

# THE ACTIVIST



Published Regularly - ISSN 1178-7392 (Print & Online) 11 February 2020

## HAPPY NEW YEAR TO YOU AND YOURS!

Welcome to the first issue of our Activist Newsletter for 2020.

2019 was a very successful year for the Union with many triumphs to celebrate and we know that this year promises to be a very busy and full on year for all of us. This year is our 25<sup>th</sup> Anniversary year since the formation of the RMTU on 1 May 1995 and so this year's Conference will be having a celebration tone.

Unity judges our success!

## NOVEL CORONA VIRUS UPDATE

A public health emergency has been called by the World Health Organisation in response to the outbreak of 2019-nCoV (Corona Virus)

There is a high risk that the virus will arrive in NZ however the Ministry of Health says the risk of a widespread outbreak is low.

The RMTU is urging employers to engage with RMTU Delegates and Health and Safety Reps to take all necessary preventative measures to limit exposure to the virus.

Actions to limit exposure include; providing staff with gloves and face masks, alcohol based hand sanitiser and frequent breaks to enable increased hand washing and drying. The Ministry of Health says frequent and careful washing and drying of hands is a

much more effective and important protection than wearing a mask.

In addition, Passengers and staff should be encouraged to practice respiratory hygiene such as coughing into their elbow and having procedures for staff to identify and isolate onboard passengers who are exhibiting symptoms of the virus.

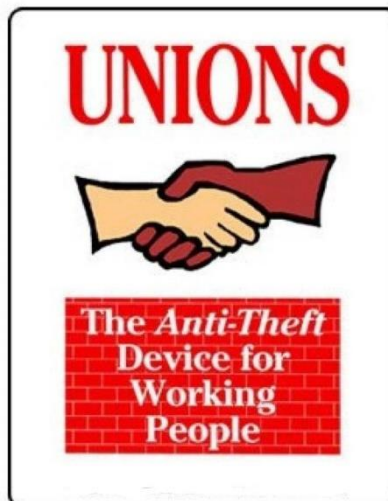
## KR MECA WAGE ROUND REMIT CALL

The KiwiRail MECA expires 30 June 2020. 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 moved and seconded by current financial members of the Union and have been voted on and the remit carried by majority vote of members at a bona fide and properly constituted meeting of an RMTU branch.**

The RMTU negotiation team composition will be determined by and will operate under the oversight of the members of the elected KiwiRail Industrial Council's with the lead negotiator being Wayne Butson our 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 Wage round must be submitted by branches to the Unions National Office by Tuesday 31 March 2020. No late remits will be accepted.**



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

## NORTH TUGZ LITIGATION BRIEF

The RMTU and North Tugz Ltd ('NTL') are engaged in collective bargaining to replace the most recent collective agreement between them.

A central issue is the system of allocating work to members. The current system is driven by variable shipping movements, which can occur at any time over a 24-hour period, 365 days per year – and can change at short notice. Members may therefore be called on by the company to work at any time over a 24 hour period, 365 days a year (including statutory holidays).

There are no set shifts (days and times of work) offered. The company endeavours to give at least 8 hours' notice of each engagement, but on occasion shorter notice of work will be given. Members are expected to remain within one hour of Marsden Point when a vessel serviced by NTL is in Port, unless prior arrangements have been made with the company.

During bargaining the RMTU raised its concern that this system is not compliant with s 67D of the Employment Relations Act 2000. Specifically:

- The current system is an example of an 'availability provision', under which a) members' performance of work is conditional on NTL making work available, and b) members are required to be available to accept any such work, when it is made available;
- Section 67D(2) of the Act provides that availability provisions can only:
  - be included in an employment agreement that specifies agreed hours of work and that includes guaranteed hours of work among those agreed hours; and
  - relate to a period for which an employee is required to be available that is in addition to those guaranteed hours of work;
- The RMTU is concerned that:

- 'Guaranteed hours' in this context means set shifts, rather than just a guaranteed number of hours. NTL's current system involves no set shifts; and
- 100% of members' hours are allocated via the availability provision. The RMTU's view is that the law requires there to be a certain number of hours allocated via set shifts – an availability provision can then apply to additional hours.

NTL's view of the law is different. It says:

- "Guaranteed hours of work" (as used in section 67D) can refer to the quantity of guaranteed hours of work, and there is no requirement to include any guaranteed days or times of work; and
- The 1300-hour guarantee is therefore enough to comply with the Act.

Despite these differing views the parties continued bargaining, and exchanged proposals involving either '3-on, 2-off' or '4-on, 2-off'

systems, under which:

- Members would be rostered 'on' for either 3 or 4 days;
- During those 3 or 4 days there would be no set shifts – members would remain on call.

On reflection the RMTU remains concerned that these proposed systems still would not comply with the Act, as they feature no underlying set shifts for members, and 100% of hours remain allocated via an availability provision. The RMTU has therefore applied to the Employment Relations Authority to seek a determination on this aspect.

For its part, NTL does not agree with the RMTU's view on the law – but has agreed with the approach to the Authority. The Authority's determination will guide the parties in their ongoing bargaining regarding a work allocation system.



## ROM REWRITE AT TDAK

The ROM rewrite at TDAK is finally underway on March 4th. This follows a similar piece of work at Transdev Wellington. There has been an interminable delay waiting to kick this off while debates between the RMTU and TDAK over the interpretation of the stand-by allowance have been ongoing. The team for the rewrite is a mixture of experienced LEs and TMs as we seek to broaden the reach of the ROM to incorporate all staff. What we are aiming for is a ROM that is fair and reflects the wants and needs of all our members. Watch this space.

## TOLL CYBER HACK

We believe there are big problems at Toll. We Understand that they recently globally integrated their computer networks leaving them vulnerable to the very type of computer hacking they have just suffered. We are advised that this has led to massive short-term closures in India and the US while they try to resolve the issue. New Zealand has not been unaffected. This has been exacerbated in Auckland where they are in the process of moving sites from Nielsen Street to the purpose built premises in James Fletcher Drive. Toll have assured us this will not affect pay for members but it will take some time before the after-effects of this are no longer felt.

## NEW ZEALAND SUPERANNUATION IS SUSTAINABLE AT CURRENT LEVELS.

Thanks to the persistent and sustained advocacy and research by Bill Rosenberg, Peter Conway and Richard Wagstaff – in a ground breaking report – the Retirement Commissioner has backtracked on their previous advice and adopted the position of the Council of Trade Unions. Our submission is specifically referenced in the report.

The narrative of New Zealand Super being 'unsustainable' is being challenged by very

the person Parliament set up to review retirement policies.

This is a watershed moment and one that the union movement can be proud of.

The report can be found at <https://cffc-assets-prod.s3.ap-southeast-2.amazonaws.com/public/Uploads/Retirement-Income-Policy-Review/2019-RRIP/CFRC-Review-of-Retirement-Income-Policies-2019.pdf>

## RELIEF GEN SEC

Todd Valster will be relief GS from 14 Feb to 19 Feb as our General Secretary Wayne Butson is a member of the Our Public Transport Project being conducted by the International Transport Workers Federation.

The "Our Public Transport Bangkok Project" in Bangkok is to ensure that the 12 new rail lines and 2 new international airports are unionised.

## MEMBERS HIT BY REDUNDANCIES AT PRIME PORT TIMARU

It hasn't been such a happy new year for our members who work in repair and maintenance at Prime Port in Timaru with the confirmation last week that four out of eight currently occupied jobs are to be disestablished.

The original proposal was for five jobs to be axed but some determined advocacy by the RMTU was successful in saving one of those. The sad fact however, is that four members will lose their jobs. The RMTU was successful in negotiating a redundancy package that was significantly more than the minimum payable in the collective agreement but we remain disappointed that we could not persuade management to shelve the proposal in its entirety. The irony is that this is not the result of a shortage of work, but rather the opposite. There is a backlog of civil repair and maintenance work that needs doing at Prime Port and management, in their wisdom, believe this will be done more quickly and efficiently by specialist contractors. We beg to differ but this is something we will have to agree to disagree on, given the prerogative to



mismange is cemented in New Zealand industrial law.

## RAIL FUNDING

The Prime Minister of New Zealand Jacinda Ardern made the announcement. The programme includes projects to construct and upgrade roads, rail, schools and hospitals across the country.

It has allocated NZD315m (\$205.6m) to improve the Wiri to Quay Park Corridor in Auckland.

It expects the construction of a third rail line to relieve the bottleneck between Wiri and Westfield. Additional capacity will also be provided near the Westfield Junction.

Work to electrify a 19km section of the Auckland metro network from Papakura to Pukekohe will receive a NZD371m (\$242.1m) investment.

KiwiRail will receive NZD211m (\$137.7m) to improve the Wellington, Wairarapa and Palmerston North networks.

The work includes Wairarapa and Capital Connection track upgrades, as well as safety connections and the overhaul of Capital Connection carriages.

The government has allocated approximately NZD247m (\$161.2m) to develop the Drury railway station. It will also use these funds for two new stations, Drury East and Drury West.

\$109m rail investment for the North Auckland line. This is expected to boost the transport access and convenience of the region.

Minister for State-Owned Enterprises Winston Peters stated: "This Government has a bold vision for rail. We said we would address the appalling history of under-investment in our rail system over the last three decades, and we are well on track to achieve that."

"Rail is a national strategic asset and strong investment is a no brainer. These projects will enable KiwiRail to deliver effective rail services and get our cities moving. A well-maintained reliable rail system reduces road congestion and road maintenance costs seriously lowers carbon emissions, and allows for large volumes of freight across the country."

Last year, the government allocated NZD1bn (\$651m) in the latest national budget to improve railway infrastructure.

## ANNUAL SAFEGUARD H&S SURVEY



Each year Safeguard run a "State of the Nation" survey to take the pulse of how things are going. This is the fifth time they have run it. They seek input from three groups:

- health & safety practitioners,
- health & safety representatives,
- and business owners/senior managers.

**The Union requests all H&S reps and Union Delegates to complete the survey!!!**

All questions are multi-choice except for one optional question at the end. The survey takes less than two minutes to complete

and is anonymous. The results of the survey – which looks at trends in perceptions of health & safety over time – will be published in the March/April edition of Safeguard magazine. You also have the option to ask for the survey results to be emailed to you.

If you fall into one of the three categories above then please do the survey [here](#).

The survey closes 15 March.

## HEALTH AND SAFETY REP TRAINING-HOW TO REGISTER FOR A COURSE

Following the Union AGM's, new Health and Safety Reps who've recently been elected to Health and Safety Committees are required to

register for H&S Rep training. H&S Reps attend 2-days paid training per year paid for by the employer.

To register on a course, go to [www.worksafereps.co.nz](http://www.worksafereps.co.nz)

## RMTU/KIWI RAIL (FREIGHT OPERATIONS) INDUSTRIAL COUNCIL (KIC)

The first KIC meeting for 2020 will be held in Wellington, 25 – 26 February. Initially this meeting was going to be held in Dunedin but was moved to Wellington to reduce cost. The outcomes from the KIC rep elections last year has four new KIC reps out of the seven rep positions. Also, further management changes since the last KIC meeting in November will likely see other managers attending KIC.

The current RMTU KIC reps are –

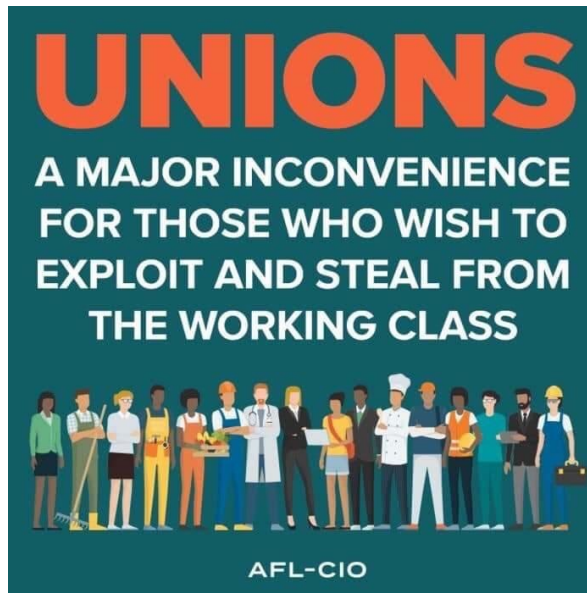
- Brendon Smith – Northern KIC LE Rep
- Howard Phillips – Central KIC LE Rep, NMC Member, RMTU VP
- Jed O'Donoghue – South KIC LE Rep, NMC member
- Josh Goodwin – Northern Terminals Rep
- Logan Rusling – Central Terminals Rep
- Rebecca Hauck – Southern Terminals Rep, NMC member
- Antoon Whiu – National CT Rep, and;
- Union Organiser, Todd Valster

The agenda for the KIC meeting is always full and in addition to the KIC meetings and work between meetings, KIC reps are working on the following projects –

- Fatigue Risk Management Group (FRMG)
- Tunnels CRN
- ROM S9 – rostering for terminal workers

- Upper North Island Train Optimisation
- Terminal Optimisation
- Safer Shunting
- SPAD CRN
- Workforce Development
- EF Refurbishment
- H2A – New Hamilton to Auckland services

The minutes from the last KIC 44 meeting in November were available a few weeks after the meeting, hopefully that improvement continues.



## FIRST BRANCH MEETING AT HILLSIDE SINCE 2012

A sign of the growing confidence and optimism of our Otago Rail Branch was the decision to hold their February Branch meeting at Hillside – the first time a branch meeting has been held there since late 2012 when the RMTU was

embroiled in the fight to save jobs and the workshops from a National Government that was hell bent on closing the place down and slashing rail.

What a difference eight years makes. The meeting was well attended and members are particularly keen to be involved in the regeneration of Hillside. What is particularly pleasing is that our Otago Rail Branch Secretary, Dave Kearns, is an ex-Hillside employee and after re-training as an LE with KiwiRail he had the opportunity to organise this meeting.

What's the money on the redoubtable Hillside Branch of the RMTU being resurrected? The Branch would itself up after 2012 and members working in the heavy lift maintenance facility became part of the Otago Rail Branch. If Hillside blossoms as it should in years to come we are sure there will be a call to reconstitute this once proud Branch of our union.

## NEW BOSS AT LYTTTELTON PORT

The newly appointed Chief Executive of Lyttelton Port, Roger Grey, officially starts his new job this week. Since the very bitter and acrimonious industrial dispute with the RMTU in the first half of 2018 Lyttelton Port has had wholesale changes at both board and managerial levels and we are hopeful and optimistic that industrial relations will continue to improve.

Readers of the Activist will be aware that the relations between LPC and the RMTU have thawed in the past year with a number of outstanding individual cases being resolved by agreement and the successful negotiation of a landmark RMTU-LPC Inland Ports collective agreement.

It's no exaggeration to say that there are challenging times ahead for everyone at the port given the projected increase in trade, the expansion of the container terminal, the completion of a new cruise ship berth and the impact of new technology on the industry in general. The good news is that these are all challenges associated with growth and that there are opportunities for RMTU members who will remain a vital part of the continuing success of the port.

The key point is that we work to make the changes that are coming positive for our members and effect a 'just transition' as growth in cargo volumes leads to increased automation of many current jobs. This will require good organisation and determined advocacy if we are to ensure there are secure, well paid and highly skilled jobs for port workers.

Mr Grey comes from the aviation industry so he is no stranger to managing growth and change driven by technology. He is also used to dealing with unions that expect workers to have a say in how that change plays out. We look forward to a positive and enduring relationship.



## NEW ELECTRIC SHUNT VEHICLES

KiwiRail is going out to market to buy new small electric shunt vehicles to replace diesel powered depot shunt locomotives. The new shunt vehicles will be remote control operated for use in the depots and mechanical areas. Hutt shops recently trialed the new Zephir 1800 E Shunt. A joint RMTU /KRG working group will be meeting on the 11-12th Feb at Hutt Shops and Palmerston North depot to an operational risk assessment on the introduction of ESV's.

## HPHE – UPPER NORTH TRAIN OPTIMISATION / TERMINAL OPTIMISATION PROJECTS

This UNI TOP working group has not met since June last year due to progress that was supposed to happen between meetings being delayed. This progress was mainly depot briefings to explain the importance of running to the train plan e.g. trains not leaving early or late. The briefings have now been done so the next meeting of the UNI TOP will take place in Tauranga 17 – 18 February. The initial focus for this project was mainline running but it was quickly worked out the integral role terminals perform in optimising train operations. The meeting this month will be looking at both the mainline and terminal operations.

The RMTU reps on this project are –

- Steve Peacock and Graeme Ducker (Te Rapa LE's)
- Dennis Spencer (Mount Maunganui LE)
- Andrew Feasey (Train Control)
- and Union Organiser, Todd Valster
- Terminal Reps added to this meeting -
- Hamish Paton (Te Rapa) and Josh Goodwin (Mount Maunganui)

## HILLSIDE REVITALISATION KICK STARTED WITH MASS MEETING

The first slice of a multi-million dollar investment package from the Labour led coalition government's Provincial Growth Fund is starting to be spent at Hillside in Dunedin.

Almost \$20 million has to be spent before further funding up to a total of \$60 million will be confirmed. KiwiRail has wasted no time and has already started the demolition of some derelict buildings on the site. A meeting of Dunedin based RSAS and Network Services members heard from KiwiRail management about their initial thinking, including shifting the Cumberland St Maintenance Depot and the Strathallen St Networks Depot to Hillside.

At this stage the idea is to upgrade the main rail workshops on the site, including overhauling the aging heavy-lift crane and traverser. This will enable the maintenance of more locomotives and wagons, as well as undertaking new types of work, such as heavy maintenance and upgrades.

In the next three years it is expected that at least 40 new KiwiRail jobs will be created at Hillside, including skilled mechanical and electrical positions.

As well as Hillside becoming a vital part of KiwiRail's South Island freight and tourism operations, the long term vision is for Hillside to become a centre for engineering excellence in the South Island which will attract manufacturing, fabrication and potentially marine engineering businesses to the site alongside the KiwiRail operation.

This is great news when we look back to the dark days of the last National government and the long fight the RMTU waged to save the workshops. The investment by our Labour led coalition represents a huge win for our members and the city of Dunedin, as well as the future of rail in New Zealand.

The RMTU will be involved in the regeneration of Hillside every step of the way. It is good that management have not come to the table with a pre-conceived idea what the detailed plan should look like as

one very clear lesson from the successful implementation of change at Hutt Workshops, including HPHE led change, is that it requires worker participation and involvement. The RMTU has some very capable officials and delegates in Dunedin and we look forward to being fully involved in the project.

## LYTTELTON PORT LOGISTICS OFFICERS BARGAINING

After a brief hiatus over the Christmas break this bargaining is scheduled to commence with our first day of talks set down for 12th February. As mentioned in the previous edition of The Activist, the RMTU is hopeful that the talks will be as constructive as those that led to the RMTU-LPC Inland Ports collective agreement.

## KIWI RAIL SOUTH ISLAND RESTRUCTURE

As briefly mentioned in the last edition of the Activist this exercise was announced late last year. It mainly affects non-MECA KiwiRail staff and some MECA covered administrative roles. The sudden resignation of the KiwiRail South Island Regional Manager in December meant the final decisions regarding aspects of the restructure have been delayed, and at the time of writing we are still working through the outcomes for Field Asset Engineers and Field Production Managers.

This week our three administration members heard the final decision regarding their jobs. The West Coast role has been confirmed and two out of three of the Christchurch roles are similarly confirmed. Whilst we are disappointed that one of the Christchurch jobs is being axed our affected members are very grateful for the support they received from members in Christchurch and across the South Island. Over 180 put their names to a petition backing the retention of jobs and management were very clear that this overwhelming support was a factor in them reconsidering the

### NORTHLAND RAILWAY INVESTMENT WELCOMED

On behalf of Northlanders we thank the **Coalition Government** for recognising the importance of our railway network.

- More trains = less dangerous large trucks = safer roads
- Rebuilding Northland's railways for Freight, Tourism, Jobs
- Re-opening Kauri to Otiria railway line
- New Container transfer & log facility at Otiria
- Purchase of land for the railway to North Port



- Strong Railway Network
- Strong Economy
- Safer Roads

RMTU PO BOX 1103, Wellington



Photo: Neil Robertson

original proposal which would have cut much deeper.

One myth that has well and truly been put to bed by this restructure is that people in non-MECA covered roles 'can't join the union'. This has never been the case and the value of working collectively to fight redundancies has been made apparent during this restructure. A big thank you to our Canterbury Rail branch Secretary Ian Walker for the tremendous work he has done on behalf of members, both those covered by the MECA and those on IEAs. Also, a big thank you to our delegates across the South Island who helped organise the petition in support of the affected members.

### GOVERNMENT STATS SHOW IMPROVEMENT ON GENDER PAY IMBALANCE

Positive news for working people today with the release of the employment and income statistics which show that more Kiwis are in work and notably more women are too.

The Council of Trade Unions Policy Director and Economist Andrea Black is pleased to see that wages are increasing, "The Labour Market Income Statistics show that the average wage has increased by 3.6% over the last year or over \$40 per week for an average full time employee. Interestingly there is a gender split with the average wage for women increasing by 4.3% and 3% for men. If this trend continues we will actually start to see meaningful improvement to correcting the gender pay imbalance."

"We are however concerned that the statistics around the Household Living cost Price Indexes which came out at the same time showed that high rent increases are impacting low income people more than those on higher incomes because people with low incomes pay a higher proportion of

their incomes in rent than people on higher incomes."

"Working people need these improvements to continue and strengthen and not lose any benefits of higher wages through increased rents. The passing of legislation supporting the introduction of Fair Pay Agreements, alongside addressing the housing crisis, is another way the Government can take action to secure a better future for all working Kiwis," Black said.



### TRACTION ELECTRICIANS, LINE MECHANICS AND TRACTION CONTROLLERS PAY PROGRESSION

Avid readers of the Activist will recall that the Network Services pay progression exercise is part of a commitment made by the RMTU and KiwiRail arising out of the 2018 pay talks. Essentially it involves a thorough analysis of the jobs done by members in

Network Services and how they are paid in comparison to similar roles in the 'market'.

KiwiRail is committed to being at least a 'median market payer' and the last time a similar exercise was done, in 2011, it was apparent that the company had fallen behind this target. The upshot was that many of our members in Network Services received a substantial pay increase, averaging around 8%.

Whilst there are no guarantees this will be the case this time, we know there is considerable market pressure on pay rates in some occupations. These include Traction Electricians, Line Mechanics and Traction Controllers. Accordingly, we are pleased that, our Network Services Industrial Council (KNIC) representatives have finally agreed position descriptions for these roles with management and that KiwiRail has secured the services of Ernst Young to undertake the next phase of the exercise – a comparison



with hat is being paid in the market for similar work.

As soon as we have the results we will communicate these to members. We have already agreed position descriptions for the Safety Protector Group and will now work through all the other jobs covered by pay scale 2.

This are track, structures, rail welders, signals, plant fitters, communications and stores and includes gangers and inspectors.

Look out for special bulletins and/or in future editions of the Activist for updates as this exercise progresses.

## KIWI RAIL DETAILS \$1B INFRASTRUCTURE SPEND

KiwiRail is already locking in suppliers and specialist services as it prepares to spend the government's cash injection to upgrade and expand the national rail network.

The government has allocated more than \$1 billion on major big rail projects over the next four years, in addition to \$200m to develop rail freight services in Northland.

"It's a good problem to have," said KiwiRail chief operating officer capital projects David Gordon, who is responsible for coordinating the rollout of the state-owned enterprise's many infrastructure projects over the next few years.

The four projects include the \$315 million improvements to the Wiri to Quay Park corridor in Auckland, as well as construction of a third rail line; \$371m to extend electrification of the Auckland metro network from Papakura to Pukekohe; and \$247m to develop a railway station in the

fast growing area of Drury, with two new stations at Drury East and Drury West.

The third Auckland rail line will also improve freight services between Ports of Auckland and the Port of Tauranga.

Wellington will get \$211m to overhaul services and amenities on the Wellington, Wairarapa and Palmerston North network and beyond. A further \$40m has been allocated for a new freight hub at Palmerston North.

Gordon said KiwiRail had hit the ground running and was ready to meet the considerable challenge ahead, with contractors in place and training and apprenticeship programmes under way.

"(It is) undoubtedly a challenge, but clearly a good one to have," he said.

"If this had suddenly sort of been dropped on us out of the sky, you'd think how on earth would you do this, but we've building to(wards) this for a while."

He said the projects would create direct and indirect employment for hundreds of people, with many of them to be employed by KiwiRail's contractors.

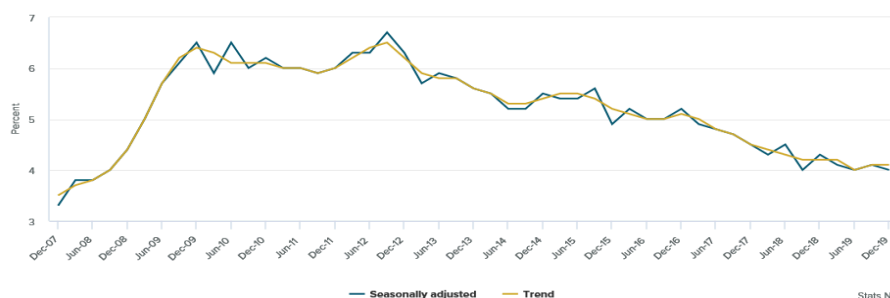
"We are the contractor of contractors, so a lot of the work is done for us by third parties," Gordon said.

"We've been locking down contracts with some key suppliers for quite a time."

## UNEMPLOYMENT RATE DOWN TO 4.0 PERCENT

The seasonally adjusted unemployment rate was 4.0 percent in the December 2019 quarter, down from 4.1 percent (revised) last quarter, Stats NZ said today.

Unemployment rate, seasonally adjusted and trend, December 2007–December 2019 quarters



"The unemployment rate has largely been tracking down since late 2012, but has remained stable at around 4.0 percent throughout 2019," labour market and household senior manager Sean Broughton said.

The fall in the unemployment rate this quarter reflected 3,000 fewer unemployed people, driven by 3,000 fewer unemployed women.

The unemployment rate for women dropped to 4.3 percent in the December 2019 quarter, down from 4.5 percent last quarter. For men, it was unchanged at 3.8 percent.

### Wage rates grow over the year

The labour cost index (LCI) salary and wage rates (including overtime) increased 2.6 percent in the year to the December 2019 quarter. This is the largest increase since the June 2009 quarter, when it increased by 2.8 percent.

Average ordinary time hourly earnings, as measured in the quarterly employment survey (QES), increased by 3.6 percent over the year to reach \$32.76.

Average weekly earnings (including overtime) for full-time equivalent employees (FTEs) in the QES also increased – up 3.6 percent over the year to the December 2019 quarter to reach \$1,272.12.

See Wage growth remains at 10-year high for more information on wages in the December 2019 quarter.

## UPDATE FROM ATU (AMALGAMATED TRANSIT UNION)



We are pleased to inform you that after an 84 day strike, the ATU Local 689 strikers at Cinder Bed Road have won! The 120 bus workers helped win two collective bargaining agreements for their union. You can see ATU Local 689's statement here: <https://www.atu.org/media/releases/atu-local-689-members-approve-tentative> and

on their website: <http://www.atulocal689.org/cinder-bed-strike.html>

The first CBA, negotiated between Local 689's public sector unit and the public transit agency WMATA (Washington Metropolitan Area Transit Authority), includes an historic defeat of service privatisation in the region. WMATA has committed to winding down its privatisation schemes, including municipalising the Cinder Bed Road facility in two years' time, when Transdev's revenue agreement expires. That means the Cinder Bed strikers who remain employed at the facility in two years will be eligible to become full-fledged public sector WMATA employees with strong retirement and healthcare benefits and a liveable wage.

With that victory in hand, some expected the strikers to return to work, and wait out the two years. Instead, the workers stood strong, refusing to return to work under the same conditions that drove them to the picket line in the first place. A second CBA, negotiated between Local 689's private sector Cinder Bed unit and their employer, Transdev, that delivered the labour protections and immediate economic gains strikers needed to go back to work. It was overwhelmingly ratified, with 98% voting in favour. The strikers returned to work on 17 January.

"The Cinder Bed Road workers' ratified contract shows their strike was a victory - a victory for living wages for transit workers, a victory for fair treatment on the job, a victory

for riders and a victory over the privatization of public transportation..." said ATU International President John Costa.

A big thank you to all ITF unions who sent solidarity letters, messages and photos to ATU Local

689. We have collated many of the messages here:

<https://www.itfglobal.org/en/sector/urban-transport/around-the-world>

## POT- RMTU CA UPDATE

As a result of the behavioural issues surrounding the settlement of the POTL/RMTU C/A, the RMTU negotiating team raised the

issue with POTL, and it has been agreed that there would be a meeting in the new year to resolve the behavioural issues.

### **C3 CHANGES AND WAGE TALKS**

There has been a changing of the guard at C3 with the Senior Management team all leaving C3, which has dramatically changed the dynamics of the Collective Agreement negotiations for the better. On that basis the RMTU bargaining team suspended the strike notice until the new year if required.

Since the resumption of negotiations, the parties are actually negotiating in good faith and working towards settling the Collective Agreement.

In support of Happy World Toilet Day, 19th November 2019, the Union negotiating team for C3 have claimed the following clause to be added into their Collective Agreement "That all toilet facilities will be audited by the parties twice yearly to ensure that they are fit for purpose. If they are deemed unfit for purpose Union members may refuse to use them until they are deemed fit for purpose by the RMTU members" C3 are currently considering our claim.

As a result of discussions around the above claim the BOP Port Branch executive will petition the Port of Tauranga to improve their facilities such as the Sulphur Point Straddle Hut, the 20 Shed toilets, the On board stevedores and Log Marshalling facilities, which are not fit for purpose.

### **PORT OF NAPIER UPDATE**

The RMTU bargaining team have reached a proposed settlement for ratification. The team are currently working thru the draft Terms of Settlement with the aim of holding a ratification meeting on the 18th of February.

### **BOP WAGON STROPPING**

The RMTU is currently working with KiwiRail to resolve the contracting out

issues at Mt Maunganui and Murupara where contractors are stopping the logs on Kiwirail trains which may be in contradiction to the contracting out clause in the Kiwirail / RMTU Collective Agreement. We hope to have this issue resolved early in the new year.

### **BOP RAIL ROSTERS.**

The RMTU roster committees have been pretty busy in Sulphur Point and Kawerau working thru new roster proposals with the aim of making the rosters more family friendly and helping to reduce fatigue in the workplace.



### **TRANSDEV WGTN BACKPAY**

Following member complaints the Union investigated the backpay calculation methodology used by Transdev Wellington. Having experienced this problem before the Union had been very explicit in the terms of settlement as to how the calculation was to be made. The percentage increase applied to total gross earnings between date A and date B. We believe that the employer failed to do this calculation. We have written to Transdev Wellington and advised they either pay out correctly or we will lodge an application for compliance with the Employment Authority.

### **KIWI RAIL RULE BOOK REWRITE**

KiwiRail has advised the Union that they wish to embark on a complete rewrite of the NZ Rail Industry rule book. This has been attempted twice in the past with no real success and so we will approach the project with a degree of trepidation.

**Remember -  
Lets be Safe at  
all times!**