

THE ACTIVIST



Published Regularly - ISSN 1178-7392 (Print & Online) 3 March 2022

HAPPY NEW YEAR TO YOU AND YOURS!

Welcome to the first issue of our Activist Newsletter for 2022.

2021 was a year that all of us will never forget and yet as a Union we had a few triumphs to celebrate and we know that this year promises to be a very busy and full on year for all of us.

This issue coming out in March is very unusual for us however it reflects the Covid times we live in where the daily workloads are very heavy with constant change.

Unity judges our success!

WORKERS MEMORIAL DAY 28 APRIL

28 April is International Workers Memorial Day and RMTU events will be occurring around the motu. Please advise the RMTU National office about your Branches planned Workers Memorial Day event.

The international theme this year is "Unions make work safe". The Union safety effect is well known. A recent (2021) study of 1.7 million Canadian construction sector workers found that workplaces that are unionised are 31% safer than the non-union companies. The union safety effect was associated with 29% less critical injury claims and 25% less musculoskeletal claims.



KIWI RAIL MECA

With the KiwiRail MECA resoundingly ratified by members all eyes turn to when the increases and back pays will be paid out. KiwiRail advise that the new rates and the back pay will all be paid out on 10 March 2022. If it doesn't happen don't call us call KiwiRail.

POLICE ESCORTS NEEDED

Enforcing compliance with Covid legislation has seen WorkSafe inspectors threatened and on some occasions require a police presence when visiting workplaces. WorksSafe's Simon Humphries shared this at the recent LegalSafe conference and went on to say that some people had been arrested for making threats to inspectors. "On one visit, because of the online threats that had been made, we had 10 police accompanying two inspectors who were simply checking QR code placement compliance". He said that these such incidents were happening 15 to 20 times a month. "At last count we had issued \$160,000.00 worth of infringement notices, and some businesses have had two or even three notices issued".

PORTS: HEALTH AND SAFETY TRAINING

The RMTU is offering a new two-day training course for port members who are passionate about improving health and safety on the waterfront.

The course will be taught via zoom, until covid restrictions have lifted, but promises to be

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

engaging by using case studies, quizzes, videos and group work. Your attendance will be covered using paid EREL leave, organised by the Union. The first course will be piloted on 7, 8 April via zoom. If you're interested in doing the course please get in touch with your RMTU organiser to register your interest.

INTERISLAND LINE

The new payscale 9 in this new MECA is very different from the past. It has the Customer Service reps pulled out of scale 1 and placed in here with a designation and a rate of pay. This move alone is a major gain as it provides transparency to the workers as to what they will be paid. A review as part of the wageround found that people doing the same job were on differing rates for unknown reason. It also has the Interisland Production Kitchen now included in payscale 9 with the two rates paid being removed from payscale 1. This was a shock as the members in this area are a very disparate group in service and skill and experience and yet the same rate of pay is paid. Now that the light of day is on this area expect change.

COVID-PORTS

The RMTU and other Maritime Unions are meeting with Maritime NZ and Minister of Health fortnightly to discuss COVID issues or concerns.

Ports members who have questions or concerns with the public health response are encouraged to get in touch with their RMTU Organiser to raise issues with the Regulator and Ministry of Health.



CASUAL VACANCIES, NOMINATIONS CALL FOR KIWI RAIL NETWORKS INDUSTRIAL COUNCIL – 2021 TO 2023 TERM

Nominations are called for the following KiwiRail Networks Industrial Council. – two casual Vacancies.

The Joint Industrial Councils have governing terms of reference signed by the Union and KiwiRail Ltd. They are intended to be the escalation point for industrial and H&S issues which arise during the course of the employment relationship on a day to day basis which have not or cannot be resolved at a local or branch level or issues that have national significance.

The term of office for these vacancies is the remainder of the two year term ending March 2023.

NOTE: Union policy and Rule 24.7, determined by Conference, requires that any member of the Union's National Management Committee (NMC) who is eligible for nomination to a position on an Industrial Council shall be deemed to have been elected to that position. This means that nominations shall not be called for that position.

If you are paid under payscale 9 of the KiwiRail MECA then you are eligible for nomination for this position

Nominations are called for:

- Machine Group/ Fitters
- Track Auckland Metro

Position Description:

Machine Group/Fitters

If you are employed within the track machine and mobile mechanised groups, plant fitter specialised area of KiwiRail I & A then you are eligible for nomination to this position.

Auckland Metro Track Worker position

If you are employed by KiwiRail as a track worker/maintainer (other than leading) in the Auckland Metro area you are eligible for nomination for this position.

Important Information

Nominations MUST be in writing on the official Nomination Form and contain the signed consent of the candidate, be proposed and seconded by financial members (Rule 1) of the Union from the equivalent industry designation or operating area/sector.

Official Nomination Forms are available on the RMTU Website

www.rmtunion.org.nz or from the National Office by calling on 04-499-2066, or emailing office@rmtunion.org.nz

Correctly completed nomination forms must be received by the National Returning Officer at the National Office of the Rail & Maritime Transport Union, PO Box 1103 Wellington 6140 no later than **1700 hrs on Friday 1 April 2022**. You can also fax the completed form to 04 4710896 or scan/photograph and email to admin@rmtunion.org.nz or office@rmtunion.org.nz and please ensure you get a receipt acknowledgement to be confident that your nomination is properly in the system!

Members and Branch Returning Officers are advised that in the event that there is more than one nomination for any position, a postal ballot shall be run out of the Union National Office by the National Returning Officer.

In the event of a ballot being required candidates are advised that they

must have their photo and a short promotional statement of up to 200 words to the National Returning Officer no later than **1700 hrs on Friday 8 April 2022**. Electronic receipt of this information is preferred. Please ensure you get a receipt of acknowledgement please. In the event that neither a photo or a promotional statement is provided then be advised that the ballot papers, if required due to more than one nomination having been received, will be issued with the candidates bio information and pic being absent.

Please ensure you advise National Office if you have changed addresses or your designation in KiwiRail has changed. If we can't get a ballot paper to you because we do not have the correct mailing address then we cannot provide you with a voting form. Call RMTU 04-4992066 or alternatively update your details online www.rmtunion.org.nz or email admin@rmtunion.org.nz

Signed:

Howard Phillips
National Returning Officer

PSA ALLIED PUBLIC HEALTH TECHNICAL AND SCIENTIFIC MEMBERS INDUSTRIAL ACTION

You may already be aware the PSA Allied Public Health Technical and Scientific members have overwhelmingly voted to take industrial Action as follows:

1. Complete withdrawal of labour from 0600 hours on Friday 4th March 2022 to 0600 hours on Saturday 5th March 2022.
2. Complete withdrawal of labour from 0600 hours on Friday 18th March 2022 to 0600 hours on Saturday 19th March 2022.



Their decision to take strike action follows 15 months of negotiations which has failed to resolve our pay claims.

Thanks for the support you've already shown our members, we really appreciate it. It would be great if you could advise your members of the strike action. Due to Covid we are unable to organise large pickets as we would have done at normally. However, we are organising several small events for members to participate in on the strike day. For health and safety reasons we will need to keep the numbers attending very low.

We however would appreciate messages of solidarity and other moral support. [Leave a message of support or solidarity for striking workers](#)

We have launched a petition calling on the DHBs to provide a fair deal for Allied workers. To make that successful, we need as many people to sign the petition as we can possible.

[Sign and share this petition.](#)

If you could distribute this information and encourage your members to support us that would be greatly appreciated.

BLOOD PHOSPHATE

A further shipment of Blood Phosphate is coming to our shores. The RMTU has been steadfast in its enforcing of an NZCTU resolution condemning the importation of blood phosphate into NZ. We as a country are one of the few remaining importers of blood phosphates as the rest of the developed world have banned them. Even Australia does not permit the importation of blood phosphate and so it is a disgrace that the Ardern Government has done nothing to end this dreadful trade in Aotearoa. Ardern has visited the sahrawi refugee camps when she worked for the UN and so knows the suffering caused to the Sahrawi people by the Moroccan occupation.

The next ship visit will be Port Napier on or about 10 March in the Stoney Stream. The local RMTU branch will present the Captain and owners with a letter of condemnation and protest. This trade must end!

MEDIATION WITH KIWI RAIL OVER STAFFING OF BALCLUTHA YARD

Last year we reported on a failure by KiwiRail to consult on a restructure in Otago. The transfer of a Remote Control Operator from Balclutha to Picton and the subsequent disestablishment of that role, together with the establishment of an RCO position Dunedin means KiwiRail now wants to partially staff operations in Balclutha from Dunedin.

Several meetings between the RMTU, represented by our very capable delegates and the South Island Organiser, and management have occurred since then in which a number of concerns have been raised

on behalf of members, primarily, but not exclusively related to health and safety. KiwiRail have stated they wish to commence training Dunedin based yard staff to undertake duties in Balclutha, some 80 km away, from 1 April. The RMTU has sought legal advice and requested mediation facilitated by the Ministry of Business, Employment and Innovation (MBIE). This was agreed to by KiwiRail and the parties are due to meet in mediation on 25th March if the matter cannot be resolved before then.

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

RMTU ASSISTS COUNCIL OF TRADE UNIONS (CTU) WITH TRAINING ON FAIR PAY AGREEMENTS

The CTU has been working on training union officials and delegates to run education sessions with union members on Fair Pay Agreements (FPAs) and RMTU staff have assisted with this process.

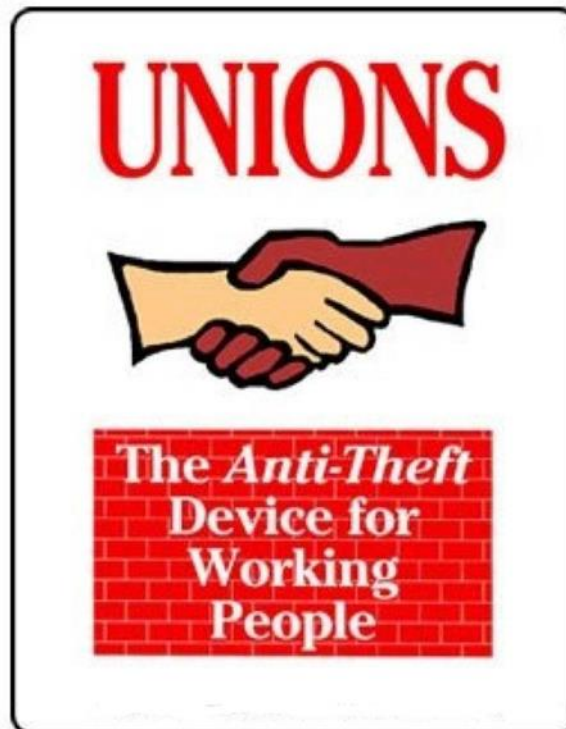
Union members will hear a great deal about Fair Pay Agreements (FPAs) this year as this flagship piece of legislation is introduced in Parliament by the Labour Government. FPAs have the potential to transform the industrial landscape and represent the biggest change to the wage setting mechanism in Aotearoa since the Employment Contracts Act decimated the union movement in the early nineties. Simply put FPAs will provide a mechanism whereby a 'floor' of minimum wage rates and other terms and conditions can be established across an industry, allowing workers who have been unable to collectively bargain to do so and stopping the 'race to the bottom' that we see in so many cases where employers seek a competitive edge by paying low wages.

The commonly cited industries that will be the 'first cabs off the rank' on FPAs are cleaning, buses and security, but the port unions have identified the potential of an FPA in the port sector where labour hire companies such as C3 and Quality Marshalling are competing on costs to secure contracts from port companies.

The legislation will be strongly opposed by business lobby groups who will trot out the same old tired arguments about higher unemployment and prices if wages increase as a result of FPAs. The fact is that many high wage, highly productive countries, for example Germany in Scandinavia, have similar systems and workers are demonstrably better off. All wage systems are built from the bottom up and all workers are better off if the lower paid get a better deal. The New Zealand union movement will be mobilising to support FPAs as the legislation

goes through parliament this year.

This will mean union members will need to be informed and motivated to make submissions in the select committee stage of the law making process, and ready to take to the streets to demonstrate support for FPAs, hence the need to train up active members to educate their colleagues about this initiative.



KIWI RAIL/RMTU RSAS TEAM LEADER REVIEW

A workgroup was set up last year to review the

RSAS Team Leader roles, responsibilities, training and support. This work group is meeting regularly online and is made up of representatives from the workshops, locomotive, wagons and passenger depots. A matrix of responsibilities has been drafted and is being sent to HR so that position descriptions can be drafted. Both the Team Leaders and acting Team Leaders have been surveyed for input and KR undertook a management survey as well.

HPHE INITIATIVE PROGRESSING AT LYTTLETON PORT DESPITE HITTING A SPEED BUMP

The relationship between the RMTU and Lyttelton Port Company is probably the best it's been for over a decade. Our union is engaging with LPC on every level from the Board, to Senior Management, down to the front line departmental managers and we are generally getting along very well. There is agreement on the broad objectives for the port and the unions as exemplified in the signing the HPHE Charter last year. It was therefore disappointing, but not entirely unexpected, when a dispute in the plant maintenance workshop over an attempt by workshop management to ram through an unnecessary 'COVID roster', with complete disregard to legal and contractual obligations resulted in an HPHE project in that area being 'paused'. The members were united and the so called COVID roster was scrapped, and a motion of no confidence was passed in the departmental management.

In our experience it's not unusual for there to be hiccups as HPHE initiatives are rolled out. HPHE is founded on trust, and anything that damages trust, even if it's not directly related to HPHE, has an impact. The important thing is the parties stick at it, work through the issues and focus on the relationship. There is no room for rogue managers who don't commit to company policy on HPHE if RMTU officials and members are demonstrating their commitment to the process.

The Fatigue Management Project is continuing and a port wide education programme on HPHE starts this month. In addition, Joint Leadership Teams (JLTs)

involving managers and union delegates are being set up at the departmental level. The Board has indicated that they will be looking for continuity from the new incoming CEO and we have been pleased with the commitment demonstrated by the Acting CEO to working cooperatively with our union and its members. All this is a very different picture to that back in 2018 when we were embroiled in strikes and lockouts. It is, as they say, a work in progress.



KIWI RAIL/RMTU SHUNTING WORKING GROUP

This workgroup was set up prior to the lockdowns but with the disruptions there had been a lack of progress. This year we have met online, developed a terms of reference which includes the purpose of the work, what is in and out of scope, the composition of this workgroup, responsibilities and other logistics e.g.

communication.

The purpose of the shunting working group is to –

- Ensure that KiwiRail understands the risks associated with shunting and takes corrective measures to ensure that these are managed so far as is reasonably practicable.
- Bring together representatives from the RMTU, KiwiRail, PCBUs and other subject matter experts to collaboratively manage the risk of harm associated with shunting hazards.
- To improve shunting safety outcomes within KiwiRail using people v plant principles (separation, movement, safe zones)
- Develop a future state shunting strategy

UKRAINIAN AND RUSSIAN SAILORS WORK ALONGSIDE ONE ANOTHER ON FISHING VESSELS OPERATING OUT OF LYTTLETON PORT

Our Lyttleton Port Branch members are aware that fishing vessels that have Lyttelton as their home port are manned by sailors from Russia and Ukraine, two countries now at war. One of our security members has helpfully reminded members of this and highlighted the importance of us being understanding and compassionate. One can only imagine how difficult relationships must be on these vessels. What remains fundamental however, is what unites working people is far more important than what divides them.

The value of international support from fellow workers has been demonstrated time and time again to RMTU members in dispute with their employers in recent years. It is gratifying that our members at Lyttleton Port are looking out for their fellow Russian and Ukrainian workers on these fishing boats.

KIWI RAIL MIDDLETON OPERATIONS MEMBERS UNHAPPY WITH ARATAKI REMOTE CONTROL SYSTEM ON DSG SHUNT LOCOS

Middleton Operations RMTU yard based members met on Wednesday 2 March to voice their concerns about the Arataki Remote Control packs used with DSG locomotives. They were unanimous that the system is defective and passed a unanimous resolution that until it is fit for purpose members will only use the Arataki DSG

shunt locomotives in manual operation mode. This has staffing implications in that the Remote Control Operator will require two Rail Operators to safely work in the yard.

There are a range of other matters Middleton yard based members are concerned about and have raised with management, ranging from amenities at Lyttleton Port, to DSG shunt loco seats, to underfoot conditions. To their credit management have responded positively and have also addressed the issue of overall staffing levels which are impacting on hours worked and access to leave.

At a time when we are all working under enormous pressure with Omicron in the community it was pleasing that all parties were able to engage in meaningful dialogue. We keenly await developments.

'RIGHT TO FLUSH' AN ISSUE IN THE DEEP SOUTH

The RMTU backs the International Transport Workers' Federation's (ITF) 'Right to Flush' campaign. The ITF states that access to decent toilet and sanitation facilities is a fundamental human right and also a gender equality issue. Access to toilets is a major issue outside of depots

in KiwiRail, particularly in remote areas such as parts of Southland. The issue is particularly serious for our female members and we have had cases of members going to extraordinary lengths to try and manage nature when the provision of sanitary facilities is what is needed.

The Southland Branch has contacted RMTU National Office about the impact this issue is having and we want members to be assured this is a priority for our union. Of course, decent facilities cannot be conjured up overnight and while our experience is that management are not resistant to the provision of these our job is to ensure this is



as important a priority for KiwiRail as it is for our members.

PROGRESSION FOR KIWIRAIL PROTECTORS PROVING A CHALLENGE

Railway Protectors are a relatively new addition to KiwiRail's workforce. When KiwiRail brought protection in-house instead of using outside contractors this was a good news story. We have successfully incorporated Protectors into the RMTU-KiwiRail MECA and agreed a pay scale for them. What has been a concern however is the difficulty some members have experienced in moving through the pay scale and the lack of transparency around more senior roles that haven't been incorporated into the MECA. From our perspective some aspects of the pay progression system have been operating as a pay suppression system and this has contributed to high staff turnover. If we're right, this is a classic own goal by KiwiRail as unnecessary turnover results in recruitment and training costs far in excess of the money saved in holding back members progressing up the payscale. RMTU staff and delegates are attempting to work through this with management. Watch this space.

KIWI RAIL/RMTU MECHANICAL CONSULTATIVE COUNCIL

The MCC met online for a short meeting last Thursday, 24th March. This meeting replaced the planned meeting for 2 days in Dunedin. Issues raised included pay scale 4 pay and progression and MECA internal relativities, perceived favouritism over

appointments for roles, varying outcomes post incidents, KR management believing they can choose RMTU reps, training and on call allowances and concerns over the lack of building and facilities updates at Westfield. Also on the agenda was a presentation on Sustainability at KR and a presentation on proposed European Train Control Systems (ETCS). We hope to have the minutes out this week.



KIWI RAIL/RMTU NETWORKS INDUSTRIAL COUNCIL

The first meeting for 2022 in next Monday 7th March and again it will be online. Due to some resignations and a retirement there are vacancies and we are calling for nominations in the near future. The vacancies are – Machine Group Rep and Track Auckland Metro Rep.

INJURY ILLNESS MANAGEMENT PROGRAMME (IIMP)- TRANSDEV WELLINGTON/HYUNDAI ROTEM

The IIMP agreement has been updated and awaiting signatures from Transdev/Hyundai management .

The agreement outlines the Union and TDW/Hyundai's commitment to supporting the rehabilitation of workers who are ill or injured.

The agreement emphasises keeping in touch with the worker whilst they're away and working together with the member, health providers, management and union to support a safe return to work on medically appropriate duties.

