



ANALYSIS

Title 1. Short Title 2. Definition of strike	3. Suspension of non-striking workers where work not available during strike
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 1976, No. 7

An Act to amend the Industrial Relations Act 1973
[18 August 1976]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title—This Act may be cited as the Industrial Relations Amendment Act 1976, and shall be read together with and deemed part of the Industrial Relations Act 1973 (hereinafter referred to as the principal Act).

2. Definition of strike—The principal Act is hereby amended by repealing section 123, and substituting the following section:

“123. (1) In this Act the term ‘strike’ means the act of any number of workers who are or have been in the employment of the same employer or of different employers—

“(a) In discontinuing that employment, whether wholly or partially, or in reducing the normal performance of it; or

“(b) In breaking their contracts of service; or

“(c) In refusing or failing after any such discontinuance to resume or return to their employment; or

“(d) In refusing or failing to accept engagement for any work in which they are usually employed; or

“(e) In reducing their normal output or their normal rate of work—
the said act being due to any combination, agreement, common understanding, or concerted action, whether express or implied, made or entered into by any workers; but does not include a stopwork meeting authorised by an employer.

“(2) In this Act the expression ‘to strike’ means to become a party to a strike.”

3. Suspension of non-striking workers where work not available during strike—Section 128 of the principal Act is hereby amended by repealing subsection (1), and substituting the following subsection:

“(1) Where there is a strike, and as a result of the strike any employer is unable to provide for any workers who are in his employment and not on strike work that is normally performed by them, the employer may suspend their employment until the strike is ended.”

This Act is administered in the Department of Labour.
