

THE ACTIVIST



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GOVERNMENT REPURCHASE OF RAIL AND FERRY OPERATIONS GREAT NEWS FOR RAIL WORKERS AND NZ

"Railway workers will be celebrating today's news of the government's repurchase of the national rail and ferry operations. This purchase will see the national railway asset and the "iron bridge" across Cook Strait returned to the people of NZ, and the industry will finally have an owner who has the means to be able to back up the promises for much needed investment," Rail and Maritime Transport Union (RMTU) General Secretary Wayne Butson said today.

"The RMTU campaigned long and hard to get the Labour led Government to buy back the rail tracks but we always knew that in order to have the rail industry deliver what this country needs that they couldn't stop there. We have all been urging the Government to go the final step to renationalize the network."

Mr Butson says that from the day that the National government sold off the SOE NZ Rail Limited to an American led consortium, the lot of rail workers and customers has been down hill in direction. The flavour of the day was to extract the cash, replace it with debt and do just enough to keep it going.

"Toll purchased the rail business and they have promised new locomotives since they arrived. Years later, not one order for a new locomotive has been placed. It has been 'paint them up' in Aussie colours and send it back out into service,"

"Recent years has seen an exodus of key skilled workers, who were leaving because

they didn't see this industry going anywhere. Today's announcement will start to stem the drift."

"The RMTU is keen to be a part of the rejuvenation of the NZ rail industry so that it can deliver the safe sustainable transport option demanded by global warming and escalating fuel prices, and we call upon the Government to make strong early statements of investment in new locomotives and wagons."

"We know that there will be those who will condemn the Government buy back as a return to the "bad old days". To them we say look at the record of the SOE from 1987 to 1993, which saw the entity turn into a profitable enterprise."



PORTS FORUM – 4, 5 JUNE

By now, port branches should have told the National Office who will represent them at this year's Ports Forum on 4th and 5th June.

The usual Venue - at St John's Church Willis Street and accommodation at Central City.

The Forum will follow the usual format, with each branch reporting briefly on local issues and activities. In particular, a number of ports are involved in Collective Agreement negotiations, so the discussion will be interesting. An analysis of the Port Napier dispute is planned. What really happened? Why did it happen? How was it resolved and what lessons can we learn? And where to next?

We hope to hear a report on the activities of the Maritime NZ Operations Afloat committee, to see a debate on the pros and cons of the China Free Trade Agreement and to learn about a new phenomenon called "availability rostering".

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

We will hear expert opinion and debate on whether methyl bromide should still be used as a fumigant around our ports. The performance of the Harbours Superannuation scheme will come under the microscope; we hope to hear an update on the Government's transport strategy and being election year, our guest speakers will no doubt include one or two politicians.

Port branches that have not nominated their Ports Forum delegates should do so immediately, to ensure transport and accommodation are arranged.

Port branches should tell the National Office who their delegates will be, as soon as possible, so that bookings can be made.

UGL-RMTU UPDATE # 2

JOINT COMMUNICATION TO STAFF/UNION MEMBERS RE: PROGRESS IN COLLECTIVE AGREEMENT BARGAINING

The RMTU and United Group Limited (UGL) negotiating teams have met in Wellington for a further 4 days of bargaining. They met on 27, 28 March and 29, 30 April 2008.

Both parties have worked hard to get to the core of the issues between them.

At the conclusion of the 27, 28 March sessions the RMTU put forward a possible framework for settlement proposal for the company to consider. On 29 April the Company responded with a rejection of the Union's offer but tabled a counter offer which incorporated elements of the Union's offer and new elements for the Union's consideration. On 30 April the parties' exchanged further proposals but at the conclusion of the talks several key issues remain unresolved.

The negotiations are at a stage where the Union negotiators feel that it is necessary for them to report back to members and to obtain guidance on how to proceed.

The Bargaining Process Agreement provides for the Company to organise and facilitate report back meetings to Union members. The parties are currently developing an agreed timetable for meetings to be held at

Westfield, Mount Maunganui, Palmerston North, Hutt Workshops, Wellington depot and Linwood Depot. Arrangements will be made for UGL workers in other centres to be able to attend meetings in the centres listed above.

Votes will be taken at the meetings to identify support or rejection for Negotiation Team recommendations.

No further meetings are scheduled between the parties at this time.

CONTRACTORS WELCOME RAIL AND FERRIES PURCHASE

The New Zealand Contractors' Federation has welcomed the Government's purchase of Toll's rail and ferry business for \$665 million.

"This has been a long time coming and we applaud the Government's move. New Zealand needs a modern rail and ferry network if we are to remain internationally competitive and are serious about integrating our supply chains.

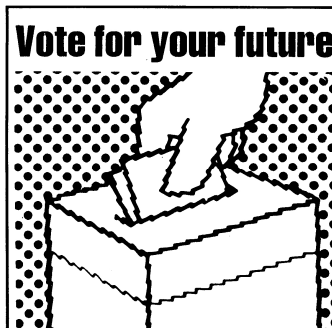
"Equally, contracting companies require certainty around major infrastructure projects because of the investment required in terms of plant and people. With ownership now back in Government hands we look forward to them committing to an ongoing and fully funded programme of upgrades."

Mr Michael also called upon the National party to honour the purchase if it wins the next General Election.

"What's needed now is continuity and certainty in the sector. We urge National to come out now and agree it will stand by the purchase. The last thing New Zealand needs is an about face in nine months time."

C3 WAGE TALKS KICK OFF

The C3 (Previously Toll Owens) wage talks kick off on 13 May 2008. We are hopeful that following the work of the Dept Of Labour Partnership Resource centre that the improved relations between the company and the RMTU will allow us to have a productive and timely negotiation. Key



negotiators will be Kelvin Rush and Phil Spanswick.

TOLL TRANZ LINK – SEPARATION REQUEST

The GM of Toll Tranz Link has written to the RMTU as follows;

"I am writing following our phone call today where we discussed the proposed separation of the Toll Tranzlink business from Toll NZ Consolidated Ltd (TNCL).

As discussed, in light of the Crown's purchase of Toll NZ's rail business, we are looking at separating the Toll Tranzlink business from TNCL. It is proposed that this would be by way of a sale of Toll Tranzlink's business to a new subsidiary company (Toll Networks (NZ) Ltd) of Toll Holdings Ltd.

If this sale proceeds, all of TNCL's employees who work in the Toll Tranzlink business would be offered employment with Toll Networks (NZ) Ltd on the same terms and conditions. Our proposal is that this would be by way of a CEA between Toll Networks (NZ) Ltd and the RMTU, which is the same as the existing MECA between TNCL, Connex and the RMTU.

As discussed, we propose establishing a separate bargaining track for Toll Tranzlink employees, whereby TTL and the RMTU participate in bargaining for a CEA between them which would cover RMTU members who accept Toll Networks (NZ) Ltd offer of employment.

Please will you respond to Mario Di Leva and Christina Desbonnets regarding this letter this week? I am passing the matter onto them as I am away for the next few weeks and I am sure you can appreciate, that this is an immediate priority."

This is the second time that we have been advised that Tranz link was to be separated from the rail company. The first was in May 2003 as part of the Tranz Rail outsourcing to raise cash drive for survival. The RMTU is meeting with its advisors today and will respond to Toll stating its position.

We are currently putting together the representative membership of the RMTU Team to meet with Toll.

So in summary the RMTU has initiated for a MECA with Toll NZ CL and Veolia and what Toll Tranz Link want to do is negotiate a separate Collective agreement with the RMTU which covers its members within Tranz Link and which meets the "same or more favourable" test of the redundancy section of the current CA and other requirements of the Employment Relations Act 2000. NOTE: the CT sites are not included in the business separation.

We will keep you informed as matters progress meanwhile remain calm and trust in your Union. We are very experienced in this process as a result of all the outsourcings and sales in 2002/03 with Tranz Rail.



WORKERS MEMORIAL DAY

We had great services in Hamilton, Mount Maunganui, Napier, New Plymouth, Wellington, Hutt Shops, Nelson, Christchurch and Dunedin. A full report will be in the June issue of The Transport worker.

We particularly noted the attendance at this year's service by the Port of Tauranga CEO Mark Cairns. Thank you for coming mark and we look forward to seeing you in future years.

JOINT CALL BY CTU AND NATIONAL COUNCIL FOR THE UNION OF BURMA FOR CYCLONE RELIEF

The President of the CTU Helen Kelly and the Director of the New Zealand Office of the National Council for the Union of Burma, Naing Ko Ko today jointly called on New Zealanders to give generously to Burma cyclone relief.

"This is a humanitarian disaster and we are asking all New Zealanders to donate to the disaster relief work already under way by the Red Cross and Oxfam." Helen Kelly and Naing Ko Ko said.

The CTU has a close relationship with the Federation of Trade Unions of Burma which

is part of the NCUB" Helen Kelly said. "The FTUB has asked for our support on behalf of the people of Burma."

"The Red Cross and Oxfam have assured us that they are delivering humanitarian assistance directly to the people of Burma who are in such desperate need." Naing Ko Ko said.

Naing Ko Ko was a student leader in the 1988 student pro-democracy uprising in Burma who spent 7 years in prison. He has family in Burma who he hasn't seen for more than 12 years.

How: Donations are being accepted by a number of organisations in New Zealand, including Oxfam ([click here](#)) and the Red Cross ([click here](#)), whom the CTU has had discussions with.

NEXT TOC MEETING - 21 & 22 MAY

The next meeting of the Toll Operations Council (TOC 18) is May 21 & 22 at the Toll Takapuna Office in Auckland. The minutes from the last meeting, TOC 17, are available through your manager, your local TOC reps or can be e-mailed to you by request to Todd at RMTU National office (tvalster@rmtunion.org.nz), however the full set of TOC 17 minutes including all attachments are over 24MB in size.

Mike King, TTL Rep North Island, has informed the RMTU that he will be leaving Toll at the end of May so we will run a ballot to replace Mike in his TOC position – Good luck Mike and thanks for your input on the TOC.

ZIMBABWE: UNION LEADERS ARRESTED

Unions around the world are condemning the recent arrests of Lovemore Motombo and Wellington Chibebe, respectively President and General Secretary of the Zimbabwe Congress of Trade Unions (ZCTU). The two trade union leaders were charged with "inciting people to rise against the government and reporting falsehoods

about people being killed" in speeches given on May Day.

The Dictator Mugabe will stop at nothing to maintain his hold on the reins of power!

COMBINED UNIONS AND LYTTELTON PORT - BACK IN WAGE TALKS

The Combined Unions (RMTU and MUNZ) at Lyttelton Port have decided to lift the overtime ban following a full stopwork on Thursday 8 May. The ban will be officially lifted from 0700 Monday 12 May. This follows informal discussions during recent weeks between the Company and the Combined Unions. The Collective Agreement expired on April 17 and following a breakdown of talks, including mediation, the overtime ban commenced on 2300 on April 30.

Both the Company and the negotiating team of the Combined Unions feel that there is enough common movement to get around the bargaining table.

SAVE OUR DOLPHIN RALLY - PARLIAMENT

To represent Aotearoa New Zealand mourning the potential extinction of the Maui's Dolphin, from 1.20pm on Wednesday the 14th of May, Metiria Turei will receive a wreath from **Care For The Wild** International.

There are only 111 Maui's Dolphins in the North Island, and with the announcement of the Government's 'Threat Management Plan' looming, we hope to have supporters out in mass to demonstrate the strength of public will to save these beautiful marine mammals.

Metiria Turei invites you to come and show the Government your support for Maui's Dolphins. We will be wearing black to represent mourning the consequences of an inadequate Threat Management Plan. Our plan is to assemble **by the Seddon Statue in front of the Steps of Parliament at 1.20pm. At 1.30pm, Metiria will receive**



a wreath, and then some speeches will begin. The ceremony will end by 1.50pm.

I hope that you can make it to show your (much needed) support of an adequate Threat Management Plan.

WAGES NEED TO KEEP RISING – CTU

The Council of Trade Unions said this week that rises in workers' wages are welcome, but they are not being felt universally and they need to keep on rising.

"As shown in [Statistics NZ wage figures](#) this week the main reasons for wage rises were to reflect the cost of living, labour market demand for workers, and the results of collective bargaining by unions," CTU President Helen Kelly said on Monday.

"This comes at a time when workers are feeling the cost of rising food, fuel, rent and mortgage interest rates, cost increases which are likely to continue and so wages need to keep on rising."

The CTU believes that there is room for continued wage rises for workers despite the warning shots from the Reserve Bank, she said. "The CTU is calling for a \$15 minimum wage, for more workers to be covered by collective agreements so they can get reasonable wage increases, and for ongoing investment in skills, technology and infrastructure alongside improved workplace practices to lift productivity."

Also out this week were Stats NZ employment figures showing an increase in unemployment, from 3.4% to 3.6%. Overall, there were 29,000 fewer jobs in the economy, and particular focus yesterday was around the fact that the majority of the decrease in jobs was ones held by women.

CTU secretary Carol Beaumont told the Nine to Noon programme this morning that while it was too early to take a trend from the figures, any drop in jobs in the economy was a concern.

She said there were a number of policy initiatives that have come into effect

supporting women in work, which we need to keep improving on.

"Things like paid parental leave, access to early childhood education, the conversation that's now going on about breastfeeding breaks, the flexible working hour's legislation coming in in July, these are important discussions for us as a society about what sort of way we want to go forward."

"Some women have access to all of those things, but unfortunately the majority of women don't necessarily. What we're saying is that that should be a bottom line for our economy, and there are many successful economies

where in fact those wrap around family policies are working exceptionally well. That's where we are heading, and it's in the right direction," she said.

EMPLOYERS NEED TO LOOK IN THE MIRROR ON MIGRATION

"Employers need to look in the mirror to find the main reason why people leave New Zealand to live in Australia," CTU president Helen Kelly said today.

"The fact is that the wage gap with Australia grew by 50% in the 1990s in the period of the Employment Contracts Act – a law promoted by employers. Since 1999, the wage gap has grown by just over 1%."

"The level of net migration to Australia has been higher in the past – even when our population was closer to 3 million compared with 4.25 million. There is no doubt however that the continued loss of workers to Australia is a major issue."

"To suggest that a tax cut would solve the problem is incorrect. It might assist at the margin, but fundamentally the problem is that wages in New Zealand are 30% lower than in Australia."

"Unions have put forward a three point plan to lift wages – a rise in the minimum wage to two-thirds of the average wage (around \$15), industry and multi-employer bargaining, and ongoing investment in skills, technology and best practice in workplaces to lift the value of goods and services."



Helen Kelly said that it is time for employers to meet with unions on an industry basis to discuss how to lift wages.

"This is a much more constructive approach for employers – rather than blame everyone else," Helen Kelly said.

STRANGE SUSPENSION...

We have a member delegate who is employed by a port log marshalling company in the Bay of Plenty who is currently suspended on pay pending an investigation into an alleged allegation. Why, you may ask? Sadly, we cannot answer. The company will not tell us or our member just what the allegation is? Bizarre in our view. We are being patient at present but it is wearing thin and so we may have to escalate our response soon.

AUCKLANDER'S DESERVE A DECENT PUBLIC TRANSPORT SYSTEM

Auckland Green MP Sue Bradford says the Green Party is concerned about news that National Party Transport Spokesman Maurice Williamson says they oppose the regional fuel tax.

The Green Party is right behind the Auckland fuel tax as long as it goes to electrification of Auckland's rail network, not to build more motorways.



The Greens believe all of the proposed Auckland Regional Council fuel tax of up to 10 cents a litre - planned from next January - should go towards public transport projects, and ensuring that Auckland's rail system is electrified as soon as possible, Ms Bradford says.

"While we know that fuel taxes have a disproportionate effect on low income workers and beneficiaries, the Greens believe that problem should be addressed by lifting wage and benefit levels - not by stopping the electrification of rail.

"Before long many ordinary Aucklanders won't be able to afford to run cars for work,

study and recreation because the price of petrol is going through the roof.

There is news today that oil could rise to US\$200 a barrel and I believe Kiwi motorists will be paying prices of petrol of \$3 a litre before we know it," Ms Bradford says.

"So it's critical that political parties and Auckland's local authorities support all measures to improve our bus, rail and ferry transport.

"If the National Party has other ideas about how to quickly electrify Auckland's rail and carry out other public transport improvements the Green Party would certainly be keen to talk to them on the details."

HARMED TIMBER WORKERS MUST BE COMPENSATED – EPMU

New Massey research confirming timber workers are suffering serious health issue due to Pentachlorophenol (PCP) exposure will be welcome acknowledgement for suffering workers but now compensation must be provided says the Engineering, Printing and Manufacturing Union.

The study confirms that exposure to PCP has left many timber workers with long-term health issues due to dioxin poisoning – a fact workers and their unions have been arguing for years.

EPMU national timber industry organiser Alan Clarence says affected EPMU members have been fighting for recognition of the harm done to them for over two decades.

"Now we have scientific proof of the damage PCP exposure has done to our members we will be expecting suitable compensation and monitoring to be undertaken.

"Dioxin poisoning can cause inter-generational health issues and we would expect that any system put in place to look after affected workers would also include their families.

"If anything this only highlights the need for workers to talk with their unions about chemicals they are handling as it is clear that many employers have no interest in the potential health issues they are exposing their workers to."

TOLL – VEOLIA MECA

The Union has initiated bargaining with Toll NZ Consolidated and Veolia Transport Auckland Limited for the renewal of the MECA.

The calling of remits for the wageround has closed.

The parties will meet in Wellington 23 May to negotiate, agree and sign off on the Bargaining Process Agreement (BPA).

Formal meetings shall commence in June. The negotiating team for RMTU is being finalised. We shall have representation from Engineering, LE's, Yard Op's, CT, Interislander, Tranz Scenic, Tranz Metro and TAMM on the core negotiating team.

TOLL LE'S – JOB CANCELLED ON A PUBLIC HOLIDAY

Some complaints have been received from Toll Rail LE's who found they were booked off on a public holiday after the roster and key had been posted. Their expectations (and ours) would be that their shift would revert to "As Required Same Hours – ARSH" in accordance with the ROM S3 clause 12.

The short notice change clauses in the MECA also apply as the CA is the superior document to the ROM if and where any conflict in T&C's exists or is perceived to exist. As we all know the CA short notice provisions require any changes to be done by mutual agreement only.

LE's are strongly encouraged to raise all examples of shifts being cancelled after the fortnightly roster is posted and those shifts not reverting to ARSH especially on a public holiday but also on other days.

LE's are also reminded that working on a public holiday is voluntary; you may be requested to work a public holiday but are not compelled.

BUDGET 2008 MUST INVEST IN RAIL SYSTEM: GREEN PARTY

The Green Party congratulates the Government for finally recognising the important role rail will play in a future with less oil.



"Rail is an essential public asset in a sustainable transport system. It has taken years of pushing by the Green Party for the Government to agree, but we applaud them for doing so now," Green Party Co-Leader Jeanette Fitzsimons says.

"The next step must be substantial investment in the infrastructure and rolling stock.

Freight will not move off trucks on to rail while there are delays and unreliable schedules caused by inadequate track, tunnels and bridges, and poor signalling.

"This Budget must begin the work - we don't want to wait another year to invest in this vital transport system.

"This will be expensive but is one of the most important things we can do for our future.

"The Green Party looks forward to a time when many of today's big trucks are off the roads and there are many more trains and coastal ships instead. We also look forward to the reinstatement of long distance passenger rail services so that New Zealanders can still travel when airfares rise further as a result of fuel prices."

NZ BUS CA TALKS

Collective Agreement talks were due to commence with NZ Bus (formerly Stagecoach) for our Ops Controller and Ops Controller Trainees at the Kilbirnie depot. Unfortunately agreement of the "Bargaining Progress Agreement" cannot be reached so the RMTU and NZ Bus are set to go to mediation to attempt to resolve.

A VIEW FROM ACROSS THE DITCH

The President of the Australian Council of Trade Unions was in New Zealand this week, and spoke to Radio New Zealand's Morning Report about how things were looking for Australian workers, 6 months on from their federal election last year.

For two years, the Australian union movement campaigned to get rid of John Howard's WorkChoices legislation, which removed unfair dismissal protection for millions of Australian workers, gave employers the right to force workers on to individual contracts, and striped back many other terms and conditions.

Sharan Burrow spoke about the damage caused to wages and conditions by WorkChoices and 11 years of a conservative government.

"It was devastating. \$44 less in real terms over three years for our most vulnerable workers, that's without even facing the escalating costs that both countries are facing by way of inflationary pressures and the like."

Sharan Burrow said the first thing the new government did was eradicate individual contracts and return collective bargaining rights and safety nets for workers.

She also sounded a warning to New Zealand workers at this election.

"We say to your workers here, be very careful, you don't want to go backwards to the early 90s, it's a world that is not good for working people. Rights at work are fundamental."

"Certainly when we look across the ditch....we see you with a rights base that's been reconstructed after the era of the early 90's that does much better things with collective bargaining, much more respectful of workers. And we were so envious of that in the last eleven years. So be careful, don't go backwards, that's our message."

You can listen to the interview [online here](#), or [download a podcast here](#). (Note: Radio

NZ interviews are typically up on the website for seven days only).

ACTING GENERAL SECRETARY

Brian Cronin will be acting general secretary from 16 May to 22 May as Wayne Butson will be overseas attending a steering committee meeting of the union affiliates of the International Centre for Labour Solidarity (ICLS).

Brian will also be acting from 26 May to 31 May as Wayne Butson will be attending an International Transport Workers Federation (ITF) railway section steering committee meeting in London.

SPECIAL PAID SICK LEAVE

We are getting a growing number of reports that Toll companies are almost totally refusing to grant special paid sick leave in cases of Serious Illness, stress and fatigue as per clause 13.9 of the Toll CA. As this will be a major issue in the bargaining round we require details of member experiences under this clause.

BITS AND BOB'S

- The RMTU has a new Union office courtesy of Toll NZ in Mount Maunganui. The office is at 60 Totara Street and after a couple of working bees is looking great according to our man on the spot Phil Spanswick.
- Stage 2 Delegate training is a focus at present and a number of training seminars are being organised throughout NZ by the Industrial Staff. If you want to be trained then contact your organiser NOW!

LET'S BE SAFE OUT THERE AND REMEMBER

"WERE STRONGER TOGETHER"!

