

# Flexible Work Periods

A joint KiwiRail Network  
and RMTU presentation

March 2011



**KiwiRail** 

*Backbone of the integrated transport networks*

**ONTRACK**   
A division of the New Zealand Railways Corporation Rere Totika

# Overview

- Need for flexible work periods
- Flexible work periods process
- Meaning of consultation
- Flexible worker payments
- New employees
- Definitions – new and changes
- Questions
- RMTU only session



# Need for Flexible Work Periods

- Intention - ability to provide 24/7 coverage, meeting both operational and customer requirements of the business
- Proposal - flexible work periods agreement will replace MECA KRN Schedule clause 9 Night Work – Infrastructure,



# Flexible Working Periods - Process

**Either ONTRACK or RMTU may propose flexible working periods**

**Proposal for flexible working periods discussed with those directly affected. Consultation required.**

**Once consultation is completed**

**Flexible working periods proposal approved by the GM Operations**

**If the General Manager Operations agrees**



# Flexible Working Periods - Process

**Individuals agree to become flexible workers**

**If you decide to become a flexible worker**

**Decision to become a flexible worker is permanent. A letter is provided outlining the conditions**

**If there are any future changes to the agreed working periods**

**Once flexible working periods are established and agreed, any further changes occur through consultation**

**From this stage only consultation is required**



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# Consultation

As per Clause 13 of MECA:

- KiwiRail will consult with all employees concerned
- All parties will genuinely attempt to reach agreement on the hours of work for flexible work periods
- Following consultation KiwiRail will give no less than 14 days notice of a change in hours
- Changes maybe implemented with less than 14 days if both parties agree
- All arrangements will be recorded in writing



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# Flexible Working Periods – Less than 8 Weeks in same year

- Not classified as Flexible Workers
- Not entitled to lump sum payments
- Can not accumulate night work weeks year on year to gain lump sum payment
- Not entitled to any flexible working leave
- Entitled to shift allowance for night shifts worked
  - o \$12.916 per night shift worked for 5 x 8 hrs
  - o \$16.145 per night shift worked for 4 x 10 hrs
- If a night shift is started on a Sunday night double time will continue through until the shift ends on Monday morning



# Flexible Working Periods – Payment for 8 to 15 Weeks

- Agreed to become a permanent Flexible Worker
- Receive one off lump sum payment of **\$5000 gross**
- Receive the shift allowance for **any** shift worked
  - o \$12.916 per shift for 5 x 8 hrs
  - o \$16.145 per shift for 4 x 10 hrs
- Receive 2.5 days flexible working leave
- Can accumulate night work weeks up to 16 weeks to qualify for further one off \$5000 lump sum payment
- If a night shift is started on Sunday night double time will continue through until the shift ends on Monday morning



# Flexible Working Periods – Payment for 16 Plus Weeks

- Agreed to become a permanent Flexible Worker
- Receive a one off lump sum payment of \$10,000 gross
- Receive the shift allowance for **any** shift worked
  - o \$12.916 per shift for 5 x 8 hrs
  - o \$16.145 per shift for 4 x 10 hrs
- Receive 5 days flexible work leave per annum
- Penal rates as per clause 24.2 will still apply
- If a night shift is started on a Sunday night double time is continued through until the shift ends on Monday morning



# Flexible Working Periods – New Employees

New employees from 1 May 2010 will be Flexible Workers

- Not entitled to any lump sum payment
- Entitled to flexible work period allowance for any shifts worked **only** if they are:
  - o employed into a work group who are flexible workers already
  - o approached as part of a work group to become flexible workers who agree to the change
- If they are not in a flexible work group they receive standard allowance for any night shifts worked



# Definitions - New

## Day Work Hours:

A standard work period worked between the hours of 0600 and 1800. Local agreements between employer and employee may be reached at every workplace on start and finish times within the span of these hours. Such changes do not constitute flexible work periods



## Flexible Working Periods:

A work period which falls wholly or partly outside the day work hours



## Flexible Worker:

From 1 May 2010, existing KRN Infrastructure employees who has agreed to be available to work flexible working periods and any employee employed after this date



# Definitions - Changes

## 2.4 Shift Worker:

**Either**, KRN core employee who works on a rotating roster, where at least 40% for the work periods on the roster including hours falling between 2000 and 0600, **or** other employee who works more than 40% of their hours between 2000 and 0600. This clause does not apply to KRN Infrastructure employees

## 2.6 Full Time Employee:

Employee who is available to work up to 80 ordinary hours a fortnight

## 2.10 Infrastructure Night Work **Deleted**

**12.11 (OIL)** If you are a shift worker you will be entitled to an additional week's leave; pro rated if you are on shift work for less than a year

**Deleted**



# Definition - Changes

## 3.1 New Employees:

**Was:** The terms and conditions of this collective agreement apply to any new employee who joins the Rail and Maritime Transport Union except those excluded in the preceding clause and the terms and conditions of this collective agreement apply to all those new employees for the first 30 days of their employment in addition to any other terms and conditions the employer and the new employee have mutually agreed upon provided that those terms and conditions are not inconsistent with the terms and conditions of this collective agreement.

**Now:** All new employees will be flexible workers and will be available to work flexible working periods in accordance with KRN Schedule clause 9 of the MECA



# QUESTIONS????



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# RMTU Only Session



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