



30 January 2025

Chris Milne

fyi-request-29565-de7279e9@requests.fyi.org.nz

Dear Chris

Request for Information – Local Government Official Information and Meetings Act (LGOIMA) 1987

We refer to your official information request dated 16 December 2024 for:

"...all official information relating to communications between the Council and Fulton Hogan regarding the payment of the Living Wage.

This includes communications between officers and between officers and elected members and between officers and Fulton Hogan. Please note that the communications between elected members include the contents of the Councillor/Mayor Facebook Messenger chat group."

Answer:

Please find attached email communications between Council officers and communications between Council officers and Fulton Hogan officers, regarding the payment of the Living Wage.

We are refusing the below parts of the request under section 17(e) of the LGOIMA on the basis that the relevant information does not exist or cannot be found, despite reasonable efforts to locate it.

- i. Communications between Council officers and Elected Members.
- ii. Any contents on the subject matter in the Councillor/Mayor Facebook Messenger chat group.

We have also redacted all contact details and names of certain individuals for privacy purposes as per section 7(2)(a) of the LGOIMA.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Please note that this response to your information request may be published on Hutt City Council's website. Please refer to the following link: www.huttcity.govt.nz/council/contactus/make-an-official-information-act-request/proactive-releases

Yours sincerely

Philip Rossiter

Senior Advisor, Official Information and Privacy

From: [Jo Miller](#)
To: daren.courtage@fultonhogan.com
Cc: [Jon Kingsbury](#); [Caryn Ellis](#)
Subject: Living Wage enquiry
Date: Wednesday, 8 November 2023 3:45:38 pm
Attachments: [ATT00001.png](#)
[Living Wage enquiry.msg](#)

Kia ora Daren,

Please find attached an email I've sent to Felicia Scherrer from the Living Wage movement responding to a query on payment of the Living Wage by Fulton Hogan.

As I've noted, Hutt City Council expects all contractors to pay the Living Wage to those people who are doing work on our behalf. I understand the collective bargaining position you are in, and I hope you can bear in mind the points I've made in my response on the Living Wage for future negotiations.

If you have any questions, or would like to meet, Daren, please do get in touch.

Ngā mihi nui

Jo Miller

[Tumu Whakarae](#)

[Chief Executive Officer](#)

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From: [STRUTHERS, Ben](#)
To: [Leanne Kerndt](#)
Subject: Living Wage confirmation
Date: Wednesday, 7 October 2020 2:06:32 pm
Attachments: [image001.png](#)

Hi Leanne ,

Confirming that all staff working on the Wainuiomata Hill rd surfacing contract are above the current living wage of \$22.10 per hour

The below rates are evidence of my direct staff wages per hour, which are also subject to penal rates or 1.5 times after 40 hours per week and further allowances for night work and meals



Regards

Withheld under section 7(2)(a) of the Local Government Official Information and Meetings Act 1987

Ben Struthers | Surfacing Divisional Manager | [Fulton Hogan Ltd](#) | Marine Parade, Petone | PO Box 38208, Wellington Mail Centre, Lower Hutt. 5045, New Zealand | Ext 4747 | Mobile Phone +64 27 666 30 35 | Web www.fultonhogan.com

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From: COURTNAGE, Daren <daren.courtage@fultonhogan.com>
Sent: Thursday, November 2, 2023 9:08 AM
To: Jon Kingsbury <Jon.Kingsbury@huttcity.govt.nz>; Colin Lunn <Colin.Lunn@huttcity.govt.nz>
Cc: FRASER, Dylan <Dylan.Fraser@fultonhogan.com>; PRAKASH, Bhan <Bhan.Prakash@fultonhogan.com>
Subject: [EXTERNAL] RE: Living wage

Hi Jon,

Thanks for the email.

Please see below our position on the living wage:

- Fulton Hogan have retained generous working conditions and staff benefits in an industry that has many variables. It is not unusual in the contracting industry to have flexible work times due to road restrictions or weather, all impacting on staff pay. Because of this Fulton Hogan consider the weekly amount paid a more relevant measure than a flat hourly rate.
- Therefore, Fulton Hogan's commitment to you is that anyone who works at least 40hours per week will earn at least the Living Wage per hour for the week they worked. This will be based on their average weekly earnings divided by the hours worked. If a worker's weekly pay does not earn on average above the living wage hourly rate threshold, then wages will be topped up to ensure they meet the Living Wage rate for that week.
- With this being a weekly measure, the 'top-up' will vary depending on your wage rate and the hours worked during the week, the 'top-up' payment (should it be required) will be paid a week in areas and be identified on your payslip.
- While the base vs base comparison might not match up, we will ensure that 'money in the bank' is equivalent at a minimum and our Futon Hogan REAL benefits will continue to fall on top of this.

With the living wage now at \$26, and having recently agreed our collective agreement we're in the process of adjusting pay rates. Should any of our staff fall below the measure above they will be back paid.

There are currently only 3 staff associated with the HCCcontracts that have an hourly rate below \$26 that will require the above assessment.

Hope this helps explain, please call to discuss further as required. Daren

From: Jon Kingsbury <Jon.Kingsbury@huttcity.govt.nz>
Sent: Wednesday, October 25, 2023 5:24 PM
To: COURTNAGE, Daren <daren.courtage@fultonhogan.com>
Subject: Living wage Kia ora Daren
I trust your week is going well.

HCC has been advised that by the Living Wage Employer Programme that they have received information that Fulton Hogan are paying average weekly earnings instead of the living wage for HCC contracts.

Are you able to confirm what Fulton Hogan are doing?

We need to report back given FH have a number of contracts with HCC.

Thank you.

Nga mihi
Jon Kingsbury
Head of Transport
Hutt City Council, 30 Laings Road, 5040, Lower Hutt 5040, New Zealand
M 027 292 8548, W www.huttcity.govt.nz

Jon Kingsbury
Head Of Transport

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