

THE ACTIVIST



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HAPPY NEW YEAR TO YOU AND YOURS!

This is the first issue for 2014. This year promises to be a very busy and full on year for all of us.

We have a number of our bigger Collective Agreements expiring this Year. The main Rail industry MECA being the largest.

KR MECA WAGEROUND REMIT CALL

The KiwiRail MECA expires 30 June 2014. The renewal of the MECA will see both the Union and the employer arrive at the table with "claims". The RMTU claims come from members who are covered by the MECA and **have to have been raised and voted on and carried at a bona fide meeting of the branch.**

The RMTU negotiation team composition is yet to be determined but will operate under the oversight of the members of the KiwiRail Industrial Council's with the lead negotiator being Wayne Butson the General Secretary.

The remits will be prioritised by the negotiation team. Regular updates will be disseminated to members once bargaining commences.

All remits for the KiwiRail Wageround must be submitted to National Office

by Monday 31 March 2014. No late remits will be accepted.

FAMILIES NEED MORE PARENTAL LEAVE

Send the PM John Key a message encouraging this Government to provide 26 weeks of paid parental leave NOW

Keep the pressure on and send John Key a message: "Time to Deliver" <http://union.org.nz/26forbabies/ecard/>

KR – LOCO TRAINING

An issue is frequently arising where internal candidates for Loco Engineer training regarding the rate of pay they will be paid whilst in training. The agreement between KiwiRail and the RMTU is that if the trainee is in a position with a higher rate of pay to the LE trainee rate in the MECA then they remain on their current hourly rate until they go into OJT at which time they will go to the OJT hourly rate in the appropriate section

(Freight or Passenger) of the MECA.

INCREASE TO MINIMUM WAGE UNFAIR

"The increase of the minimum wage to \$14.25 is unfair given several years of stagnating wages, an economy that is starting to grow, and widespread concerns about how that growth will be shared", says CTU Economist Bill Rosenberg.

"The minimum wage is the only way other than through the tax and benefit system that the government has to ensure wage and salary earners, and particularly people on



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

low incomes, benefit from a growing economy. A more effective system of collective bargaining would be a much fairer way to spread the economic benefits to the majority of the workforce while reflecting the situation that each industry is in. Instead almost half of employees are getting no wage or salary increases at all. This minimum wage increase goes little distance to addressing the inequalities in society. It is not socially or economically sustainable to have another round of growth that goes mainly to a small minority."

"Over 100,000 people are on or around the minimum wage at its new level and well over 200,000 would have benefited from an increase to \$15.00 according to MBIE figures from 2012. It is therefore an important factor in addressing low wages and inequality," he says.

The CTU in its submission to the government on the 2013 Minimum Wage Review called for a phased increase in the minimum wage along a planned three-year track. The submission said that the first step should be an increase to \$15.50 this year.

Rosenberg pointed out that in five years between 2003 and 2008 the minimum wage was raised by 50% (from \$8.00 to \$12.00) while the government has raised it by only 12% [\$14.00] / 14% [\$14.25] in the last five years – only about 1% [\$14.00]/ 3% [\$14.25] after CPI inflation.

"The government has been saying people should expect wage rises. The minimum wage review was a missed opportunity to ensure that everyone from the lowest paid upwards gets a decent increase after several years of hard times," said Rosenberg.



FAIR AND JUST CULTURE INITIATIVE AND LIFE SAVING RULES

This joint RMTU - KiwiRail working party has now reached the point where we need to hear from the wider membership. A survey is being rolled out to the HSAT teams nationwide, explaining the draft rules and how the Just and Fair Culture will work. HSAT members should be talking to as many people as possible in the workforce and getting your views. We really need your feedback in order to make this initiative work. HSAT Teams have to report back via a survey they will complete at next month's meeting.

We know that there is a fair amount of skepticism out there because initiatives have been tried in the past and have fizzled out either through lack of sustained support from managers or because the membership wasn't properly consulted or listened to. Or brother unions in Britain, the RMT and TSSA, have run through a similar initiative with Network Rail and report that it has paid dividends, particularly in terms of ensuring members are treated fairly when rule breaches occur.

So please get involved, speak with your H&S Rep and let's make this work for us.

ABBOTT ATTACKS PENAL RATES

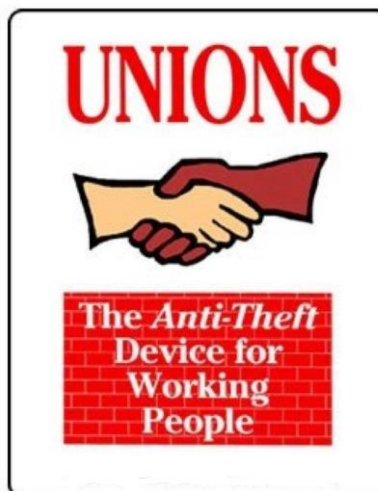
This week Tony Abbott is looking to introduce new laws to allow employers to strip away penalty rates. We have the power to fight these radical new laws and protect penalty rates but we have to act quickly. We need to show Tony Abbott that Australians will not cop an attack on their take home pay and working conditions.

Most Australians believe that people should be compensated for working nights and weekends. People are seeing these laws for what they are, a sneaky way to attack wages and conditions under the smokescreen of "flexibility."

If the government thinks they can ram these unfair laws through they are in for a shock.

TRANSDEV UNIFORM.

Members both male and female were being asked by Transdev management to be fitted for their new uniforms in the "Green Room", which is a broom closet space in Britomart used for breaks which is already widely understood to be too small for the purpose expected of it. The offer to place a curtain and the use of a small room off the back was unacceptable to our members and no doubt caused considerable stress for some as the religious mix within the workforce is extremely multicultural. An extremely well worded email from RMTU delegate Rachel Barrett to Transdev senior management has seen her viable alternatives accepted with separate male and female rooms provided in Transdev head office. Well done Rachel!



THE PORT OF TAURANGA – A CUT THROAT MODEL?

During the Ports of Auckland / MUNZ dispute, the "Port of Tauranga competitive model" was praised as the best model on the NZ waterfront by the right.

While the port of Tauranga may smile at the praise, there is a dark underbelly to their competitive model, and that is the grim battle over job security, wages and conditions.

Contractors battle other contractors, to gain contracts. These contractors tender on their employee's wages and conditions, the size of their profit margins, or they deliberately undercut their competitors to "buy" the contract (loss lead). This means there is continual pressure on contractors to keep wages and conditions as low as possible.

This uncertainty affects the job security of employee's; will their employer retain the contract or lose the contract?

An example is when a group of workers had to wait for about 6 months to find out whether their employer would keep the contract, and the workers had to accept a reduced wage increase to keep their jobs and to help retain the contract.

Imagine the emotional stress impact of those 6 months on those employees and their families!!

We have in Tauranga the situation where we have different rates for workers doing the same job, on cranes, straddles, on board lashing, warehouse work, and for log marshalling.

Some of the differences are substantial and some not so much, but invariably if your contract is on the line than there is downward pressure put on the higher rates to keep the contract.

Some contractors use their lower wages and conditions to gain contracts from other contractors, who respect their employees enough to give them better wages and conditions. So the better contractors lose out on that issue alone, rather than on their skill levels, higher

productivity levels and other efficiencies.

All in all the Port of Tauranga cut throat model is not the high flyer that the right will have you believe.

Recently we had the attempt by the Port of Tauranga to buy out C3, which if it had been successful would have changed the Port of Tauranga cut throat model significantly. This move would have reduced the level of competition on the NZ waterfront as the port owner would have control the largest on site port contractor!

With the failure of the attempt to purchase C3, the Port of Tauranga responded by purchasing Quality Marshalling a log marshalling company based in Mt Maunganui. Ironically as part of the Port Tauranga purchase of QM a number of ex C3 managers were engaged to run QM.

Shortly thereafter Quality Marshalling unfortunately lost a majority of its work to another contractor, and had to make a number of staff redundant.

Suddenly the Port of Tauranga had a wholly owned subsidiary in Quality Marshalling, which had little or no work. Port of Tauranga called for tenders for the CT site operation at Sulphur Point and QM was successful and C3 lost the contract.

Quality Marshalling is looking at picking up contracts wherever it can use the lowest price method for gaining contracts! This is a return to the Tauranga Cut Throat model in our view.

WE expect that they may have to change their name as the majority of their work may not be log marshalling into the future!

Does the Tauranga Cut Throat model need to change? Yes, we say. Wages and conditions need to be removed from the contracting process and we need to find a way of improving job security for the workers concerned by providing an even playing field for all employees on the Tauranga wharves.

It is not just cleaners that are vulnerable workers in our view and so waterfront workers need to be included within the ERA definition.

WORKERS MEMORIAL DAY – 28 APRIL

International Workers Memorial Day is 28 April 2014. The day is about remembering those workers, especially RMTU members, who have been killed whilst at work.

All Branches are asked to commence formal arrangements for services at memorial sites.

All members are requested to attend a memorial service organised near them.

As usual we ask all members to stop what they are doing at midday to “Mourn the dead – Fight for the living” and to think about how important personal safety is to us all going home safe at the end of our days’ work.

As usual we will be requesting KiwiRail to approve all trains stopping at midday on the 28th for 1 minute.

Please advise us of all services to be held on the day?

THE TAKING OF ALTERNATIVE (LIEU) DAYS – KIWIRAIL

Recently a notice was placed on noticeboards within the Picton Freight Terminal stating that the employer (Manager) was able to dictate when Alternative Holidays were taken by workers. The notice stated that this followed 2011 changes made to the Holidays Act by this National Led Government as statute overrode the Collective Agreement.

This is complete and utter bullshit!

An infuriated RMTU General Secretary wrote to KiwiRail demanding a full apology and a retraction.

KR Freight replied with;

Dear Wayne

MISREPRESENTATION OF THE ECA IN RELATION TO THE MECA

Please allow me this opportunity to apologise for the misunderstanding that saw an excerpt of the ECA

displayed and referred to within the Picton Freight Terminal as an implied contravention of our employment conditions, MECA agreement and practices.

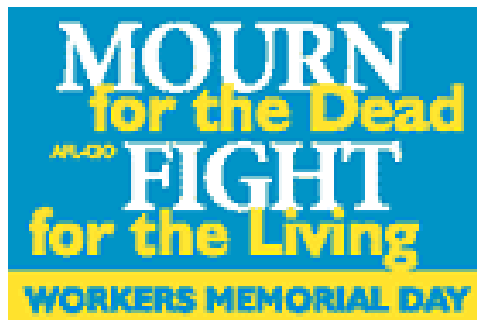
This arose as a consequence of some advice being misconstrued and was subsequently addressed and the correct position made clear, regrettably though the document was not at that time removed.

This has been rectified and the document has been removed from display.

There was certainly no intent on the part of our local manager to be disingenuous however the fact remains that once the situation was clarified it should have been removed and again for that oversight I apologise.

I will organise for this document to be displayed on the noticeboard and around the terminal from this afternoon.

Signed: Aaron Temperton GM Operations Freight



ALL KR Members should note that all the provisions of clause 25 apply as they are SUPERIOR to the Holidays Act provisions. A clear benefit of Collective Bargaining!

ONLY NATIONAL'S GROUPIES GAINING FROM 'ROCK STAR' ECONOMY

A significant shortfall in tax revenue revealed in today's Crown accounts shows only the lucky few are benefiting from National's much-hyped 'rock star' economy, says Labour's Finance spokesperson David Parker.

"Compared to December's Treasury forecasts, core tax revenue including GST, income tax and corporate tax receipts are \$600 million below forecast. That's the second month in a row that the smile has been wiped off Bill English's face.

"That shows that, despite National's hype of its 'rock star' economy, Kiwi families aren't seeing the benefits. This economy is as much of a rock star as Bill English is.

"The only winners are National's groupies, led by chief supporter Phil O'Reilly.

"This is more evidence that reliance on dairying, held up by record commodity prices, and the Christchurch rebuild are shaky foundations for an economy that needs to be much more diverse.

"Only Labour will deliver an economy for all Kiwis," David Parker says.

D&A TESTING – CONTRACTORS – RAIL

Recently a KR employee was working on a rail contractor's worksite and raised a safety complaint. The contractor's response was to demand an immediate D&A test of our member. It is clear that this move by the contractor was made to intimidate our member and get him to back off. He didn't and he did the right thing and refused the test. This created considerable telephone

activity. The contractor claimed that they have a D&A testing policy that every worker is tested daily before work commences and any KR worker on their site will be covered by this policy. NO BLOODY WAY is the RMTU response. We have negotiated a D&A policy and process with KR on whose property the contractor is working and so they must comply with the KR policy and the KR employed workers will too.

So, if you are working with contractors remember that the KR D&A policy applies at all times as expressed in the MECA and the policy process document and so if you are asked to do a different testing scenario then you are entitled to refuse to do so.



RMTU MEMBERSHIP DATABASE UPDATES

The RMTU membership database is an important tool in contacting Union Members or ensuring members are kept up to date with the latest information. We are concerned at the number of "unknown" or "return to sender" envelopes returned to National Office as part of this year's officer elections. We remind members that

if you wish to exercise their rights and participate in the decision making aspects of the Union they should ensure they inform National Office of any change of address or contact details as soon as possible. This includes any change of designation or employer.

Branch Secretaries hold "update of membership forms" that you can post or fax in or alternatively for immediate action members are reminded to utilise the update of membership details link on our website www.rmtunion.org.nz.

For example – The rail industry MECA expires 30 June 2014 and so there may be strike and/or ratification votes conducted by mail. If we have the incorrect address, employer info you will not get a vote as you will never receive a voting paper.

Update now!

LPC LOGISTICS OFFICERS' BARGAINING

Four meetings in and still no offer from the Employer. Discussions to date have focused on staffing despite our desire to focus on remuneration. We're scheduled to meet again on Monday 24 February so let's hope the Employer puts something on the table.

CONNECTING MELBOURNE TO THE PORT OF BRISBANE

The Inland Rail Project, a freight line connecting Melbourne to the Port of Brisbane, has taken its first steps of work by identifying priorities for the staging phase.

The rail line comprises a 1731km long alignment between South Dynon in Melbourne and Acacia Ridge in Brisbane. Between Melbourne and Parkes, 670km of existing track will be used. Between Parkes and North Star, 307km of upgraded track and 291km of greenfield alignment is proposed.

Between North Star and Acacia Ridge, the inland railway comprises 271km of greenfield construction, 119km of existing track upgraded from narrow gauge to dual gauge and 36km of the existing coastal route.

PRIME PORT TIMARU BARGAINING

After a couple of meetings with the Employer we are at the point where we need to report back to the membership.

The RMTU negotiation team will meet the members next Wednesday 26 February, time to be confirmed.

AUCKLAND METRO MAINTENANCE

Auckland Metro Maintenance and Servicing has been given the timeline for the change over from diesel to the new electric fleet.

The new EMU's will be maintained and serviced by CAF at the new Wiri Depot. Many of our members affected by this change want to stay in the Rail family so will be looking at their options over the next 18 months hoping to find suitable alternatives. For some this may mean locating to other parts of New Zealand. Regular updates of the situation have been promised by KiwiRail.

DELEGATE TRAINING WEST COAST

The RMTU is looking at organising delegate training next month in Greymouth. This is proving challenging given the competing demands of Freight and I & E staffing. That said we're optimistic we can get a good turnout from those delegates who are in need of training. Provisional date is 25 March, to be confirmed.

NORTHLAND PORT BRANCH GROWING

We have 5 new members in our Northland Port Branch. There are also a number of employees considering joining that have never been in a union before. We look forward to a Northland Port Representative attending our next Ports Forum.

HUTTONS CLOSURE CONFIRMS REGIONS BEING GUTTED

The closure of the Hutton's factory in Frankton confirms New Zealand's regions are being gutted by the Government's hands-off approach, says Labour Leader and Regional Development spokesperson David Cunliffe.

"While the Prime Minister is busy galling around the country telling people he's 'fixed the economy', 125 hardworking Kiwis are losing their jobs.

"The closure of the Frankton factory will be a crushing blow to the Waikato economy.

"It follows job losses at NZ Post and Genesis Energy, and redundancies announced at Ruakura; which are all Government entities.



"These workers will join 14,000 others in Waikato who are already on the dole queue. Unemployment in the region is among the highest in the country and has grown by 2100 in the past year.

"This is another kick in the teeth for young workers looking for opportunities in our regions.

"The loss of wages from Hutton's' workers is expected to suck \$100,000 a week out of the local economy.

"There will also be a flow-on effect for local contractors and businesses.

"The Government needs to get off its chuff and back local manufacturing.

"A Labour government will invest in our regions, support research and development and take the necessary steps to create a value-added economy," David Cunliffe says.

TRANSDEV PAYROLL

Members working for Transdev had their payroll system change without consultation. There was a move away from paper timesheets and a new payslip produced that has proved to be totally confusing and not showing the content members wanted to see. While not in the Novapay scale of management poor decision making, this change has led to many members being paid incorrectly but worse, many just cannot work out if their pay is right or wrong. Transdev Managing Director Terry Scott has vowed to get this sorted out as they should not be getting peoples pay wrong.

MORE FIRST HOME BUYERS SHUT OUT OF MARKET

New figures from Quotable Value show a sharp decline in first home buyers while house prices continue to rise, says Labour's Housing spokesperson Phil Twyford.

"The numbers show first home buyers have dropped to the lowest level since 2010.

"As would-be first home buyers are forced to give up on their dream, speculators are

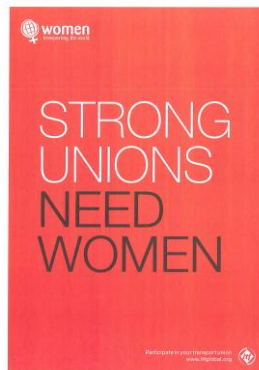
filling the gap, keeping house prices out of reach of many New Zealand families and creating a generation of renters.

"LVRs don't seem to be having as big an impact in central Auckland, where house prices are rising at alarming rates. Instead its places such as Hamilton, Wellington, Napier and Rotorua where first home buyers are being hardest hit, when house prices there aren't out of control.

"LVRs should be targeted to areas where house price inflation is rampant. A house buyer in Napier shouldn't be punished because the Government can't get Auckland's housing market under control.

"Last year John Key said this about LVRs: 'I don't think that it's a tool that should be used to write a bunch of higher LVRs for rich people and lock out a whole lot of first-home buyers'.

"The QV figures show that's exactly what's happening," says Phil Twyford.



INTERNATIONAL WOMEN'S DAY 2014 THEME: INSPIRING CHANGE

Inspiring Change is the 2014 theme for our internationalwomensday.com global hub and encourages advocacy for women's advancement everywhere in every way. It calls for challenging the status quo for women's equality and vigilance inspiring positive change.

The vast array of communication channels, supportive spokespeople, equality research, campaigns and corporate responsibility initiatives means everyone can be an advocate inspiring change for women's advancement.

LPC SAFETY QUESTIONED

A better commitment to health and safety by the Port of Lyttelton could have avoided a serious injury to a forklift driver at the Depot, declared the Rail and Maritime Transport Union. The union applauded the company's actions to move fast to fix safety concerns, but it took five WorkSafe New Zealand improvement notices in January

relating to its City Depot near Woolston to get the company to respond.

"It's a pity however that it took the serious injury of one of our members to get this sorted - all of the issues identified by Worksafe had been identified by members and raised in health and safety committee meetings in the weeks, and in some cases, months leading up to this incident," said union General Secretary Wayne Butson.

The Port also suffered the deaths of a watersider in December and of a contractor in November at the Port. "Sadly, we once again see yet another example of how New Zealand management view health and safety as compliance cost instead of an overriding priority," Butson said.

GOVT LEAVES AUCKLAND WAITING FOR THE TRAIN

The Green Party is challenging the Government to commit to funding Auckland's City Rail Link to start in 2016 rather than wait for two more election cycles.

The Green Party supports the Auckland City Council's proposal to start the City Rail Link project on time in 2016, saving Auckland \$100 million a year in higher construction costs and getting Auckland moving again sooner.

"The National Government's plan is to wait for congestion to reach a critical point before starting the City Rail Link," said Green Party transport spokesperson Julie Anne Genter today.

"National is proposing to wait two more elections before committing to build the most critical missing piece of Auckland's transport infrastructure.

"The City Rail Link should be a priority for Government transport funding; the link is the most effective way to reduce congestion and transport costs, lower emissions, and develop Auckland into a vibrant, greener city.

"The City Rail Link will more than double the productivity of rail in the area and carry

the equivalent of 12 motorway lanes of traffic into and around the city.

"By building the City Rail Link on time, we not only save half-a-billion dollars, we also provide certainty for businesses who are looking to invest and save Aucklanders up to half-an-hour on their journeys across the city.

"If the National Government's commitment to the City Rail Link was real, and not just a hollow, unfunded promise, it should commit to a 2016 start date. If they can't, the Green Party will," Ms Genter said.

TPPA UNDER FIRE

Sustainability Council of New Zealand called for "a full and independent cost benefit analysis" of New Zealand's participation in the Trans-Pacific Partnership Agreement after challenging the Government's assertion that there will be \$5 billion in gains to the economy from the pact. The Council released an evaluation of a study used by the Government to justify support for the trade deal prepared by the Washington-based Peterson Institute for International Economics, long noted for its support of international free trade agreements.

The review was led by Wellington economist Dr Geoff Bertram and concluded that the Peterson Institute's study "greatly exaggerated the projected gains and ignored the financial and intangible costs." The Council said the Peterson Institute ignored many fiscal and regulatory downsides and only about one quarter of the projected gains are backed by a credible economic methodology.

The Australian Productivity Commission made a comparable analysis in 2010 about similar studies on the Australia US free trade agreement and other bilateral deals. 'The fig leaf of over \$5 billion in gains to the New Zealand economy from the Trans-Pacific has been stripped away', said Auckland University law professor Jane Kelsey, a long-term critic of the proposed TPPA.



BAD EMPLOYMENT LAWS ONLY ENCOURAGE BULLYING

New guidelines on workplace bullying issued by WorkSafe NZ are unlikely to fix the problem while employment laws that are meant to protect workers from bullying behaviour are continually weakened by the government, Labour's spokesperson on Labour issues Andrew Little says.

"The National government has eroded basic protections for workers over the last five years, including introducing the hated 90-day no rights period for new workers and watering down laws on personal grievances.

"The 90-day no rights laws allow employers to hire a new worker on the condition they can be sacked within the first 90 days of the job without having to give a reason.

"Meanwhile the law on personal grievance has also been changed so that the employer's subjective views and prejudices carry more weight than a truly objective consideration of the circumstances.

"There is no point in wondering why workplace bullying – estimated to affect one in five – now warrants guidelines from our health and safety enforcement body. The law gives employers the ability to treat workers how they like, and bad employers are happy to oblige.

"Workplace bullying generally arises where there is poor leadership and a bad culture, and only management can fix these things by setting an example and ensuring people are treated fairly and with dignity.

"Far too many employers fail this test.

"Labour will abolish the 90-day no rights law and enhance workers' right to fair treatment."

If you feel bullied or harassed at work please contact the RMTU on 04 4992066 and we will back you!



ALMOST 40,000 OUTSTANDING CLAIMS SHOW CASE FOR KIWI ASSURE

Almost 40,000 Canterbury homeowners still waiting to have their claims settled or finalised show why New Zealand needs a new publicly-owned insurance company, Labour Leader David Cunliffe says.

"Three years on and only 54 per cent of Cantabrians have had their claims settled. This is evidence there is a problem with the New Zealand insurance market.

"At the same time the country's largest insurance group IAG today posted an \$A93 million profit for its New Zealand division in the six months to December 2013. The Sydney-based insurance group holds 40 per cent of the New Zealand market and owns NZI, State and AMI.

"IAG has had a 75 per cent increase in its profits from its New Zealand operations while Kiwi households face rising premiums.

"This must stick in the craw of Christchurch residents three years after the earthquake.

"Labour's KiwiBank-style insurance company KiwiAssure will keep the sector honest.

"With 90 per cent of the insurance sector owned by overseas interests, a Labour government will introduce KiwiAssure, an insurance company that will work for all New Zealanders," David Cunliffe says.

Bits and Bobs

- New Zealand port company, CentrePort, now requires fumigation contractors to recapture methyl bromide – a broad-spectrum poison used as a fumigant – from containers.

LET'S BE SAFE OUT THERE & REMEMBER.....

SAFETY FIRST!