

Media advisory: 2 June 2015

Rail and Maritime Transport Union takes KiwiRail to court

After a Ministry of Business, Innovation and Employment (MBIE) investigation found that [Chinese engineers working on KiwiRail's imported locomotives](#) at the Hutt Workshops were probably not covered under New Zealand employment law, the Rail and Maritime Transport Union (RMTU) will now test that finding in the courts says RMTU General Secretary Wayne Butson.

The RMTU has filed proceedings in the Employment Relations Authority. We are seeking clarity on the status of the Chinese engineers who were contracted to work on KiwiRail's locomotives. We are also seeking clarification on whether KiwiRail has breached our collective employment agreement with them.

[Last year Trevor Mallard revealed allegations of exploitation](#) of Chinese engineers working under warranty on KiwiRail's imported locomotives. MBIE found that the allegations could not be substantiated, but the investigators did not view wage records before coming to their conclusions.

After the government refused to seek a clear answer on the status of the Chinese engineers it has been left to the RMTU to clarify the law.

Workplace Relations Minister Michael Woodhouse said that this legal question is something that one can test in the courts and the RMTU is taking him up on that offer. We will not let this injustice remain unresolved.

The RMTU has filed in the Employment Relations Authority with an Application for Removal to the Employment Court given the seriousness of the issues.

For comment contact RMTU General Secretary Wayne Butson: 027 496 2461