurrence of past representation problems in the farm situation. Thus, everyone working on a given property came under the same organisation.[77] The Act also set out safety and health clauses, along with accommodation and general provisions already in the 1962 Act.

For the FWA, the Agricultural Workers Act of 1977 enabled the Association to get on with the work it was determined to do, without interference from the NZWU. Its position and principles were secured by statute. The passage of the Bill was, in many ways, a throwback that might not have been anticipated. Industrial thinking by the 1970s was moving towards amalgamation and the tidying up of anomalies, rather than the "proliferation" of industrial organisations.[78] But following the unexpected political events of the early 1970s, the National Party capitalised on the rise of the FWA. As a rurally based pressure group, the FWA secured the traditional and marginal loyalties of National Party voters. In return, the FWA gained recognition as representative of stock, station and dairy workers. In spite of the difficulties of being a voluntary organisation, the influence of the FWA had been demonstrated.

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[76] Interview, Hedderwick with Author, 14 July 1990.

[77] Later, the Act's definition of farm worker was amended when it was realised that cooks were not covered.

[78] The Farmworker, Volume 1, No 2, October 1975, p4.

Chapter Four

COOPERATION, SOCIAL CONCERNS AND A POSITIVE FUTURE

Throughout the 1970s, the FWA channelled much of its energies into lobbying Government for improved social conditions in rural areas. Because the FWA was committed to bettering the prospects of farm workers, the Association's policies concentrated on taxation, retirement housing, land settlement, agricultural training and education. FWA intentions were bolstered by the support of Federated Farmers and other rural organisations. It seemed that a community of rural interests was working sincerely towards common goals; there was a shared perception of the inadequacy of rural services, considering the farming community's role as the major creator of the nation's wealth.[1] Joint research projects and submissions to Government followed. Within the FWA, this involvement fostered a spirit of optimism. Leaders in the agricultural sector espoused a policy that anticipated a future of cooperation, unanimity and security for farm workers.[2]

It was an opportune time for the FWA to put a case for more government assistance to farm workers. The National Party had a traditional interest in rural concerns and recent government policy had focused on achieving an increase in

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[1] Back country farmers and farm workers shared the inconvenience of bad roads, toll calls, inadequate rural delivery, transporting children to schools and distance from facilities.

[2] Rex Austin, Under-Secretary for Agriculture: "A Future Of Cooperation", Address given at the FWA Otago/Southland Regional Conference on 15 April, 1981, Walker scrapbook.

overseas returns by doubling hill country production.[3] To accomplish it, retention of skilled labour was needed, along with better use of available technology. Politicians were finally alerted to the disincentives associated with rural living, which included problems with retirement housing, taxation, agricultural training, car running costs, education and land settlement.[4] There was also awareness of the effects of isolation and poor social status.[5] The FWA was able to articulate a case for farm workers. Results came slowly, accomplished through ongoing lobbying, submissions and representations to government departments.

Members of the FWA researched and formulated submissions to Government.[6] A sense of purpose was generated through widespread local involvement, good communications and Annual General Meetings. Local participation in rural policy making decisions was evident in magazine articles and yearly reports on progress, producing such momentum that reminders of the frailty of the Association were passed over.[7] So much was happening in a relatively short time that it was not until after 1980 that there was full realisation that optimism alone could not carry the Association.

The support for the FWA that came with the National Government's victory in 1975 was partly due to recognition of

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[3] Government policies in the sixties were geared towards amalgamation. D.W. Lloyd, A Preliminary Review Of Rural Social Conditions With Particular Reference To The Manpower Positions On Farms, Wellington, 1974, p6.

[4] Lloyd, pp63 - 81.

[5] Dr Paul F. Kaplan, Social Aspects of Productivity: Hill-Country Sheep-Beef Farms In The Mangamahu Valley, Palmerston North, 1978, p76.

[6] Minutes, Annual General Meeting 26-28 May 1977, Hedderwick files on FWA.

[7] The FWA was vulnerable mainly because of its voluntary membership policy.

the economic consequences of the movement of skilled workers out of farming, described by Gill as "the Farm Labour Problem".[8] In 1968, Cant had suggested that movement out of agriculture by older men and their families implied dissatisfaction because their needs were not being met.[9] The 1972 Agricultural Production Council had recognised that social factors associated with farming were a necessary consideration in assessing the problem of farm manpower supply.[10] Lloyd, in 1974, suggested that farm employees also left because of misgivings as to future job prospects and lack of opportunity for advancement.[11] In 1976, the FWA had conducted its own survey in Southland, and found a low proportion of workers over 45 years of age.[12] Although some became farm owners, most farm workers who left employment moved to town as education and retirement needs of families became priorities, especially when land ownership was no longer possible. In 1980 another survey of FWA members revealed that respondents considered the three most important factors in job satisfaction were higher wages, opportunity for home ownership and opportunity for promotion.[13] It was argued that improvement in these matters would attract and retain skilled workers in country areas.

Because it was made up of farm workers, the FWA was the ideal organisation to speak on their behalf and to gather

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[8] Gill, "Deference..." p39.

[9] R.G. Cant, "A Case Study in Rural Outmigration: Movement of Adult Farm Workers From the Selwyn-Ashburton Electoral Districts During the Period 1963-1966", Proceedings of the Fifth New Zealand Geography Conference, 1967, pp41-47.

[10] Lloyd, p1.

[11] Ibid, p70.

[12] The Farmworker, Volume 2, No 4, December 1976, p6.

[13] Harris, p23.

supporting evidence. It focused on ways to improve general living conditions and future security. Before the 1975 elections, the FWA had already publicised key concerns, confirming research conclusions that severe shortcomings in rural living conditions contributed to a dwindling population and the consequent wind-down of rural services. A Rural Development Working Group, established at the initiative of Federated Farmers, invited further input from FWA members and from other groups.[14] Joint submissions resulted on education, safety, health and farm training. The expectation of change was apparent in such projects.

Farm ownership was another area where the FWA sought to maximise opportunity for farm workers without equity but with land owning ambitions. This had been unlikely prior to 1972 because government policy in the late 1960s had moved away from the traditional idea of the family farm; instead, a decline in farm profitability had encouraged a pattern of amalgamation. Private investment in the rural sector had also fallen, along with a drop in farm incomes and an increase in farm debt.[15] Against this, land values had continued to rise; dairy farms, for example, doubled their average price over the three seasons between 1972-1974.[16]

By 1972, the FWA was able to capitalise on policy changes designed to retain skilled workers in rural areas. Government had indicated that priority for lending would again be directed to farm purchase, with the emphasis on settling young

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[14] The Farmworker, Volume 2, No 4, December 1976, p7. Concerns included educational facilities, employment opportunities for wives, housing, communications and medical, social and recreational facilities.

[15] D.C. Kirkpatrick, Lending to Farmers :Report of the Committee of Enquiry, January 1972. (Also known as the Kirkpatrick Report).

[16] The Farmworker, Volume 2, Number 3, August 1976, p4.

men on the land.[17] The FWA readily supported a policy of government assistance to first farm owners, since it fitted with the aims and aspirations of many farm workers. While the FWA recognised that land ownership was not a realistic goal for all, it presented comprehensive submissions and proposed solutions in the form of government assistance to enhance such ambitions.[18] The FWA also endorsed the view that increased settlement of first farmers would assist the industry by helping to check rural depopulation, retain skilled workers and increase production.[19]

FWA members represented a pool of young, experienced men and women without equity, keen to own land and able to take advantage of government intentions to increase output in the rural sector. Government support for such prospective farmers was based on the expectation that production figures would increase with the incentive of owning land and the will to work hard to reduce a high mortgage. Within two years of a farm worker gaining ownership, a 10% increase in production was anticipated.[20] By the time the FWA had been incorporated in 1974, the Labour Government had established the Rural Banking and Finance Corporation out of the State Advances Corporation, announced a Farm Ownership Investment Account Scheme and raised loan limits to counteract rising prices. A Trade Certification Board farm training scheme established in 1973 led to the award of an Advanced Trade Certificate in farming, and was designed as an entry qualification for land

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[17] Kirkpatrick, p7.

[18] The Farmworker, Volume 1, No 2, October 1975, p4.

[19] Hedderwick, "Open Letter to all Candidates Standing for Parliament at the 1975 Elections", The Farmworker, Volume 1, No 2 October, 1975, p4.

[20] Interview, Hon. Venn Young with Author, 31 July 1990.

settlement ballots.[21] After the National Party victory in 1975, support for the rural economy was greatly expanded through continued agricultural training, increased land settlement programmes, price support schemes and subsidised lending.[22]

In this more favourable climate for first farm owners, the FWA Lands Committee eagerly researched possibilities that would enhance land ownership opportunities for farm workers. It provided a strong thrust with fresh ideas, working alongside the Rural Bank, Young Farmers Clubs and Federated Farmers. In 1978 the report of the FWA Land Committee Chairman revealed a busy schedule. In June 1977, an address had been given at a Flock House Settlement Course, followed by a combined meeting in October and submissions to the Parliamentary Lands and Agriculture Committee. The following month an address had been given to about eighty people at an Agricultural Policy Seminar at Massey and copies of FWA land policy distributed to members of parliament. The FWA claimed that its policies were filtering into the system and influencing Government, in spite of lack of credit given for its initiation of ideas.[23]

The FWA sought subsidised assistance for first farm owners who had demonstrated managerial skills, had shown an ability to save and had attended the requisite training courses. It wanted accelerated turnover of government ballot blocks at an earlier stage of development, extension of sharefarming beyond dairying and settlement of more one-man

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[21] New Zealand Labour Party, Manifesto In Action, May 1974, p5.

[22] For a summary of Rural Banking and Finance Corporation lending policy: J. Pryde and S. Martin, A Review of the Rural Credit System 1964-1979, Christchurch, 1980, p137.

[23] Ellis, "Report on Land Settlement", 28 May 1977 Annual General Meeting, Hedderwick files on FWA.

units. It promoted the idea of stepping-stone units that could be worked in conjunction with a job.[24]

The FWA also advocated increased options and flexibility within the system. At the invitation of Venn Young, Minister of Lands, in 1976, it took an active part in decision-making over land development policies. Interested parties had been invited to participate in formulating a new policy of speeded Crown-land settlement through release to farmers at a less developed stage. FWA delegates claimed credit for the resolution that 50 ballot farms be settled yearly from 1976.[25]

The FWA had a strong input into the development of sharefarming as another option in the farm career structure. Cooperation within the rural community was very apparent in the promotion of this concept, which involved a range of options where one partner provided land and the other provided labour.[26] It was an extension of the sharemilking arrangement into other types of farming, and was another way that an established farmer might be encouraged to leave his equity in the rural sector. FWA input and interest was made possible through representation on the sharefarming board at Lincoln College. By 1979 its Property Management Service had drawn up two registers for potential sharefarming partners, one for management partners, and one for land owners. Farm workers with ability, experience and savings of about $7,000,

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[24] "NZFWA, Lands Committee Submission to Parliamentary Lands and Agriculture Committee", The Farmworker, Volume 4, No 1, March 1978, p3.

[25] C. Duley to R. Bruere, The New Zealand Farm Worker, Volume 7, No 1, p9.

[26] Brett Tawse, Federated Farmers research officer, wrote a booklet, Sharefarming and Some Other Systems to Assist in Attaining Farm Ownership, Wellington, 1978.

or more, were encouraged to register for a fee of $10.00.[27]

Sharefarming was promoted by the FWA as another possible way for a "person of limited capital to launch into farm ownership".[28] An article highlighting features of sharefarming was set out as a dialogue in the Federated Farmers' magazine between Straight Furrow reporter, G. Wright, and FWA officials, C. Duley and T. Brown.[29] Anticipated benefits for farm workers included job security, a chance to build up equity commensurate with ability and effort, increased status, some financial control and more decision making opportunities.[30] From 1977 Government gave approval to assist sharefarmers through the Farm Ownership Savings Scheme, so that young farmers gained another career avenue.[31] The guaranteed Supplementary Minimum Payments scheme seemed to offer income-stability stability to new farm ventures.

The FWA claimed success for the Special Settlement Loan, a system introduced in 1976 whereby a young farmer needed only a 15% deposit to qualify for a first farm. Also known as the 85% loan, the concept was first discussed in a brainstorming session with Hawkes Bay Department of Lands representatives at the home of FWA Land Committee Chairman, John Ellis.[32] The principle was comparable to Lands and Survey ballot blocks

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[27] The New Zealand Farm Worker, Volume 5, No 1, 1979, p17.

[28] Searle, Steele and Holmes, "Sharefarming-Its Justification", The Farmworker, Volume 2, No 4, December 1976, p8.

[29] G. Wright, "A Growing Concern", Straight Furrow, 7 November 1980, p1.

[30] Ibid, p1.

[31] Pryde and Martin, p137.

[32] Interview, Hedderwick with Author, 14 July 1990.

since both schemes targeted the landless. Characteristic of many young men within the Association, Ellis was able to promote himself out of the organisation through land ownership.[33] In 1977 the Rural Bank indicated the extent of government funding in response to demand. It was able to help a record number of 1,033 landless farmers into ownership in 1977, but had turned down 295 applicants because of lack of funds.[34] Of the farms settled, 86 farmers had been offered the special loans up to 85%.[35]

For those who were unable to achieve that goal, finance was available from 1976 to allow purchase of stepping-stone units, initially with housing and later without. The FWA promoted these units as a way for farm workers to build up equity by keeping up with inflation, to supplement wages, to enable home ownership and to provide the means to step up to a bigger unit. Established farmers also supported the idea because it meant availability of casual labour without having to provide extra housing.[36] The scheme did not disqualify farm workers from later access to the 85% loan or from purchase of additional land to make an economic unit.[37]

Closely allied with the push for land ownership, was the

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[33] Women could apply for loans in their own right through the Rural Bank. Usually women were married and required to be equal partners as farm owners, giving the Rural Bank more security on a loan.

[34] "Farm Lending", Report of the Rural Banking and Finance Corporation, 1977, p6.

[35] J. Buchanan, Minutes of Annual General Meeting, Christchurch, 27-28 May 1977, Hedderwick files on FWA.

[36] D. Ramsay, "Land Settlement And The Narrow View", The Farmworker, Volume 2, No 4, December 1976, p2.

[37] The Rural Bank preferred that units were restructured to become economic. Loans granted for workers' holdings amounted to 252 in 1980, 333 in 1981 and 272 in 1982. Report of the Rural Banking and Finance Corporation.

emphasis that the FWA placed on farm training. The Association gained representation on the Agricultural Training Council, along with Federated Farmers and Young Farmers Clubs.[38] It was a firm advocate of a career structure, with recognisable levels of achievement. Since it was apparent that the majority of farm workers would not achieve land ownership, the FWA believed that evidence of managerial career prospects was needed to attract and to retain suitably qualified people.[39] Training was to have a practical component, relate to the needs of the industry, to be pitched to trainee ability and to have the reward of increased wages. Ideally, achievement levels would be recognised in related industries. This would provide enhanced status, give security for workers with a range of practical and managerial skills and attract young people of suitable calibre.[40]

The FWA also sought representation on the formal side of the industry. FWA representatives served on Telford Training Board, the Agricultural Training Council, and at Lincoln College. Attendance at rural landuse seminars at Massey University and Lincoln College ensured that FWA ideas were given a hearing.[41] At local level, the FWA liaised on a cooperative basis with agricultural training officers. One example of a local branch working in with training staff was the gift of an enclosed trailer to the Gisborne-Wairoa-East

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[38] The Farmworker, Volume 2, Issue 2, May 1976, p3.

[39] "Careers On Farms", New Zealand Farmer, 23 October 1979, p6.

[40] W. J. Buchanan, "Agriculture Training Vital to Country", The Farmworker, Volume 4, No 2, May 1978, p1.

[41] Rural Landuse Seminars were held at Massey University on 14-16 August 1979, at Lincoln College on 3-5 September 1979 and on 24-26 May 1980. Reported in "Massey Landuse Planners Examine Government's Role", The New Zealand Farm Worker, Volume 6, No 3, p53.

Coast officers, to help with on-site farm training.[42] The FWA supported standardisation of existing schemes on a national basis, as had been accomplished with the Farm Cadet Scheme.[43] Progress on the formulation of a prescription training document on farming skills was reported in 1978, with the FWA advocating a high practical input.[44] It promoted courses by advertising their availability in the Association paper and convincing farm workers of their practical usefulness.

The FWA was able to make some progress in the tied housing situation where workers had no security of tenure. A farm worker required to live in a farm house was likely to put up with poor treatment rather than face eviction. Some improvement was accomplished in 1977, when one week's free accommodation after termination of employment was written into the Award.[45] It was difficult to demand more, since the house was likely to be needed for the next worker.

The FWA recognised an urgent need for alternatives to the tied house arrangement and for adequate provision to be made for farm workers on retirement. In particular, it wanted farm workers to have access to loans money for housing on comparable terms with the urban situation. The FWA was strongly backed by Federated Farmers in this request. Before 1974, a worker in tied housing was unable to qualify for Housing Corporation loans, a situation contributing to the

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[42] The New Zealand Farm Worker, Volume 7, No 3, 1981, p43.

[43] The New Zealand Farm Worker, Volume 4, No 3, 1978, p53.

[44] Ibid, p53.

[45] "Agreement On Minimum Conditions", The Farmworker, Volume 4, No 4, December 1976, p4.

outflow of rural workers.[46] Many moved to town in the 30-50 age group, so they could buy a house of their own. Though some commuted to work on the farm, travel to back-country locations was unlikely.[47]

The FWA argued that government assistance in housing finance was imperative. A farm worker had little chance of raising the deposit for a first home by himself. Savings would be totally inadequate on retirement and there were few other options. He needed a sturdy car and could not sell it; there was little chance of his wife bringing a second income into the family; by retirement age, because he had not bought ahead of inflation, he could not service a large loan.

Prior to the 1975 election the FWA had made representations to the Labour Minister of Housing, but with little success.[48] Consultations had also taken place with National's shadow Minister of Housing. The National Party Manifesto promised that a 65% loan would be available through the Housing Corporation for farm workers to build or buy a house near the place of employment, provided that applicants had been in tied accommodation for at least 10 years. National also promised that money saved in a Farm Ownership Savings account could be available after 10 years for alternative purchase of a first home.[49]

In May 1976, the FWA reported to its members that the Minister of Housing had given further assurance that the Residential Clause of the Housing Corporation would be

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[46] The Farmworker, Volume 3, No 2, May 1977, p3.

[47] Lloyd, p70.

[48] The Farmworker, Volume 2, Issue 2, May 1976, p1.

[49] Hon. R. D. Muldoon, National Party 1975 General Election Policy, p12.

altered, with regard to farm workers.[50] It also offered to take up, with the Minister, the case of any bona fide worker nearing retirement or leaving farming through illness.[51]

The FWA wanted a qualifying period of five years working in the industry established in place of a residential clause where successful applicants had to occupy the house once it was built.[52] It proposed that a house could be rented out until required by the retiring farm worker.[53]

FWA submissions resulted in successful implementation of policy changes. A start was made in the 1977 budget, which provided access to Housing Corporation funds for those over 45 years of age who had lived in tied housing for at least ten years. Those not yet 45 years old were referred by The Farmworker to Post Office Savings Bank Home Ownership Accounts, as one way to qualify eventually for retirement housing finance.[54] The Government response was again in line with attracting and keeping career farm workers in rural work situations. Further lobbying resulted in lowering the age qualification for a farm worker to 40 years in 1978, although an applicant was still required to have spent 10 of the last 15 years in tied accommodation.[55] Between 1977 and 1981, only a modest 262 loans for farm workers had been approved, but an upsurge was anticipated as a result of further

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[50] The Minister of Housing was the Hon. Mr Gair. The Farmworker, Volume 2, Issue 2, May 1976, p4.

[51] Ibid, p4.

[52] The residential clause required that a new home owner occupy the house when built, rather than rent it out until needed.

[53] The Farmworker, Volume 3, No 2, May 1977, p3.

[54] The Farmworker, Volume 3, No 3, September 1977, p4.

[55] R. Allen, "Retirement Housing Report", The New Zealand Farm Worker, Volume 4, No 3, 1978, p15.

concessions based on FWA submissions. In 1981 the qualifying period was reduced to 10 years in tied accomodation, regardless of age or marital status.[56] Another big improvement was removal of compulsory occupation, enabling the house to be rented until required. This permitted a farm worker to have a form of equity and to work off some of his mortgage before retirement.[57] FWA attempts to get the qualifying time in tied housing reduced to only 3 years were unsuccessful.

A service the FWA provided for its members was its own superannuation scheme through Noble Lowndes (NZ) Ltd. This was intended as an asset that a farm worker could take from job to job. Labour Minister of Agriculture, Colin Moyle, had recommended the Association concentrate on this area.[58] The scheme was under way by October 1975. It had the advantage of releasing 70% of the accumulated fund for mortgage finance, once funds built up. It offered six levels of contribution, an interest rate of 8% and substantial death benefits. Three years later the scheme was updated, with the FWA setting a "salary" figure to facilitate calculation of contributions. A minimum amount was payable on termination of employment; on retirement a lump sum or annuity was payable.[59] Some mortgage finance had become available to members by May 1978, and at the 1980 Annual General Meeting Hedderwick reported that the fund had reached $100,000.[60]

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[56] The New Zealand Farm Worker, Volume 7, No 1, 1981, p25.

[57] Ibid, p13.

[58] The Farmworker, Volume 1, No 1, July 1975, p4.

[59] "New Superannuation Provides Benefits", The Farmworker", Volume 4, No 2, May 1978, p3.

[60] Lending was not available for livestock, as the collateral was not considered sufficient. Report, Annual General Meeting, 20 May 1980, Hedderwick files on FWA.

Taxation was another area in which the Association worked assiduously, again assisted by Federated Farmers in making representations to Government over a common concern. It sought updated allowances on horse, dog and saddle allowances; on car travel in the course of work; on essentials such as the telephone; and on concessions for wives assisting for no pay.[61] Success on this line of submission was moderate. In 1975 the Inland Revenue Department indicated that claims of farm workers being penalised by current legislation would be given consideration, but that matters had to be "considered in the light of the present state of the economy and the competing claims of other interests".[62] In March 1977 The Farmworker informed its membership of tax concessions operating for the year ending 1978. They included updated tax, horse and saddle allowances. Association fees, wet-weather clothing, tools and travel to and from work, were also eligible for an allowance.[63] Throughout, the Association explained to members how to apply successfully for concessions.

Attempts were made to obtain taxation concessions on car allowances, on the grounds that car running costs were a necessary burden in remote areas. A 1977 submission to both major political parties had requested a direct tax exemption of $2,000 as a way of offsetting car expenses.[64] But the FWA had little success through this line of reasoning, because Government expected farmers to take the responsibility for vehicle costs incurred during the course of employment. By 1978 a mileage allowance, paid by farmers for vehicles used

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[61] The Farmworker, Volume 2, No 3, August 1976, p4.

[62] The Farmworker, Volume 2, Issue 2, May 1976, p4.

[63] The Farmworker, Volume 3, No 1, March 1977, p4.

[64] The New Zealand Farm Worker, Volume 4, No 3, 1978, p55.

during employment, had been written into the Award.

The FWA was directly opposed to taxation on the perquisites of employment. In July 1975 the Southland Branch put a case against taxing "perks" on the grounds that members were already disadvantaged by rural living. They claimed that "perks" gave a degree of relativity to their urban counterparts, and pointed to higher rural living and servicing costs and the disadvantages of tied housing. They compared the situation of urban workers who often got incentive bonuses, dirt money, and allowances such as discount privileges.[65] In spite of further submissions by Federated Farmers and FWA against the practice, the Inland Revenue Department moved after 1982 to assess tied housing for taxation purposes along with board, lodging and food.[66]

In educational matters the FWA worked in with other rural groups, since education was a shared concern. Particular issues included long walking distances to school buses, time spent travelling to and from school, and the cost of boarding fees for secondary schooling. It supported the view that the cost to country parents should be no greater than to urban parents, and that rural educational opportunities should be brought up to a par with city areas.

In 1976, D.Searle, Chairman of the Education Committee, reported that a joint submission had been sent to the Minister by the FWA, Womens Division of Federated Farmers, Young Farmers Club, Parent-Teachers Association and the School Committee Association.[67] It requested revision of the boarding allowance from its 1972 level. An extensive review of travel assistance was called for in terms of distance, rates,

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[65] P. King and D. Ramsey, "Perks Tax Would Hit Too Hard", The Farmworker, Volume 1, No 1, July 1975, p2.

[66] NZDIUE, President's Annual Report, 1983, p2, Hedderwick files on FWA.

[67] The Farmworker, Volume 2, No 4, December 1976, p2.

parental allowances and non-academic or sporting trips. The National Government was asked to consider development of week-day boarding, payment to supervise correspondence pupils, more resource facilities, help for the handicapped, retention of rural schools and strengthening of pre-school services. In some cases where locals were disadvantaged by legal regulations, there was cooperation from within the district. On one occasion a rural community organised itself to get around the requirement that children walk the initial distance to the school bus. Ditches were dug in front of gateways to close off possible turning bays for the bus, ensuring that children at the end of a long narrow road were serviced.[68]

By the late 1970s, the FWA had proved its ability to represent farm workers in both industrial and general social matters. The positive outlook and sense of achievement was reflected in the professionalism of its newspaper, which offered information and provided opportunity for comment. Progress in non-industrial matters was ongoing and was supported by Federated Farmers. The appearance of a positive future, the promotion of enhanced skills and talk of good farm management as a realistic goal in itself were the kinds of sentiments still being expressed at the end of the decade.

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[68] Interview, Hedderwick with Author, 14 July 1990.

Chapter Five

A DIVERGENCE OF INTERESTS

By 1977 the FWA had a series of clear, ongoing policies and could operate under the security of the Agricultural Workers Act. But the relationship between the FWA and Federated Farmers was tested as events revealed differing attitudes between the two organisations. Their working relationship had become closer over time, but was not without tensions. The Association portrayed itself as the voice of the farm worker, commited to furthering "the interests and welfare of all farm workers throughout New Zealand".[1] Federated Farmers was substantially in agreement with the goals of the FWA, but only if it kept within certain boundaries. Federated Farmers was not prepared to countenance any challenge to the custodial role that it had assumed over the rural community. Where FWA aims opposed the best interests of Federated Farmers or its members, the Association was blocked. When the FWA tried to secure its political power through revising its voluntary membership system, for example, its propositions were rejected by the employer unions. Federated Farmers viewed the FWA primarily as the means to keep the Agricultural Workers Act of 1977 in existence. The rapport between farmer and worker that both sides continually stressed, could not conceal a fundamental divergence of interests over the land aggregation issue, the membership and organisational problems of the FWA, and in farmers' attitudes towards wages and conditions for workers.

An area of competing interests between farmers and farm

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[1] "Rules Of The New Zealand Farm Workers Association", Section 3(c), Macalister Mazengarb files on FWA.

workers was exposed with the Land Purchase Bill of 1979.[2] Its introduction followed the outcome of the National Party's manifesto promise to examine proposed amendments to the 1952 Land Settlement Promotion and Land Acquisition Act.[3] Over the years, much criticism had been levelled at the so called "ten man company loophole", whereby unrestrained purchase and land aggregation could take place behind faceless companies and corporations. Whereas the Association approved of moves to persuade the Government to legislate against such practices, Federated Farmers was opposed to further legislative control on land purchase. In fact, it wanted exemptions for family trusts widened.[4]

The FWA, along with young farmers and sharemilkers, supported government policy aimed at making land ownership possible for more single-man units. The Association was highly critical of the inflationary situation where big investors pushed up land prices beyond productive capacity, and reduced the opportunity for purchase of one-man or sharefarming-sized blocks of land. In its submission on the Land Purchase Bill, the Association stressed the need to lower the average age of new farmers to bring increased production, for stability of land prices, and for retention of stepping-stone sized units of land as progress towards owning an economic holding.[5] It also expressed opposition to trusts formed to buy land where

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[2] Introduced on 27 October 1977, and reported on 19 July 1978.

[3] Hon. R. D. Muldoon, National Party 1975 General Election Policy, p4.

[4] Federated Farmers of New Zealand (Inc), Submission to Select Committee on the Land Purchase Bill, 25 November 1977, General Assembly Library, Wellington.

[5] Submission to the Land and Agriculture Committee of the House of Representatives on the Land Purchase Bill, by C.W. Duley, for and on behalf of the New Zealand Farm Workers Association, p2, Hedderwick files on FWA.

infants were the main beneficiaries.

In contrast, although Federated Farmers favoured positive government incentives to potential farmers, it did not want negative restraints on those already established.[6] The Association answer was that even if the Rural Bank did increase the money available for loans, wealthy farmers or forestry interests were always able to match it, fueling inflation and demand while still cutting out the prospective young farmer. It argued that incentives to the landless had to be accompanied by legislation to curtail the aggregationists.[7] The Association conceded that there were legitimate instances of restructuring, where adjoining non-economic properties were bought to increase efficiency and production, but it wanted to ensure that economic units were not amalgamated.[8]

The Association was bitterly disappointed at events which followed. The Land Purchase Bill had been introduced into Parliament at the end of 1977 and a working party chaired by John Kneebone, President of Federated Farmers, had been set up to study the Bill in mid-1978. The subsequent report, known as the Kneebone Report, allegedly had little resemblance to the recommendations of participating groups.[9] The Kneebone Report was criticised by the Sharemilkers Association, the Young

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[6] Federated Farmers' Submission to Select Committee on the Land Purchase Bill, 25 November 1977, General Assembly Library, Wellington.

[7] Letter, N. Brown, Chairman of FWA Lands Committee to Wilson, Editor of the Wairoa Star, 14 November 1979, NZWU file, G3(b).

[8] The FWA claimed that the proportion of sales amalgamating economic units to economic units was:41% in 1975; 39% in 1976; 39% in 1977, FWA Lands Committee to NZWU, no date, NZWU file G3(b).

[9] Interview, Hedderwick with Author, 14 July 1990.

Farmers Club, and the Farm Workers Association.[10] Association members claimed that the working party had reached informal agreement that the provisions to curtail land aggregation, would go ahead.[11] Instead, the report was a restatement of the status quo. It refuted arguments against aggregation, using the term, "rationalisation" rather than "aggregation", and claimed that the farming industry was not the place to support the land owning aspirations of young New Zealanders.[12]

FWA members were deeply resentful and focused frustration on the Kneebone Report and the "Feds doing an about face".[13] They were confident that loopholes in the legislation could have been closed by amendment and could not understand the change of stance.[14] But Federated Farmers, as the primary organisation representing established landowners, was a strong political force. Historically, farmers had secured political acquiescience, shown by the existence of the ten man company loophole in the first place. The National Party Caucus accepted the political realities of the strength of its rural constituency and decided not to proceed with the legislation. In the face of opposition from forestry interests, as well as Federated Farmers, drafting amendments to please all pressure groups would have proved too difficult.[15] The Bill was

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[10] Brown to Wilson, 14 November 1979, NZWU file G3(b).

[11] Interview, Hedderwick with Author, 14 July 1990.

[12] Brown to Wilson, 14 November 1979, NZWU file G3(b).

[13] C.W. Duley, Chairman of Land Settlement Committee, Submission to Select Committee for and on Behalf of the Farm Workers Association, November 1985. Hedderwick files on FWA.

[14] Submission to Select Committee on Land Purchase Bill by the Farm Workers Association (Inc), prepared by legal advisor, P. Bartlett, LA 78 /157. This paper recommended a redraft of certain clauses, Macalister Mazengarb files on FWA.

[15] Interview, Hon. Venn Young with Author, 31 July 1990.

shelved.

Farmers were primarily motivated by self-interest and economic considerations, in spite of the sentimental statements that were often expressed about encouraging young farmers on to the land. When setting wages and conditions, Federated Farmers' industrial relations policy was based on the ability of the industry and individual farmers to pay rather than concern for the farm worker.[16] The flexibility and long hours required on farms, compared with other industries, were justified by the exigencies of the industry and reinforced by claims of a shared identity between employer and employee. Farmers spoke in terms of mutual trust, respect, obligation and enthusiasm, although they agreed on a need for a minimum standard of pay and clear definition of leisure hours.[17] Publicly, the FWA supported this view, in part because a close working relationship did produce rapport between employer and employee, but also because of its relative powerlessness to get better wages.[18] Although there was an acceptance that the worker was entitled to "a fair share of the national cake" in 1974, the interpretation of a fair share could vary.[19]

Farmers considered that the vast majority of farm workers were treated well and that those who were not satisfied should

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[16] "Federated Farmers' Industrial Relations Policy", News And Views, November 1983, p19, Walker Scrapbook.

[17] NZDIUE Submission to Labour Select Committee on the Agricultural Workers Amendment Bill 1973, 14 October 1973, General Assembly Library, Wellington.

[18] Howard Newby, The Deferential Worker, London 1977, p366.

[19] R. McLuskie,"Industrial Relations And The Farming Sector", in J. Howells, N. Woods and F. Young editors, Labour And Industrial Relations In New Zealand, Carlton, 1974, pp299-305.

find a better employer.[20] Actual wages and conditions were assessed in terms of the going rate generally agreed by farmers within a particular district. In 1974 the Agricultural Production Council Report tended to confirm the farmers' view that all was well, stating that wages compared favourably with other occupations, especially when bonuses and non-monetary benefits were added.[21]

But the idealised view of a benevolent farmer and satisfied worker was constantly marred by exceptions. The Agricultural Production Council Report, for example, qualified its findings with a string of exceptions: small margins for skill and experience; the lesser value of perquisites for a single man compared with a married man of the same age; irregular or long hours; misunderstandings over unwritten conditions of employment and instances of sub-standard housing.[22] In 1980, a survey of FWA members indicated that although most were generally happy with their jobs, higher wages would be the biggest single factor in increasing job satisfaction.[23] Complaints from within the FWA were often made about low wages and long hours. Even with written conditions of employment from 1976, breaches of the Award by farmers remained widespread.[24] The Association was constantly advising members to ensure that they had

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[20] A view expressed by N. Tripe as a panel member on "Agricultural Trade Unionism: Some Comments On The Proposed Legislation", Dairy Farming Annual 1974, Palmerston North 1974, pp70-89.

[21] Lloyd, p65.

[22] Ibid, pp66-69.

[23] Harris, p22.

[24] Family members were exempted from the award and could be underpaid. Some workers were paid the basic rate but not given the extra entitlements. Others worked on the same property for years without pay increases. NZWU file G1(e).

agreements.[25] One writer to The New Zealand Farm Worker made the point rather succinctly by suggesting that "the worker shall be given time off if he dies";[26] another correspondent blamed low wages and long hours for poor membership:

> Firstly wages. Dairy award minimum - a few dollars a week more than superannuation. Farms and Station - a few dollars less. Now, do you all think that is positive after working 54 and 45 hours per week respectively? I do not![27]

Economic considerations and the special requirements of agriculture made farm workers vulnerable to exploitation because of their availability. Farm workers often felt that give and take in the work situation was one-sided. There was often a distinct contrast between the one-to-one relationship while working and getting a fair wage paid later. One man tried to explain: "these people are really great to work for and personally I have a lot of time for them and cannot understand why they have to rip off their staff".[28] There was always work to be done on a farm. Actual demands on a farm worker could be rationalised very easily by talk of farm work as an apprenticeship or by giving perquisites which were not necessarily a true reflection of the value of work done.

The hours of work issue illustrated farmers' attitudes

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[25] The New Zealand Farm Worker, Volume 6, No 3, p41.

[26] " A Cynical Look 1974 Onwards",The New Zealand Farm Worker, Volume 7, No 4, 1981, p25.

[27] C. White, "Letter To The Editor", The New Zealand Farm Worker, Volume 7, No 1, 1981, p5.

[28] The letter referred to three breaches of the award: inadequate time off, no overtime payment and no clothing allowance. Cowman-Gardener to Duggan, 19 August 1987, NZWU file G1(e).

towards farm hands that were developed over the years. A worker's time was not regarded as his own and farmers found it difficult to adjust to changing expectations. It was possible for farm hands to be expected to work regardless of hours, a situation where a farmer could see no gain from increasing wages. Even though wages were tax deductible, they were not a tangible asset in the same way as new fences or implements. Although work hours on dairy farms were reduced from 128 hours fortnightly to 108 hours in 1978, a proposed further reduction from 108 hours was still being described by farmers as unacceptable in 1982.[29] On farms and stations hours were slightly less than on dairy farms, but the 40 hour week was not achieved until 1988.[30] By contrast, workers in orchards and vineyards worked a 40 hour week from 1971.[31]

Close employer-employee work conditions and shared interests masked differences and often made it difficult for workers to be assertive. Perquisites were often viewed by farmers as gratuitous extras rather than part of the routine pay packet. Very often, too, an employer could be insensitive to the reduced ability of those on low wages to juggle their finances to meet major commitments. Sometimes the farmers themselves were struggling to pay their way. Workers who benefited from extras were more likely to be on good wages as well, presumably because the farmer was able and willing to

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[29] Minutes, NZDIUE 4 March 1982, circular DU1/1982, Hedderwick files on FWA.

[30] The industry claimed it could not afford a wage increase and so it reduced hours instead. Interview, Duggan with Author, 3 April 1990. In 1990, cooks on farms and stations still worked a sixty hour week for $221.15 plus board. Straight Furrow, 19 September 1990, p18.

[31] Arthur Porrit, Governor General, Order in Council, Agricultural Workers (Orchards and Vineyards) Order 1971/159. General Assembly Library, Wellington.

supply benefits.[32]

The attitude of farmers was determined by their own interests. Each dollar paid out in wages was a dollar less for the farmer. This over-rode the sense of mutual obligation. Farm workers' jobs were not safe, especially in times of hardship. The industry was opposed to provision for redundancy payment and the worker could lose his job and security after years of faithful service, whether it was at the whim of the employer, or because of declining profitability.

There were definite conflicts of interest. For example, tied housing caused an obvious difficulty because of pressure on the worker finishing employment to move out and make way for the new employee. Federated Farmers was instrumental in having a clause inserted in the 1986 Tenancies Bill which could override the worker's entitlement at the end of a job to a period of accommodation, if the house was needed by another employee.[33] Less acute but no less problematic was the situation where workers had to accept substandard accommodation because of farmers' resistance to maintaining a "free" house.

Nevertheless, Federated Farmers and the FWA recognised that the separate industrial arrangements in agriculture depended on the FWA continuing to exist. Ironically, in spite of their eventual incompatibility of interests, the FWA was forced into a closer relationship with Federated Farmers in an attempt to survive.

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[32] Harris, p17.

[33] Memorandum, E. Chapman, Federated Farmers' legal advisor, to G. Jenner, 26 September 1986. Hedderwick files on FWA.

Chapter Six

THE MEMBERSHIP CRISIS

By 1977, in spite of its proven ability to act for farm workers, the Association faced falling membership levels, financial insolvency and questionable viability. For the Association, preoccupied with the means of survival, crisis point was reached in mid 1979. The FWA was forced to request the employer unions to allow a draft membership clause into the Award. But it was rejected as being "a hair's breadth from compulsory unionism".[1] The lack of provision for an Unqualified Preference Clause in the Agricultural Workers Act, 1977, enabled the employer unions to retain control by rejecting the draft membership clause.[2] In the interim, the FWA accepted secretarial, financial and publishing help from Federated Farmers, rationalising this subservience as necessary to keep the NZWU at bay. The hope was that, over time, the provincial membership of Federated Farmers would sway opinion so that the draft membership clause would be accepted into the Award. But Federated Farmers remained unyielding, offering instead subsection status under its own umbrella. Federated Farmers' help was motivated by concern that the failure of the FWA might be followed by the repeal of the Agricultural Workers Act 1977, which would mean the end of single sector arrangements in agriculture. By 1982 the strength of the FWA as a nationwide organisation had dwindled because the essential ingredient, farm worker support, was

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[1] A.B. McKinnon, Chairman, Wairoa branch of Federated Farmers, "Farm Workers' Desire For Compulsory Union Tragic", Wairoa Star, 22 June 1982, p12, Walker scrapbook.

[2] Gill, "Legislated Apathy", pp7-15.

lacking. Dedicated individuals within the Association remained unsupported by the vast bulk of farm workers who, under voluntary membership, remained "free-riders", gaining the benefits but contributing nothing.[3]

The FWA had the potential to become one of New Zealand's largest industrial groups but, with voluntary membership, apathy worked against the Association. Its initial strength was a result of groundswell reaction against the 1973 Bill, a fairly open membership qualification and a cheap subscription of only $2.00. In spite of a large membership, the first annual balance showed the Association had a net deficit of $1,076 at 31 March 1975.[4] The FWA's financial position was never strong and throughout its history it had to operate on a shoestring budget. Individual officials frequently paid their own travel costs, did a formidable amount of work on a voluntary basis and put family and personal life at risk as a result. Much branch expenditure was funded locally, with the total yearly subscription being fully commited at national level.[5] Overhead costs for a nationwide organisation were unavoidable and could not be sustained indefinitely through private resources. The Association managed a surplus of $2,798 for 1976, but there was a net deficit of $4,894 in 1978.[6] While debts accumulated, membership fell. From a peak of over

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[3] In 1983 one in twelve farm workers were reported as members of the FWA. The Press, November 11 1983, p15.

[4] NZFWA First Annual Report, balance sheet, 31 March 1975, p8. This debt was cleared by private donation. Hedderwick files on FWA.

[5] At the 1980 Annual General Meeting (AGM), the subscription was raised to $25.00 and 20% of subs were intended to be refunded to local branches. Minutes of the AGM, 20 May 1980, Waikato remit, Hedderwick files on FWA.

[6] Annual balance sheets, Barr, Burgess and Stewart. Details: for 31 March 1976, The Farmworker, Volume 2, Issue 2, 1976, p2; for 31 March 1978, The New Zealand Farm Worker, Volume 5, No 2, 1979, p39.

8,000 members in 1974, numbers dropped to just over 4,300 in May 1975 and to 2,400 in October 1979.[7]

Lack of support for the FWA in the late 1970s was not due to any lack of grievances. There were numerous complaints over wages, man-management, housing, employment conditions and unwarranted dismissal.[8] The exceptionally high turnover and outflow of experienced labour in the agricultural sector was evidence of dissatisfaction.[9] It was also a characteristic of New Zealand agricultural industrial relations, where workers reacted individually rather than collectively to poor employment conditions.[10] They often saw collective activity as inappropriate to the rural sector, a view reinforced by social conditions in rural employment. Workers tended to identify with farmers' values, especially if there was a possibility of future landownership.[11] Too often, in the minds of rural dwellers, the FWA was associated with the NZWU

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[7] Membership totalling 4,332 was listed by Withell for the 1974/5 year. Some may have been unfinancial. Macalister Mazengarb files on the FWA. A membership of 2,400 was reported in 1979. Symmons to Elworthy, 23 October 1979, Federated Farmers' files on FWA.

[8] These issues are on-going. "Employment Problems", The New Zealand Farm Worker, Volume 6, No 3, 1980, p41. The NZWU has documented grievances on file especially since 1987. NZWU file G(1)e.

[9] Howard Gill, "Land, Labour or Capital: Industrial Relations in the Australasian Primary Sector", Journal of Industrial Relations, Volume 23, 1981, pp139-162.

[10] Reaction took the form of changing employers or by leaving the agricultural sector when the worker began to lose his affinity with agriculture, as family needs took precedence or land ownership became impossible. Gill, "Legislated Apathy", pp7-15.

[11] K.B. Burridge, Te Awamutu FWA, Submissions to Labour Select Committee, Agricultural Workers Amendment Bill 1973, clause 5, General Assembly Library, Wellington.

and strike action.[12] Regional differences in attitude also prevailed. Where there was support of the FWA by farmers, membership could be maintained and increased, as was shown in the East Coast after 1976, and in Southland after a successful membership drive in 1981.[13] Sometimes workers were reluctant to become members because of intimidation.[14] The poor performance of the FWA, often due to factors beyond its control, also lost members. Delays in promulgation of Orders in Council, discouragement caused by failure to have the draft membership clause accepted, and later the freeze on wages, all contributed to loss of FWA membership.

Apathy was reported in numerous forms: complete ignorance of the Association; failure to respond to postal membership drives; poor attendance at local meetings; rapid turnover of officials; poor response to committee requests for feedback; individuals wanting advice but not to pay to join; and finally, workers not bothering to apply for an exemption from membership after 1979.[15] Potential members constantly sat on the fence in spite of admonitions to get off and join in case the FWA collapsed "through neglect".[16] Some complained that the FWA was a "managers' club", offering little to the farm worker or ordinary shepherd, even though the majority of management committee consisted of farm workers.[17] Gill also

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[12] "Farm Workers' Drive Bringing Results", The Ensign, 28 July 1981, p11, Walker scrapbook.

[13] Ibid.

[14] Interview, B. Mulligan with Author, 18 May 1990. As a farm worker he was told he would be "down the road" if he joined the FWA.

[15] Only about 100 exemptions had been granted between August 1982 and November 1983. The Press, 11 November 1983, p15.

[16] The Farmworker, Volume 4, No 2, 1976, p1.

[17] The New Zealand Farm Worker, Volume 5, No 1, 1977, p9.

claimed a case for "legislated apathy", in part because the Agricultural Workers Act of 1977 favoured employers by the lack of a right of entry clause at farm level if the FWA sought to increase membership or investigate breaches of the Award.[18] Once members joined, repayment of subscriptions was a problem, because farm workers were dispersed and mobile. Membership drives were usually successful but too expensive to be a yearly occurrence.

By 1978 financial problems were reaching crisis point. The Association had been paying the previous year's debt out of current subscriptions, drawing comments from the Auditors that "there is no doubt that technically the Association is insolvent".[19] On 2 June 1978 a move at the Annual General Meeting in Gisborne for the Association to wind up was withdrawn and replaced by a resolution to the effect that a proposed draft membership clause be included in the Awards. If this was not implemented and there was no further progress within six weeks, then the decision would be taken "to convene a Special General Meeting in order to consider the motion to wind-up the Association".[20]

With more members needed, the FWA demanded urgent approval from the employer unions for the insertion of a draft membership clause. In seeking their approval, the FWA had also to gain support from the parent body, Federated Farmers. Although the ultimate decision rested with the three employer unions, they declared the need for prior consultation with the

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[18] Gill, "Legislated Apathy", pp7-15.

[19] Withell to Secretary, Industrial Union of Employers, 5 June 1978, Macalister Mazengarb files on FWA.

[20] AGM, Gisborne, 2 June, 1978, Appendix 2 on Draft Membership Clause, Macalister Mazengarb files on FWA.

Dominion Council of Federated Farmers.[21]

The FWA tactic of threatening to wind up initially produced a favourable response from Federated Farmers' officials who undertook to distribute and explain the draft membership clause at the Union, Executive and Dominion Council Conferences held in June and July.[22] Association members also experienced a good response amongst members of Federated Farmers at branch level. Much to the disappointment of the management committee of the FWA, however, the Dominion Council of Federated Farmers rejected the Association's proposed draft membership clause on 27 July 1978.[23] Without Dominion Council approval, the employer unions would not consent to the clause being inserted into the Award.

Federated Farmers had refused to be bulldozed into accepting a membership clause requiring farmers to take responsibility for its implementation. The FWA had hoped that Federated Farmers would indicate its support to the employer unions, because of the threat of the NZWU taking over. But some Federation members were reassessing the FWA in terms of its potential as a union which could acquire too much muscle. Employer support for the FWA had originally been to keep industrial unionism out of the primary sector. The danger to Federated Farmers presented by the NZWU receded with the presence of the Agricultural Workers Act 1977, but its continuation on the statute books was dependent on the

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[21] McLagan to Withell, 19 May 1980. Hedderwick file on draft membership clause. There was often prevarication and delay as either Federated Farmers or the employer unions pleaded the need for mutual consultation.

[22] Hedderwick spoke on the draft membership clause at Dominion Conference.

[23] Report, D. Pearson, Vice President of FWA, "New Zealand Farm Workers Association", no date, p1, Hedderwick file on draft membership clause.

continued presence of the FWA.[24] When the FWA itself sought to adopt a clause that was close to compulsory unionism, farmers felt threatened. A large membership implied a potential negotiating power able to change the non-strike rules of its constitution. Federated Farmers wanted the Association to continue, but did not want it to become too powerful. This fact was the over-riding consideration that determined and explained the Federation stance towards the FWA over the next few years.

On rejection of the draft membership clause, the FWA was left with few options. Federated Farmers offered alternative assistance, but under conditions that required the FWA to surrender its independence openly:

> That this meeting reaffirms its support for the New Zealand Farm Workers Association and that subject to the Association giving a firm indication that it intends to continue in existence, agrees that Federated Farmers will provide what practical assistance it can for the Association to increase its membership consistent with its independent status.
>
> That Federated Farmers initiate early discussions with the New Zealand Farm Workers Association with a view to formulating proposals to place the Association on a sound, long-term financial and organisational basis.[25]

In spite of the peremptory tone and open criticism of its organisation, the FWA responded quickly to Federated Farmers' promises and provisos. In an apparent display of subservience,

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[24] Elworthy to Hilgendorf, 15 November 1979, Hedderwick file on draft membership clause.

[25] "Federated Farmers' Proposals For Assistance To New Zealand Farm Workers Association", 10 August, 1978, Hedderwick file on draft membership clause.

the FWA claimed on 29 July 1978 that newspaper reports proposing the winding-up of the Association were totally incorrect.[26] On behalf of the FWA, Secretary Withell wrote to the Provincial Presidents of Federated Farmers, explaining that the apparent hard line of the management committee was taken because of the FWA's strong desire to survive.[27] The FWA management committee meeting scheduled for 24 August to discuss the FWA's future was delayed for a fortnight, pending discussions with the National Executive of Federated Farmers, and the issues were smoothed over: "The misconceptions and concern shown by Federated Farmers have now to a large degree been alleviated by a better understanding of the true intent".[28]

On 10 August 1978, the Association received a reaffirmation of help from Federated Farmers, along similar lines to the June Dominion Council resolution, stressing that the FWA should remain in existence and "work with the Federation with a view to restructuring and streamlining its present organisation in order that it may exist within its income".[29] Federated Farmers also undertook to examine means to provide the Association with a more secure membership and to discuss the proposed draft membership clause.[30] Lines of communication were maintained as the FWA struggled on under the paternalistic eye of Federated Farmers.

The FWA was perceived by Federated Farmers primarily as

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[26] Withell to Provincial Presidents, Federated Farmers of New Zealand, 31 July 1978, Macalister Mazengarb files on FWA.

[27] Ibid.

[28] Memo, Hedderwick and Pearson, to FWA members on the future of the Association, 29 July 1978, Macalister Mazengarb files on the FWA.

[29] "Federated Farmers' Proposals...", 10 August 1978, Hedderwick file on draft membership clause.

[30] Ibid.

the tool which kept the agricultural sector out of mainstream industrial relations. In a letter to the Chairman of the Meat Producers Board in 1979, Peter Elworthy, Junior Vice-President of Federated Farmers, stated that it was preferable for farmers to deal with people who understood the industry, that the NZWU would clearly conduct negotiations in the FWA's place and that the Minister of Labour had advised that the Agricultural Workers Act of 1977 would be at risk if the FWA went out of existence.[31] There were known to be specific contacts between the NZWU and the FWA over the Land Purchase Bill[32] and Duggan had made public statements that if the NZWU was asked, it would be able to represent farm workers.[33] Clearly there was the fear of industrial action if farmers had to deal with someone other than farm workers. The assumption that the FWA was more manageable was implicit.

Federated Farmers was also very critical of FWA administration. Some members felt that the FWA should set its house in order before requesting help:

> By their very nature, farm workers obviously find it difficult to set up trained and experienced administration, and individual members of Federated Farmers Council, and Council itself, and particularly the Chairmen of the three Employer Unions were adamant that a membership drive must be accompanied by reforms to the

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[31] Elworthy to Hilgendorf, 15 November 1979, Hedderwick file on draft membership clause.

[32] Brown and Duley had contact with Duggan over this period. NZWU file G(3)b.

[33] On 18 March 1980, alternatives to winding up included approaching the Minister of Agriculture and Fisheries for a loan to the FWA, and an approach to the NZWU. Minutes of Special General Meeting of FWA, 18 March 1980, Hedderwick files on FWA.

farm workers' secretarial servicing.[34]

The "Secretariat" in fact, consisted of one paid official and his wife, whose wages had occasionally been paid by donation because the Association lacked the money.[35]

The FWA had many difficulties maintaining a nation-wide, grass-roots organisation. It was dependent on the devotion of individual members whose voluntary Association work had to fit around a full-time job. Staunch supporters of the FWA agreed that professionalism was also lacking at times. Meetings did not always follow good procedure and efficiency was reduced as a result.[36] The large number of management committee members, appointed to give adequate local representation, was a factor in reducing competency since tighter committees were often more efficient. Collecting fees was another organisational problem.[37] Willing members often left paying the subscription as a get-round-to-it job and prospective new members needed the catalyst of a membership drive. Branch secretaries were often slow to send in money. On 27 June 1980, they were warned about the need for accuracy and accountability. Problems with missing receipts and dishonoured cheques were mentioned.[38]

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[34] Elworthy to Hilgendorf, 15 November 1979, Hedderwick file on draft membership clause.

[35] Interview, Hedderwick with Author, 14 July 1990.

[36] C. Wiffen, Young Farmers Club Representative, to Author, 31 October 1990.

[37] The NZDIUE also had membership and subscription problems. In 1983 costs from a membership drive in the Waikato were $4.18 per subscription. The cash position had not improved in spite of new members. Minutes of AGM of NZDIUE, 28 June 1983, Hedderwick files on FWA.

[38] Withell to Chairmen and Branch Secretaries, 27 June 1980, Hedderwick files on FWA.

Federated Farmers was portrayed as getting "impatient with FWA leadership, forgetting how long it took themselves to develop the sophistication, learn politicking, organise time and money to the best advantage".[39] The very point was that time and money were two necessities that the FWA didn't have. The farm workers who established the FWA were people with a wide range of skills to bring to the Association. However, there were also members who lacked finesse, and whose reaction to lack of success exacerbated an awkward situation through an approach that was less than genteel.[40] At times there was dissension when individuals or branches acted without official approval.[41] Finally, capable members often promoted themselves out of the organisation, through land ownership, leaving someone else to relearn the ropes.

Nevertheless, Federated Farmers' decision to assist the FWA was not completely cynical. The injection of FWA energy and enterprise into rural affairs at branch and provincial level was considered valuable, and there appeared to be general support for the FWA. In spite of debate amongst Federated Farmers' members over the FWA, some provinces were keen for help to be given. There was also pressure from National Party politicians for Federated Farmers to give the

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[39] "Will FWA Survive?" The Hawke's Bay Farmer, Volume 1, No 5, December 1980, p2.

[40] Elworthy to Hedderwick, complaining about the abrasive and negative attitudes expressed by a FWA member over Federated Farmers land policy. Letter 1 April 1981, Hedderwick files on FWA.

[41] On 18 March 1980, N. Brown was suspended for making unauthorised press statements threatening to call in the Trade Unions to blacklist farms bought by overseas interests. At the same time there was trouble in Whakatane with FWA officials. Withell to Management, 9 April 1980, Macalister Mazengarb files on FWA.

FWA assistance.[42] Lastly, Federated Farmers had the vision of an Agriculture House with all agricultural organisations under one roof,[43] a concept later put to the FWA as an offer of sub-section status within Federated Farmers.

Federated Farmers had temporarily secured the existence of the Agricultural Workers Act of 1977 against the contrived impetuosity of the FWA, and gained a degree of control over the activities of the Association. But in spite of discussions on the draft membership clause, Federated Farmers was not going to agree to its inclusion in a form that had any real teeth. The potential of the FWA was contained by witholding the device to achieve it.

For the FWA, only the immediate crisis was averted by the arrangement with Federated Farmers. By threatening to wind-up and then acquiescing in the face of Federated Farmers' alternatives, the FWA survived, but barely. From this point, no matter how much it disliked the fact, the FWA was beholden. The next few years carried constant uncertainty as to its continuation, constant attempts to get a draft membership clause included in the Awards, and consistent counter offers of help from Federated Farmers on a non-industrial basis.

The FWA was backed into a corner. The positive values expressed in its philosophy were not self-perpetuating. They meant nothing without a membership to support them. The Association had neither the resilience to withstand outside pressures nor the political strength to effect long-term solutions. The Association agreed to alternative forms of help in the expectation that, sooner or later, the draft membership

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[42] An FWA delegation met Duncan MacIntyre, Minister of Agriculture and Peter Gordon, Minister of Labour. The Ministers summoned Allan Wright, President of Federated Farmers from a dinner party at the St. George Hotel, and pressured Federated Farmers to do something for the FWA. C. Wiffen to Author, 31 October 1990.

[43] Straight Furrow, 23 October 1977, p20.

clause would be implemented by the employer unions. It did not accept that the clause would be a significant threat to farmers' interests. But any effective form of compulsion was bound to be rejected by Federated Farmers.

The draft membership clause had been formulated by the FWA legal advisor and was approved by the Department of Labour. The clause had worked successfully as a pilot scheme in the East Coast Poverty Bay area since late 1976 and resulted in increasing and ongoing membership.[44] The rationale behind the clause was that apathy could be made to work for the Association.[45] Farm workers over eighteen years of age would be required to make a decision either to join the FWA or to obtain an exemption certificate. The FWA insisted that it was not a compulsory membership clause because a farm worker was free to refuse membership if he wished. But the clause did include a legal obligation for farmers to draw farm workers' attention to the Award. The farmer was also responsible for getting a signature for deduction of the yearly subscriptions from wages or for viewing an exemption certificate, which the farm worker was to obtain from the Association.[46]

The employer unions took the stance that the draft

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[44] E. Dickson, Assistant General Secretary, to Branch Secretaries, Draft Notes on Agricultural Tribunal Hearing 1979, 7 February 1980, NZWU file (G3(b).

[45] In 1974, Duggan said it would take ten years to sign up farm workers. Hedderwick had hoped that the draft membership clause would overcome this reluctance. By placing the onus on farmers for workers to join, a habit of membership may have been created. Interview, Hedderwick with Author, 14 July 1990.

[46] Bartlett to Hedderwick, 8 June 1982, Hedderwick file on draft membership clause.

membership clause was an Unqualified Preference clause.[47] Any parallels with the compulsory Federated Farmers' levy, operative through the 1973 Meat Act, were disregarded.[48] On 11 June 1979, McLagan informed Withell of Federated Farmers' Dominion Council decision that it must continue to strongly oppose the introduction of "what would virtually amount to compulsory unionism in the industry".[49] Undeterred, the Association continued to seek support. It lobbied government, canvassed farmers in the provinces and organised a secret ballot amongst Association members. The result was overwhelmingly in favour of the draft membership clause.[50]

In the absence of agreement between the three employer unions and the FWA, the issue was referred to the Agricultural Tribunal by the FWA. On 6 August 1979, when the Agricultural Tribunal sat to hear the claims, Hedderwick claimed that there was a difference in attitude between office holders in Federated Farmers and other farmers. He claimed that there was acceptance in principle of the draft membership clause by farmers at provincial and branch level. He also claimed that another group "of a more elevated standing" in Federated Farmers opposed its inclusion. He was referring specifically to "delegates to their 1978 Conference and assessors for their

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[47] Richardson to Chief Executive, "Legal Material in Opposition to Membership Clause", 25 July 1979, Federated Farmers' files on FWA.

[48] The Meat Levy was viewed by the FWA as compulsory funding for Federated Farmers. The FWA eventually sought to access this too, in the form of industry funding.

[49] McLagan to Withell, 11 June 1979, Federated Farmers' files on FWA.

[50] Results of secret ballot: 3154 papers were sent out and 1152 were returned. 1014 were for the clause, 136 were against and 2 were invalid. The New Zealand Farm Worker, Volume 5, No 4, 1979, p31.

employer unions".[51]

There was some truth in the assertion. Farmers, except in dairying areas, often had close rapport with the FWA and did not necessarily look at the long term implications of the clause. One Hawkes Bay farmer was quite frank: "We want the FWA to survive. This may be the price we have to pay for it".[52] There were also individual farmers and farm workers who shared a special relationship in the overlapping facets of rural living. Both farm worker and employer had an intense dislike of the NZWU.[53]

Federated Farmers' officials saw the issue in more complex terms. The Vice Chairman of the Agriculture Section put forward his views: that with the inclusion of a membership clause along the lines sought by farm workers, the principle of free choice, on which the FWA had been founded with farmer support, was gone forever; that the threat to withdraw the Agricultural Workers Act of 1977 was an attempt by the Minister of Labour to get Federated Farmers to accept responsibility for the FWA; and that the ultimate responsibility of Federated Farmers was to support its industrial arm, the three employer unions.[54]

On 29 September 1979 the Agricultural Tribunal, although sympathetic to the problems of the FWA, found in favour of the three employer unions. It disallowed the draft membership clause on the grounds that "the vast majority of farm workers

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[51] FWA submission on draft membership clause to Agricultural Tribunal, 6 August 1979, Macalister Mazengarb files on FWA.

[52] K. Contos, "Will FWA Survive?", The Hawkes Bay Farmer, December 1980, p2.

[53] Not all farmers were Federated Farmers' members, but most were still anti-NZWU in 1979.

[54] D. Ritchie, Vice Chairman, Agriculture Section of Federated Farmers to O. Symmans, Secretary Sheep Owners IUOE, 5 February 1980, Federated Farmers' files on FWA.

are not presently members and have not been asked to supply their preference".[55] Although the FWA legal counsel was confident that the case could be overturned on appeal, lack of funds prevented the FWA from pursuing the case further.[56] The FWA had to be content with a placebo. In place of the draft membership clause was a requirement that farmers inform employees of the "desirability" of joining the FWA.[57] Once again, in the face of a lack of demonstrated farm worker support, the political supremacy of farmers over their employees was demonstrated.

The Association had lost the initiative. Shortly afterwards, at a management committee meeting on 24 October 1979, Elworthy agreed to propose to Dominion Council that Federated Farmers release membership lists to the FWA to enable a joint membership drive to be carried out.[58] On 9 November 1979 a formal proposal was made. It consisted of a membership drive prior to Christmas, using Federated Farmers' personnel at Head Office, provincial membership lists and substantial Federated Farmers' assistance. Association members were asked to pay their subscriptions in advance, the money raised to be banked on fixed deposit. Farmers were not to be

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[55] J.R.P. Horn, Chief Judge,"Memorandum for the Parties", Agricultural Tribunal of New Zealand, 28 September 1979. Hedderwick file on draft membership clause.

[56] Interview, Hedderwick with Author, 14 July 1990. There was also some doubt if it could be appealed at this stage, as the Agricultural Tribunal's decision was more in the nature of an initial comment. Rennie to Jordan, 30 May 1980, Macalister Mazengarb files on FWA.

[57] A new section (23) on Association Membership was included in the three Awards.

[58] A yearly requirement of the Award was that membership lists be made available to the FWA anyway.

used as a collection agency by the Association.[59]

Three months later, the results of active canvassing were considered disappointing. Although 568 new members had joined the FWA, this was only sufficient to put off the immediate crisis.[60] In an organisation with a high turnover of members from year to year, it did little for the long term prospects of the Association.

At a Special General Meeting on 18 March 1980, there was a will to continue as solutions were investigated.[61] The Department of Labour had indicated that inclusion of the draft membership clause would be possible without employer union approval if a nationwide poll of farm workers found in favour of the clause. Two months later, Federated Farmers indicated it would look favourably on the draft membership clause if such a poll was conducted.[62] The Association, however, did not have the resources to carry out a task described as "horrific" by Rennie, its legal advisor.[63] In spite of all the propaganda against the NZWU, the FWA also investigated the possibility of cooperation with its longstanding rival. The NZWU had indicated it could supply a secretary and money, with the FWA continuing under its own President, but members felt

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[59] Memo to Federated Farmers provincial branch secretaries and chairmen and to FWA branch secretaries and chairmen, 9 November 1979, Hedderwick file on draft membership clause.

[60] Membership lists received 3 March 1980, showed only 340 new members through Federated Farmers and 228 through other sources. Federated Farmers' files on FWA.

[61] Minutes, Special General Meeting of FWA, 18 March 1980, Hedderwick files on FWA.

[62] Two provisos that tended to neutralise the statement were: that the FWA conducted the poll itself and that the ultimate decision for inclusion of the draft membership clause belonged to the employer unions. McLagan to Withell, 19 May 1980, Hedderwick file on draft membership clause.

[63] Evening Standard, 22 May Thursday 1980, p12.

that, in the long run, compulsory membership of the NZWU would be required.[64]

The FWA was on its own. On 20 May 1980, Elworthy notified Hedderwick that "farmers feel very strongly about seeming to patronise, or assist unduly in something which they feel is the individual's own right".[65] Although Federated Farmers congratulated the Association on another decision to carry on, this was of little practical significance. The Association was fighting entrenched attitudes on two fronts. Federated Farmers was against a strong Association; most farm workers were apathetic about an Association in any form. A memorandum on the implications of farm worker industrial relations, drawn up by Federated Farmers' legal advisor, concluded that, should the NZWU take over responsibility for representation of farm workers, it would have no more success than the FWA in persuading them to join.[66]

Shortly afterwards, when Federated Farmers offered assistance, the FWA was obliged to take heed. Proposals were noteworthy, not only for their generosity, but also for the baldness of their intention to take over the central administration of the FWA. In August 1980 Federated Farmers offered temporary assistance to tide the FWA over until it could operate from its own resources "with proper business management".[67] The offer included an establishment grant of $10-15,000 to pay for an office and secretary to be established in Wellington, use of Federated Farmers' office

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[64] Minutes of Special General Meeting of FWA, 18 March 1980, Hedderwick files on FWA.

[65] Elworthy to Hedderwick, 11 March 1980, Hedderwick file on draft membership clause.

[66] Richardson to Chief Executive of Federated Farmers, 31 March 1980, Hedderwick file on draft membership clause.

[67] McLagan to Hedderwick, 22 September 1980, Hedderwick file on draft membership clause.

facilities, with the cost of material used to be reimbursed to the Federation, telephone usage with tolls to be paid by the FWA, a page in every second issue of Straight Furrow for non-industrial matters, subject to the approval of the editor and, finally, use of Federated Farmers' specialised staff,, including an accountant.[68]

The clear purpose of Federated Farmers was to deny the FWA the draft membership clause, but to keep it going rather like a flock of unthrifty lambs. The FWA accepted help but was not prepared to give up any remnants of independence that it still had. A common feeling within the FWA was that Federated Farmers should give assistance because it had refused to sanction the draft membership clause, because of the community of interests, and because there was a feeling that Federated Farmers had more to gain than farm workers from keeping out the NZWU. At a meetiing in Feilding during the 1979 membership drive, where only three out of the fifty who attended were FWA members, Withell had reported that:

> ...they feel every step must be taken to stop the Union. They are not happy with Federated Farmers attitude. I did point out the assistance given. They point out it was because of Federated Farmers employer unions lack of foresight that the Association is at a crisis, and it was totally up to those groups to rectify (the) mistake. Another strong feeling was that the Association was very much more valuable to farmers than farm workers. They were aware what (the) Union and FOL would do to farming.[69]

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[68] McLagan to Hedderwick, 22 September 1980, Hedderwick file on draft membership clause.

[69] Withell to Symmons, Elworthy and Hedderwick, 10 March 1980, Federated Farmers' files on FWA.

In an attempt to keep some autonomy, the FWA responded with counter proposals.[70] Firstly, the FWA requested a suspensory loan of $30,000, more than twice the amount offered, but where there was an onus to repay. Issues of Straight Furrow were requested to be made free to farm worker members until the year's end and thereafter available at $2.00 per head.[71] The office at Wellington was turned down because a secretarial system, with trained staff, had just been established in Levin.[72] The Association also accepted help with a pilot membership drive in Southland, where Federated Farmers would advance money for 90% of costs incurred, with repayment to be made within the next two years.[73]

None of the proposals came to fruition. The loan idea did not get beyond the draft proposal stage. In July 1982 the decision was taken not to forward any more copies of Straight Furrow. Debts from the Association were accumulating rapidly.[74] A total debt of $15,000 owed to Federated Farmers was never paid. This account was never itemised, the FWA

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[70] Hedderwick to McLagan, 21 November 1980, Hedderwick file on draft membership clause.

[71] The idea was to inform farmers and farm workers on FWA activities in non-industrial matters. Interview, Hedderwick with Author, 14 July 1990.

[72] Hedderwick to McLagan, 21 November 1980. Staff incorporated a professional accountant as treasurer, a trained secretary and Withell as consultant. Hedderwick file on draft membership clause.

[73] The Association at this point was determined to meet its commitments. Arrangements were put in writing in a memo, Federated Farmers to Hedderwick, 19 June 1981, Federated Farmers' files on FWA.

[74] Debts noted on 8 April 1982: bill for Southland membership drive plus 10% interest $2002.28 and bill for 2,000 subscriptions to Straight Furrow, $3,000. On 10 June, bill for cost of typesetting and printing of Straight Furrow, $10,330.50. Federated Farmers' files on FWA.

remained insolvent and the relationship between the two organisations remained strained.

By the time of the June 1982 Annual General Meeting of the FWA in Masterton, the Association had made few gains in its struggle to secure membership and financial viability. Attempts had been made to increase efficiency and some issues had already been worked on. The 1979 Annual General Meeting had voted to increase the annual subscription to $25.00, with $5.00 to be returned to branches for local administration.[75] Costs of travel and accommodation for up to 20 committee members to management meetings, four times yearly, had been very high. Numbers were reduced to 15 in 1981 and to 11 in 1982.[76] Postal communications were cut back. In 1981, the editorial of The New Zealand Farm Worker advised that the magazine would be sent only to financial members in future.[77] The idea of a regional rather than national base, to cut costs, was tried in two areas after 1980. Canterbury chairman, G. Burt, reported great success in 1981, with a doubling of membership, better communication, more local involvement and better feedback.[78] The second branch, Otago-Southland, organised a highly successful regional conference at Telford Training Institute in 1981.[79] But the Association could not keep on going indefinitely on a voluntary basis. Membership drives could not be sustained. As the NZWU had found, without compulsory unionism the Association was up

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[75] N. Brown,"Lets Be Positive", The New Zealand Farm Worker, Volume 6, No 4, 1980, p31.

[76] Wairarapa Times-Age, June 12 1982, p5, Walker scrapbook.

[77] The New Zealand Farm Worker, Volume 7, No 3, 1981, p3.

[78] R. Baughan, "Chairman's Report", The New Zealand Farm Worker, Volume 7, No 3, 1981, p69.

[79] Annual meeting Otago-Southland Branch, 16 April 1981. The New Zealand Farm Worker, Volume 7, No 4, 1981, p39.

against the old problems of worker apathy and the cost of canvassing and collecting fees.

Farm worker reaction, or lack of it, confirmed studies on their attitudes to unions.[80] The FWA was dealing with a membership that was known to be mobile, dispersed, conservative and influenced by the attitudes of employers. Many were ambivalent in their own attitudes because of their self-perception as future farmers.[81] At its height, the FWA had only attracted 8,159 out of a possible membership of over 30,000. Within the broad definition of "farm worker", there was a wide range of personalities, conditions and situations. Some areas had a strong membership based on local social activities and a sense of brotherhood. Some individuals were guided by loyalty to the Association and to its philosophy. But the long-term goal and altruistic vision was relevant to a small proportion of members only. Low membership was symptomatic of the failure of the FWA to convince farm workers that long-term advancement necessitated an organised, collective effort, in contrast to their traditional individualism.[82]

For the first few years the FWA was an attractive alternative to the NZWU and compulsory membership. After 1977, a major incentive to membership was the continued improvement in wages and conditions, a motive that was to become

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[80] Alison Loveridge, "The Stayers Always Come On Top - The Influence of Aspirations to Farm Ownership on the Attitude of Farm Employees to Trade Unions", Paper presented to the Annual Conference of the Sociological Association Of Aoteoroa, December 1989, pp1-16.

[81] Quiescence and rationalisation of their industrial powerlessness relative to their employers, demonstrated both historically and by the FWA. For a discussion on quiescence, see H. Gill, "Can Deference Survive", 49th ANZAAS Congress, January 1979, p27.

[82] Gill, "Deference", p25.

irrelevant once the wage freeze was implemented. Some wanted the benefits but not to have to pay for them. Others were apathetic or ignorant of the presence of an organisation. They were often less interested in theoretical arguments for voluntary membership than in not being pushed around or organised. Finally, workers had difficulty in standing outside the relationship that was part of so many rural work situations. As a group they failed to appreciate they were in a subtle deferential relationship, which, through their own quiescence, reinforced low wages and low status.[83]

The ideological perception that the non-strike industrial relationship between the farmer and the farm worker could be an example to others invited criticism that the Association's non-militancy was too passive.[84] But it could do little else. Its continued refusal to accept subsection status, but to accept alternative help, represented the Association's wish to be free of this relationship, but its powerlessness to do any thing about it.

In June 1982, at the Masterton Annual General Meeting that Hedderwick, President of the Association, warned that under existing financial conditions, the FWA would soon have to bow out of the industrial scene.[85] It had continued to eke out an existence, but membership was at a record low of 2,200 and Association debts at the end of the financial year were reported as $12,000 and expected to reach $27,000 if membership did not increase.[86] A final decision was left until 30 August, to allow time for another attempt to have the draft membership clause included in the farms and stations and

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[83] Ibid, pp26-27.

[84] New Zealand Farmer, 23 October 1980, p6.

[85] Wairarapa Times-Age, Friday 11 June 1982, p2, Walker scrapbook.

[86] Ibid p2.

dairy farms Awards. Without it, the future looked bleak.

Chapter Seven

STRUGGLE FOR SURVIVAL

Between 1982 and 1984 the FWA was characterised by impotence. As a voluntary, nation-wide organisation, it failed to get off the launching pad.[1] In a continuing wind down, the FWA developed a branch rather than national orientation, based largely in the South Island. Individuals continued the work of the Association, often with enthusiasm and a sense of long-term commitment, but within a local rather than national context. The FWA had the structure, the philosophy, the capable leaders and the contacts, but to survive as an organisation of farm workers for farm workers, it needed strong membership. In 1982, when a watered down version of the membership clause was finally accepted by two of the employer unions, it proved to be too little too late. Sub-section status within Federated Farmers was again given serious consideration, but declined. Relations with Federated Farmers cooled because of a more open divergence of views, the inability of the FWA to repay its debt to Federated Farmers, and the declining relevance of the FWA in a political context.[2] By the time of the Labour Party success in the 1984 election, the Association's message was barely heeded at national level.

The 1982 Annual General Meeting held at Masterton was

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[1] "The responsibility for finding ourselves siting down on the launching pad lies ultimately with the farm workers who offered thanks and applause instead of involvement and a subscription". President's Report, AGM, 20 May 1980, Hedderwick files on FWA.

[2] Federated Farmers continued to ask its members to assist FWA membership drives.

distinguished by the introduction of drastic measures for retrenchment.[3] The previous three years had seen a failure to increase membership levels, even with regular canvassing and the assistance of Federated Farmers. There was still hope that the FWA could survive if the employer unions could be persuaded to accept the draft membership clause into the Award. In the interim, regional organisation was strengthened and written communication at national level reduced. Henceforth the two main communication links would be the new journal, Farmworld, and the Annual General Meeting.

Canterbury and Otago-Southland had already been operating effectively on a regional basis and other branches followed their example.[4] In 1983, thirty-four branches were still operating throughout New Zealand, with twenty of them in the South Island. Some branches flourished. Cheviot had almost 100% membership, attracting virtually all farm workers in the district and Mid-Canterbury held a worthwhile regional conference.[5]

Successful branches had common characteristics. They were usually in sheepfarming areas and centred around the tireless dedication of members, backed by their families. They had a good relation with other rural organisations, regular monthly or bi-monthly meetings and distributed their own newsletters. Fund-raising activities, needed to finance delegates to national meetings, often served a dual purpose by providing a social context. Scrub-cutting, crutching, dances, raffles, stock drives or cake stalls were ongoing.[6] Another source of

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[3] AGM, 8-11 June 1982, Hedderwick files on FWA.

[4] In 1981, Canterbury reported doubling of membership, increased interaction and more member involvement, Farmworld, September 1983, p7.

[5] Ibid.

[6] Letter, Dunlop to Author, 12 September 1990.

funding was donations from local businesses.[7]

The resignation of Wally Withell, National Secretary, and his wife, Marge, after nine years of dedicated service, was received at the end of 1983. It was followed by the decision to close the office at Levin and do without a national secretary until finances improved.[8] PO Box 3277 was opened in Wellington, to be cleared on a regular basis by the accounting firm of Coopers and Lybrand.[9] Responsibility for secretarial servicing was now placed on branch secretaries and chairmen. They had to handle all sorts of enquiries, including complaints from farm workers about employers, which often necessitated high car mileage and long hours, on top of the officials' paid job.[10] Overall coordination, previously handled by the National Secretary, was also shared out, involving further heavy commitment over and above existing portfolios. In 1983 for example, Mary Walker, Vice-President, took responsibility for membership lists, Hedderwick for exemptions and Vyvienne Dunlop, as magazine editor, for reports.[11] In 1984, George Climo handled financial and secretarial work, presenting the first full financial statement since Withell's resignation.[12]

With the imposition of the wage-freeze in June 1982, branch portfolios were concentrated into non-industrial

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[7] Walker,"Kellog's Thesis", 11 September 1983, Farmworld, December 1983, p5.

[8] Resignation announced at the AGM, Ashburton, 31 May 1983, Hedderwick files on FWA.

[9] Reported in Management Meeting records, Christchurch, 10 September 1983, Hedderwick files on FWA.

[10] Waikato report, Farmworld, July 1984, p8.

[11] Farmworld, September 1983, p16.

[12] Farmworld, February 1985, p6. In 1985, Climo was a Vice-President, along with Walker.

concerns.[13] Involvement continued in the areas of safety and health, farm-worker training, land settlement, tied housing, taxation and education. With regard to health, leptospirosis research was strongly supported by the Association, especially through the work of Melva Robb.[14] Along with other rural groups, the FWA helped with financial contributions when official funding stopped, enabling research to continue.[15]

Meanwhile, the executive of the FWA continued to push for a settlement with Federated Farmers on the draft membership clause. By 1982 many farmers had declared support of the FWA, aware of the Association's acute financial and membership problems. There was a genuine wish for the FWA to survive, dislike at the prospect of the NZWU gaining representation of farm workers, and a belief that further development towards compulsory membership by the FWA could be safeguarded. On 4 May 1982, Southland Federated Farmers' members had agreed that all three employer union sections from their province would ask Dominion Council to support the proposed draft membership clause.[16]

This provincial support, coupled with the threatened demise of the FWA, contributed to a change of stance amongst Federated Farmers' officials. A willingness to alter the wording of the clause had already been indicated at a meeting between the executives of the two organisations in early 1982. Elworthy had spoken of a compromise and undertaken to seek

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[13] The wage freeze began on 22 June 1982. NZOYB 1982, p624. It was progressively lifted from 20 September 1984. NZOYB 1984, p858.

[14] Farmworld, February 1985, No 2, p17.

[15] Especially the Women's Division of Federated Farmers.

[16] Southland Times, Wednesday 5 May 1982, p10, Walker scrapbook.

further opinion on its legality.[17] In June Dominion Council finally turned words into action and passed a qualified recommendation to the employer unions by 48 votes to 30.[18] A negotiated membership clause was agreed subsequently on 18 August 1982 by two of the three employer unions, but rejected by the New Zealand Dairy Farmers Industrial Union Of Employers (NZDIUE).[19]

Farmers' obligations were limited to drawing a worker's attention to the Award requirement that a farm worker over the age of eighteen should either join the FWA or apply for a certificate of exemption. The farmer was to deduct the subscription fee only if the worker requested it.[20] A major concession by the FWA was evident in the wording, which specifically removed employers from the responsibility of compelling farm workers to make a decision:

> The responsibility for enforcing any action against a worker is that of the New Zealand Farm Workers Association (Inc) alone. Employers are under no obligation to dismiss a worker for failure to comply with these membership provisions.[21]

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[17] Report of meeting, executives of Federated Farmers and the FWA, 23 February 1982, Hedderwick file on draft membership clause.

[18] The remit was put by North Otago, Southern Hawkes Bay and Southland provincial delegates. Newspaper clipping, "Membership Clause Gains Support", no details given, Walker scrapbook.

[19] The New Zealand Sheepowners Industrial Union of Employers (NZSIUE), and the New Zealand Agricultural and Related Farmers Industrial Union of Employers (NZAIUE).The amendment was not ratified by the Registrar until 5 November 1982. Hedderwick file on draft membership clause.

[20] Ibid.

[21] Clause 25,(3). Amendment to the Farms and Stations Awards for NZSIUE, and for NZAIUE.

The NZDIUE rejection of the negotiated clause was based on a number of considerations.[22] It believed that the membership clause negated the 25% takeover mechanism of the Agricultural Workers Act of 1977, where another organisation with a membership 25% higher the previous year could apply to take over. It also considered that the clause would not solve the financial problems of the FWA, because of its lack of support at branch level. More significantly, the clause was seen as the beginning of a move towards compulsory unionism. It was anticipated that, in a few years time, the FWA would seek compulsion "upon employers claiming that Federated Farmers supported a toothless membership clause, which is ineffective by means of employer default". The employers' choice would then be to grant compulsory membership or to allow the FWA to fold. A membership clause was seen as a probable springboard to compulsory unionism for whoever took over. The NZDIUE was only supportive of the FWA "if it could effectively represent farm workers within the parameter of Federated Farmers' overall industrial policy".[23]

In spite of the FWA arguing its case for the draft membership clause in anti-NZWU terms, the executive committee of the NZDIUE also expressed a marked change in attitude towards the NZWU, compared with reactions some eight years before. It referred to the satisfactory record of the NZWU as representatives of workers for fruit and tobacco growers, who also came under the Agricultural Workers Act of 1977:

> We suggest that the Workers Union is an acceptable body to represent farm workers <u>provided</u> they do so within the Agricultural Workers Act 1977 and <u>provided</u> they do <u>not inherit</u> a membership clause already in the

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[22] "Discussion Paper Prepared by the Executive Committee for meeting of 28 June 1982, NZDIUE", Hedderwick files on FWA.

[23] Ibid, p4.

Award.[24]

In presenting his Annual Report, the President of the NZDIUE declined to agree to the revised clause put forward by the FWA and Federated Farmers on the grounds that "the present clause was sufficient", and that the new version was too innocuous to do any good.[25]

The FWA reacted to this set-back with a letter to the NZDIUE threatening to remove coverage for dairy farm workers.[26] The frustrated outburst had little effect. Six months later the Chairman of the Dairy Employers' Council reported that he was still waiting on news of the Association's intention to re-establish its dairy section, "if in fact it was dis-established".[27] Later in the year the NZDIUE maintained an implaccable opposition. At a council meeting of the NZDIUE on 13 October 1982, a motion for the negotiated clause to go into the Dairy Award was defeated, in spite of prompting by Elworthy.[28]

Events quickly confirmed the dairy employers' prognosis.[29] The onus was clearly on the FWA, rather than the farmer, to make the membership clause work. In June, on his re-election as President, Hedderwick had stated that, should the clause be accepted, it would not work automatically

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[24] Ibid, p5.

[25] President's Annual Report 1983, NZDIUE, Hedderwick files on FWA.

[26] FWA to NZDIUE, 3 August 1982. President's Annual Report, NZDIUE 1983, Hedderwick files on FWA.

[27] Ibid, p1.

[28] Minutes, Council Meeting of NZDIUE, 13 October 1982. Circular DU/1982, p3, Hedderwick files on FWA.

[29] The freeze on wage negotiations also reduced the effect of the FWA action.

but have to be made to work, "requiring a massive effort" to convince farmers and farm workers of the value of supporting the FWA.[30]

This had already been tried. Mary Walker had carried out several such "road shows". In July 1981, she had reported a gain of 92 members from the Southland area, but costs of collecting subscriptions were high.[31] They ranged from $8.40 per member in Eastern Southland to $14.33 in the North, against a yearly subscription of $25.00.[32] With a membership fall-off of around fifty per cent each year, doubts were cast on the viability of this and other campaigns.[33] Nevertheless, a further publicity and education campaign on the FWA was carried out. Members who were capable speakers in their own right spoke at public meetings and contributed greatly to raising the image of the Association. Publicity officer, David Cosgriff, promoted the FWA through the news media. Many local branches also ensured that their meetings and activities were well reported by the press. But the Association continued to face the effects of apathy, a mobile workforce and even ignorance of its existence. By the 1980s many of the original FWA members had left rural employment or promoted themselves to land ownership.[34] Newer workers were often younger or lacked the incentive to effect change.

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[30] Wairarapa Times-Age, Thursday, 10 June 1982, Walker scrap book.

[31] The Ensign, 28 July 1981, p11, Walker scrapbook.

[32] Expenses would be taken out of the subscription. The basic subscription was raised from $10.00 to $25.00 at the 1981 AGM.

[33] Elworthy to Walker, 21 August 1983, Hedderwick files on FWA.

[34] Walker, paper prepared for Kellog's leadership course, September 1983, p8, Hedderwick file on draft membership clause.

Dislike of the FOL remained, but not as a fundamental threat to rural industries.

The negotiated membership clause was ineffective because the rewording carried no authority. Original newspaper reports had described management members as delighted after the five-year struggle to have the clause inserted.[35] But it was another measure that was too feeble to stop a downward spiral. With all responsibility removed from the farmer, there was little pressure on farm workers to join the FWA, or to establish the habit of membership. Some farmers provided encouragement and support, but the bulk of both farmers and farm workers chose to ignore the terms of the Award.

By the end of 1983 the FWA executive felt that Federated Farmers had not given the clause a fair trial, apart from farmers in Southland. Federated Farmers had neglected to publish details of the clause in Straight Furrow, when first implemented.[36] When an article was finally written, the FWA complained that it was referred to as a union all the way through, immediately raising the old bogies of strikes and the forty-hour week.[37] In November 1983, a year after the clause had been ratified by the Registrar of the Agricultural Tribunal, Hedderwick reported that only about a hundred exemptions had been applied for.[38] There were large areas where the system was not working because farmers were not cooperating and workers were too apathetic to act on their own initiative.

The effects of the wage freeze introduced by the Muldoon

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[35] Southland Times, 13 November 1982, p3, Walker scrapbook.

[36] Walker, "Summary of meeting with Federated Farmers in Wellington", 11 September 1983, Hedderwick file on draft membership clause.

[37] Ibid, p3.

[38] The Press, 11 November 1983, p15.

Government added the finishing touch to any delusions. The FWA was caught again. It had agreed to employer union requests for an adjournment of the May 1982 Conciliation talks, and had then been over-run by the imposition of the wage freeze.[39] The Awards agreed to on 10 August 1981 therefore remained in force until 1 March 1985. Members whose loyalty rested solely in the Association's ability to upgrade conditions simply declined to renew their subscriptions.

By 1983 Federated Farmers' Dominion Executive, and almost all provinces, other than Southland, were keen to have the FWA opt for sub-section status. This alternative to the draft membership clause had already been voiced seriously in 1979 and discussed since at regular intervals. As a sub-section the FWA would become a two-part organisation, one part dealing with all non-industrial matters and the other restricted to award negotiations. In areas relating purely to farm workers, the sub-section was free to determine its own policies, although these would be presented "to other interested groups in association with Federation officials".[40]

The FWA would be a separate legal entity, with its own membership and funding, responsible for industrial matters. Federated Farmers likened it to the Sharemilkers' Sub-section, which would allow for discussion on conciliation matters, and for cooperation on non-industrial aspects. Award meetings would be held separate from, but at the same time as sub-section delegates came to twice yearly Dominion Council meetings. Travel and accommodation costs would be paid by

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[39] An application for exemption on the grounds that the Awards were part of the 1981-1982 round was disallowed. Submission, FWA to Minister of Labour, 29 June 1982, Hedderwick files on FWA.

[40] Mclagan to Dunlop, "Outline Proposal for Employee Sub-section", 22 November 1983, Hedderwick file on draft membership clause.

Federated Farmers. Organisation would be on a national, provincial and branch basis, with representation at executive and conference level. A constitution would be drawn up and affiliation costs would be funded by subscription and charged out on a user-pays basis in the same way as other sub-sections. Benefits offered by Federated Farmers included the use of field officers for signing up new members, staff expertise and secretarial services provided at cost.[41]

On 23 August 1983, Elworthy wrote to Mary Walker, Vice President of the FWA, acknowledging the failure of the negotiated membership clause and suggesting again that the Association should consider employee sub-section status.[42] With few options left, the FWA was obliged to consider the benefits:

> It is up to us to weigh up the pros and cons of such a proposal. We desperately need financial assistance and a much larger membership. Can we get it by becoming a subsection? Will we be better off financially?... Will we be able to maintain our autonomy or do we just become a pawn?[43]

The FWA response was cautious. It was concerned with independence of thought, credibility, membership and financial viability. Sub-section status did not provide an automatic guarantee of any of these. As a subsection, it could establish its own identity and be free to present policies.

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[41] Federated Farmers' charge-out rate for secretarial servicing was considered to be more expensive than other firms. Hedderwick to Author, 14 June 1990.

[42] Hedderwick file on draft membership clause.

[43] Walker, "Summary of Meeting With Federated Farmers In Wellington", 11 September, 1983, p3, Hedderwick file on draft membership clause.

As an incorporated society, the Association had been doing this anyway. It had already made submissions and lobbied Government extensively on farm workers' behalf. The present practice of a direct approach to Government on non-industrial matters would revert to the narrow field of wages and conditions. Financial commitments for conciliation and arbitration proceedings outside dual meeting techniques would still be incurred.[44] Access to secretarial service and payment of travel and accommodation for meetings at cost, were gains outweighed by the probable effects of an increased subscription cost; the Association would probably end up with "administration for no members".[45] The FWA could lose its own identity along with many disapproving members, raising the difficulty of attracting a representative group of farm workers for industrial negotiations.[46] Perhaps most important was the matter of credibility with the industrial relations' community.[47] In an industrial negotiating system based on an adversary relationship, employer and employee organisations could not be under the same umbrella and still claim independence.

The conclusion was that the proposal of Federated Farmers' sub-section status would perpetuate membership problems and create a narrow union set-up of the type the

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[44] Hedderwick to Elworthy, 14 February 1982, Hedderwick file on draft membership clause.

[45] Another comment was that it would probably be "cheaper and more for members if they joined (the) Union". Summary of meeting with Federated Farmers, 11 September 1983, p2, Hedderwick file on draft membership clause.

[46] As distinct from farm workers with an axe to grind against farmers. Hedderwick to Elworthy, 14 February 1982, Hedderwick file on draft membership clause.

[47] Interview, Rennie with Author, 22 May 1990.

Association had been formed to avoid.[48] Its credibility would also be irreparably damaged. This, coupled with close supervision from the Federation, was too much of a distortion of FWA aims. Sub-section status was relegated to the background.

Despite this further setback, the FWA was not yet ready to admit its failure as a voluntary association. It hoped that if it could gain the financial stability that was enjoyed by the employer unions, it could maintain an effective presence. Farmers themselves were not fully represented in the employer unions. The two unions involved in the Farms and Stations Awards had memberships of about a thousand and the union representing dairy farmers had about five hundred members.[49] By comparison, the overall membership within Federated Farmers was about 33,000.[50] Although some funding was by subscription, financial viability of the employer unions was underpinned by help from Federated Farmers which, in turn, was funded by the meat levy.[51]

With the failure of its campaign on the membership clause, the Farm Workers Association turned its attention to the possibility of industry funding. Several references had already been made to the precedent whereby Federated Farmers supported the employer unions with meat levy money. At the

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[48] Hedderwick to Elworthy, 14 February 1982, Hedderwick file on draft membership clause.

[49] E. Dickson, Assistant General Secretary to Branch Secretaries, Notes from Agricultural Tribunal Hearing 1979, 7 February 1980, p3, NZWU file G3(b).

[50] Interview, Hedderwick with Author, 12 July 1990.

[51] On 6 June 1978, Chairman of the NZSIUE stated to the Agricultural Tribunal, under oath, that in the event of a shortfall between subscription and costs, the amount was made up from meat levy funding. Submission by Peter James, President of FWA to Minister of Agriculture for Amendment of the Meat Act 1981, Part IV, Section 2, 1985. Hedderwick files on FWA.

1980 Annual General Meeting of the Association, it had been resolved that, "an attempt be made to obtain money from the meat levy used by Federated Farmers".[52] When presenting submissions on the draft membership clause, the Association had claimed that the clause was another modification of voluntary unionism, since Federated Farmers' principles on voluntary unionism were "sufficiently flexible to allow them to encompass a compulsory levy on all meat processed and that such a levy should be collected for them".[53] The FWA had several arguments to justify lobbying for a share as well: farm workers' low wages and long hours effectively subsidised the farming industry; it was an opportunity to ensure the continuation of voluntary unionism; and, there were workable examples of industry funding overseas that validated the FWA ideal of consultation and a non-strike approach to industry bargaining.

The opportunity to present proposals on industry funding in the wider context was taken in 1983. This was during the debate prior to the Industrial Relations Amendment Act, which implemented voluntary union membership. The FWA sought to put a case for underpinning voluntary unionism with sufficient funding, so that unions with a dispersed membership could operate efficiently. The FWA advocated the establishment of a small industry levy which would provide a minimum secretarial service to employer and employee unions within the context of voluntary membership.[54] The concept bore a characteristic Hedderwick stamp. It was based on the idea that the long-term

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[52] The remit was put by Brown and Craddock. Report, Special General Meeting, 20 May 1980, p9, Hedderwick files on FWA.

[53] Submission to Agricultural Tribunal on new clause on Association Membership, 6 August 1979, Macalister Mazengarb files on FWA.

[54] FWA submission to Select Committee on the Industrial Law Reform Bill 1983, Hedderwick files on FWA.

needs of an industry, rather than short-term gains, should be an automatic consideration when negotiating. It was, in effect, a "social contract" approach. When the pressure of finance became a consideration, it was felt that, under compulsion, office holders became those motivated by "political ambition or grievance resulting from bad work experiences".[55] Where a smaller union was taken over by a larger union, loss of identity and increasingly unrepresentative officials resulted. Industry funding to ensure a minimum level of servicing for both employer and employee bodies would enable responsible, balanced individuals to take office and result in an improved wage bargaining climate. Hedderwick's submission aroused considerable interest and he was questioned for over two hours, but no practical support resulted.[56] In spite of this, the Association continued to lobby for industry funding through a share of the meat levy when the incoming Labour Government sought to restructure industrial relations after 1984.

By 1984 the FWA was no longer a political force. The 1980s were characterised by a low level of Association activity nationally and diminishing effectiveness. Although the Association continued to be the voice of many farm workers, it had little effect. Once the wage freeze was imposed, union activity generally was less threatening to the farming industry and there was a decreasing need for Federated Farmers to heed the FWA. Changes introduced by the Labour Government elected in 1984 were to depress farm worker hopes even more dramatically, both in the industrial area and in the implications of its policies for those who hoped for eventual

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[55] Hedderwick to Elworthy, 14 February 1982, p4, Hedderwick file on draft membership clause.

[56] Hedderwick commented that the purpose was to effect change rather then discussion. Hedderwick to Author, 14 June 1990.

farm ownership. In spite of all this, local FWA activities continued, a microcosm of a vision that had miscarried.

Chapter Eight

CAPITULATION

By the mid-1980s, the FWA had become a local rather than national organisation. Hedderwick stepped down from the presidency after ten years, although he retained a position on the management committee. His successor, Peter James, carried on the determination to express the needs and beliefs of farm workers and to have a positive input into policy changes.[1] But no matter how strongly farm worker concerns were discussed they remained only as ideas. Without a substantial constituency the FWA was to have little say in the direction of change. Its submissions had little practical relevance to the prevailing political and economic climate. In the wider scene, far-reaching changes in economic and industrial matters were under way. The farm worker was concerned to keep his job in the depressed rural conditions following deregulation under the Labour Government and a decline in world commodity prices. As a last resort, the remnant of the FWA was forced to join with its long-time rival, the NZWU, managing to survive, but only as a sub-section of the NZWU. Faced with total collapse, the FWA finally accepted its impotence and recognised that it had to capitulate to either the employers of its members or to a trade union. In choosing the latter, it showed that as an example of voluntary unionism it could not succeed.

The election of a Labour Government on 14 July 1984 created hopes of revival for the FWA. The incoming Government had committed itself to a consensus approach and to change. Farm workers were urged by the FWA to become actively involved: "We, as farm workers, have a considerable amount to

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[1] Peter James was elected as the new President at the 1984 AGM at Kaipoi.

gain, but by defaulting have even more to lose".[2] The FWA made submissions to Government over taxation, industry funding and land settlement. Members also carried on with the various portfolios, convinced of the validity of their cause. Taxation of perks was one example. In October, 1984, Farmworld reported that, "if the farm worker is not to be heavily clobbered, we will need to be ready to act strongly and quickly on this issue".[3] But the FWA could do little to stop the value of board, lodgings and house becoming assessable items.[4] Representation on various boards continued. The Kellog's Leadership Course, based at Lincoln College, was attended by Cosgriff, James, Kremer and Walker.[5] In 1985, a new insurance policy especially for farm workers was widely advertised, allowing farm workers' sickness, accident and accommodation insurance in the event of disability.[6]

The FWA again sought government support for the means to restore its viability. With the Union Membership Bill of 1985, industry funding was proposed again as an alternative to voluntary unionism or Unqualified Preference.[7] The submission was based on the familiar theme that there was a need to encourage industrial harmony through consultation and involvement of employer and employee. It was argued that whilst the employers' contribution had been acknowledged by

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[2] Farmworld, October 1984, p12.

[3] Ibid.

[4] "President's Annual Report 1983, NZDIUE", Hedderwick files on FWA.

[5] Kremer was the last president of the FWA and supervised the merger with the NZWU.

[6] Farmworld, October 1984, p2.

[7] Peter James, "Industry Funding of the Farm Production Industry". FWA Submission to Minister of Agriculture, 7 February 1975, Hedderwick files on FWA.

Government through the meat levy, the input of employees was poorly regarded. Adequate and even funding would "ensure the democratically decreed continuance in a healthy state" of unions from both sides.[8] A framed amendment to the Meat Act of 1981, to bring industry funding to the farm production industry, was even included.

In spite of the strength of the argument put forward, the submission was ineffectual because FWA policy was out of tune with current direction. Government was moving towards amalgamation of unions and composite bargaining. Not surprisingly, the FWA found no ally in Federated Farmers. There was no chance of Federated Farmers supporting a cause that would yield power and independence to the FWA. An FWA member later expressed the view that people in authority "really did not know what we stood for and cared even less".[9]

With changes in economic policy in the rural sector the Association pressed for implementation of a factor tax.[10] Under this system, tax would become a fixed cost, based on an assessment of the land's productivity. A factor tax would encourage production, since those who had higher levels of productivity than the assessment, would pay relatively less tax. The FWA proposed a capital gains tax in conjunction with the factor tax, another policy which found little favour with farmer owners. Its intention was to tap into the accumulated wealth of some farm owners, very little of which was taxed or returned to the rural community, even when a property was sold.

The FWA also put forward its views on restructuring land settlement. The submission reflected the frustration of farm

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[8] Ibid, p3.

[9] Dunlop to Author, 12 September 1990.

[10] Submission to Rt. Hon. R. Douglas, Minister of Finance and Inland Revenue, 1984, Hedderwick files on FWA.

workers who had diminishing hopes of land ownership.[11] The FWA wanted a complete overhaul of the system, including a revamping of the 1948 and 1952 Acts. It stressed the view that the industry should meet social needs, and allow first farmers to be settled by retention of the 85% loan. It called for a return to cost accounting, considering that "the Agricultural Industry should come of age and stand on its own two feet".[12] The FWA had been a consistent critic of National's Land Development Loans and Supplementary Minimum Payments, as a major reason for farm land prices inflating beyond the productive capacity of the land. Land settlement was to be self-funding, with loans and farm ownership accounts available only through the Rural Bank. Finance would be released through the sale of farm mortgages. The Association also suggested that preference for first-farm owners should be encouraged through vendors paying a land tax unless selling to first owners, farmers changing their type of operation, or those setting up sharefarming agreements.[13]

But these views remained ideas only. By 1985 events in the agricultural industry confirmed the hopeless situation for the FWA. Land ownership without substantial equity had become unrealistic. The Labour Government made dramatic changes to National's rural policies. It dismantled the extensive system of subsidies and a managed economy, reverting to the principle of market forces.[14] Interest rates were pushed up.[15] By

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[11] Submission for and on behalf of FWA by C. W. Duley, Chairman of Land Settlement Committee, November 1985, Hedderwick files on FWA.

[12] Ibid, p12.

[13] Ibid.

[14] Report of Rural Banking and Finance Corporation for year ended 31 March 1985, summary p5.

[15] New Zealand also devalued in July 1984.

1986 delayed on-farm effects were seen in reduction of cash flows, lower levels of investment in farming, reduced earning capacity and transitional relief measures to help farmers.[16] Land prices were on their way down by 1985, but any advantage was offset by increased interest rates. Ballot farms were withdrawn because they would no longer be sufficiently profitable to finance a higher interest rate. Although the FWA agreed with this policy decision, members were upset at having spent unnecessary money inspecting the forty farms originally on offer.[17] The first farmer now required a significantly larger deposit. Although the Labour Government continued to acknowledge the value of bringing new blood on to the land, it stood by a policy of neutralisation: the normal turnover of land, market rates of interest and the ability to farm without subsidies was to determine ownership.[18]

Any future hope for the FWA was directly affected by these changing circumstances. Its policies were based on the assumption that farm workers were an asset, an essential part of the rural industry and an effective force in bringing positive changes. But change in the pattern of farm worker employment had been apparent for some time. Overall there was a significant increase in owner-occupier status on farms and use of contract and part-time labour in place of employment of full-time farm workers.[19] With the devastating drop in farm incomes and rising indebtedness, paid farm workers were increasingly replaced by unpaid family members, especially

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[16] Report of Rural Banking and Finance Corporation for year ended 31 March 1986, p6.

[17] Farmworld, February 1985, p16.

[18] "Report of the Land Settlement Working Party", Ministry of Agriculture and Fisheries, 30 November 1987, NZWU file G1(e).

[19] Allan Levett, "And There's More People Down There Too", Straight Furrow, 14 May 1982, p8.

women.[20]

The reality was that farm workers were a disposable commodity in times of economic downturn. There would always be a place for the skilled, but a reduced cash flow on farms meant their situation was precarious. Some dismissed farm workers found it a great shock after years of dedicated service. The farming scene was such that they were concerned to hold onto their jobs rather than worry about FWA philosophy.[21]

The FWA had been losing momentum for years and the prognosis was poor. Reports of difficulty, and of branches going onto recess became more common after 1983. The process of attrition and disillusionment was evident in falling membership, enthusiasm and funding. Common problems cited were apathy, long distances to travel to meetings, the workload alongside a fulltime job, and inability to commit any more personal funds.[22] Unstated, but equally important, was the failure of the FWA to deliver significant benefits to its members. The sense of being a nation-wide organisation was also being lost. Portfolios such as health, education or housing, once the responsibility of whole branches, were increasingly the responsibility of a single individual. In July 1984, the Editor of Farmworld answered criticism of lack of communication between branches. She reminded them of the need to send in articles and reports, to abide by the constitution and to function as a team. They were charged with

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[20] Unpaid family assistance increased from 20,276 in 1976 to 29,212 in 1988. Anne-Marie Bullock, "New Zealand Rural History Survey Of Farm Employment", 48.391 research essay, Massey University History Department, 1990, p9.

[21] Paid permanent employment decreased from a high of 39,805 in 1978 to 26,872 in 1987, Bullock, p1.

[22] Farmworld, July 1984, p7.

"being too coy to stand up and be counted".[23].

Such feelings of discontent were an outward expression of the enormity of the task individuals had in trying to keep branches going and service large areas. In 1983, reports from Marlborough, Tinui, Waikato and Banks Peninsula, all told of a poor response to postal membership drives, predictable when there was a lack of personal contact.[24] Walker reported that she had been unable to raise sufficient funds to action a proposed membership drive through either the Prince Philip Scholarship or Federated Farmers. The latter declined further financial assistance because of the Association's existing debt and the doubtful long-term effectiveness of other drives.[25] Sub-section status was still available as an alternative.[26] By February 1984 membership had become concentrated in the South Island, with only one management member living in the North Island.[27] Later that year, 11 out of 34 branches were reported in recess.[28] In 1985, 18 out of 23 remaining branches were in the South Island.[29] Financial statements for that year were completed but the Association was unable to pay its accountant.[30] Perhaps the words of Dennis Couchman, on his resignation from the Northern

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[23] Ibid, p2.

[24] Ibid, p8.

[25] Walker, "Membership portfolio", Farmworld, October 1984, p26.

[26] Letter, Elworthy to Walker, 22 August 1983, Hedderwick file on draft membership clause.

[27] Farmworld, February 1985, p2.

[28] Farmworld, July 1984, pp10-12.

[29] Farmworld, February 1985, p29.

[30] Scoular to Hedderwick, 13 April 1987, NZWU file G1(e).

Wairarapa Branch, reflected the feeling of many members:

> Its that old enemy - apathy, that's killing the FWA. In our branch two years ago there were 138 members - today there are less than 100. And that's from a potential of around 600.... Far too few farm workers realise that the association is the watchdog of the farm worker.... But a watchdog starves if you don't feed it.[31]

Relations with Federated Farmers had become progressively more estranged and contentious at the political level. In 1980, Hedderwick had spoken of the "compatible" relationship.[32] By 1982, the report of the AGM stated that the speaker from Federated Farmers avoided "issues that Federated Farmers and the FWA do not have in common".[33] Although there was often a good relationship at local level, Federated Farmers had the upper hand in terms of organisational and financial security and ability to influence political decisions.

In contrast to the 1970s, the FWA no longer attracted political support. Lobbying by the FWA had little effect in those matters that would alter farm workers' low status in the long term. Small wonder that there were abrasive attacks by some FWA officials on Federated Farmers intransigence. While such behaviour was non-productive, it illustrated the feelings of those who refused to accept their place and were denied the means to do anything about it.[34]

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[31] Farmworld, October 1984, p11.

[32] The New Zealand Farm Worker, Volume 7, No 3, p85.

[33] Farmworld, September 1983, p3.

[34] Letter, Elworthy to Hedderwick, enclosing a memorandum where a FWA member was reported as speaking "abrasively and negatively", 31 March 1981, Hedderwick files on FWA.

In 1986 the withdrawal of industry funding from the Agricultural Training Council (ATC) revealed how far apart the two organisations were. Federated Farmers, while confirming its commitment to agricultural training, announced the withdrawal of funding from the ATC on the grounds of "cost effectiveness".[35] Employer organisations had been invited to a final meeting, but not the FWA.[36] The decision was based on power and economic pragmatism:

> The Federation believes it can operate agricultural training more effectively than the current system operated by the ATC .... The Federation withdraws its financial contribution to the ATC and establishes its own agricultural training structure after consultation with other industry bodies.[37]

This decision created an open rift, soon laid bare in Hedderwick's submissions to the Minister. Funding for agricultural training came from meat levy contributions. The FWA, as an employee group, had representation, with voting rights, on the ATC. The FWA felt notions such as consensus, consultation, and the long-term good of the industry were being ignored. The usurpation of the ATC programme also dealt

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[35] Federated Farmers' news release, "More Efficient Approach To Agricultural Training", 6 March 1986, Hedderwick files on FWA.

[36] The ATC included nominees from 12 organisations. Employee organisations were not invited to final meetings over its future. FWA Submission to Hon. C. Moyle, Minister of Agriculture, 4 March 1986, Hedderwick files on FWA.

[37] Federated Farmers' news Release, "More Efficient Approach..." Earlier in the press release, there was a reference to the source of funding: "the Federation's Dominion Council expressed concern at the need to ensure that training funds, whether industry or government, were used in the most cost effective way". Hedderwick files on FWA.

a catastrophic blow to a significant part of FWA policy. In particular, it had been an important aid to a career structure designed to improve the status of farm workers and provide a future for those without land.

The two organisations did not speak the same language over this matter. In submissions to the Minister of Agriculture Hedderwick requested that meat levy funds be frozen until the issue was resolved.[38] He wanted future funding to be channelled through the Vocational Training Council instead of Federated Farmers, and to be publicly accountable. His grounds were that Federated Farmers had assumed proprietory rights over disposal of industry funds, ignored restructuring proposals by the ATC, and disregarded the principle of employee involvement. Drawing on information gained under the Freedom of Information Act, Hedderwick produced figures to show that the Federation had made the decision "in the context of balancing its budget". Hedderwick supplied evidence of a discrepancy of $10,500 between figures presented in a submission to the Minister and Federated Farmers proposed payout in the 1986 year.[39] Grounds for an increase in the meat levy two years previously had included escalating costs of the ATC and "help and liaison with the FWA".[40] Hedderwick described the latter as "a revelation" to

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[38] Submission to Hon. C. Moyle, Minister of Agriculture, 4 March 1986, Hedderwick files on FWA.

[39] Supplementary submission, FWA to Moyle, 14 March 1986, Hedderwick files on FWA.

[40] Letter, Elworthy to Moyle, 14 September 1984, Hedderwick files on FWA. An increase in the meat levy had been approved last in 1980. Federated Farmers claimed particular areas of increased expenditure were in overseas trade and political representations, in agricultural training and with the FWA. The period of financial help to the FWA did come into this time frame, but was largely withdrawn by mid 1982. The letter mentions a rapid increase in funding for agricultural training resulting from the previous government decision to increase industry funding to training boards from 10% to 50%.

those involved in the Association, particularly as the period involved was during the wage freeze.[41] He also objected to the fact that the ATC was only given two hours notice to produce a five-year budget forecast.[42] Questioning the absorption of agricultural training money into Federated Farmers' general funding, he stressed the need for accountability and separate subscription and industry funds within Federated Farmers. Hedderwick also expressed, in a mixture of acrimony and poignancy, disappointment at the dispersal of expertise and the discouragement of those who had put in time, travel and effort at both national and local level, "in contrast to those whose commitment has been confined to attendance at self congratulatory bun fights".[43]

The FWA was, it seemed, a paper tiger. The protest was disallowed, the Minister claiming he was not empowered to withold funds or specify the purpose.[44] He made it clear that approval was given to supply funds for agricultural training, not for the way it was achieved. The direction of training was over to Federated Farmers.

The remaining members of the Association had the will, but not the means, to represent farm workers on the political and industrial front. Within the context of tripartite talks on wage bargaining, its ideas were presented, but had little influence on events. Since it had no link with the FOL, the

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[41] Supplementary Submission, FWA to Moyle, 14 March 1986.

[42] M.C. Kennedy, chief executive of ATC to B. Derwin of Federated Farmers. "Five Year Budget Forecast: Agricultural Training Council", 24 August 1984, Hedderwick files on FWA.

[43] Supplementary submission, FWA to Moyle, 14 March 1986.

[44] Moyle to Hedderwick, March 1986, Hedderwick files on FWA.

Association's input was limited to submissions.[45] The FWA requested that guidelines on wage talks be based on a forty-hour week, and that "ability to pay" in future encompass the increase in wealth resulting from capital gain through land ownership.[46] The FWA claimed that there had been little thrust for change in the agricultural sector, since debt-laden farmers were not represented by those forming policy.[47] Other submissions included a request that farm workers have an early place in wage negotiations after the freeze, and that job creation in agriculture involve training and subsidised employment of those with a genuine interest.[48]

Unfortunately words and submissions were powerless without a functioning organisational base. Without the means, the FWA was a failure as a political force. The final years of the Association were spent trying to survive. Within the FWA moves were being made towards compulsion, so that the Association might be able to continue as the representative of farm workers. On 17 August 1985, a ballot of financial members returned a decision that resulted in the repeal of Clause 23 of the FWA Constitution.[49] This opened the way for compulsory membership. In any event, the Labour Government had

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[45] Tripartite talks were between Government, employers and the FOL.

[46] Submission, FWA to Minister of Labour, 25 October 1984, Hedderwick files on FWA.

[47] Farmers able to spend time in Wellington in National positions need to be well established so that farms can function without them. To this extent they can be out of touch with the difficulties of the debt-laden farmer.

[48] P. James to Minister of Employment, Submission to the Job Summit Conference, Hedderwick files on FWA. Subsidised employment would enable the farmer with a high debt burden to employ labour.

[49] Meeting of steering committee, 17 August 1985, Hedderwick files on FWA. Results of postal ballot were, 643 sent, 373 returned, 318 for, 49 against, 6 informal.

reversed National's voluntary unionism and introduced an amendment to the Agricultural Workers' Act of 1977, which required farm workers to be balloted to decide on the inclusion of a membership clause.[50] But even that process was beyond the resources of the FWA. Although its solicitor considered that a retention ballot, involving members only, fulfilled the legal requirement, the Registrar of Industrial Unions was insistent that a restoration ballot, involving all farm workers, should be conducted.[51] Proceedings ground to a halt whilst the FWA tried to have the amendment clarified.

The hope was that some sort of autonomy could be maintained. On 28 April 1986, the FWA entered a submission to establish an industry-funded, Compulsory Agricultural Workers Union (CAWU).[52] Its grounds followed the historical argument of the special characteristics of the rural sector work-force. Under this proposition, each sector of the work-force would have its own sub-section. This would include all agricultural workers, such as market gardeners, tobacco workers, shearers and piggery employees. A network of branches would be established under the CAWU executive, whose main function would be to represent the work-force at a national level.

Whatever the claims for its continuation, the days of single-sector arrangements in agriculture were over. The Labour Relations Act of 1987 made this final. Its whole thrust was towards amalgamation of unions, regardless of whether or not they were in a related industry. The minimum size was to be 1,000 members, which would have made the FWA one of the

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[50] The Agricultural Workers Amendment Act 1985 required a ballot to determine whether or not to have a "workers membership clause", the equivalent of Unqualified Preference.

[51] Bartlett to Kremer, 15 August 1985, Macalister Mazengarb files on FWA.

[52] FWA Submission for Industrial Relations,"A Framework For Review", 28 April 1986, Hedderwick files on FWA.

first targets of contestability, had it continued.[53] Societies now had to register, or operate alone and outside the system. Compulsion was to be negotiated by conciliation or by a ballot of workers.[54]

Things had slipped too far. The dedicated members who had stuck with the Association for many years were unheeded voices. It was "the last gasp" of a brave but hopeless crusade. Membership had dropped from 800 in July 1985 to 200 at the end of 1986.[55] A meeting in Gore on 6 December 1986, to decide between winding up the Association or affiliation with the NZWU failed to get a quorum of 30 members.[56] Three months later, on 31 March 1987, formal contact was established with the NZWU.

The merger with the NZWU was accomplished without difficulty by July 1987, under the supervision of FWA president, E Kremer. A local, regional and national structure was provided for, along the same lines as the FWA when it was fully operative. It was also agreed that after two years of observer status, the farm worker membership was to become eligible for casual vacancies in the NZWU elected structure. Kremer went on the road immediately to re-establish local committees. The NZWU emphasised that it wanted "to keep intact the nucleus of workers who have stood firm with the FWA".[57] The bogey had been put to rest and farm workers had gone a full circle. The NZWU, so often quoted as the enemy of farm

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[53] Interview, Paul Stapp, Industrial Relations Service, with Author, 3 April 1990.

[54] NYOYB, 1987, p350.

[55] News and Views, November-December, 1986, no page, Walker scrapbook.

[56] Mataura Ensign, December 1986, no page, Walker scrapbook.

[57] Diane Burns, Assistant General Secretary of NZWU to R. Jones, farm manager, NZWU file G1(e).

workers, was finally accepted as their representative organisation.

Chapter Nine

CONCLUSION

The FWA years witnessed a series of dynamic political events. An unexpected reaction to the 1973 Bill threw up a unique and extraordinary combination of farm worker talent, able to draw on a pool of people willing to help the FWA to succeed. It was a rare political opportunity for a traditionally disadvantaged group. Failure of the FWA to survive as an independent organisation has to take account of the various strands that shaped the years from 1973 to 1987. Initially supported by the National Party and tolerated by Federated Farmers, changing political and economic circumstances frustrated further chances of success. But the over-riding problem of the FWA was ultimately its inability to attract the support of farm workers. Voluntary unionism in its pure form failed to provide the financial support to maintain a viable organisation.

The FWA was employer supported rather than employer inspired. The Agricultural Workers Bill of 1973 united the rural community since both farmers and farm workers had a vested interest in supporting the rise of the FWA and warding off the challenge of the NZWU. The initial upsurge came from farm workers who were strongly opposed to the NZWU, and from farmers who wanted continuation of separate industrial arrangements and the individual contract system. Politically, the National Party was also attracted to the rise of the FWA, since it became a useful tool to attract votes from marginal seats in an election year.

Although the FWA was born from a negative reaction to the NZWU, the initial response was a catalyst for a much stronger resolve that if farm workers must have representation, it might as well be through their own organisation. The FWA

worked out a philosophy that farm workers could accept. It had to be consistent with a future where yesterday's farm worker became tomorrow's land owner. It had also to accommodate the feeling that the farmer was a friend despite the realities of an employer-employee relationship. Thus, instead of a union, there was an Association; instead of compulsion, there was voluntary membership; instead of strike action, there was consultation and arbitration; instead of a set wage, there was a basic minimum; instead of a narrow clique of officials, there was grass-roots involvement in decision making; instead of a narrow platform of wages and conditions, the FWA extended its concern to social aspects. Finally, it insisted on a clear distinction between itself and Federation of Labour activity.

These policies, intended to be the seeds of success, were also the source of eventual failure. Because the FWA relied on voluntary unionism, it was unable to establish a sufficient power base among farm workers. The Agricultural Workers Act of 1977 provided only a negative safeguard for farm worker representation.[1] It made no provision for the FWA to consolidate its membership through a device such as Unqualified Preference.

The FWA remained an undeveloped political force. In spite of weaknesses, it had the potential to act as a strong advocate for farm workers. Although there were historical precedents against it becoming a substantial political influence, warning signs caused a large body of farmer political opinion to make sure that the FWA did not gain the means. Ruth Richardson, who served as legal advisor for Federated Farmers from 1975 to 1981, believed that the FWA needed to become compulsory to have succeeded.[2] There was talent, dedication and persistence among these hitherto

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[1] The 25% takeover clause.

[2] Letter, Richardson to Author, 6 April 1990.

"forgotten workers".[3] If the scale had been allowed to become more even, they might have challenged the existing power structure.

The employer unions were able to set limits on FWA activity through their denial of the draft membership clause. The kind of help given to the FWA was sufficient to enable it to function, but not for it to gain strength. Help was motivated by political self-interest, and especially by Federated Farmers' concern to safeguard the existence of the Agricultural Workers Act of 1977. Federated Farmers was also able to play for time. Discussions of help were lengthy and a form of prevarication that satisfied pressure from provincial members of Federated Farmers. Further from the bureaucratic arena, they were less concerned about the political implications of helping the FWA. Even so, because the FWA refused to assume a subservient place under Federated Farmers' umbrella, it could not expect wholesale support.

A fundamental clash of interests remained between farmer and worker. Whilst the FWA and Federated Farmers cooperated on social concerns which focused on government assistance, there was a potential for conflict over wages, conditions, land purchase and policies such as a factor tax. The tradition of cheap labour and long hours, relative to the rest of the nation's workforce, was another sensitive area. The non-strike philosophy of the FWA, subject to review every five years, was also a latent threat to the established farming lobby.

Initial FWA success came from the fortuitous blending of a number of influences. Anti-union zeal within the rural community was backed by the financial resources of the burgeoning membership, the exceptional range of abilities amongst its leaders and National Party political backing. The circumstances captured the popular imagination and a structure

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[3] John Martin, The Forgotten Worker, Wellington, 1990.

developed in record time through sympathetic contacts in Wellington. Early members were convinced that change was possible through their own efforts. Farmers agreed with the updating of Orders in Council while the National Party policy of increasing agricultural production in the rural sector dovetailed neatly with FWA policy. This supportive framework was consolidated with the Agricultural Workers Act of 1977, legislation supported by Federated Farmers because it perpetuated single sector arrangements. But the accord did not last. There was a reassessment of the relationship with the FWA by Federated Farmers, changes in the rural economy and new directions by the Government, especially after 1984.

More critical to the FWA was the lack of farm worker support. Employers suggested that farm workers neither wanted nor needed the FWA because they were satisfied with existing conditions.[4] They supported their view by citing the failure of voluntary membership, the opportunities for land ownership to achieve upward mobility and the close working relationship. Gill suggested a further reason the FWA lacked support was because the farm workers' case was fought over the anti-union issue instead of farm workers' conditions.[5]

Lack of support was due to apathy and indifference to joining, rather than farm workers' satisfaction with conditions or the FWA's neglect of them. Anti-union propaganda was used as a device to encourage farm workers to support the FWA. The input into Association work by individual workers was because of a genuine feeling that farm workers needed representation. Those who did not have this sense of mission did not last.

The FWA was also judged by results. Farm workers liked winners. For a brief period, the FWA had considerable

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[4] Personal Interview, McLagan with Author, 22 May 1990.

[5] Gill,"Deference", p39.

influence. It provided an additional thrust for a section of the community that had been overlooked previously. The 1959 Orders in Council situation demonstrated this. Written wages and conditions, encouragement of the wages book, recognition of experience and regular updating of wages until the wage freeze were all successes. Discussion of wages became an acceptable practice and farm workers felt that they could do something to help themselves. It had a good record with the 85% loan, relaxation of tied housing requirements and extensive lobbying to improve social circumstances for farm working families. Farm workers wanted value for money and initially they received it.

But the FWA also lost members each time there were major delays in bettering in wages or conditions. Farm workers considered it futile to join when the FWA could not secure sustained improvements, especially with respect to wages. Once the wage freeze was imposed, a major incentive to join was gone. When Peter James took over as President in 1984, newspaper reports revealed that farm workers were still severely disadvantaged.[6] Results were associated with the weekly pay packet and hours worked. Why pay a subscription if there were no benefits? By the mid-1980s, the FWA was powerless to help farm workers when the really hard times came.

The FWA became bogged down by the failure of voluntary unionism. It was a necessary policy in 1974, but historically, voluntary membership had limited success in the rural sector.[7] The decision to opt for the draft membership clause

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[6] Some married couples worked a 90 hour week and earned thirty dollars less than on the dole. "New President for FWA", Marlborough Express, 19 December 1984, no page, Hedderwick files on FWA.

[7] The prevalence of Unqualified Preference in unions suggests that farm workers are not the only workers to avoid membership.

was intended as an acceptable modification of the voluntary principle, but was not tested because the employer unions were not prepared to allow farmers to become an instrument of enforcement. Failure to provide for a variation on the pure form of voluntary unionism without employer consent or a national ballot of farm workers, was a weakness of the Agricultural Workers Act of 1977 for the FWA.[8]

The FWA was unable to canvass a dispersed membership on a regular basis. It became caught in a cycle where lack of resources led to lack of both contact and interest. Older members were hard to track down and younger men were less interested in commitment to the FWA without a publicity campaign to explain the need. When the FWA had approached the membership personally, it rarely came across outright rejection. The Southland canvass had reasonable success in signing up members, whereas postal attempts were not successful.

There were regional differences in membership patterns. Where land ownership was a possibility, especially in dairying areas, the FWA was not well supported. The FWA was seen to be against future interests. The Dairy Farmers Industrial Union of Employers was also the union which stood out against any form of membership clause, interpreting the move as the start of compulsory membership. However, there were also dairy farm workers who had a very significant input into the FWA. Quite a number promoted themselves out of the organisation by becoming owners. The success of some members in moving on to land ownership was another loss to the Association in terms of maintaining expertise within the organisation.

Areas of strong support from both farmers and farm workers were typically community minded with overlapping memberships in other rural organisations. It was from such areas that pressure grew for Federated Farmers to help the FWA

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[8] Gill, "Legislated Apathy", pp7-15.

to survive, often out of a genuine wish to support farm workers and because it was felt that there were adequate safeguards to contain the FWA.

The FWA had to face up to delays and changes it could not control. Delays were compounded by change in Government policies and the influence of other pressure groups. Farm workers were small fish in a big sea. On Labour's return to power, major economic and industrial relations changes caused the job market for farm workers to shrink. Farm workers claimed they were an asset, but with a reduced cash flow, farmers put their workers off, employed members of their own families and tried to carry on by themselves. In industrial relations, the FWA was out of the mainstream after 1984. The trend was towards rationalisation of union activity by reducing the number of agreements through composite bargaining and through the amalgamation of smaller unions.

The move towards compulsion was motivated by the will to survive as an independent organisation. Farm workers had shown a genuine antipathy to compulsion, but had failed to follow up with a commitment to the FWA. With the FWA unable to marshall resources to canvass the compulsion issue countrywide, even this idea had to be abandoned.

Subsection status under the NZWU was a logical consequence of events. Previously much of the FWA case had been fought emotively. Prejudice against compulsion had been easily whipped up as anti NZWU-propaganda. In fact, the two organisations had been in intermittent contact over the years. They had shared confidences over land aggregation, over sharefarming and over the failure of the implementation of the draft membership clause. Duggan had repeatedly expressed the Union's acceptance of flexibility in farming and the fact that strike activity in agriculture was not feasible. The NZWU had representation in related areas of agriculture and was organised so that each industry had its own sub-structure. On establishing formal contact with the NZWU to seek affiliation,

the FWA acknowledged its inability to service its members or to rebuild the Association into a functional organisation.[9] In reply, Duggan accepted responsibility for farm workers and expressed a willingness to employ officials from the FWA to ensure continuity of representation and organisation.[10]

Small, ineffective and powerless, the FWA had been swamped by the transformation of the agricultural industry that had happened in less than 15 years. The FWA had expressed genuine concerns and ideals through political and industrial channels but had still failed to survive. Unsupported from without and within, the NZWU was able to pick up the threads. Shortly after the merger, field officers wrote in to say they were being deluged with enquiries from farm workers wanting free advice but showing a reluctance to join.[11] The old pattern was being repeated.

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[9] Kremer to Dianne Burns, Assistant Secretary General, NZWU, 31 March 1987, NZWU file G1(e).

[10] Duggan to Kremer, 8 April 1987, NZWU file G1(e).

[11] "Union Swamped With Workers' Grievances", Waikato Times, 26 September 1987, p2, NZWU file G1(e).

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