



Understanding the Screen Industry Workers Act 2022

→ A guide for Engagers

What is the Screen Industry Workers Act?

The Screen Industry Workers Act 2022 gives contractors who work in the screen industry certain rights and protections, and provides a framework to enable screen industry worker organisations and engagers to bargain collectively.

Who is covered by this Act?

This Act only applies to screen production workers who are paid contractors, and to the engagers who hire them. Both need to meet certain requirements.

For engagers, this Act applies to you if in the last three financial years at least half of your average annual gross income was from work relating to the creation of screen productions, or you were set up in the last three years primarily for the purpose of creating or contributing to screen productions.

Paid contractors working on screen productions are covered by the Act if:

1. The type of production contractors work on is a computer-generated game, film, or programme, and
2. The type of work primarily contributes to the creation of this production, and
3. They work for you and your primarily engages in work relating to the creation of screen productions.

There are some exceptions. Some types of productions (for example, game shows and live music programmes) and some types of work (for example, volunteer work) are not covered.

You can learn more about what type of production and work is covered at employment.govt.nz/screen-industry-work-covered.

New rights and protections for contractors

All individual contracts between contractors and engagers must be in writing and include mandatory terms. When making or changing individual contracts, engagers must also follow a specific process.

Both parties must act in good faith. They cannot do anything to mislead or deceive each other, or anything that is likely to do so. Freedom of association is also guaranteed under the Act. This means workers have the freedom to choose whether to join a worker organisation (such as a union or guild) and engagers have the freedom to choose whether to join an engager organisation.

For more details about contracts, good faith, and freedom of association you can visit employment.govt.nz/screen-industry-protections

Collective bargaining

Screen industry organisations and engagers can now bargain collectively to set minimum terms for work done in the screen industry. Collective bargaining can produce:

- › Occupational contracts: This covers work done by certain occupations in the screen industry, or
- › Enterprise contracts: This covers work done within a certain company or production.

Learn more about collective bargaining at employment.govt.nz/screen-industry-collective-bargaining

Resolving disputes

If you have a dispute about individual contracts, bargaining, or the workplace, Employment NZ dispute resolution services are available for contractors, engagers and unions.

Mediation: A free and confidential service where an independent person gives impartial guidance to parties in a dispute to help them reach agreement.

Determinations: Legally binding decisions on disputes made by the Employment Relations Authority.

You can find more information on these services at employment.govt.nz/screen-industry-disputes

