
EMPOWERMENT BOOKLET



AUCKLAND ACTION AGAINST POVERTY

Updated May 2019

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Auckland Action Against Poverty (AAP)

Who are we?

AAP is a volunteer organisation dedicated to supporting beneficiaries, the unemployed, and low-waged workers. We take action against policies that attack the poor, and provide advocacy for beneficiaries to ensure that they receive their full entitlements from Work & Income.

AAP's kaupapa

1. Everyone should have the chance to participate fully in the economy and society.
2. We are committed to the realisation of a society which honours tino rangatiratanga and is grounded in Te Tiriti o Waitangi.
3. Social security is a human right.
4. Unemployed people and beneficiaries should not be blamed and stigmatised for their situation and should be treated fairly and with respect by state agencies.
5. Benefits should be enough to live on with dignity.
6. Sole parents and those who are sick, injured or disabled should not be coerced into work.

7. Volunteer work in the community and caring work in the home and elsewhere should be valued.
8. Government should play an active role in helping to maintain and create good jobs across all sectors: private, state and community.
9. Everyone has the right to appropriate education, training, income support, and housing.
10. Low wage workers, unemployed people and beneficiaries should not have to pay the cost of the crisis in capitalism.

.....
Capitalism is a system where the rich get richer and the poor get poorer. This is why we are an anti-capitalist organisation.

Based on our advocacy experience, this booklet contains advice on the following:

- Dealing with Work and Income
- Food grants (for non-beneficiaries also)
- Advance payments
- Main benefits
- Supplementary assistance (some for non-beneficiaries also)
- Other grants including people who are not on a benefit
- Sanctions and how to get rid of them
- Studylink (for students)
- Important contacts.

It is correct to the best of our knowledge, but if in doubt, always seek more advice.

What do we stand for?

Unemployment is not created by the unemployed

Unemployment is a necessary part of our current economic system and can't be blamed on unemployed people. Mass unemployment is actually good for bosses - it means there is more competition for jobs so bosses can pay their workers less. Unemployment lines the pockets of the rich, and allows the government to force people into low-paid, insecure work.

Welfare is a right that was fought for by the people

Our welfare system was not gifted to the poor by the rich out of the goodness of their hearts. Poor unemployed people fought in the streets for welfare in the 1930s, demanding access to financial assistance and a government that provides people with what they need to live. Over the last 40 years, both Labour and National governments have been involved in the destruction of our welfare system by passing and continuing laws that punish the poor.

Tax the rich, fund a liveable income

Welfare policy is based on punishing the poor and blaming the unemployed for unemployment. Current benefit levels are unliveable, and the need for hardship assistance such as food has increased significantly. Paying all people a living income is possible if we tax the rich.

Value all work

While politicians speak of a rockstar economy, the last 40 years has been characterised by stagnant wages and increased insecurity. Work is more than just paid employment – it is the care work we do for our whānau and communities. It is our work, paid and unpaid, that produces all the wealth in this world. We all deserve a share.

Everyone deserves access to healthy and secure state housing



.....
For more
information on
what we stand
for, download our
demand
document:
[www.aaap.org.nz/
notenoughleft](http://www.aaap.org.nz/notenoughleft)

The government has the ability to build a lot more state houses and to house all homeless people. Instead, it continues to place public land in the hands of private developers to build expensive housing. The government pays money to motels for emergency housing when it should be guaranteeing homes for all. Building lots of state houses is good for all of us.

There is no such thing as the ‘deserving’ and ‘undeserving’ poor. Everyone should have access to income, housing, food and more!

Know your rights

.....

Nobody should be ashamed to be on a benefit. It is your right. It is crucial that we stand in solidarity with each other against the political and economic system that provides profit for the rich at the expense of the poor.

Work & Income's toxic culture

Case managers at Work & Income will try to intimidate and humiliate you to make sure you don't get your full entitlements. MSD case managers often don't have any understanding of the Social Security Act, so their attitude towards you is usually based on the opinion that you do not deserve the assistance you are entitled to. This is what AAAP calls the toxic culture of Work & Income.

When at a Work & Income office

Bring a friend, whānau member or advocate with you

Work and Income managers try to intimidate and humiliate you so that you will not get what you're entitled to.

Always bring someone with you. **Bring ID such as driver license or birth certificate. Photo ID is best.**

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Never withdraw a Review of Decision request. Work & Income can't discriminate against you based on how many you lodge.

'No' is the wrong answer: lodge a Review of Decision

A Review of Decision (ROD) is an effective tool you have when dealing with Work & Income. It should be your first port of call when a case manager denies you assistance.

Whenever you're unhappy with any decision, even if you don't know whether it was correct or not, ask for a ROD form and lodge it with the case manager. Get the ROD date stamped and ask for a photocopy for your record.

Work & Income cannot reduce or cancel your benefit if you submit a Review of Decision.

Debt to Work & Income

If you have debt to pay back to Work & Income, ask your case manager how much your weekly offsets are. You can ask your case manager to reduce these repayments. Repayments should be less than \$10 per week and can be reduced to 50c per payment. While it will take longer to pay off, the money taken out of your account each week can be reduced to an amount that is more manageable for you.

Food grants

You're entitled to a food grant whenever you need food and can't pay for it.

If you are on a benefit you can request a food grant from the Work & Income call centre (0800 559 009).

Anybody, whether they receive a benefit or not, can go into **any** Work & Income office and apply for a food grant at **any** time.

You have a food grant allowance which renews every six months, but you can apply to the service centre manager to go over this amount.

If you're under your allowance, you only need to show that your need is "immediate" and has been caused by an essential expense. The essential expense **does not** have to be unforeseen, or caused by an emergency.

If you're over your allowance, you need to show your need is "immediate and essential" as well as being caused by "exceptional circumstances".

How to apply for a food grant

Tell the receptionist "I am here to apply for an emergency food grant."

If they tell you that you can't, say "I would like a Review of Decision form." Fill this out and give it straight back to them.

When you get to the case manager, tell them "I am applying for a \$___ food grant". Be careful to say exactly the amount you want to apply for. The amount we recommend is the amount you'd actually need.

What they say	What it means	What to do
I can only give you \$[less than you asked for].	I don't want to give you what you need.	Ask for a Review of Decision form, accept what's offered, and lodge the ROD with the Case Manager (ensuring you get a date-stamped photocopy).
I can't give you a food grant, so I'll give you a letter to take to a food bank.	I don't want to give you a food grant.	
You've used up all of your allowance.	You've run out of food grant allowance, but you're able to go over your allowance, and there's no limit to how much you can receive.	Tell the case manager you have "exceptional circumstances" which are out of the ordinary.

Food Grant discretion

According to the Minister's Special Needs Grant Programme, every 6 months a person can receive: \$200 for a single person with no dependent children; \$300 for a couple with no dependent children; \$450 for a couple or a sole parent with one or two dependent children; \$550 for a couple or a sole parent with three or more dependent children.

We think Work & Income uses the Otago Food Study Survey against people to try to give people less than what they are entitled to. We advise people to request a food grant based on what they normally spend on food each week.

Reference the following clauses of the Social Security Act 2018 if you come across the following:

Clause 11.2 of the Special Needs Grants Programme

- 11.2.1 Eligibility for Food Grant includes if you or your whānau have an “immediate need” to purchase food; and have “no resources to meet the need”, and would otherwise “have to rely upon a food bank to meet the need” + the need was “caused by an essential expense that had to be met” and “left insufficient money to buy food”.
- 11.2.2 Work & Income can issue any number of food grants in a 26 week period up to the defined limits above. Work & Income also have discretion to go over those amounts in any 26 week period if there are “exceptional circumstances”.

Advance Payment of Benefit (Advance)

If you have essential costs that you can't afford with your weekly income, you can apply for an advance on your benefit. An advance is a payment from Work & Income for essential items. Advances usually require a booked appointment, except in the case of an emergency, such as the threat of a landlord evicting you over rent arrears.

The advance payment can be for almost anything you need, but it does have to be paid back to Work & Income in weekly instalments. AAAP typically sees advance applications for things like rent arrears, washing machines, beds, lounge suites, TVs, computers, school stationery and uniforms, and mobile phones.

Everybody receiving a benefit has an advance entitlement of 6 times their net weekly benefit. The weekly repayment rate is typically calculated so that the debt is paid off over 2 years. Case managers do, however, have discretion to advance you more than 6 times your weekly benefit, and to extend your repayment beyond the typical 2-year period. You should ask for your total repayments to be less than \$10/week.

For an advance for rent arrears, you need to provide a letter from your landlord stating the amount you are in arrears.

For furniture, mobile phones, TVs, etc., you will need to provide a quote. We recommend getting two

quotes, one for the item you want and another more expensive quote.

For washing machines and fridges, you do not need to provide a quote. Work & Income has a direct arrangement with Fisher & Paykel for these.

Advances discretion

Under Clause 6.2 of the Ministerial Directive on Advance Payment of Benefits, you must have “exceptional circumstances” to get access to advances exceeding six times the net rate of your benefit. Discretion may be exercised to go over the limit if your circumstances are unusual or different from the norm. In this case Work & Income can “make an Advance in excess of any limit set out” and “recover an Advance at a lower rate than set out”.

In exercising discretion, Work & Income staff must consider whether rejecting the advance application would worsen the position of the beneficiary, increase risk to the beneficiary or their whānau, or cause serious hardship. The greater the impact on you or your family for not receiving the advance, the more likely you meet the exceptional circumstances criteria.

For current
benefit rates go
to:
[www.workandincome.govt.nz/
products/benefit-
rates/](http://www.workandincome.govt.nz/products/benefit-rates/)

Main Benefits

No main benefits are enough to live on, so make sure you are getting your full entitlements in supplementary assistance.

Job Seeker Support (JSS)

<https://www.workandincome.govt.nz/products/a-z-benefits/jobseeker-support.html>

Work & Income has a focus on getting people into work, no matter how insecure and low-paid that work is. To be entitled to this benefit, you must be unemployed or in employment for less than an average of 30 hours a week, and you must be looking for work. Your benefit will reduce depending on how much you earn and what type of benefit you are on. You must fulfil work obligations, including applying for jobs and attending workshops, or you will face sanctions.

If you have a temporary medical condition, you can apply to have Job Seekers with a medical deferral, which means you are exempt from some of your obligations. For the first two months you must supply a medical certificate every month, then every three months after that.

Supported Living Payment (SLP)

<https://www.workandincome.govt.nz/products/a-z-benefits/supported-living-payment.html>

You are entitled to this benefit if you have a medical condition expected to last more than two years or you are terminally ill and can't work for 15 hours per week. You can also get the SLP as a caregiver to someone who would otherwise need to be in hospital or residential care. You can't get this if the person is your spouse or partner.

Work & Income makes it really difficult to get this payment. You need to get doctors and/or specialist

certificates which confirm you are eligible. Work & Income may force you to see its designated doctor. (We think your doctor is competent and Work & Income should not make you go see other ones!)

Sole Parent Support (SPS)

<https://www.workandincome.govt.nz/products/a-z-benefits/sole-parent-support.html>

We believe being a parent is full-time work and should be valued through a liveable income. Our government does not share this view, and instead often punishes sole parents. To get SPS you must have 1 or more dependent children under 14. Work & Income forces you into work obligations when your youngest child becomes 3 years old. If another child is born while on SPS, obligations to find work start when that child is 12 months old.

Emergency Benefit (EB)

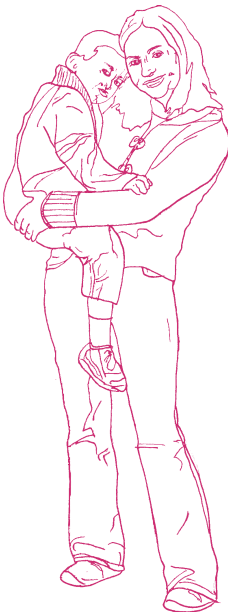
<https://www.workandincome.govt.nz/products/a-z-benefits/emergency-benefit.html>

This is for a person who is unable to earn a living to support themselves or their family, and who does not qualify for any other benefit. This could be because of not having residency, or not having income between jobs.

Unsupported Child Benefit (UCB)

<https://www.workandincome.govt.nz/products/a-z-benefits/unsupported-childs-benefit.html>

Work & Income often won't let you know that you are eligible for the UCB. You can access this benefit if **you are caring for one or more children** because



there has been a breakdown in the parent's ability to care for the child. You are not eligible for the UCB if you have legally adopted the child or are a step-parent. The UCB is not income tested – if you're working you can still get the UCB. **It may be useful to get a letter from a doctor, kohanga reo or school to verify that you are caring for this child (children) full time.**

Supplementary Assistance

Accommodation Supplement (AS)

<https://www.workandincome.govt.nz/products/a-z-benefits/accommodation-supplement.html>

In place of an adequate supply of state housing, the government pays an accommodation supplement to those in private rentals as well as those paying mortgages. While this is an acknowledgement of the high costs of private market rent, it is also a transfer of wealth from the government to landlords, who can keep putting rental costs up.

AS is a subsidy available to both beneficiaries and non-beneficiaries that assists in paying for accommodation costs like rent or mortgage. You may get AS if you: have accommodation costs, are aged 16 years or more, are a New Zealand citizen or permanent resident, and are not paying income-related rent for a social housing property.¹ AS is income and asset tested.

¹ Social housing properties are provided by Housing New Zealand and by approved community housing providers.

The AS formula is complex, and the amount you get is impacted by your actual accommodation costs, your family size, your family type and which area you live in, as well as your income (if you do not receive a benefit) and your cash assets. Your maximum accommodation supplement entitlement is determined by the area you live in; all of urban Auckland is in Area 1. However, not everybody living in a 3-person household in Auckland will receive \$305. The lower your rental or mortgage costs are, the lower your AS support will be.

To find out how much you are eligible for, use this calculator: <https://check.msd.govt.nz/>

Number of people in family	Area 1	Area 2	Area 3	Area 4
1	\$165	\$105	\$80	\$70
2	\$235	\$155	\$105	\$80
3+	\$305	\$220	\$160	\$120

Temporary Additional Support (TAS)

<https://www.workandincome.govt.nz/products/a-z-benefits/temporary-additional-support.html>

TAS payments are really difficult and confusing, but are essentially a top-up that you have to apply for every 3 months if you are eligible. You must show you have an income “deficiency” where your “standard costs” exceed your disposable income (e.g. your rent is high and you are left without money for food).

The amount of TAS received is the difference between your total essential costs (rent, power, phone, petrol, food etc.) and the amount of money you have left over after these essential costs,

capped at an upper limit of 30% of income after tax. There are certain exceptions to this upper limit for people with disabilities.

Disability Allowance (D/A)

<https://www.workandincome.govt.nz/products/a-z-benefits/disability-allowance.html>

If you have a disability, illness, or injury, which is likely to continue for six months or more, you are eligible for D/A. You must give evidence of costs associated with your disability such as travel, doctor and specialist appointments, prescriptions, heating etc. The maximum you can get is \$62.37, and it can be payable in respect to each family member.

You don't have to be receiving a benefit to receive a DA.

Child Disability Allowance

<https://www.workandincome.govt.nz/products/a-z-benefits/child-disability-allowance.html>

Many parents and caregivers have missed out on this payment because Work & Income failed to communicate that they were eligible. This is paid to the caregiver of a child who has a serious mental or physical disability and who will need care for more than 12 months. The child must need lots of care and attention, more than what other children need. The rate is \$47.00 per week and is not asset or income tested.

Working for Families

<https://www.ird.govt.nz/wff-tax-credits/understanding/all-about/>

If you have dependent children, and you are on a benefit or another low income, you are probably eligible for a Family Tax Credit. These credits are administered by Inland Revenue rather than Work and Income. If you have dependent children, are not on a benefit and are working a certain number of hours, you may also be eligible for an In-Work Tax Credit, or the Minimum Family Tax Credit.

If you have a child born after July 2018, you should be eligible for the Best Start payment, for the first three years of the child's life.

More grants you don't have to pay back (aside from food)

Emergency Dental and Medical (for beneficiaries or non-beneficiaries)

- Emergency Dental Treatment is a grant you can get each year of \$300 towards emergency dental treatment.
- Emergency Medical Treatment is a grant you can get of \$300 towards emergency medical treatment. You can receive any number of grants for emergency medical a year.
- Also available for people who are not on a benefit but have no way of meeting these costs.

Emergency Housing Special Needs Grant

Nobody should ever have to be in a position in which they need emergency housing. There should be enough state housing to provide for every person who needs a home. While we ultimately believe that the government needs to build mass amounts of state housing, it is essential to address the immediate needs of those who need a roof over their head.

Emergency housing can include community housing providers (CHPs), motels, and hostels. You can get a non-recoverable grant to stay in this accommodation until long-term accommodation is available. You **do not** have to pay this back. Usually the accommodation is for 7 days. If you need to extend your stay after 7 days, Work & Income will make you provide proof that you have been searching for private rentals.

AAAP fought for people's rights to non-recoverable motel and other emergency accommodation so that beneficiaries and their whānau do not get in debt. MSD has fought back by making people pay back 25% of their income if they are seen to have created their own homelessness, engaged in anti-social behaviour, or not searched enough for alternative accommodation. This is wrong and you can fight this. If you are in this situation, you can contact AAAP about it: we may be able to help.

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AAAP will help you to try to get the money taken from you for not naming your co-parent back from Work and Income.

Sanctions and how to get rid of them!

Sanctions are about the punishment and intimidation of people on benefits. AAAP believes all sanctions are wrong.

Section 194 Sanction (formerly called S 70A)

Section 192 of the Social Security Act is a sanction on sole parents for not naming the other parent on their child's birth certificate. It is a sanction of \$22 per week per child for 13 weeks, and then increases to \$28.

You are supposed to be exempt from this sanction if:

- you do not know who the other parent is;
- you have taken active steps to identify them;
- you are at risk of violence;
- the child was conceived as a result of rape or incest;
- there is a "compelling circumstance" for not being able to name them.

To get rid of the S 194 sanction you need to:

1. Get a letter from a lawyer/complete a statutory declaration that shows you meet the criteria of one of the exemptions. A list of free Community Law Centres is included in the "Resources & Contacts" section at the end of this booklet.

2. Bring this lawyer's letter or statutory declaration to a Work & Income appointment to uplift the sanction
3. Work & Income will tell you that you are only entitled to arrears (backpay) from the day that the lawyer's letter was given to them. This is almost always wrong. Fill in an ROD and contact an advocate to discuss this further.

AAAP will help you to try and get the money taken from you under this section back from Work and Income. As of 1 April, 2020 this sanction will no longer exist. However, Work & Income are still making people go through the same process to get back pay.

“Obligations” Sanctions

Sanctions can be given to anyone on a main benefit (except NZ Superannuation) for not meeting “obligations”. Obligations sanctions are usually about forcing people into work, even if the work will keep them in poverty and hardship. Usually the sanction is initially the removal of 50% of your benefit for a certain period of time, but this can go up to 100%.

You can have these sanctions removed because Work & Income is required to follow a process which involves 7 specific steps and W & I never comply with these requirements. To get the sanction lifted, fill out a Review of Decision form. Quote section **252** of the Social Security Act and say that the sanction does not comply with this section of the Act. **Section 252** requires Work & Income to send you a letter saying 7 different points.

.....
The punishment
of people for not
declaring they are
in a relationship
needs to end. The
laws around what
a relationship is
are old school
and rooted in
patriarchal ideas
of property
ownership (having
financial control
over another
person).

Relationship in the nature of marriage

Work & Income can punish and imprison people for fraud if they do not declare that they are in a relationship in the nature of marriage while on a benefit. “A relationship in the nature of marriage” or “a relationship in the nature of a civil union” is a relationship in which there is at the very least financial interdependence and emotional commitment for the future like a married couple.

If you are being investigated for relationship fraud, contact an advocacy organisation or a Community Law Centre.

The fact that a sole parent is dating someone or their ex partner visits with the children and perhaps stays over on the weekend does not constitute a marriage type relationship. The relationship must be ongoing and involve both financial and emotional support in respect of both people.

It is wrong for the government to want to spy on our private lives.

Check out the report by the Privacy Commissioner which shows MSD have been investigating people illegally: <https://www.privacy.org.nz/news-and-publications/statements-media-releases/msd-fraud-investigations-privacy-commissioner/>

Studylink

When on Studylink, you can get many of the same entitlements as those on a main benefit, although Studylink never tells you this. That includes food grants, recoverable assistance payments for furniture, bond etc., emergency dental and more.

You may also be entitled to Accommodation Supplement (if in part-time study), Temporary Additional Support, Special Needs Grants, Child Disability Allowance etc.

It is possible to stay on Sole Parent Support and study full-time. It is also possible to study part-time and stay on Jobseekers Support, and be available for fulltime work.

Student Allowance

Student Allowance used to be universal – accessible to everyone. Now, thousands of students are living in severe hardship because the allowance is so little and hard to access. To get Student Allowance usually you must be in full-time study. You can be a part-time student and still receive this payment if it is recommended by the education provider because of disability.

This is based on what your parents earn and on your household income (including your partner's, if you have one). Your household income cannot exceed \$428.60 gross per week. When you turn 24 your student allowance is no longer based on parental income.

You can earn up to \$214.30 gross per week. After this your allowance will be reduced by \$1.00 for each additional \$1.00 earned.

Accommodation Benefit

You don't have to pay this back. It gets paid with your student allowance if you're eligible.

Single person = \$40.00/wk

Sole Parent with Child = \$60.00/wk

Sole Parents may receive accommodation benefit at the same rate as accommodation supplement.

Student Loan

This is a payment that you can receive if you are in full time study, on the condition that you start to pay it back once you are employed and earning over a certain income. There are two forms of Student Loan offered by Studylink: the Student Loan (for course-related costs) and the Student Loan for living costs.

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For an online
version of this
manual and a
more extensive
guide to Work and
Income, visit
[www.aaap.org.nz/
resources](http://www.aaap.org.nz/resources)

Resources & Contacts

Auckland Action Against Poverty

120 Church Street, Onehunga
phone: (09) 634 0591
email: contact@aaap.org.nz

Services

Shakti

Provides immediate help and support to women, children and youth of Asian, African and Middle Eastern origin who have experienced sexual abuse, domestic violence and discrimination.

phone: 0800 SHAKTI / 0800 742 584 (24/7 crisis line)
email: scc@shakti.org.nz

Women's Refuge

Working with women and children who are experiencing domestic violence.

phone: (04) 802 5078
fax: (04) 802 5079
email: info@refuge.org.nz

Lifewise

Provides assistance for homeless, elder care, foster children and the Housing First initiative.

phone: (09) 302 5390
email: lifewise@lifewise.org.nz
website: www.lifewise.org.nz

Tenants Protection Association

For more advice regarding tenancies (Housing New Zealand, social housing or private rentals).

website: <http://www.tpa.org.nz/>

Auckland:

phone: (09) 360 1473

email: tpaauckland@xtra.co.nz

Christchurch:

phone: (03) 379 2297

Migrante Aotearoa New Zealand

Migrante Aotearoa is an organisation of Filipino migrants and their families in New Zealand.

Ground Floor, FIRST Union Building
120 Church St, Onehunga, Auckland 1643
email: migranteaotearoanz@gmail.com

Turuki Health Care

landline: (09) 275 5788

mobile: 027 549 9911

email: krichardson@thc.org.nz

Community law centres

Auckland CBD

The Tasman Building, 16-22 Anzac Avenue
phone: (09) 377 9449
email: info@aclc.org.nz

Māngere

Unit 9, Shop 27 Bader Drive, Māngere, Auckland
phone: (09) 275 4310
email: reception@mangerelaw.org.nz

South Auckland

120 Bairds Rd, Ōtara, Auckland
phone: (09) 274 4966
email: robyn.martin@clsstlaw.com

Waitematā

1A Trading Place, Henderson, Waitakere City
phone: (09) 835 2130
email: info@waitakerelaw.org.nz

Auckland Disability Law

Māngere Community Law Centre
A Unit 9, Shop 27, Bader Drive Auckland
(wheelchair friendly)

landline: (09) 257 5140
mobile: 027 457 5140 (texts only)
email: sue.plowman@adl.org.nz or info@adl.org.nz

Unions

New Zealand Council of Trade Unions (NZCTU)

website: <http://www.union.org.nz/contact/>
phone: (+64) 04 385 1334

Sam Huggard (Secretary)
landline: 04 802 3816
mobile: 021 462 148

First Union

Representing the following industries:

Retail, Transport and Logistics, Finance, Wood, Textile, Clothing, laundry.

phone: 09 622 8432 (Auckland)
phone: 0800 863 477 (outside Auckland)
email: support.centre@firstunion.org.nz

Unite Union

Representing the following industries:

Fast food restaurants, (Restaurant Brands, McDonands, Burger King, KFC, Wendys), Hotels, Call Centres, Casino, Cinemas, Security.

phone: 0800 2 UNITE / 0800 286 483
phone: 09 845 2132
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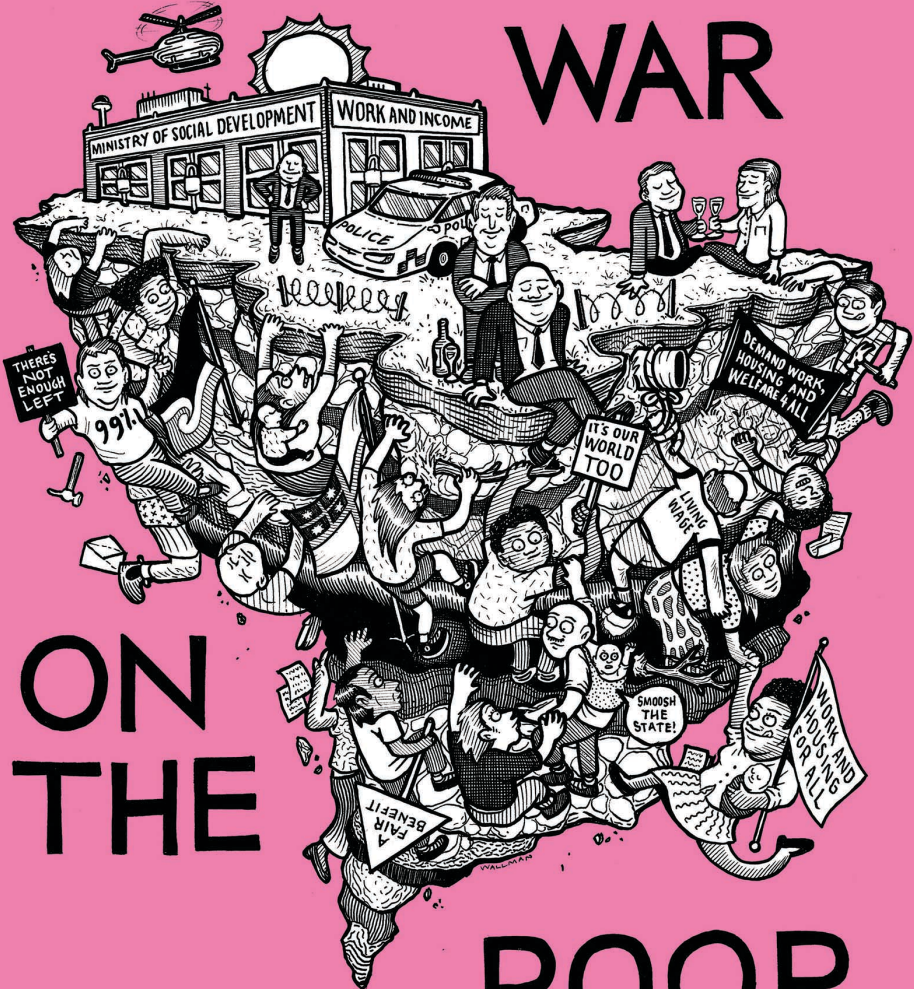
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