



Public Notice of Approval of Application to Initiate Bargaining for a Proposed Fair Pay Agreement

Section 37 of the Fair Pay Agreements Act 2022

Proposed Fair Pay Agreement:	Security officers and guards
Initiating Union:	E tū Incorporated
Application Number:	FPA02-006-2023
Decision:	APPROVED

I, the Chief Executive of the Ministry of Business, Innovation and Employment (MBIE), give notice that I have approved an application from the Initiating Union to initiate bargaining for a proposed fair pay agreement (FPA) under section 33 of the Fair Pay Agreements Act 2022 (the Act), for security officers and guards, as described below in Part 2 of this Public Notice.

Part 1: Initiation test relied on

The Initiating Union's application relied on the 1,000 employees representation test for initiating bargaining under section 28(1)(a) of the Act. This test is met if at least 1,000 employees who would be within the coverage of the proposed FPA support the application to initiate bargaining.

The Initiating Union claimed support from 1,164 employees and provided information of those employees as required to support the application under section 31 of the Act. Using this information, MBIE selected a random sample for the purpose of verifying the information provided by the Initiating Union.

Based on that sample verification, I was satisfied that the representation test under section 28(1)(a) of the Act had been met in that at least 1,000 employees within the proposed coverage support the application to initiate bargaining for a proposed FPA.

Part 2: Coverage of the proposed FPA for the security officers and guards Occupation

The proposed Fair Pay Agreement (FPA) is an occupation-based agreement. It covers employees working as security officers and guards (and their employers), performing the work or type of work described below.

Occupation description

Security officers and guards provide security services to organisations and individuals. The role involves protecting, watching, patrolling, screening, or guarding people, property and/or assets (including cash and other valuables) by physical means. Registration or licensing may be required.

Description of work or type of work (main tasks or activities)	Label of occupation (from ANZSCO register)	ANZSCO code (or closest ANZSCO code if no code available and how it differs from closest code)
<ul style="list-style-type: none"> • patrolling and guarding industrial and commercial property, railway yards, stations and other facilities; • patrolling property and checking doors, windows and gates for unauthorised entry; • watching for irregularities such as fire hazards, malfunctions of machines and equipment, lights left on, leaking water pipes and unlocked security doors; • issuing security passes to authorised visitors and giving directions; • controlling, and screening movement of persons, vehicles or goods going into and coming out of property and other facilities; • carrying out crowd control duties at entertainment, sporting or recreational venues, including screening entry, keeping order and removing any person from a place; • monitoring and responding, to suspicious activities and hazards such as warning trespassers and removing hazards; 	<p>There are three ANZSCO codes that describe the tasks performed by security officers and guards within the proposed coverage:</p> <ul style="list-style-type: none"> • Security officer • Crowd Controller • Armoured car escort <p>Includes:</p> <ul style="list-style-type: none"> • Armoured car escort • Bar security • Bouncer • Crowd controller • Event security • Mobile patrol officer • Night watchman • Patrol guard • Property guard • Security concierge • Security guard • Security officer • Security/orderly • Security safety and emergency services manager • Security services coordinator • Static guard 	<ul style="list-style-type: none"> • Security guards 442217 • Crowd Controllers 442213 • Armoured car escorts 442212 <p>Occupation labels have been modified to include all three ANZSCO codes listed above to describe the occupation. The description of work or type of work has been expanded from ANZSCO definitions.</p>

<ul style="list-style-type: none"> • reporting any incidents, suspicious behaviours and security breaches to clients and emergency services; • maintaining order at venues where there are large gatherings of people; • picking up and ensuring the safe delivery of cash, payrolls and valuables; • providing armed escort for transportation and delivery of cash and other valuables; • traffic controlling associated with the above activities; • supervising or coordinating people doing the above activities. 		
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Exclusions:

Any employees who mainly perform the following tasks (and their employers) are excluded:

- **Alarm, Security or Surveillance Monitor (ANZSCO 442211):** monitoring security alarms, CCTV and other surveillance equipment exclusively by electronic means, and contacting supervisors, police or fire brigades if security is breached or fire is detected. Examples include security monitor, alarm security or surveillance monitor, CCTV operator, monitoring operator, control room operator, monitoring officer, communication centre operator.
- **Private Investigators (ANZSCO 442214):** conducting investigations for clients and preparing evidence for court proceedings. Also excluded are employees who perform the tasks described in sections 5 and 13 of the Private Security Personnel and Private Investigators Act 2010. Examples include private investigator, senior commerce investigator, WINZ investigator.
- **Retail Loss Prevention Officers (ANZSCO 442215):** detecting and investigating shoplifting, fraud and other unlawful acts of employees or customers of a retail establishment. Examples include shop floor walker, store detective, retail loss prevention officer, loss prevention officer.
- **Security Consultant (ANZSCO 442216):** advising clients on security requirements and recommending and designing security specifications. Also excluded are employees who perform tasks described in sections 7 and 15 of the Private Security Personnel and Private Investigators Act 2010. Examples include security consultant, security advisor.
- **Security Officers and Guards nec (ANZSCO 442299):** security officers and guards not elsewhere classified, including bodyguards, corrections compliance officer, patrolman crime prevention officer, prison escort supervisor, prisoner escort, custodial officer and private guard.

Part 3: General information

- i. Unless the coverage of the proposed FPA changes during bargaining, the FPA will apply to:
 - a. each employee who, in relation to the FPA, will be a covered employee; and
 - b. each employer who, in relation to the FPA, will be a covered employer (i.e. because it employs at least one covered employee).
- ii. Each covered employee and each covered employer (as at the date on which the application to initiate bargaining was approved) may be represented in the bargaining for the proposed FPA.
- iii. A plain language explanation of next steps for bargaining can be viewed on Employment New Zealand webpage and in [The Fair Pay Agreements System: a guide for participants](#).



Carolyn Tremain
Te Tumu Wharekarae mō Hikina Whakatutuki,
Chief Executive of Ministry of Business, Innovation and Employment

Date: 29th May 2023