



Charter of General Relationship Principles between RMTU & KiwiRail (NZRC)

September 2010

The Overarching Goal

The over-arching purpose of this charter is the establishment and maintenance of an effective, high quality professional relationship that recognises, respects and reflects the needs of the stakeholders and the roles of management, the employees and their union.

Guiding Principles

This charter specifically identifies the commitment of the management and the union to the creation and maintenance of a mutually beneficial workplace relationship, based on these guiding principles:

- KiwiRail recognises the RMTU's role and legitimacy as a union which represents the interests of its members who are employed by KiwiRail.
- KiwiRail respects the RMTU's rights to raise issues on behalf of its members, individually and collectively and to be heard in relation to those issues.
- RMTU recognises that there is also an employment relationship between KiwiRail and each of its employees.
- RMTU recognises that KiwiRail has a legal right to utilise its human resources in the best interests of the business provided that contractual rights – express or implied – and statutory rights are respected in so doing.
- Both parties recognise their obligations and responsibilities towards one another.

Shared Objectives and Behaviours

The parties agree that the above goal is to be achieved by way of the following shared objectives and behaviours:

- Commitment and mutual obligation of good faith;
- Genuine engagement;
- Useful, relevant and timely communication;
- Effective and genuine consultation;
- Being responsive, timely and efficient in all dealings
- Agreed process for dispute resolution; and
- Status of meetings to be agreed.

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Genuine Engagement

The parties acknowledge that the achievement of an effective working relationship must be sustained by genuine engagement, characterised by open communication.

The General Secretary of the RMTU and the Chief Executive of KiwiRail commit to regular dialogue and at a minimum will be open to meeting with each other where either or both identify a need.

The parties commit to a continuation of the five KiwiRail Industrial Councils. The Councils will meet at least four times a year (quarterly). Membership of councils will be as agreed by the parties and KiwiRail will pay all wages, reasonable costs of travel and accommodation for KiwiRail employees in accordance with CA provisions.

All RMTU rep positions will be elected from within the relevant Union membership using an election process conducted by the Union in accordance with its rules and standing orders. The election term shall be for a period of 2 years.

The parties further agree that nothing in this Charter shall lessen or derogate from the agreement already reached regarding Industrial Councils as recorded in the written settlement agreement dated 5 March 2008, which is still in force and full effect.

Useful, relevant and timely communication

The parties recognise that an effective working relationship is contingent on open communication. The parties agree that the lines of communication must be kept open and that communication is not limited to scheduled meetings between the parties.

Both parties agree to keep each other informed of internal progress made on specific issues.

Effective and Genuine Consultation

KiwiRail commits to consulting with the RMTU in a manner consistent with the Employment Relations Act 2000 and the KiwiRail and RMTU multi employer collective employment agreement and any successors to that statute and to that agreement.

Outside of this and any legal requirement to consult, KiwiRail will also keep the RMTU apprised of significant issues that may arise from time to time.

Consultation Defined

Consultation is an aid to better decision making. Both parties commit to engaging proactively and positively and to communicating efficiently and in a timely manner.



Agreed Dispute Resolution Process

The parties are committed to resolving disputes in a reasonable and timely manner.

Disputes will be addressed in the first instance at the lowest level possible. Where resolution is not possible at this level, the RMTU may refer the dispute to the appropriate Manager and then to the relevant GM. Where a dispute remains unresolved and where significant attempts have been made to resolve the dispute, or otherwise where appropriate, the General Secretary of the RMTU may raise that with the Chief Executive.

The parties may seek the assistance of the Department of Labour mediation service.

Status of meetings


Before attending meetings, the parties will to the extent practicable agree upon and record:

- The status of the meeting;
- Who will attend;
- The agenda;
- The extent of the authority held by the representatives of each party; and
- A process for verification/agreement of minutes to be taken during the meeting.

Review of Charter

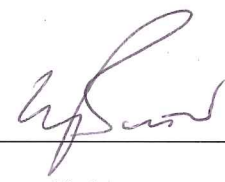
The parties shall review the Charter as required.

Signatories



Jim Quinn
Chief Executive
KiwiRail
(New Zealand Railways Corporation)

Date: 8/9/2010



Wayne Butson
General Secretary
Rail and Maritime Transport Union

Date: 8 Sept 2010