

# THE ACTIVIST



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## **STORMS**

Once again nature has given us a hammering in the South. Widespread floods south of Timaru took out the Opihi Bridge this week, halting all train movements along this part of the network. Once again it was our long suffering structures, signals and track members who are under the cosh and doing all they can to keep the network running.

At the time of writing the Arthur's Pass/Otira team is on high alert under the snow plan in readiness to fit the snow plough to the loco and blaze the trail to keep the Midland Line running.

Of course, in Christchurch we've got members who are still living in wrecked properties from the earthquakes that've been flooded out.

All of this brings home the truth that it takes a special breed of people to work in rail. People who care about keeping the network running and who look after one another. We wish we could say the same thing about the politicians and senior executives who make decisions like closing rail manufacturing workshops and slashing I & E staff.

Wellington has also had its fair share of storm carnage and damage. RMTU H&S and ACC advising lawyer Hazel Armstrong looks like losing her house after a major slip called in to visit and the Hutt Valley line has been out of action for almost 1 week. Traffic chaos has ensued for anyone who commutes into Wellington from the Hutt Valley as it all now has to go by road.

## **NMC ELECTIONS**

The Official NMC Results (Excluding Northern Core Rail) for the term 2013-2015 are as follows:

National President Aubrey Wilkinson (elected unopposed)

North Island Ports Representative Dave Marden (elected unopposed)

General Representative William Sweeney (elected unopposed)

Northern Region Core Rail Representative the Ballot to be rerun following 2 candidate tied vote (third candidate will be removed from the ballot when re-run.)

Central Region Core Rail Representative Howard Phillips duly elected

Southern Region Core Rail Representative Mike Williams duly elected

South Island Ports Representative Andy Kelly duly elected

Congratulations to the above named RMTU members and commiserations with hearty thanks to those who sought office in this democratic process.

Head Office Memorandums have been issued by the National Returning Officer detailing the full election ballots result for the contested positions.

## **URINE DRUG AND ALCOHOL TESTING EMBARRASSING FOR WOMEN WORKERS**

Women members of the RMTU have said the process for drug and alcohol testing is embarrassing and undignified. One member described a recent urine test as the "most humiliating experience in my working career".

The issues raised relate to the lack privacy and dignity during the collection process.

Women have said having a male collector was embarrassing because the process requires the collector to wait for the urine

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

sample to be provided, handle and analyse the sample and check the toilet for 'tampering' before it can be flushed.

Workers are required undergo the test inside the NZDDA van which lacks privacy. One woman complained there were two men in the van (one a NZDDA trainee) whilst she provided the urine sample which made the situation worse.

The RMTU has asked KiwiRail to require the NZ Drug Detection Agency to provide the following,

- A collector who is the same gender as the person being tested
- A 'gender appropriate cup' for female employees
- A testing location which enhances appropriate privacy and dignity, and an agreement not use the NZDDA van except where testing is outside normal business locations or in remote places.
- Hygiene facilities need to be provided to an appropriate standard

Have you suffered a similar experience with urine drug and alcohol testing? Please email RMTU Health and Safety Organiser Karen Fletcher [kfletcher@rmtunion.org.nz](mailto:kfletcher@rmtunion.org.nz). Any information you provide will be treated as anonymous (unless you expressly provide permission otherwise).

## **JIM QUINN DEPARTURE A CONCERNING SIGN**

Jim Quinn's departure from KiwiRail risks a loss of momentum in health and safety and worker participation improvements at the SOE, the Rail & Maritime Transport Union said today.

KiwiRail's board have this morning announced that Chief Executive Jim Quinn's contract will not be renewed when it expires in February 2014.

RMTU General Secretary Wayne Butson said that despite normal differences of opinion over matters and healthy robust debate, the union and Jim Quinn have worked to develop a productive relationship.

"Jim Quinn has been willing to listen and work with us, and has been good at

listening to communities and other stakeholders," Wayne Butson said.

"Rail is a dangerous industry. Under Jim Quinn's leadership KiwiRail has embraced health and safety and is working hard to improve their performance in this area. Jim Quinn's departure risks a loss of momentum around health and safety in KiwiRail."

"A critical element of good health and safety is to have informed and engaged employees. Jim Quinn was clearly committed to this. An incoming CEO will need to ensure they understand and take seriously the steps to control high hazard work."

Wayne Butson said that the union was also deeply concerned that the departure of Jim Quinn may be a signal that the State Owned Enterprise would increase the use of contractors to replace employees, and make further cuts to the national rail network.

"This would be a huge step backwards. We are already suffering a loss of key staff in the Infrastructure and Engineering division, which KiwiRail's own internal business plan stated would lead to a decline in track standard."

"If the announcement today signals a hardening of approach from the Board and a drive for rapid profit-focused change, then the public will need to be on guard to defend their public rail asset from being run into the ground," Wayne Butson said.

## **CHAMPION FLOUR**

The Champion Flour Milling, Collective Agreement negotiations are up, and the membership claims meeting is set down for 1400 hours on Thursday 28th June in the cafeteria. As the mill is now Japanese owned it will be interesting to see whether it is business as usual or whether there will be a different approach to bargaining. Time will tell!!

## **LAI D OFF STAFF SHOULD HAVE BEEN IN LINE FOR RAIL WORK**

Labour's Transport Spokesperson Iain Lees-Galloway says it is ironic that KiwiRail is seeking contractors to carry out work on rotten sleepers considering it is laying off 181 track maintenance workers.

"KiwiRail has informed staff that it is developing an Expression of Interest (EOI) document for sleeper inspection services citing data that suggests it is unlikely the company has the in-house resources to complete the task.

"The announcement comes less than a year after more than 180 staff were told they were being made redundant because of a supposed lack of work. Now expensive contractors are being called in to do work that KiwiRail knew was required when the redundancies were announced.

"This just shows how much the Government's unrealistic Turn Around Plan for rail, which lead to the job cuts as well as deferred maintenance, is hampering a successful company that is growing strongly.

"Given the attacks on workers' rights the National Party has launched in recent weeks, I am guessing the Government hopes this latest move will increase the use of casual, non-unionised labour.

"KiwiRail isn't just responsible for running trains on time, it is also responsible for building and maintaining a safe rail network. That is a core function it should not need to contract out.

The Turn Around Plan must allow KiwiRail to retain the resources it needs to build and maintain its network. If the Government can throw \$12 billion at uneconomic monster motorways it can help revitalise our beleaguered railways."

### **UNSCRUPULOUS EMPLOYER KIWIRAIL IS ALREADY BREAKING PROMISES**

Independent MP Brendan Horan supports permanent railway workers outraged that KiwiRail has broken its word by bringing in contractors to do essential core work.

"On Thursday KiwiRail staff in Tauranga were so incensed they downed tools to protest. Bosses at the State-Owned Enterprise have shown callous disregard by contracting out work at the main Tauranga depot and other sites across the country," said Mr Horan.

That work performed at the main Tauranga depot last week included re-gauging (bringing the gauge or width of the track back to 1.067m / 3' 6" after the rails spread wider) and spot re-sleepering (replacing individual sleepers as necessary.)

"This is rubbing mud in the face of workers.

"In late 2012 during the 'Turnaround Programme' restructuring, solemn promises were made to the workforce. KiwiRail is now flagrantly breaking those promises. It is anything but a good employer.

"I am concerned that the combination of the National Party Government, with its record of bad employment legislation, and unscrupulous employers are once again combining to undermine trust in our workforce. The action of State-Owned Enterprise KiwiRail is a recipe for industrial unrest," said independent MP Brendan Horan.

### **PORTS FORUM – REPORT**

Ports Automation, The Independent Taskforce Enquiry into H&S in NZ (which arose out of the Pike River tragedy), National's War on Workers, and what does a politicians view of a National Port Strategy mean? These were some of the topics covered at the lively RMTU Ports Forum 2013 held on the 11th and 12th June in Wellington and attended by RMTU delegates from Ports across NZ.

Dave Marden and Kelven Martyn who attended the recent ITF Automation Conference in Sydney reported back to the Conference that whilst automation is coming to Ports it is not automatic.

Karen Fletcher, RMTU H&S Organiser and Ben Thompson Lawyer, spoke with the Forum about The Independent Taskforce Enquiry into H&S in NZ and the implications for H&S in the workplace.

How the current Government is going to wrap its head around the fact that an Independent Taskforce has bluntly stated it is union workers and unionised labour that are the best people to represent workers on H&S in NZ remains to be seen.

The facts remain that in NZ you are twice as likely to be killed on the job than if you

worked in Australia. You are 6 times more likely to be killed on the job in NZ than if you worked in Britain.

National's War on Workers was a topic presented by the CTU's Jeff Sissons and Georgina McLeod. Currently going through Parliament are more proposed changes to Industrial Relations legislation. National continues to present their full scale attack on working people as 'tinkering around the edges'. It's 'tinkering around the edges' with a sledgehammer and hydrochloric acid.

Many of the proposed changes are hidden in technical wording deep in the Employment Relations Act. Most of us don't read law on a daily basis so explaining the changes can make people's eyes glaze over.

Try this one for size: Removal of the duty to conclude collective bargaining

What does that mean? Right now unions and employers must conclude bargaining. So you get a signed Collective Agreement, deal done and dusted, your terms and conditions secure and protected – and hopefully improved.

Removal of the duty to conclude collective bargaining? The employer will be able to walk away, no reason required, and your Collective Agreement means nothing anymore. You go onto an Individual Agreement and the employer is free to pick you off one by one.

That is just one of the proposed changes.

There were many more topics discussed over the two days of the Ports Forum one being what does a National Ports Strategy look like for a politician?

To answer this question Iain Lees-Galloway Transport Spokesperson for Labour and Green Party Spokesperson Julie Anne Genter spoke with the Forum.

We were encouraged to hear phrases like 'coastal shipping' 'integrated transport strategy' 'invest in Rail to transport goods to market'.

The Forum discussed the stranglehold that shipping companies hold over NZ Ports in that the shipping companies are exempt from the Fair Trading Act and can – and do

– set Ports against each other competing for the shipping companies business.

Labour and the Greens view Central Government as having a critical role in facilitating Ports working together not against each other.

The detail of this is something both Spokespeople believe needs to be worked out with the stakeholders. We are stakeholders in a National Ports Strategy for NZ and in an integrated transport network for NZ and we fully anticipate being at the table with the next Labour/Greens government to work the detail out.

Many thanks to all our delegates and observers who attended the Forum, to the speakers for their presentations and to the RMTU organisers for the education sessions they ran.

Make sure that you ask your delegates who attended the Forum for a rundown on what happened and when you've had a chat with them have a think about what small thing you might be able to do to keep your union strong and in doing so, look after yourself as a union worker.

## **KIWI RAIL MID TERM PAY INCREASE**

KiwiRail has advised that the pay office has been instructed to "apply the new rates of pay and allowances from 23 June 2013". Please check your payslips to ensure you receive your increase.

## **SULPHUR POINT FREEFALL**

On 30 May, at Sulphur Point in the Port of Tauranga, RMTU activist Kelvin Rush was driving #5 crane when the gearbox failed and the container that he had just picked up went into freefall and landed on the wharf. The container landed together with the wires which had which had come clean out of their spools and the spreader. Luckily no one was injured!! The crane is currently subject to a prohibition order from the Ministry of Business, Innovation and Employment [MOBIE], which is the organisation where the old Department of Labour had disappeared into, they are also conducting a "risk of serious harm or injury" investigation.

The RMTU members are quite rightly nervous about working this crane into the future as this is the second time that #5 has been involved in a near miss, and there is a school of thought amongst the membership that the crane should be permanently banned from use.

In the meantime our elected health and safety representatives will be active in the investigation.

## KNIC REPORT

The working party that was formed from the KiwiRail Networks Industrial Council (now I&E) to discuss the Company's Productivity and Safety Initiative met on 18 June. Organiser John Kerr and delegates Geoff Young, John Bannerman, Phil Kearns, Hopa Bell and William Lannigan met with KiwiRail management to debrief from the meetings with I & E members in Christchurch, Greymouth, Hamilton and Tauranga.

The central message was that the RMTU team has a mandate from these meetings to discuss how we can boost productivity and safety and that this needs to be tackled in the context of the very damaging staff cuts last year. Morale is very fragile but our members know what we all need to be doing to get the job done better. It's good that management is making a bid to set its house in order and tackling problems like poor planning and is reviewing policy around inventories and equipment. Our members were very vocal about the need to do this so they can maximise the value of their time on the track. There is a great deal of skepticism though, and the company needs to demonstrate it is serious by getting some 'runs on the board' to convince the people in the front line that they're behind us.

That said, they're listening and we remain optimistic that the points we made will help. Phil Kearns referred to a project that was done a couple of years ago to identify improvements to how we work and management have agreed to revisit that and see how to integrate it into the Sirius-Maximo computer assisted planning project. They're also looking at whether they should be leasing or buying vehicles and other major equipment items. We had

a good discussion about the challenges that Train Control faces in helping our track based workers do their job and Geoff Young's input was invaluable.

The question of access to the track and rescheduling trains requires more work, especially with the uncertainty around Solid Energy's operation. Members can be assured that they will be able to have their say on any proposed changes if and when these come to light.

In the meantime the Company has got a lot of homework to do and we're looking at meeting again in early August. It's just a pity KiwiRail didn't start this initiative before they slashed all those jobs last year.

## AUCKLAND BRANCH MEETING

The next meeting of the Auckland Rail Branch will be held at the Otahuhu Bowling Club Sunday June 30th at 10am. Look forward to seeing as many of you to attend as possible.

## MIC MEET UPDATE

The latest meeting of the KiwiRail Mechanical Industrial Council (MIC) was held Thursday June 13th in Wellington. Minutes of this meeting will hopefully be distributed shortly. Topics up for discussion included Apprenticeships, a fleet update briefing and standardisation plan, a call from the RMTU to review Safe Work Procedures e.g. for TXMs; use of protection doing minor jobs; staffing levels; rest periods along with concerns over the continued use of contractors undertaking engine work on the D/L locomotive fleet.

- Apprenticeships, the current review has slowed and now it looks likely more apprenticeships will be offered around the depots to start early 2014.
- Fleet update, the second batch of 20 D/L loco's will begin arriving shortly, with the Gen 1 D/L's moving down the North Island to work out of Wellington and Palmerston North. The update included the time frame to retire the DBR and DFT loco's. This also included the news that the IAB wagons will be renamed IH, to allow the number sequence to continue. Once Bradkens have met their obligations for the current order of

Alliance Couplers KiwiRail will go to the open market for future orders.

- Review of SWP's. Perception that this is a national issue. Broad agreement that a review is necessary for work being done 'outside the shed'. This is to be raised with Corporate HSE.
- Use of Contractors has raised its head here too. The RMTU has raised serious concerns that too much engine work on the D/L loco fleet is still being done by the firm that carried out the warranty work and that the training for our members is not sufficient.

## MEMBERS IN TAURANGA STOPWORK

On Thursday 13th June, the Infrastructure and Engineering members of Kiwirail in Tauranga decided to hold an unpaid union meeting to outline their frustration with their employer over the lack of consultation over the use of contractors. The consultation process is quite clearly outlined in Clause 29 of the KiwiRail/RMTU Collective Agreement.

There are no plausible excuses by Kiwirail management for not knowing the procedure!!

We agreed to a local consultation process which includes all of the guys and the union delegates and the Organiser.

The other points of frustration is the bad feeling amongst the guys over last year's redundancies, that they believed that they were not told the truth at the I and E road shows about KiwiRail's plans for the use of contractors within I and E and the forced push for Flexible Workers.

## SAVING SNAPPER A SHARED RESPONSIBILITY

Fisheries Minister Nathan Guy may be considering reducing the recreational snapper take, while backing off a proposed reduction in the commercial quota – an unfair and untenable position, says Labour Fisheries Spokesperson David Cunliffe.

"Saving the precious northern snapper fishery and rebuilding it to a healthy,

sustainable level must be a shared responsibility.

"Getting a feed of snapper for the family is a tradition that Kiwis hold dear.

"Reports that a Ministry for Primary Industries discussion paper is likely to propose big cuts to the recreational bag limit but no change to the commercial quota have outraged recreational fishers.

"The Snapper 1 fishery, covering the north east coast of the North Island and the Hauraki Gulf, is the most popular and important recreational fishery nationwide.

"We want an even better fishery to be there for future generations. We support rebuilding the stock. But we believe that the necessary restraint should be shared equitably between all fishing categories.

"It is untenable for recreational limits to be reduced while the commercial catch remains unchanged.

"Current snapper stocks in the Hauraki Gulf and Eastern Northland are well below target. They are 24% of natural biomass, below the agreed target of 40%. The Bay of Plenty fishery is at only 6% of original levels.

"Labour is committed to a sustainable snapper fishery that supports an enduring recreational take and a strong, sustainable commercial sector. Getting there means everyone must play their part," David Cunliffe said.

## NEW INSURANCE REQUIREMENTS

For many home owners, from May onwards, general house insurance (building insurance) rules are changing. Insurers, who have previously provided full replacement policies, will no longer be offering this option. Home owners will have to provide an exact dollar amount for the insurance they require. You can either use your insurer's online calculator or seek an independent valuation. This is a significant change and the RMTU suggests that when your renewal time comes, you speak with your insurance broker or company to ascertain exactly how the changes will affect you.

## NEWCASTLE PORT TO BE PRIVATISED

New South Wales Treasurer Mike Baird confirmed the privatisation of Newcastle port. The Hunter region port would be offered on a 99-year lease in a similar deal to the one the state government secured earlier this year for Ports Botany and Kembla. The announcement did not come as a total surprise.

## TAIERI GORGE RAILWAY - CA

The RMTU has initiated bargaining for the renewal of our collective agreement with TGR, an annual ritual that precedes our sitting around the table with the company to hammer out a deal. In recent years our South Island Organiser John Kerr has been very ably assisted by delegates Lyall Kelpie and Joe Carson, who bring a wealth of experience to the table.

This year Joe has indicated he may bow out so, unless his recent cruise ship holiday has changed his mind, we'll be looking for someone else to help Lyall and John at the table. Thanks Joe, for all the good work you've done for the members and I'm sure one of them will be happy to step into your shoes.

## KIWISAVER AND HOUSE BUYING

First home buyers are realising how useful their KiwiSaver is in assisting them in purchasing their first dwelling. One of the benefits of KiwiSaver is that accumulated balances can be used to purchase an owner occupied dwelling. This advantage will become more attractive the longer people are in KiwiSaver and the larger their balances are. If a couple is purchasing a property and both are in KiwiSaver, then their savings can be pooled. The important issue here, is to talk with your savings provider before you purchase your house and ascertain exactly what the rules are and how long it will take to access your funds.

The RMTU promotes the Harbours Kiwisaver Fund. For info contact your delegate or National Office on 04 4992066.

## CONTRACTING OUT - KIWIRAIL

At last year's MECA negotiations we renewed the Memorandum of Understanding around the implementation of the turnaround plan. This sets out the rules around contracting out of infrastructure work. Simply put, we accept big projects that require capital assets the Company doesn't have, say a fleet of excavators, will be contracted out. It reinforces the principle that core rail work will be done by KiwiRail staff however. Where work is contracted out the contract labour will be paid the MECA base rate, helping protect KiwiRail jobs as it means the contractors can't undercut us on wages.

Implementing this agreement has proved a challenge. There have been examples where the Company has broken it, although when our members have alerted RMTU National Office and been prepared to take action the response from the company has been swift. In recent weeks we've had the management agreeing that contractors on the West Coast will be employed by KiwiRail on fixed term agreements; Fulton Hogan stopped from working in the Tauranga yard; and this week we reached agreement on Flashbutt welding in the deep south.

We've just signed a protocol with KiwiRail that sets out the procedure for informing the RMTU and our delegates about proposals to contract out work. From now on we should know what is proposed and be meaningfully consulted on it. This strengthens the agreement and means that we should be better able to keep the boss honest.

In addition to this we have identified how we would like to see the extension of the work done by the Flashbutt Welder. In view of the fact that there is another six months work scheduled for this project it is our belief that KiwiRail should directly employ the remaining agency staff on fixed term agreements.

In summary, we have a good protocol now but still need members to do their bit and keep us informed though. If you're concerned about contracting out give us a call!

## GOVERNMENT'S EMPLOYMENT LAW TO COME UNDER INTERNATIONAL SCRUTINY

The CTU has written to Minister of Labour Simon Bridges urging him to seek the advice of the International Labour Conference on the legality of his proposed changes to labour law when he attends the ILO conference in Geneva in two weeks' time.

Following comments made in Parliament on 4 June, the CTU has written to Minister of Labour Simon Bridges regarding his statement that we would test what the International Labour Organisation thinks about the Employment Relations Amendment Bill.

Helen Kelly, CTU President says "in Parliament on 4 June, the Minister was asked if he agreed with advice from officials that the ability for employers to opt out of multi-employer bargaining may breach our obligations under ILO Convention 98 on the right to organise and collective bargaining."

"His response in full was 'no, not at all, but in a couple of weeks I am going with my new "bestie" Helen Kelly to the ILO in Geneva and we will be able to ask it then what it thinks."

Speaking from Geneva, Helen Kelly says "this is an important matter and the fact the Minister appears willing to seek this advice makes his trip here very worthwhile. There is no point attending such an important UN ILO conference at the time your Government is being advised it is breaching its undertakings to that very organisation without using the opportunity it provides."

The CTU has offered to work with MBIE officials to seek International Labour Organisation advice on the new Employment Relation Amendment Bill and New Zealand's compliance with ILO conventions that we have ratified around the right to organise and collective bargaining.

Helen Kelly says "I have no doubt while the Minister is here he will be promoting New Zealand as a supporter of the UN and its constituent bodies in particular to promote

its bid for the Security Council, but it will be judged on its respect for the international undertakings it has agreed to and this includes ILO conventions. My hope is the Minister agrees to use his visit here to test his belief that the law changes he is proposing are compliant with international labour standards".

"Wages are already too low in New Zealand. One way to lift them is through collective bargaining. Yet the Government wants to undermine collective bargaining. This is such a negative approach to workers when what we need is a fair employment law that will improve wages and conditions", she says.

## VEOLIA TRAIN MANAGERS

Train manager delegates have sat down with the company to work through a series of concerns raised by the wider membership, Veolia has given a commitment to work through these issues in a timely manner. These delegates have done an excellent job representing the members that elected them.

## OZ RAIL'S WORKFORCE CHALLENGES

The Australian rail industry will need to overcome a number of challenges in upcoming years if it is to maintain the workforce required for projected future growth, the Transport and Logistics Industry Skills Council says. According to the TLISC's 2013 Environmental Scan, the growing rail industry will continue to stretch the supply of several key skilled positions. Included on the list of skills in high demand are train drivers, technicians, railway track workers, track patrollers and rail engineers. According to TLISC, barriers which need to be overcome by the industry as a result include an ageing workforce, the lead time required to train or upskill workers, and competition for labour from the mining and resources industry.

"The bonding of new employees to an organisation in order to recoup training costs has been put forward as a potential solution," the council says.



## A REMINDER - SCHOOL HOLIDAYS – STATE SCHOOLS

- ☞ Terms 2 Holidays – 12 to 29 July 2013
- ☞ Term 3 Holidays – 27 Sept to 14 October 2013
- ☞ Term 4 Holidays – Commence no later than 20 December 2013.

## EMPLOYMENT RELATIONS ACT - MORE CAMPAIGN RESOURCES

RMTU members and delegates are asked to register for the campaign on:

<http://union.org.nz/whycutourpay>

See 12 Fact Sheets, video message from Helen Kelly, and sign-on page for the campaign. We HAVE to start now on making this initiative of the Nat's too dangerous for them to pursue.

## ARE TRUSTS STILL NECESSARY?

In the 1990s and 2000s it almost became fashionable to transfer your assets to a family trust. Many were doing this. There are many reasons for family trusts (estate planning, relationship property issues, creditor protection), but how necessary are they? This varies according to each individual's personal circumstances. In deciding to have a trust or continuing having one, individuals need to consider the likely costs in both time and money. While it is wise to have an independent professional trustee in place, they may charge for this, and there are increasingly more documents to be signed by trustees for such things as opening bank accounts, taking out mortgages etc. With the removal of gifting restrictions a few years ago, it is now easier to transfer assets to a trust and it is also easier to wind them up. People have to decide, based on their personal circumstances, what they want to achieve and the costs, and whether a trust is suitable for them.

## BUSINESS GROUP URGES GOVERNMENT TO RECONSIDER EMPLOYMENT LAW CHANGES

The CTU welcomes the statement today from Building Service Contractors (BSC), a business group that represents New Zealand's building services contractors, urging the Government to reconsider the proposed amendments to Part 6A of the Employment Relations Act to exclude small and medium businesses from certain obligations during the sale and transfer.

CTU Secretary Peter Conway says "we share similar concerns around the Government's proposed changes to Part 6A as BSC. Removing small and medium businesses from Part 6A will encourage rogue companies to come in and underbid good employers to get contracts, such as cleaning contracts. It is the workers who will pay for these lower bids in their wages and conditions. This will take us further away from secure jobs, and a living wage."

The CTU also welcomes the settlement of this multi-employer collective agreement (MECA) between the BSC and the Service and Food Workers Union.

"The CTU is also concerned that other major changes in the Bill before Parliament would allow employers to opt out of multi-employer bargaining. This will undermine MECAs rather than encourage them. MECAs are a way to lift wages and conditions for workers and create a stable and secure workforce which leads to more productive workplaces."

"We are campaigning against these changes, and pushing for fair employment laws that encourage collective bargaining as the way to higher wages and productive and safe workplaces, not changes that undermine bargaining and make it even harder for workers to get ahead."

## STX LOG CARRIER ARRESTED IN GISBORNE

STX Pan Ocean's (STX) log carrier (IMO 9111008) New Giant has been arrested in Gisborne. This move follows the South Korean company's failed bid for emergency funding from its largest creditor, Korea Development Bank (KDB). Gisborne Port

operator, the Eastland Group, denied the vessel entry after discovering STX was in receivership.

## RMTU GOES TO SPAIN

Recently some RMTU representatives consisting of Isaac Broome (Veolia Drivers), Chris Harman (KiwiRail Drivers), Ray Gosai (Train Managers) and Elliott Coupe (KiwiRail Mechanical), joined Veolia managers Craig Inger and William Els on a trip to Spain to visit both the CAF train manufacturing factory in Beasain and the Lander simulator workshop in San Sebastian.

The CAF factory employs around 2500 people and is a 'one stop shop' as far as train manufacturing is concerned. Think Hillside workshops but on a much larger scale. CAF is a very long established company and some of the buildings onsite are from a bygone era with lots of quaint (Spanish) style architecture. However the equipment on the inside is very up to date and parts of the plant are still continuing to expand to this day. The CAF employees look to be well looked after and CAF appears to be a good, well-resourced employer. They have a large canteen onsite, company buses which bring employees to and from work from neighbouring towns and they even have their own medical clinic onsite. Contented, well looked after staff in turn means good work production standards and good quality products being produced.

And if what was observed by the delegation at the CAF facility in Spain, members should not expect to encounter the same issues as those experienced with the locomotive and wagon purchases made in recent times with the supplier chosen by KiwiRail. The RMTU delegation await with eagerness the arrival of the first EMU in Auckland.

## BETTER APPROACH TO MANAGING FUMES IN DEPOTS NEEDED

KiwiRail have done a review on the Air Quality systems in Depots. The review found that the mechanical depots have exhaust ventilation systems that

vary in effectiveness and most depots lack environmental monitoring to detect gas emissions of Nitrogen dioxide and carbon monoxide. The newly built mechanical depot at Middleton is the exception and with forced air ventilation for pits, CO2 and O2 monitoring systems and a capable locomotive exhaust extraction system.

The KiwiRail HSE report recommends an occupational hygienist is contracted to review the fume levels inside the mechanical depots and ensure ventilation system and personal protective equipment are fit for purpose.

## LANDMARK EQUAL PAY CASE OPENS

A landmark legal case affecting thousands of low-paid women workers commenced today in the Auckland Employment Court. The case will continue tomorrow and Wednesday.

The case, taken by the Service and Food Workers Union Nga Ringa Tota, supported by the New Zealand Council of Trade Unions and the New Zealand Nurses Organisation, focuses on long-term caregiver Kristine Bartlett and whether her pay rate of \$14.32 an hour is consistent with the Equal Pay Act 1972.

"After 20 years of caregiving for vulnerable elderly people, Kristine is on little more than the minimum wage," said John Ryall, National Secretary of the SFWU.

"This rate is typical across the aged care sector. Clearly this rate is totally inadequate given the skills, responsibility and effort required to do the job."

John Ryall said Kristine's employer, Terranova Homes and Care Limited, says that Kristine and the other 110 female caregivers working in its residential care homes do receive equal pay because they get paid the same as their six male caregiver colleagues.

"The SFWU says caregivers in aged care do not receive equal pay," said John Ryall.

The Union's argument is that the Equal Pay Act, which extended the 1960 Government Service Equal Pay Act to the private sector, is designed not just to bring equal pay

between male and female pay rates for the same work in the same workplace, but has provisions to apply a broader application.

"It is this broader application that must apply for female-intensive occupations such as caregiving as the few male caregivers and their pay rates are largely bound up by the gender segmentation that exists in this sector. In other words, they are treated as "honorary females"," said John Ryall.

"This is not just the union's view. Section 3(1)(b) of the Equal Pay Act says that in female-dominated occupations the Employment Court needs to assess what a male worker would be paid for the same skills, responsibility, service and degree of effort if the gender segmentation did not exist."

John Ryall said the outcome of the case could affect not only thousands of caregivers in aged care, but other occupational groups where the pay was low simply because the work was predominantly done by women.

"This case is long overdue. The International Labour Organisation has regularly asked the New Zealand Government about the lack of cases to apply pay equity in New Zealand given the lack of progress on closing the our male-female wage gap," he said.

"While the Government has argued that it has a legal framework to deliver pay equity we will see from this Employment Court case whether it is able to deliver justice for the 30,000 caregivers that it funds."

## **THE DAILY BLOG LAUNCHES INNOVATIVE LIVE! PLATFORM**

At 2pm on Tuesday 25th June, David Cunliffe will be the first Parliamentary Question Time guest commentator to feature on The Daily Blog Live! – a new interactive online platform providing real-time political opinion to the blogging community.

The Daily Blog Live! (TDB Live!) is an associated site to the successful The Daily Blog and is co-launched by TDB editor Martyn Bradbury and TDB Live's creator and editor, news media specialist, Selwyn Manning.

Manning says: "The Live! element is a significant evolution for blogs in New Zealand as it places the audience right at the heart of the blog. The site pulls together innovative online tools so audiences can interact with each other, discuss and debate the big issues, all in one place, in real-time, from wherever they may be."

Guests will communicate with the Live! site via Live-Skype talkback, video interviews, Live-open mic (chat-back) and text commentary direct from the debating chamber.

Martyn Bradbury says TDB Live! has been inspired by online trends seen on international websites such as the Huffington Post and Al Jazeera.

"TDB Live! has examined the best of these trends and has created an interactive-hub containing relevant national content for Aotearoa-based New Zealanders and for Kiwis living abroad."

"The Live element is a large evolution for blogs in New Zealand and it will offer the blogging community a real time opinion feed. The Daily Blog continues to get over 200 000 page views per month despite only launching 4 months ago," he says.

Martyn Bradbury will host the first Parliamentary Question Time commentary session with guest David Cunliffe on Tuesday 25th June at 2pm.

In addition to the launch of TDB Live!, The Daily Blog is pleased to welcome:

- \* Julie Anne Genter, Green Party MP and Transport spokesperson providing weekly blogs on national transport issues.

- \* Simon Prast, providing blogs on the Arts and Politics.

- \* CPAG (Child Poverty Action Group), blogging fortnightly on the issues surrounding children in poverty.

They join The Daily Blog's current line up: Aaron Hawkins, Allan Alach, Amanda Kennedy, Charles Chauvel, Chris Flatt, Chris Trotter, Coley Tangerina, Dianne Khan, Dr Wayne Hope, Efeso Collins, Frank Macskasy, Gareth Renowden, James Dean, James Ritchie, Julie Fairey, John Minto, Keith Locke, Laila Harre, Latifa Daud, Lynn Prentice, Marama Davidson, Matt Robson, Michael

Timmins, Mika, Mike Treen, Morgan Godfery, Penny Hulse, Phoebe Fletcher, Professor Jane Kelsey, Queen of Thorns, Steve Gray, Stuart Nash, Sue Bradford, The Jackal, The Liberal Agenda, The Nomad, Tim Selwyn & Wayne Butson.

[Live.TheDailyBlog.co.nz](http://Live.TheDailyBlog.co.nz)

### **BITS AND BOB'S**

- National Vice President Howard Phillips and South Island Organiser John Kerr is in Brighton England attending our sister Union in the UK the RMT General Meeting. The two Unions have a solid relationship which has been of benefit to RMTU members for some years through information and knowledge sharing.
- The BOP Organiser Phil Spanswick is covering the KNIC whilst John Kerr is overseas attending the conference and taking some well-earned leave. John returns to work on 29 July 2013.
- The RMTU notes the passing away of long serving Wellington Metro LE Roger Manukau. Roger was a character within metro and will be missed by us all.
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**LET'S BE SAFE OUT THERE &  
REMEMBER.....**

**“WE’RE  
STRONGER  
TOGETHER”!**

