



FPA roadmap

Is the union 'eligible' to initiate?

Meet the threshold test 1000 or 10% OR meet the public interest test

Application to initiate sent to MBIE CE

MBIE CE Public Notification 5 days after approving application

Pre-Initiation

Initiation

Union bargaining party may access without consent

Union informs employers & other relevant union 15 days after notification

Employers inform employees & give details to union 30 days after notification

Both bargaining sides formed 3 months after notification

This roadmap is intended to provide a simplified version of the FPA process for unions to follow.

Please read the full process guide to understand all components of each step.

The legislation hasn't been passed yet, so some things might change.

6 September 2022

Employees covered can have a 2-hour paid FPA meeting

claims to be formed

Form inter-party side agreement

Appoint lead advocate

happens within 20 days after MBIE confirms bargaining parties

Bargaining

Pre-Bargaining

What if bargaining sides aren't formed

BACK STOP
ERA will decide

Both parties agree on terms

Can't agree? Off to Mediation

Mediation run by MBIE

ERA approves the terms

Can agree? Great!

Still can't agree?

ERA decides the terms

at mediation if a certain term can't be decided after a few rounds of mediation then the ERA may determine that particular term - but not necessarily all terms

Finalisation

MBIE publicly notifies FPA has passed

MBIE enacts FPA notice, making it LAW!

MBIE verifies FPA

Ratification

Verification

Tell all the workers covered about ratification process 5 days after ERA approval

Present FPA T&Cs at employee ratification meeting within 10 days before employee ratification vote

Employee ratification voting within 40 days after ERA approval (but do it ASAP!)

Submit evidence to MBIE CE ASAP after the vote

Can agree? Great!

Still can't agree?

NOTE: if after the second round of ratification meetings its still not agreed then it goes to ERA determination

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