

THE ACTIVIST



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KEY MUST EXPLAIN WILLIAMSON'S RAIL COMMENTS

Maurice Williamson's warning that a John Key-led government would not invest any new money in Auckland's rail system shows National cannot be trusted to keep KiwiRail in Kiwi hands, Finance Minister Michael Cullen said.

At a transport forum last night, National's transport spokesman issued a clear warning to Auckland local authorities not to expect continued government help to expand the role of rail in our biggest city.

He said National did not plan to pull out of projects already underway (such as double tracking) if it wins office, but made it clear that ratepayers would be on their own for any future expansion saying, "But on any new investment, I would ask you to be very, very careful because rail is a huge investment."

"Our rail system fell apart in private ownership because of a serious failure to invest in tracks and trains," Dr Cullen said.

"With KiwiRail now in Kiwi hands, we can finally start to make the investments needed to expand the role of rail to help New Zealanders cope with rising fuel prices and in taking action on climate change.

"We need a strong rail system to have a strong, modern, sustainable economy. We will have to invest hundreds of millions of dollars to make that happen and the Labour-led government will do just that.

"But Maurice Williamson has shown that National still doesn't care about making

KiwiRail a success. He is already warning that John Key has no plans to make the needed investments in rail and public transport.

"John Key must explain what Mr Williamson's comments mean for rail in other parts of New Zealand.

"One would have thought that Mr Key would be anxious to prove his commitment to our rail system in a week where it has been revealed he had a major conflict of interest in Tranz Rail when the government was preparing to buy back the track in 2003.

"John Key invested in the company that stripped our rail asset bare and closed down services around the country. If he were Prime Minister, John Key would start getting KiwiRail ready for sale once again so the asset strippers can get right back to work."

NEXT STEP IN INTEGRATED RAIL BUSINESS

The Cabinet has confirmed the final arrangements for the rail industry in New Zealand which will take effect from 1 October, Finance Minister Michael Cullen said today. The current members of the NZ Railways Corporation Board, led by Cam Moore and including Linda Constable, Dr Clive Matthewson, Mike Williams, Lex Henry and Jon Mayson, have resigned with effect from 30 September. They will be replaced by a board led by the Rt. Hon Jim Bolger from 1 October, 2008.

"Ministers wish to thank the retiring members who were brought together to run a new business in September 2004. They inherited a rundown asset and have commissioned a large rebuilding programme



This is for the information and guidance of RMTU members only!

which is delivering improvements to important portions of the network and upgrades to the metros of Wellington and Auckland," Dr Cullen said.

"With the purchase of the rail and ferry business of Toll NZ, the direction and purpose of the Crown's ownership of rail has changed and it is the view of Cabinet that a new board should lead rail into the next phase of development," Dr Cullen said.

From October 1, the New Zealand Railways Corporation will be the single entity responsible for both rail and ferry services and the rail infrastructure. It will purchase KiwiRail Holdings. Under the new structure, KiwiRail and ONTRACK will be separate operating units reporting to the New Zealand Railways Corporation Board chaired by Jim Bolger.

The new Board includes Brian Corban, Mark Franklin, Ross Wilson, Ross Martin, Bryan Jackson and Linda Constable. The government will next week announce the first tranche of new capital agreed to by the Cabinet for the integrated rail business's next phase of upgrades and expansion.



During the third reading debate Labour Minister Trevor Mallard said it was a "simple wee bill" to fix up the court decision which "made a mess of it".

National wanted a broader debate around transferring holidays, which Mr Mallard said would see people lose out.

National's Kate Wilkinson said her party did not want to take away holidays but improve flexibility.

She said the Holidays Act had been amended three times since it came into effect in 2004 and needed to be overhauled.

ONTRACK MECA

The Infrastructure members of the negotiating team will meet with management in Wellington on Wednesday 1 October with a view to thrashing out a revised settlement to put to members for ratification

following the rejection. We are hopeful that it will not be necessary to undertake industrial action so that the work of the working parties is not soured by disputation. In the event that a revised offer is thrashed out we shall put the provisional settlement out to a postal ratification of members in the usual manner.

PUBLIC HOLIDAY TRANSFER BILL PASSED INTO LAW

A bill to allow shift workers to transfer their public holidays was passed this morning.

The Holidays (Transfer of Public Holidays) Amendment Bill affects workers whose shift crossed midnight on a public holiday.

The bill was drafted after a Supreme Court decision ruled that an employer and employee could not transfer a public holiday from a day listed in the Act to another day.

Until the court decision where a shift had ended on a public holiday, many businesses had had agreements with their workers to transfer the public holiday to the following shift the employee would have worked.

SOUTHPORT CA SETTLED

The SouthPort Collective Agreement has been settled. A 3 year term with 4% wage movement and \$0.50cents per hour in recognition of multi skilling and CPI years 2 and 3. A good outcome for all.

C3 RATIFIES NEW CA

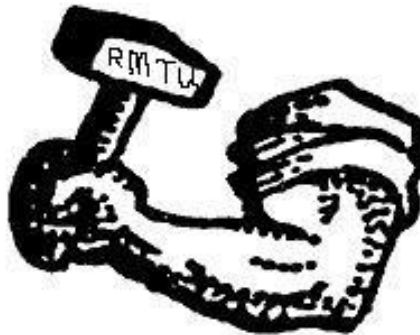
The C3 (Toll Owens) collective agreement talks have concluded with the successful ratification of the proposed settlement for a CA of 3 years. Year 1 is a general increase of 4.5% and the creation of a new variable shift with a payment of an additional \$0.75 per hour. On 1 July 2009 the payment increases by a further \$0.25 per hour. 18 month (year 2) increase is 5.2%. A good outcome for the lads.

TAIERI GORGE RAILWAY SETTLES

The TGL collective has settled for a 2 year term with a general increase of 5% (plus an additional 8.5% payment for selected low paid occupations and 8% for loco engineers) year 1. Year 2 is 4% or CPI whichever is greater. This continues the work of trying to get the wages of this workforce up to the level paid within the wider rail industry.

UGL RATIFICATION

2 Teams have covered the country advising UGL CA covered members of the terms of the proposed settlement which is out for ratification. Ballot papers have been dispatched from national Office and we await the count. The voting is simple and in the usual manner. If you're happy destroy your voting paper. If you are unhappy and wish to reject the settlement then complete the paper and post it back in the supplied envelope.



PORT LYTTELTON CA SETTLED

The Lyttelton CA was settled for a 3 year term with a 6% general wages movement plus 1% on employer subsidy for superannuation with an additional \$1.25 per hour for trades and related groups year 1. Year 2 is CPI increase plus \$1.00 per hour for trades and related groups. Year 3 is CPI increase. A good outcome for all.

KIWI RAIL – VEOLIA MECA – VEOLIA UPDATE

Talks with Veolia are progressing and a further round of talks occurred on 23 September 2008.

KIWI RAIL – VEOLIA MECA – KIWI RAIL UPDATE – JOINT NOTICE

As advised in earlier communications, KiwiRail and the RMTU have met on 4 occasions (in addition to meeting to agree the good faith bargaining process and exchange of claims) to negotiate the renewal of the 2005 – 2008 Collective Employment Agreement.

While a good number of issues have been agreed or resolved, a settlement continued to elude the parties at the last meeting held on 2 to 4 September. During this process the parties have clearly identified a number of key issues that are proving difficult to resolve.

In a further attempt to resolve these matters, the parties have agreed to meet for an additional two days, Wed 1 Oct and Thu 2 Oct in Wellington to continue bargaining.

The purpose of these two days is to get the parties closer together on their respective positions with the clear objective of reaching a settlement. We will communicate further after these two days of negotiations.

NEW ZEALAND TRANSPORT UNIONS BACK WELLINGTON BUS DRIVERS

International Transport Workers Federation (ITF) New Zealand affiliates media release.

Pressure is mounting in support of Wellington bus drivers as major New Zealand transport unions affiliated to the International Transport Workers Federation (ITF) met today in Wellington and made a statement in support of locked out Wellington bus drivers.

ITF affiliates in New Zealand include the Rail and Maritime Transport Union, Maritime Union of New Zealand, Engineering, Printing and Manufacturing Union, National Distribution Union, Merchant Service Guild, and Aviation and Marine Engineers

Association, representing tens of thousands of New Zealand transport workers.

Members of the ITF-affiliated Rail and Maritime Transport Union (RMTU) at bus company Go Wellington have today been suspended from their jobs in addition to several hundred locked out bus drivers. 12 operations controllers who are RMTU members refused to cross the bus drivers picket line on health and safety grounds. New Zealand ITF convenor Wayne Butson says support for the bus drivers and other workers was strong and would be ongoing until a resolution was found. Mr Butson is General Secretary of the Rail and Maritime Transport Union.

"This is an unacceptable situation and wage increase drivers are asking for is modest considering their current wage level and recent cost of living hikes." Another ITF affiliate the Maritime Union of New Zealand says it is supporting the locked out workers 100% and had joined other unionists on picket lines this morning. Maritime Union General Secretary Trevor Hanson says bus drivers have a heavy responsibility in their job but get paid abysmally low wages. "Most workers will be very sympathetic to their cause."

The International Transport Workers' Federation (ITF) is made up of 681 unions representing 4,500,000 transport workers in 148 countries. It is one of several Global Union Federations allied with the International Trade Union Confederation (ITUC).

REAL NATIONAL WORK RIGHTS POLICY REVEALED TODAY

"Despite the softly softly rhetoric National leader John Key let the cat out of the bag today by confirming if National were elected the Employment Contracts Act mark

II would be again foisted on workers," Council of Trade Unions president Helen Kelly said today.

"Speaking to the PSA today National Leader John Key said that under National, there will be no changes to the rights of workers to

negotiate collective agreements with unions as their 'bargaining agent'."

"But this is a fundamental change to workers' rights as currently unions negotiate collective agreements covering their members. John Key is talking about the ECA type arrangements where unions were excluded as parties to collective agreements, and the union role was reduced to agents for individual workers that authorised such bargaining."

"This meant that new workers could not automatically get coverage under the collective agreement, even when they joined the union. New workers were offered individual agreements often on lesser terms than those already in the workplace."

"The trouble with all of this is it is extremely technical and John Key is hoping to hide behind that to cover up the real impact of these changes for workers and their ability to negotiate fair wages. Workers certainly felt the impact of the ECA, losing many terms and conditions and seeing their real wages decline, but they often didn't understand the technical reasons for the law being so ineffective in protecting their interests."

"Once you reduce unions to bargaining agents, allow collective agreements to be settled by groups other than unions, reduce union access to worksites and remove many personal grievance rights - all of which National are now admitting they would do - you simply have the ECA again."

"This is what happens when you only release a one-page policy on an important area of law like employment relations. We actually do need to see more detail from National. John Key needs to be honest about this and not try to fool working people into believing it's all business as usual," Helen Kelly said.



KIWI RAIL INDUSTRIAL COUNCIL (KIC)

The KIC was formed from the Toll Operating Council (TOC) and the opportunity was taken to review and update the Terms of Reference from the old TOC. These new KIC Terms of Reference are on the RMTU Website under "Publications - Other RMTU Publications".

A key change is the strong focus on setting up Local Industrial Committees and the change in RMTU reps with one less CT rep and a new Scenic Rep.

The first meeting of KIC was held in Auckland 28-29 August. The minutes from KIC#1 were published within a week of the meeting and are being distributed by KiwiRail. If you haven't seen a copy of these minutes including agenda and attachments then contact your manager.

NOMINATIONS CALLED FOR KIWI RAIL INDUSTRIAL COUNCIL (KIC)

C.T. Site Nomination called

Nominations are called for a National C.T. Site representative for the KIC.

Tranz Scenic On-Board Staff representative nomination called

Nominations are called for an On-Board Staff Tranz Scenic Staff representative for the KIC.

NOTE:

All nominations must be moved and seconded by financial members of the Union and the nominee must also signify their acceptance of the nomination on the nomination form. Nominations must be made and seconded by members employed within the area of occupation of the position advertised. The nominee must also work within the area of representation.

Nomination forms are available from the Union National Office by calling Julia on 04 4992066. All nominations must be sent and received in National Office as well as being correctly filled out, to be valid.

Nominations close 1700hrs, 17 October 2008. In the event of more than one nomination being received for a position then a secret postal ballot will be conducted within the representative area of occupation.

ATTENTION ONTRACK INFRASTRUCTURE MEMBERS – WHAT RATE DO YOU BOOK AS TRAVEL ALLOWANCE?

Section 3 of the allowances of the Ontrack Infrastructure Collective Agreement states;

"If you work between 2000 and 0600 hours and live more than 2kms away from work \$4.41 is paid for the work period. If you are called back to work between work periods you are paid \$4.41 **OR** the Company rate for the use of your vehicle, at **your** option. These payments do not apply if you have a Company vehicle for travel to and from

work."

We can confirm that the company rate stated in this clause is currently \$0.62 per km **AND** it is also a non taxable allowance.

You can choose which rate you would prefer to be paid, either the \$4.41 or the \$0.62 per km.

Reports into National Office thus far are that the 62 cents per km appears to be the most favourable to members. Particularly as a majority of member's distance travelled when called back to work exceed the \$4.41 payment when the kms are totaled for payment.

If you wish to claim the 62 cents per km you should fill out an expense form available from your local manager, keep one copy for reference and submit the original copy to your manager.



Please note: If you choose to book up the normal rate of \$4.41 then continue to do so by booking accordingly on your timesheets.

Those choosing to book the 62cents per km must fill out the expense form in addition to their timesheets to claim the allowance for that period.

FINANCIAL CRISIS: THE PRICE TAG ON INTERVENTION

There has to be a price tag on the huge amounts of taxpayer's money being invested in salvaging the world's financial markets to force tough changes on the industry, said UNI global union today. A meeting of finance trade unions from across Europe has called for tougher regulations and greater transparency - and curbs on aggressive sales targets imposed on staff, often as part of payment systems. They want governments, central banks and regulators to recognise that the current business model of the industry has failed and to ensure far-reaching changes

"Greed and recklessness is at the root of what has become a worldwide financial disaster," said UNI General Secretary Philip Jennings. "Politicians and central banks are bailing out the very people who wanted small government and whose unregulated excesses brought global instability that will cost of hundreds of thousands of jobs.

"We want to go back to sound banking values, business ethics and responsible government." "We need more regulation, not less. "We also want radical changes in working methods to ensure employment packages that fully recognise the interests of customers and the ability of staff to serve them." "We want an end to a scorched earth policy of maximising profits for short term investors and top executives."

Finance unions are calling for effective regulation, long-term investment and sustainable growth. Transparency must be built into product design and market functioning and companies that embrace risk must make this clear - to themselves, investors and regulators. They warn that

one of the by-products of the crisis is a merger rush by smaller or threatened institutions - creating more financial giants that will be too big or important to fail in the next crisis.

For ordinary finance workers the culture of profit at all costs has led to excessive workloads and forced them to put the long-term interests of customers second to aggressive sales targets.

Even now, report finance unions, some financial institutions are reacting to the business slump by pushing up sales targets for staff - trying to combat a failure in the system by the same instruments that brought about the crisis.



"The primary purpose of a bank or insurance company is to provide a good service, good jobs and sustainable returns to shareholders," said Philip Jennings. "Each and every institution has a responsibility to society at large - nationally and globally. We want the finance industry to be right-sized and embedded in the real economy."

CTU CAUTIOUS ABOUT TRADE TALKS WITH U.S.

The Council of Trade Unions said today that the announcement of negotiations for full inclusion of the USA in the P4 is a hugely significant trade development.

Peter Conway, CTU Economist said that "clearly there are major potential benefits for New Zealand in tariff-free entry of exports into the U.S. market. Also it is likely that government procurement by the U.S. would be more favourable towards New Zealand".

However there are considerable risks in any negotiation with the USA, he said.

"Pharmac will come under pressure as will screening of investments over \$100 million and the ability of the Government to refuse overseas investment in strategic assets. In addition, investor state arbitration rules could allow U.S. companies to sue the New Zealand government for new regulations."

"Some public services could be under pressure to be opened up to private competition."

"The CTU has been in discussions with our counterpart in the USA, the AFL-CIO, and we know that the USA will take a strong stance on labour rights. However, it is important that all the details of the negotiations are carefully analysed and should be subject to full parliamentary scrutiny," Peter Conway said.

GO WELLINGTON STRONG-ARMS VULNERABLE WORKERS

GO Wellington's decision to lock out more than 300 low wage bus drivers from 5.30am Thursday 25 September is a disgraceful act of bullying, says the Wellington Tramways Union.

The lockout comes after union members took one hour strike action on 24 September to protest the company's refusal to provide a decent pay increase to drivers who are currently on just \$12.72 an hour.

Wellington Tramways Union secretary Kevin O'Sullivan says the company's lockout threat is a clear attempt to intimidate union members into submission.

"GO Wellington's decision to lock out our members after just an hour of strike action is a gross overreaction that is clearly designed to bully our members into backing away from their claims for a fair deal.

"Wellington bus drivers earn close to minimum wage and in recent years have seen their hours cut and their real incomes fall by up to 19%. All we're asking for is a fair wage so we can afford to live decent lives and provide for our families.

"The fact is \$12.72 an hour doesn't stretch very far these days, and the company knows the offer they've given us will barely even compensate for recent increases in the cost of housing, petrol and food.

"GO Wellington's decision to lock us out means we are now literally locked out of

the workplace without pay until the company decides to let us back, and they know that on the poverty wages they're paying this will hit us and our families hard.

"This is a disgraceful act of bullying against low wage workers but we are determined to stand strong together and fight for decent pay. We hope the public will see this situation for what it is and support us in our actions."

GO Wellington has advised the union that the lockout will begin at 5.30am 25 September and continue indefinitely.

The lockout notice means GO Wellington can bar union members from the workplace without pay until they submit to the company's demands.



LUMBERCORP WORKERS TAKE STRIKE ACTION

Engineering, Printing and Manufacturing Union Members at Waikato wood-treatment company Lumbercorp walked off the job on 24 September after the company failed to provide a decent wage offer.

After nearly three months of bargaining the company's best offer so far is a 2.75% pay rise followed by a 3% pay rise in the second year – a figure below current inflation and the members' revised 4% claim.

EPMU national timber industry organiser Alan Clarence says members are determined to get a better offer.

"There is a culture of low pay among smaller timber sites like Lumbercorp but there is no reason our members shouldn't get a decent pay rise and that's exactly what we're aiming for.

"Lumbercorp does very well from the local community and a couple of percent more on the pay packets of its local workers isn't much to ask.

"Strike action isn't something any worker takes lightly but after nearly three months of getting nowhere our members don't feel they have any other option."

Strike action will continue until Monday 29 September at which point members will meet to decide their next step.

ANZ COMMITMENT TO NZ AGAIN IN QUESTION

"ANZ's commitment to the New Zealand public and its workforce is in question again today following further restructuring at a bank which made a \$1.1 billion profit off New Zealanders last year," Council of Trade Unions president Helen Kelly said today.

"In April ANZ said that they would be increasing customer representation by investing in new branches and growing the number of customer-facing staff."

"Today they have backtracked on earlier commitments to staff. And this is an unnecessary move from such a profitable bank."

"Kiwis quickly tire of large foreign owned banks that make multimillion dollar profits off the back of New Zealand but show scant regard for workers and the domestic economy."

"Customers should take this into consideration when determining who they bank with," Helen Kelly said.

NEW REPORT

The Ministry of Women's Affairs released a new report this week, Trading Choices: young people's career choices and gender segregation in the trades.

The Ministry commissioned the New Zealand Council for Educational Research (NZCER) to conduct research into what influences young people when they are deciding on a career and, in particular, careers in trade occupations.

Key findings from the report show that gender does constrain young people's career decisions, and factors such as family and friends, the media, school systems, and the trades environment can reinforce those constraints. The report also talks about possible ways to address gender segregation in the trades.

I am sure you and your organisation will find Trading Choices of interest. The full

report can be accessed on the Ministry's website at <http://www.mwa.govt.nz/news-and-pubs/publications/trading-choices>.

Let's Be safe Out There
And Remember.....

**“WE’RE
STRONGER
TOGETHER”!**

