



APPRAISAL REPORT:

JOB NO: CHJ 2003/3125 **CONTRACT:** n/a
AGENCY: Department of Labour, Employment Relations Service, Head
Office ABCL
CONTACT: [Name Removed] **ARCHIVIST:** [Name Removed]
Employment Standards and **Archivist**
Information Manager

1. EXECUTIVE SUMMARY

The Employment Relations Service of the Department of Labour requested an appraisal of their complaint files held nationally. Since these files are standard across the country, Archives NZ Christchurch Regional Office was able to develop a national schedule.

The material consists of Labour Inspectorate complaint records files created since 1988.

All the files have been recommended for destruction. The registers that control them provide a summary of an important historical and legal process and have been recommended for retention.

Quantity recommended for transfer as public archives:

Quantity recommended for destruction:

2. APPRAISAL CIRCUMSTANCES

The Employment Relations Service of the Department of Labour requested an appraisal of the Labour Inspectorate complaint files to determine their archival value. Archives NZ has had a long history of involvement with the Employment Relations Service/Industrial Relations Service of the Department of Labour. A previous appraisal of the records of the Christchurch and Dunedin Employment Tribunals and the Christchurch Employment Court led to the extension of disposal schedules developed for the Auckland and Hamilton tribunals and Auckland Employment Court to national schedules. Similarly, as Labour Inspectorate complaint files are of the same format throughout the country, a national schedule for them was considered appropriate and Archives New Zealand Christchurch Regional Office Christchurch volunteered to undertake the work.

3. AGENCY INFORMATION

Agency documentation is attached. There are 7 offices of the Employment Relations Service in New Zealand: Auckland, Hamilton, Napier, Palmerston North, Wellington, Christchurch and Dunedin. There is no head office as such; [Name Removed] is Employment Standards and Information Manager of the Labour Inspectorate based in Auckland.

4. METHODOLOGY

The appraising archivist visited the Christchurch Labour Inspectorate and spoke with Adrienne Lines, a labour inspector who has many years experience. Access was provided to all complaints files since 1992 and the registers that control the files. CiMS (Case Information Management System), the computer based system that took over that function in 1994, was demonstrated. [Name Removed] was contacted and asked to confirm that complaint files in Auckland were of the same type as those in Christchurch. [Name Removed], the Employment Standards and Information Manager who originally contacted [Name Removed] regarding the appraisal of Labour Inspectors' complaint files gave further helpful advice about the files and CiMS.

The draft appraisal report was shown to [Name Removed] and [Name Removed] on 2 September 2003.

5. PRECEDENT

This is the latest in a sequence of appraisal jobs concerning the Department of Labour Employment Relations Service. The appraisal reports from appraisals of Department of Labour Employment Court/Tribunal records done by [Name Removed] and [Name Removed] (CHJ 2000/007) and by [Name Removed] (AT 99/189 and AT 98/29) are attached. This job is relevant to the previous ones because serious complaints may escalate to the Employment Authority and to the Employment Court. The schedules are in some respects complementary.

6. DESCRIPTION EVALUATION & DISPOSAL RECOMMENDATIONS

General Description

There are 7 offices of the Employment Relations Service in New Zealand: Auckland, Hamilton, Napier, Palmerston North, Wellington, Christchurch and Dunedin.

Complaint files are created by Labour Inspectors to document the history of the resolution process. They contain the official complaint form giving details of the grievance, the complaint log sheet recording the activity of the Labour Inspector and the correspondence between the complainant, Labour Inspector and employer.

The record of complaints in the Christchurch office dates back to 1988. In Christchurch, at least, until 1992, physical files were not made up and the register entry is the only record. The number of complaints has been fairly steady but there has been a small growth from 324 in 1995 to 351 in 2002. The files are used as a history of the resolution process.

In general terms, compared with Christchurch, the volume of records for the other offices of the Employment Relations service are: Auckland - 4x, Hamilton - 2x, Wellington - 1x, Palmerston North - 0.75x, Dunedin - 0.75x, Napier - 0.5x.

General Appraisal Considerations:

These comments are based on complaint files in the Christchurch office. The registers and files are used by the Labour Inspectors to record complaints received and a history of their resolution.

From 1992-2003, c.19 metres of complaint files have been created. They are split pin files arranged chronologically with a running number.

Before the introduction of CiMS in 1994, a hard backed register was used to manually record complaints. As well as keeping a record on CiMS, Christchurch still maintains its manual register.

- The field of industrial relations and the work of the Labour Inspectors is of historical interest.
- The majority of the complaint files document routine, very concise complaints usually dealing with breaches of the 1981 Holidays Act. Employees complain about employers who have not paid them their holiday pay entitlement. In some respects they resemble minor traffic violations except these are generally resolved without prosecution.
- All significant complaints escalate to the Employment Relations Authority and from there may be referred to the Employment Court. These records are covered by a national schedule (DA22).
- The summary controlling records that document the process of resolution of individuals' complaints provide a basic historical overview of the system.

6.1 Labour Inspectors' Complaint Files

<i>Series title</i>	Annual number case files – this has been regarded as one series in spite of the fact that the files have been renumbered.
<i>Date Range:</i>	1992-current
<i>Quantity:</i>	c.19 metres
<i>System of Arrangement:</i>	Arranged chronologically with a running number that started at 1 in 1988 (files not made up in Christchurch until 1992) until 1994. Numbering started again at 1 in 1995 and every subsequent year.
<i>Physical Format:</i>	Split pin files
<i>Function:</i>	The Department of Labour, Employment Relations Service created this record series. The files appraised were created in 1992. The files document the complaint process up until the point of resolution or referral to a higher authority. They contain the original complaint forms, letters of response and a complaint log sheet showing the work of the Labour Inspector.
<i>Value:</i>	<ul style="list-style-type: none">• The majority of the complaint files document routine, very concise complaints dealing with breaches of the 1981 Holidays Act. They provide detailed evidence of the resolution process. The process is adequately recorded elsewhere in manual registers and on CiMs. The detail recorded in the complaint files is not required for evidence of the activity of the agency.• All unresolved significant complaints escalate to the Employment Relations Authority and from there may also go to the Employment Court. Each case receives a new number and becomes part of new Authority/Court series upon referral and is covered by a national schedule.• Complaint files in different offices provide information about events that have a general historical interest. For example, in the Christchurch office, there are files dealing with breaches of the Holidays Act 1981 by contractors working in vineyards in the Nelson/Marlborough region. They reveal the level of competition in a booming industry. The Auckland office deals with complaints associated with sweat shopping which is more prevalent in their region. These complaints usually escalate to a higher authority and consequently any resulting records are covered by court schedules. This informational value of the records is contained elsewhere in the manual registers and on CiMS.
<i>Recommendation:</i>	To be retained 7 years from date of closure and then destroyed.

6.2 Labour Inspectors' Complaint Registers

<i>Series title</i>	Labour Inspectors' Complaint Registers
<i>Date Range:</i>	1988-current
<i>Quantity:</i>	2
<i>System of Arrangement:</i>	Arranged chronologically with a running number starting at 1 in 1988 until 1994. Numbering started again at 1 in 1995 and every subsequent year
<i>Physical Format:</i>	Hard backed book
<i>Function:</i>	The Department of Labour, Employment Relations service created this record series. Between 1988 and 1992, it was the sole record of complaints in the office. The registers provide a record of each complaint. They record: number, date received, employee, inspector, area, comments and date closed. They control the complaint files.
<i>Value:</i>	<ul style="list-style-type: none">• The registers give a summary of the contents of the complaint files. They provide evidence of the work of Labour Inspectors.• In Christchurch, a register is still being maintained alongside CiMS indicating its value to the inspectors as a reference tool.• In Christchurch, complaint files were not set up until 1992 and so the registers provide the only complete record of the complaint process in that office.• The information contained in the registers is sufficient to ensure that an important historical record has been kept.
<i>Recommendation:</i>	To be transferred to Archives New Zealand as a whole as soon as administrative use has ceased.

6.3 CiMS (Case Information Management System)

This is essentially a computerised national registration system which captures core details about Employment Relations Service complaint files amongst other things.

Recommendation: To be appraised at a later date. The agency has given assurances that no material on this database will be destroyed.

7. ACCESS RECOMMENDATIONS

[Has been removed]

8. TRANSFER CONDITIONS

[Has been removed]

9. SUMMARY OF DISPOSAL RECOMMENDATIONS

Quantity recommended for transfer as public archives:

Signed:

Date:

[Name removed]

Archivist

Christchurch Office

Archives New Zealand



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