

# SUPPORT STAFF REPORT 2020/21



AOTEAROA LEGAL WORKERS' UNION

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# INTRODUCTION & SUMMARY

Administration and support staff are crucial for the legal sector to function. These staff include secretaries, researchers, word processing specialists, accounts administrators, marketing experts, IT support, receptionists, and office managers. Their mahi contributes to a high-performing workplace with supported and connected staff.

ALWU has undertaken this survey of administration and support staff to begin more effective advocacy for a group that is often overlooked. ALWU aims to increase the transparency of legal workplaces to ensure administrative and support staff have access to information about pay, benefits, and working conditions. Information like this empowers people to best decide where to work, and to advocate for fair treatment in their workplaces once they are employed.

The Administrative and Support Staff Report 2020/21 (**Report**) is based on our survey of 108 administration and support staff, sent in 2020 to each of ALWU's members who are in administration and support roles within legal workplaces (**Survey**).

This was ALWU's first survey for administrative and support staff in the legal sector. It was open to anyone who is in an administrative or support staff role working in the legal sector (even if they are not a member of ALWU). ALWU is committed to better advocating for administrative and support staff, and this begins by reporting on the issues raised in our Survey.

In short, the key findings of the Survey are as follows:

## ***The reality -***

- Approximately one third of respondents felt that they were not fairly compensated for the work they do.
- 83% of respondents worked overtime - some regular or occasional. Of those respondents, over half were not compensated for that overtime in any form.
- 1 in 4 respondents reported that they had experienced bullying in their current workplace. 6% had experienced racism. 1% had experienced sexual harassment, and 12% sexism.

## ***Covid-19 -***

- 1 in 5 respondents had been asked to take a pay cut as a result of Covid-19.
- The majority of respondents felt well supported by their employer during the Covid-19 pandemic. 6% of respondents felt not very well supported, and 4% not at all supported.

## ***The opportunities -***

- More than half of the respondents reported that their employer does not offer opportunities for promotion and career development for their role.
- 3 in 10 respondents considered that there are not enough career pathways for them in the legal industry.
- 7 in 10 respondents considered that the New Zealand Law Society | Te Kāhui Ture o Aotearoa (**NZLS**) should provide training and support for administrative and support staff.
- Overall, the respondents felt satisfied with their job, felt important to their team and that they make a difference, enjoyed their work and felt like their employer places importance on their personal well-being.

The key priorities that respondents wanted ALWU to focus on for administrative and support staff are as follows (with descending level of priority):

- Campaign on flexible working;
- Campaign on hours and overtime;
- Campaign on higher pay;
- Individual support for staff with employment issues;
- Campaign on career development and progression options; and
- Collective bargaining.

These findings are expanded on in this Report.

I roto i te kotahitanga

Bridget Sinclair and Indiana Shewen | ALWU Co-Presidents

# METHODOLOGY

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The Survey was designed with the aim of gathering both quantitative and qualitative data, comprising open-ended questions, multiple choice questions with predefined answers (with optional space to elaborate on the answers), and questions giving respondents the ability to grade statements on a 5-point Likert-type scale.

ALWU hosted the Survey on Google Forms. ALWU emailed a link to the Survey to members who work in administrative and support staff roles and promoted the Survey across our social media channels. Participants were encouraged to forward it to interested colleagues or friends. Reminders were sent to those who were emailed the Survey. We received 108 responses.

The Survey was designed with the aim of gathering both quantitative and qualitative data, comprising open-ended questions, multiple choice questions with predefined answers (with optional space to elaborate on the answers), and questions giving respondents the ability to grade statements on a 5-point Likert-type scale.

There were 47 questions, with topics covering salary and bonuses, working hours, overtime, job satisfaction, discrimination, career progression and the impact of Covid-19. Not all questions were compulsory. The Survey was anonymous. The data was analysed by a sub-committee of the ALWU Executive. No conclusions are drawn where ALWU did not receive a sufficient number of responses.

The classifications of legal employers are based on either the number of partners listed on their websites or on the type of employer:

- Large firms are private law firms with 26 or more partners.
- Medium size firms are private law firms with between six and 25 partners (inclusive).
- Small firms are private law firms with five or fewer partners.
- In-house refers to private and state-owned enterprise in-house employers.
- The public sector includes all public sector employers.

## DISCLAIMER

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The information in this Report is self-reported. ALWU did not attempt to contact members of any workplace beyond members who received the Survey via email.

ALWU does not assert that the factual information in this Report is completely accurate. ALWU is committed to the anonymity of the Survey respondents. This is of particular consideration due to the unfortunate reality that there is ongoing fear of repercussions against staff who are active ALWU members, despite statutory protection against such discrimination. The Survey did not ask for proof of the respondents' places of work and no steps were taken to verify their identities.

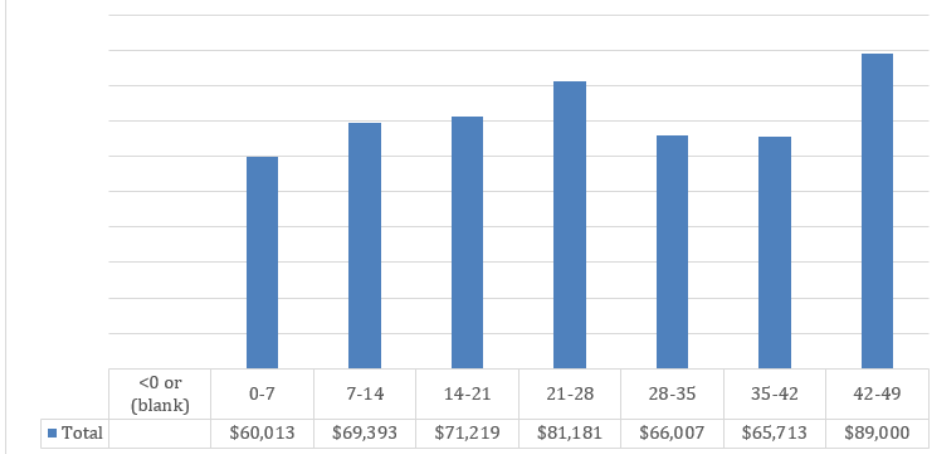
The Survey was not of a representative sample of legal workers, and this Report is not intended to draw conclusions that are applicable across all legal workplaces. Instead, this Report identifies a range of issues facing at least some administration and support workers in legal workplaces that, irrespective of how widespread they are, require our collective attention, discussion, and action.

# REMUNERATION AND BILLING

Salaries, bonuses, billing, and overtime

## Salaries

Average salaries of legal administrators/secretaries and years of work in the legal sector



The average annual income (before tax and excluding Kiwisaver) for respondents working as a legal administrator / secretary was \$62,080.

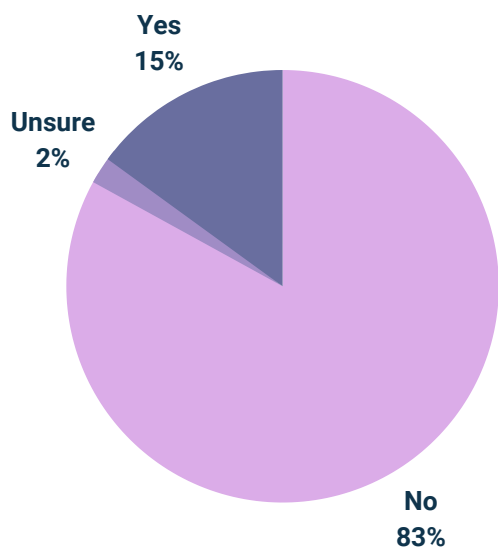
Two thirds of respondents felt they were fairly compensated for the work they do. 13% strongly agreed, 55% agreed, 29% disagreed, and 4% strongly disagreed.

Respondents asked if they feel they are fairly compensated for the work they do. 13% strongly agree. 55% agree. 29% disagree. 4% strongly disagree.



## Bonuses

Does your employer offer bonus schemes / rewards for you if you exceed targets / KPIs?



An overwhelming majority of respondents (83%) reported that their employer does not offer bonuses for exceeding targets or other key performance indicators. 15% of respondents reported that their employer offers bonuses or other rewards, and another 2% were unsure.

"Financially, support staff are undervalued. However, I believe that is the case for support staff all over - not just the legal profession. We do get raises, every now and again. They tend to be small. There have been years where there have been none. We seem to be paid more based on our job title - rather than our skills, institutional knowledge, or how long we have been there".

## Overtime

For those who were compensated for their overtime, only 30% felt the compensation was fair. The most common form of compensation was time in lieu (around 50%), followed by a payment based on an hourly rate for additional hours worked (40%). Some respondents reported receiving Prezzy cards.

One respondent said they work overtime "because [they] need to get work completed, often without manager[s] knowing" and perhaps this was because they are "given too much work to complete in [their] part time hours".

83% of respondents have worked overtime. The majority of those respondents were not compensated in any form.

## Billing

A minority of respondents (17%) filled out timesheets, with the remaining 83% of respondents reporting that they do not fill in timesheets. Those who did fill in timesheets were most commonly legal executives.

# JOB SATISFACTION

Overall, respondents felt satisfied with their job, felt important to their team and that they made a difference, enjoyed their work, and felt like their employer places importance on their personal well-being.

## Inclusion in decision-making

Are you included in decisions that directly affect your team?



Just over a quarter of respondents reported that they are included in decisions that directly affect their team, with 28% of respondents not being included, and 46% of respondents sometimes being included.



## Feedback

Do you get frequent feedback?



A quarter of respondents reported that they rarely or never received feedback. 23% frequently received feedback, and half of respondents sometimes received feedback.

A little over half of respondents considered that the feedback they received was adequate, 21% of respondents regarded the feedback as inadequate, and 19% were unsure.

**"My firm is for the lawyers only. Only the lawyers are involved in decision-making, get training and development, and receive feedback. I am not seen as an employee worth developing - I am just a resource."**

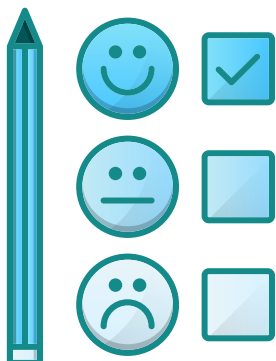
- Support Staff at a medium sized firm, Christchurch

## Feeling valued

Do you enjoy your work?



Do you feel important in your team and make a difference?



Most respondents either often, almost always or always felt important in their team and that they made a difference. **8% of respondents felt like they never or rarely felt important in their team or made a difference.**

Most respondents either often, almost always or always enjoyed their work, with 17% sometimes enjoying their work and a small minority (4%) rarely finding their work enjoyable.

# Employer care of wellbeing

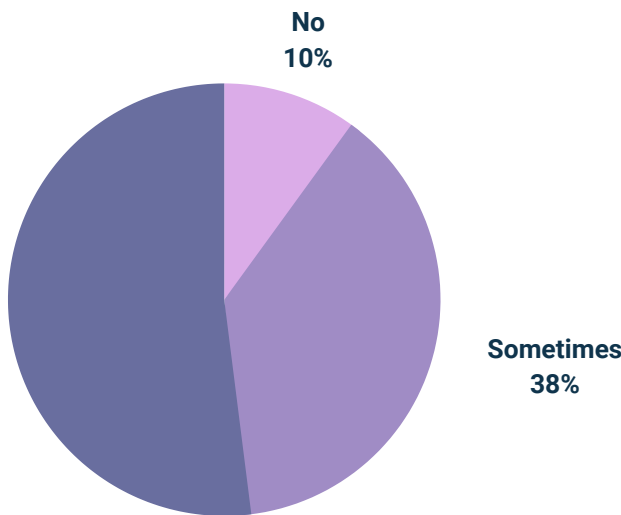
Is your personal wellbeing important to your employer?



Half of respondents felt like their personal wellbeing is important or very important to their employer. A fifth of respondents reported their personal wellbeing being moderately important, 15% fairly important, 6% slightly important and another 6% not at all important to their employer.

## Flexibility

Does your employer give you work flexibility?



Examples of flexibility given included being able to:

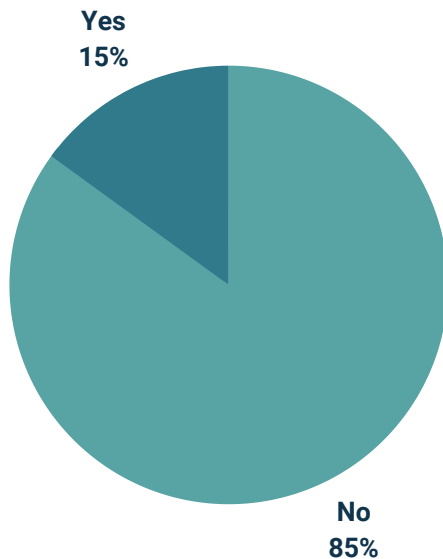
- Take appointments during the work day.
- Change hours if needed.
- Work from home.
- Take time off for exams / study.
- Adjust start and finish times to suit.

"On my worst day at work I am being yelled at. Either that or I am exceptionally busy to the point I have no time to do anything. I may work late and there is no appreciation. The lack of thanks is what gets you down."

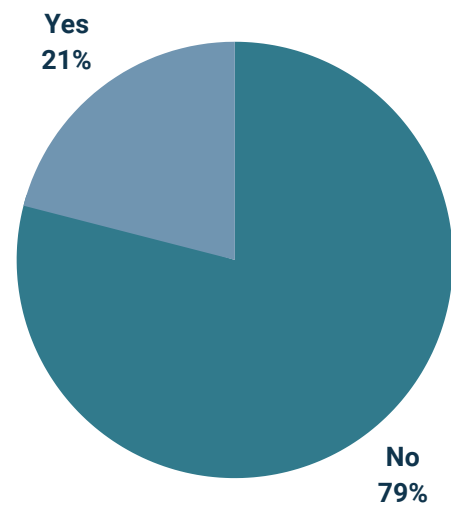
- Support Staff at a medium sized firm, Wellington

## Website

Are you on your employer's website?



If you are not on the website, would you like to be?



The vast majority of respondents are not on their employer's website. Of those respondents who are not on their employer's website, only a fifth would like to be on it.

# DISCRIMINATION

Most respondents identified as female. About a quarter were in their forties, with 30% aged between 25 - 39. 44% of respondents worked as legal administrators or secretaries. The majority of respondents work full-time (91%), with 9% working part-time. 4 in 10 respondents have dependents at home.



Industries that are female dominated should be aware of the risk of members of the profession being underpaid and underappreciated.

1 in 4 respondents reported that they had experienced bullying in their current workplace. 6% had experienced racism. 1% had experienced sexual harassment, and 12% sexism.

**Have you experienced any of the following in your current workplace?**



23% of respondents reported that they had experienced bullying in a previous legal workplace. Another 3% had experienced racism, 9% sexual harassment, and 8% sexism.

**Have you experienced any of the following in a previous workplace?**



# CAREER PROGRESSION

More than half of respondents reported that their employer does not offer opportunities for promotion and career development for their role. Only 31% of respondents reported such opportunities being available to them, and another 11% reported that such opportunities were limited to only a few people in their role.

54% of respondents reported that their job uses their skills and abilities well or very well. There is room for better use of respondents' skills and abilities, with 8% of respondents reporting that their job uses their skills very little or not at all.

**Does your employer offer opportunities for promotion and career development for your role?**

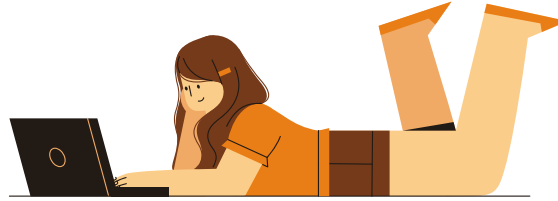


**How well does your job use your skills and abilities?**





## Impact of technology



Do you think the speed of developing technology is likely to be a threat to your job in 10 years?



Are there enough career pathways for you in the legal industry?



9% of respondents felt that opportunities for them to grow and develop more skills were rare, with 6% considering that there were no opportunities available. Most respondents felt that there were either sometimes, often or nearly always enough opportunities to grow and develop more skills.

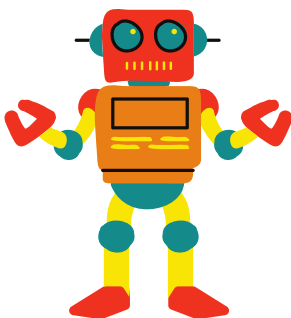
Do you have opportunities to grow and develop more skills?



Do you think the NZLS should provide training and support for administrative and support staff?



7 in 10 respondents considered that the NZLS should provide training and support for administrative and support staff. 7% of respondents did not consider that the NZLS should provide such training and support, and another 20% were unsure.



*"As a legal administrator in my early thirties, I worry about what technology means for my role long term. Even in the short time I have worked in the legal industry, I have seen technology make some aspects of my role either much faster or completely redundant altogether".*

*- Legal Administrator, Dunedin*

3 in 10 respondents felt that the speed of developing technology is likely to be a threat to their jobs in 10 years' time. Just under half did not see technology as posing such a threat, with another 9% not actively thinking about it, and another 10% having no idea of its likely impact on their jobs.

*"The worst day at work is when I needed to spend a few hours doing a mindless task like taking documents apart, but even then, my Manager tries to give me breaks or swap me to different tasks, so it's not too monotonous. The best days would be when I get a decent amount of work, so I am busy but still have time to work at my own pace".*

*- Legal services staff member, Auckland*

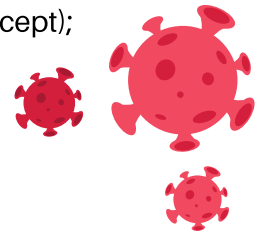
# COVID-19

Were you able to work from home during the lockdown?



1 in 5 respondents have been asked to take a pay cut as a result of Covid-19. Of those respondents who have been asked to take a pay cut:

- 5% were offered reduced hours with a corresponding pay cut (i.e. optional, with no pressure);
- 3% have been asked to reduce hours with a corresponding pay cut (i.e. expected to accept);
- 4% were asked to take a pay cut of under 20% with no reduction in hours;
- 8% were asked to take a pay cut of 20% with no reduction in hours; and
- 1% were asked to take a pay cut of more than 20% with no reduction in hours.



Did you feel supported by your employer during Covid-19?



The majority of respondents felt very well, well, quite well or fairly well supported by their employer during the Covid-19 pandemic. 6% of respondents felt not very well supported, and 4% not at all supported.

The majority of respondents (93%) were able to work from home during the Covid-19 lockdown that began in March 2020.

Were you asked to take a pay cut?



Were you asked to take annual leave?



13% of respondents were strongly encouraged to take annual leave over the Covid-19 lockdown period, with another 15% given the option to do so. A small minority of respondents (3%) were required to take annual leave following receipt of 14 days' notice of having to do so. For the majority of respondents (69%) no mention was made of taking annual leave during lockdown.



## ALWU and its members

ALWU surveyed support staff on how ALWU can best support its support staff members. The key priorities that respondents wanted ALWU to focus on for administrative and support staff are as follows (with descending level of priority). First, flexible working was the biggest priority. Second, campaign on hours and overtime. Then higher pay, individual support for staff with employment issues, campaign on career development and progression options, and then collective bargaining.

# CONCLUSION & RECOMMENDATIONS

Based off the information gathered in the Survey and reflected in this Report, ALWU makes the following conclusions and recommendations.

## Living Wage Movement

- Support staff will be affected the most out of all ALWU's members by the Living Wage Movement as support staff often face low salaries and limited opportunities for pay increases.
- Accreditation is about setting an example, and being a symbol which encourages other employers to pay their staff properly. It signals to current and potential future clients that the firm is taking genuine steps to looking after their workers, and the communities the workers live in. Also, importantly, it would provide support staff security and the ability to plan their lives - they know they'll get the Living Wage year after year.
- **ALWU recommends all legal employers become living wage certified.**

## Value and satisfaction

- Job satisfaction was reported as limited due to lack of career progression and training. Support staff do not appear to feel as involved in the business or workplace as their lawyer colleagues.
- Support staff should feel included in decisions that directly affect their team.
- Legal employers must do better to make sure staff regularly receive constructive feedback on their work.
- ALWU recommends that legal employers continue to improve workplace satisfaction through engaging in genuine consultation with staff.
- **ALWU recommends the New Zealand Law Society provide training for legal administrators and support staff and legal employers organise regular discussions and plans with their support staff to ensure career development is prioritised for all employees - not just lawyers.**

**I do not feel valued compared to lawyers. Support staff are routinely undervalued.**  
*- Support Staff at a medium sized firm, Wellington*

## Bonuses, overtime payment, and TOIL

- Bonuses, overtime payment, and TOIL must be available to all support staff, if and when available to lawyers.
- Firms should create and publish transparent frameworks for calculating bonuses, overtime payment, and TOIL and consult support staff on what performance should be considered deserving of a bonus.
- Overtime payments and TOIL should be non-discretionary and paid to employees automatically.
- **ALWU recommends legal employers examine their policies for support staff and where they do not exist, consult with staff to establish such policies.**

## Mental health

- The high levels of overtime worked by support staff along with the high rates of bullying are concerning and in need of address.
- ALWU recommends that zero tolerance policies to bullying and exploitation are put in place, in consultation with staff.
- ALWU recommends that supervisors who have been identified as engaging in bullying behaviours should be prohibited from having unsupervised management of support staff (along with junior legal staff) until they have received training and have improved their behaviours (to be confirmed only after consultation with affected staff).

## Technology

- Developing technology is seen by some support staff as a threat to their jobs.
- **ALWU recommends that legal employers evaluate the impact of developing technology on their work and staff and ensure staff are provided with opportunities to upskill themselves.**