

# THE ACTIVIST



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## **HEADS UP - BIENNIAL FORUMS 2017**

Women's Forum 13 June 2017 and Ports Forum 14-15 June 2017

At the 2016 Biennial Delegates Conference it was agreed that the Biennial Ports Forum would be extended by one day to facilitate a one day Women's Forum. The Forums will be held in Wellington 13-15 June 2017.

National Office will cover the cost of one Women Delegate attending the Women's Forum and One Ports Delegate attending the Ports Forum. All costs (Wages, travel and accommodation) for Observers will be the responsibility of the Branch they represent. Branch Secretaries are asked to formalise their representation and to advise numbers of attendee's to National Office as soon as possible. Suggestions for agenda items are encouraged from branches.

## **FEMALE URINE COLLECTION TRAYS**

In June 2014 the Union reached agreement with KiwiRail that the above item would be available for women members to use as part of the Drug and Alcohol testing regime. The Drug Detection Agency (TDDA) advised the parties, at the time, that they would implement the protocol nationwide immediately.

Imagine our surprise when attending the Wellington Branch meeting yesterday to be confronted by a woman member complaining that no women's device was

available for her sample to be taken. When she complained she was advised by the van operator "that the cups have never been stocked by him, there were none in his van and he didn't think there were any in use nationwide. Emails flew following this and TDDA had this to say.... *"currently getting the TDDA branches and vans re-stocked with these, (some have them, some don't), and once this is achieved, (it will be in place by 3 March 2017), I will also update the Kiwi Rail SOP to ensure that these are offered to any KiwiRail female donor. Apologies that this has slipped off the radar at our end, adding it to your SOP will ensure that it is not lost moving forward."*

Morale of the story: Stand up for your rights and demand the appropriate tools to do the job! This is the web link to the tool.....

<http://www.uslmedical.co.nz/Home/Product/6829/Propax-MSU-Urine-Tray.aspx>

## **2017 SAFEGUARD AWARDS- TIME TO NOMINATE!**

RMTU nominated H&S Reps have a winning track record with the Safeguard Awards. Last year congratulations went to RMTU members Laurie Collins (Lyttelton Port Company) and Ian Dixon (KiwiRail) on being awarded finalist status in the most influential employee section and to our Transdev Auckland members for their involvement in the employee participation lead SPAD project which was awarded finalist status in the best significant H&S initiative by a large organisation category.

This is an opportunity to acknowledge the commitment and perseverance of Safety



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

Reps. These Awards are a small way to acknowledge Safety Reps and convey Union appreciation for the work they do.

### **How to nominate someone.**

The judging panel will be looking for details of initiatives which took place primarily in 2016. The entry should be reasonably brief (just a few pages) that explains how the nominee has made a positive influence to H&S. They also like it if the nomination comes with a few endorsements, e.g. from the manager/supervisor and the Union.

Below are links to both the 'how to enter form' and 'entry form'

<http://www.safeguard.co.nz/databases/skin/safeguard/images/content/adhoc/Awards2017/2017EntryPack.pdf>

The closing date for entries is 3 April 2017. The awards will be presented at a Gala Dinner at Sky City Convention centre in Auckland on the 31st of May.

Let us know if you put a nomination form through. Please send this notice far and wide.

## **HASAT CHAIRS FORUM**

The RMTU and KiwiRail held a meeting of all Chairpersons from the 40 Health and Safety Action Teams this week. The aim of the meeting was to help reinvigorate the H&S Reps in their role on the HSATs. At the meeting Reps were introduced to the new H&S intranet portal, Terms of Reference for the committees and joint Union/KRG Governance structure. The HSAT chairs will be brought back together in 3 months to discuss progress. In all cases the HSAT Chairperson is elected and should be a worker representative not a company manager.

- If it doesn't feel right, step back.
- What is the hazard or risk?
- If you continue, could you or someone else, be seriously harmed?
- If the answer is YES, then STOP, inform your manager, H&S rep and/or your RMTU delegate.
- Or call the RMTU on 04-499-2066

## **KIWI RAIL SCENIC JOURNEYS SOUTH ISLAND**

Our members in Christchurch who work in this part of KiwiRail haven't had an easy time in recent years. Its six years since the big February earthquake devastated Christchurch and there was a subsequent reduction in tourist numbers to the east coast of the South Island. For a couple of years after that earthquake the Tranz Alpine and Coastal Pacific services struggled to break even and we all feared the worst.

Then things began to improve, hotel beds in Christchurch increased as the rebuild gathered pace, the tourists started to come back until we reached the happy situation where KiwiRail management were lauding the efforts of KiwiRail Scenic Journeys, such was the increase in business. On the back of a record 2015-16 season phrases like 'the jewel in the crown of KiwiRail' were being heard around place.

Since then we've suffered another devastating earthquake that has taken out the Main North Line and a catastrophic fire that has damaged a number of bridges on the Midland Line. The result is that both the Tranz Alpine and the Coastal Pacific are suspended.

Local management have been pretty good organising training, accepting volunteers for duty on the Northern Explorer, and working with members enabling them to take leave. Well done to everyone, members and management who have worked together in this way.

What wasn't so great was the announcement that went from the marketing people to travel agents worldwide confirming that the Coastal Pacific is unlikely to return to service this forthcoming September to May next year. Clearly, given the number of on-board staff we have, many will be wondering what this might mean for their jobs. It seems more than a little amateurish, to broadcast this sort of information to all and sundry, before

letting staff know what KRSJ's intentions are.

We acknowledge that KRSJ has previously stated that there would be no redundancies. This however, was on the basis that the Coastal Pacific would likely return September this year. The questions is, given this new timeframe, does this commitment still stand?

The RMTU is following up this matter. Watch this space.

## HOLIDAYS ACT AND PORTS

Members will recall that a little while ago there was a great deal of publicity about the Police's failure to correctly pay its staff according to the Holidays Act. Specifically, much of the heat and light appeared to be concentrated on the payment of leave, given that police work 24/7 and have varying amounts of pay per pay period because of penal rates and overtime.

The Council of Trade Unions (CTU) and the Labour Inspectorate did a great of work on this matter and the Labour Inspectorate identified a number of types of employer as being 'at risk' of making the same errors as the Police. These include district health boards, airlines and ports – in other words, large unionised employers that work 24/7 where workers enjoy payments negotiated by their unions to reflect the anti-social and long hours they put in.

The RMTU has engaged with both Transdev and KiwiRail to confirm they have been paying their staff correctly. KiwiRail have been getting it right, and we are in the final stages of working with Transdev in Auckland which will resolve issues there.

On the South Island, Lyttelton Port commissioned a report by an independent accountancy firm and had that peer

reviewed by a law firm just about the time we raised the matter with them. Full marks to LPC, they have been working with us to unravel some very complicated information and we are now at the point where they are scrutinising a small number of members pay histories as examples. They have informed us that the Board has been informed of the exposure the company has to a considerable amount of back pay. What this will mean for individuals we don't yet know and we certainly don't advise that members go out and spend money that they don't yet have however we are confident that there will be payments owing to many.

We have started to engage with other port employers, asking the pertinent questions that were provided by the CTU at a course late last year. This is a complicated business and nothing will happen overnight but members are encouraged to keep a close eye on developments. We will inform you through your branches and via RMTU publications.

## MINIMUM WAGE TO INCREASE TO \$15.75

The minimum wage will increase by 50 cents to \$15.75 an hour on 1 April 2017, Workplace Relations and Safety Minister Michael Woodhouse announced today.

The starting-out and training hourly minimum wage rates will increase from \$12.20 to \$12.60 per hour, remaining at 80 per cent of the adult minimum wage.

"The Government is committed to striking the right balance between protecting our lowest paid workers and ensuring jobs are not lost," says Mr Woodhouse.

"An increase to \$15.75 will benefit approximately 119,500 workers and will increase wages throughout the economy by \$65 million per year.





"At a time when annual inflation is 0.4 per cent, a 3.3 per cent increase to the minimum wage will give our lowest paid workers more money in their pockets, without hindering job growth or imposing undue pressure on businesses.

"Annual increases to the minimum wage since 2009 reflect this Government's commitment to growing the economy, boosting incomes and supporting job growth throughout New Zealand."

<https://www.beehive.govt.nz/release/minimum-wage-increase-1575>

## HIGH PERFORMANCE HIGH ENGAGEMENT AND THE FREIGHT AND NETWORKS INDUSTRIAL COUNCILS

Both the KIC and the KNIC are being trained in the above at a three day session in Auckland next week. There has been a great deal of talk about "High Performance High Engagement" (HPHE) around KiwiRail in the last year or so, mainly in the mechanical part of the business and specifically in relation to Hutt Shops.

HPHE purports to be a form of industrial democracy that promises to give workers more influence in how work is done and organised. It should return the higher productivity that is essential for sustainable real wage growth and foster an environment in which workers are trained and developed as new technology comes on stream, thereby increasing job security.

Many of our senior officials and representatives are seasoned veterans of initiatives that over promised and under delivered in relation to transforming relations in the workplace. That said, the work that has been done in mechanical services and at the Hutt has yielded some positive results, particularly in the shape of investment. So we're going into this with

open minds and will report back as things develop. Keep an eye out for communications once we have met.

## MECHANICAL INDUSTRIAL COUNCIL UPDATES

### Hotworks Working Group

Members from KiwiRail Mechanical met again on Feb 1st-2nd to continue our review of hotwork procedures (welding, gas cutting/heating, grinding, plasma and air arc gouging) and to improve your safety with greater PPE availability. This group was started after 1 member suffered a severe burn and a couple of other members received minor burns, all of which were potentially avoidable had more PPE been used and if there were better procedures in place. An internal report on the severe burn incident contained a list of recommendations which was our starting point.

After agreeing on an issues statement "How do we resource our people to be competent, equipped and prevent harm when carrying out hotworks tasks within KR RSAS(Rolling stock asset services)", the group reviewed

what is working well and what areas needed improvement, from all this it was identified that there was no clear minimum PPE requirements, there was a gap for those who are certified welders v those who perform non certified welding and other general hotwork. Burn statistics that have been entered into IRIS were reviewed and it was those 5 min quick jobs are where members have been burnt.

A thorough risk assessment has been completed so the risks could be better understood and then this was used as a guide to help develop recommended minimum PPE requirements. Those members who carry out hotwork now have access to Cotton T shirts, current overalls will be replaced and upgraded and a greater range of additional PPE including welding jackets, air fed welding helmets and



grinding shields, fit for purpose spats and other items. This expanded list of PPE is designed to help keep you and your mates safe at work.

The group is also recommending that a process should be in place for those non certified welders to be deemed competent in the safe use of hot work equipment and has developed a Job Safety Analysis sheet to help you plan your job and to better identify hazards before commencing work.

Improved First Aid stations will be in each depot and there are ongoing discussions regarding health monitoring including hearing and lung function tests.

A rollout across the depots is being planned for the coming months.

### **Rule 126**

The current tag system of locking out a loco from moving has been identified as inadequate, which was highlighted in an incident over the Christmas period when a contractor engaged a knife switch despite tags being in place.

The working group has recommended a 3 position switch, that will allow power to the loco as needed but isolates the possibility of any movement and this is to be installed across all diesel locomotives. Fit out of a trial unit should begin in the coming weeks to ensure this switch delivers the desired safety improvement.

## **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](http://www.rmtunion.org.nz).

For example – All national Union elected positions are up for election this year and so there may be votes conducted by mail. If we have the incorrect address info you will not get a vote as you will never receive a voting paper. **Update now!**

## **INVERCARGILL FREIGHT – FROM OUR SOUTHLAND BRANCH**

"A timely reminder to everyone that the rules and processes are there for our own safety as well as everyone else's

We've had a spate of extra wagons on trains arriving in Invercargill of late not on the work order. Well, actually, the truth is, it's been happening for years, but anyway...

One example was one with an extra ten wagons, this train exited the Edendale loop with the last vehicle traveling at an estimated speed of 35km/h (the investigation into the recent derailment in Clinton revealed the last wagon on that train was traveling at 31km/h, albeit there were some extenuating circumstances). If we keep doing this we will tip one over.

Three days later we had another train arrive with the last vehicle not included. Another LE had a similar experience with nine extra wagons late last year.

This may be a bit of a poke in the eye for some readers and they may argue that this is not the right forum to raise the issue, but from our end, it's our only way to get the message across, because, as the evidence suggests, it's a continuing problem that's not getting resolved.

Let's not put ourselves in a position that jeopardizes our employment. "



## SPANISH DOCKERS FIGHTING

On 2nd February, the unions representing stevedores in Spain, FSC CC.OO., FESMC UGT and Coordinadora, had a meeting with the Spanish Minister of Infrastructure, who informed them of the intentions of the Government to approve, and to transmit to the Parliament, a Royal Decree Law (RD), which seeks to aggressively liberalise the port labour market, well above what was established in the ECJ ruling from 2014 and also above what, at the time, the European Commission had tried with the two Port Packages.

This RD, which will be probably already adopted by the Council of Ministers on 10 February, will dismantle the current registration system, which gives priority to registered stevedores, as required by ILO Convention 137, ratified by Spain.

By proposing this text of RD, the government ignores the agreements reached a few weeks ago between the employers' association, ANESCO, and the unions. This led to a series of internal divisions between the employers and a series of resignations in their organization.

The three unions are acting in a united way and have called for 24-hour strikes in all Spanish ports on 20, 22 and 24 February.

The RMTU has sent a letter of solidarity support to the Unions and condemnation to the Spanish Infrastructure Ministry.

## NATS' WATER POLICY A COLOSSAL U-TURN

In a jaw dropping display of political hypocrisy the Government has announced a fresh water policy that was promised by Labour in 2008, says Leader of the Opposition Andrew Little.

"Today's promise to have a swimmable water standard by 2040 is a belated acknowledgement that they have polluted

our rivers for nine years. Labour's 2008 policy was to stop waterways getting dirtier, with any dirty rivers to be cleaned up to a swimmable standard over a generation starting immediately.

"National has simply wasted nine years by dithering over wadeable versus swimmable standards and our waterways have got dirtier.

"This is another stuff up by Nick Smith who caved into farming interests and adopted a wadeable standard when he knew this would not solve the crisis facing our waterways.

"This was the same Nick Smith who in 2006 promised all rivers would be swimmable by 2030. In 2008 he had the gall to criticise Labour's plan as too little too late.

"National has buried its head in the sand for nine years and now surprise, surprise with just 200 days to go the election, the penny has dropped for Nick Smith.

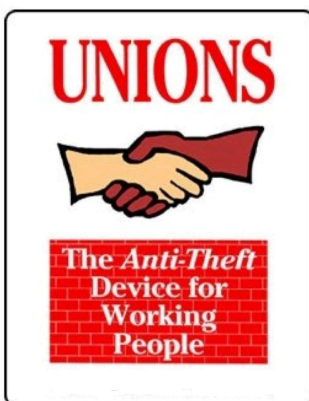
However, under this Government's track record promising swimmable water by 2040 is never never land," says Andrew Little.

## BILL ENGLISH'S HOUSING CRISIS HAS PUSHED BANKS TO THE LIMITS, STIFLING CONSTRUCTION

S&P's report on the New Zealand banking system warns the banks are having to slow new lending, which will slow the construction of desperately needed houses, says Labour's Housing spokesperson Phil Twyford.

"Bill English and his bumbling mate Nick Smith have made a hash of housing. S&P's report confirms that banks are cutting back lending, meaning development projects will struggle to get financing exacerbating New Zealand's housing crisis.

"Already, new housing consents are falling. Residential building consents in Auckland were down 20 per cent in December compared to the previous year. S&P says that the housing shortage will only worsen in the coming year.



"This has happened because National has stood on the side-lines for years while building rates have been too low and house prices have skyrocketed.

"Bill English's years of failure on the housing crisis are coming home to roost. The banks are over-exposed to the housing markets. Capital requirements are forcing them to tighten lending.

"This puts new housing developments at risk of not getting the funding they need, even as the country is short 60,000 houses. Labour's KiwiBuild will use government funding for its capital, so it will be able to build houses despite a bank lending slow-down.

"It's time for Labour's plan to build 100,000 affordable homes for first homebuyers, ban foreign speculators, and invest in thousands more state houses," says Phil Twyford.

### **TRANSDEV AUCKLAND (TDAK),**

LE roster delegates and H&S reps have been identified problems with the latest roster consultation. Tdak have proposed crew changes to begin at Newmarket Station but no Staff toilets are being provided and the size of the meal room is felt to be potentially too small for the number of crew taking breaks there. This appears to be a breach of the H&S guidelines and Standards. Tdak has advised that AT, as the owner of the infrastructure, has declined to address our members concerns. If the new roster is to be fully agreed to meet the 14 day notice period swift resolution will need to be found.

### **REVIEW NEEDED ON RELEASE OF HIGHLY TOXIC GAS AT PORTS**

The Green Party is calling on WorkSafe and the Environmental Protection Agency (EPA) to undertake an urgent review of the ongoing use of methyl bromide – a highly toxic fumigant – at ports across the country.

The call follows a decision made by the Environment Court recently to block an application by Envirofume Ltd to fumigate logs for export using methyl bromide at the Port of Tauranga.

Envirofume's application to use methyl bromide was rejected on the basis that it could harm people's health and contribute to the depletion of the ozone layer. The Court also concluded that methyl bromide should only be used to fumigate logs in dedicated areas designed to recapture the gas.

"This decision makes it clear that this highly toxic fumigant shouldn't be used unless it is very carefully recaptured. Yet multiple ports in New Zealand still fail to protect their workers by safely recapturing the gas," said Green Party pesticide and biosecurity spokesperson Steffan Browning.

"Under the Montréal Protocol, the Government is meant to phase out the use of ozone-depleting methyl bromide by 2020, but since 1990 its use in New Zealand has increased tenfold.

"Workers and residents near the ports of Napier, Tauranga and Whangarei are potentially being exposed to methyl bromide as there is limited recapture of the gas in those places.

"We need both WorkSafe and the EPA to do their job, stop the unsafe release of this toxic gas, and protect both workers and the environment.

"Methyl bromide, if inhaled, can have long-term impacts on the brain, increase the risk of cancers and neurological issues. We shouldn't be exposing anyone to this stuff.

"Because the gas is colourless and odourless, people don't even know if they've inhaled it until well down the track, when they have potentially serious health issues," said Mr Browning.

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

**SAFETY FIRST!**

