
Is New Zealand employment relations a rescue plank for the sinking of the collective bargaining model in Denmark?

Recent concerns in Denmark that labour protection based upon collective bargaining is weakening and some groups of Danish employees have very limited employment protection when they are outside collective bargaining coverage. This is based on that most employment protection comes in the form of collectively agreed minima while there are very few legislative statutory minima and individual employment rights. In respect of individual employment rights, could it be possible that the Danes could learn something from NZ employment relations? The New Zealand experience with statutory individual employment rights in general and in particular the notion of personal grievance rights for individual employees could be of interest in light of Danish employees having very relatively few individual employment protection rights.

In this paper, we will start by specifying the limited protection of Danish employees. Then we overview individual employment rights in New Zealand before we focus in more detail on the importance of personal grievance rights. With the overview of the development, trends and issues associated with personal grievance rights in New Zealand, we are trying to give the reader enough knowledge to understand the definitional and legislative reach of the concept, the workforce coverage of personal grievances and why personal grievances play a crucial role in contemporary New Zealand employment relations. On that background, we will discuss the advantages and disadvantages of implementing a personal grievance right in the Danish labour market. In particular, we will contemplate whether this will have, over time, a detrimental effect on the ability to continue the high level of union density and thereby undermine the 'Danish Model' and its associated positive outcomes.