

THE ACTIVIST



Published Regularly - ISSN 1178-7392 (Print & Online) 6 September 2011

HUMAN AND TRADE UNION RIGHTS ON TRIAL IN FIJI

The Council of Trade Unions and Amnesty International Aotearoa New Zealand have held a protest highlighting the civil and trade union rights that are being ignored in Fiji.

Daniel Urai, President of the Fiji Trade Union Congress and General Secretary of the National Union of Hospitality, Catering and Tourism Industries Employees, and his union Organiser Nitin Gounder, appeared in Court today charged with unlawful assembly.

Helen Kelly, President of the CTU said "Daniel and Nitin were detained and questioned, apparently for having met with union members about collective negotiations with hotel management and earlier in the year, Felix Anthony of the FTUC was physically assaulted. The regime is perpetrating a deliberate attack on trade union rights by issuing decrees making it almost impossible for unions to function and removing internationally recognized civil rights of freedom of assembly and collective bargaining."

Amnesty International Aotearoa New Zealand spokesperson Margaret Taylor said "the on-going persecution of trade union leaders and attacks on worker's rights is further evidence of the Fijian government's assault on human rights generally."

"Amnesty International supports workers in Fiji and the Fiji labour movement in their struggle to defend their rights and calls on the Fijian government to immediately

repeal the Public Emergency Regulations which allows it to violate key human rights while providing immunity to those committing such violations," she adds.

LYTTELTON PORT CA

A proposed settlement subject to ratification has been negotiated by the combined Unions. We understand the proposed settlement includes a term commencing 5 September 2011 and expiring 1 September 2014.

The meeting is at the Woolston Working Men's Club and is scheduled from 1400 to 1600hrs on 14 October 2011.

To obtain the finer details of the proposed settlement you will have to attend the meeting!

CENTREPORT DRUG AND ALCOHOL

Centreport will be implementing random D&A testing of all employees from 1 November 2011. The implementation of the random testing is on the basis of using saliva screening for the drug test. Urine testing remains for those scenarios covered by the existing D&A Policy for the company eg Actual incident.

The company is undertaking widespread communication emphasizing the availability of voluntary drug and alcohol rehabilitation programme for all employees. The RMTU, MUNZ, EPMU, AMEA and the MSG have all been consulted as part of the

policy implementation.

NOTE: Port Nelson and Port Chalmers also have random testing in operation. Negotiation is currently occurring with



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

KiwiRail and C3 on the possible introduction of random testing.

GOVERNMENT HAS CHOICES ON EARTHQUAKE FINANCES

The CTU has said today that the Government has got choices on how to fund adequate support for rebuilding Canterbury after the earthquakes, and should look to a levy on those who received the most from tax cuts as one source.

Peter Conway, CTU Secretary, said "the Government needs to recognise that their tax switch was not only unfair but poorly timed. The top ten percent of income earners are receiving tax cuts of \$2.5 billion a year when this money could be hugely beneficial to assist Canterbury as well as other areas of significant need such as youth unemployment."

Peter Conway said "it's clear that the vast majority of tax payers cannot afford a levy or increase in taxes. Most are struggling to cope with the cost of living after the Government put up GST. But those who got the lion's share of tax cuts can assist."

"There is no doubt that given the scale of the damage in Canterbury, the cleanout of EQC funds, and the need for the Government to guarantee long term support that a mix of options will be needed including a means of building up EQC funds over the medium and long term as well as borrowing. But a levy on those on top incomes must be included in the mix and no additional costs should be put on to the lowest income earners."

RWC PAYMENT IN AUCKLAND

KiwiRail is prepared to mirror the RMTU/Veolia mediated agreement on the condition this is for Auckland only due to special Auckland metro issues involving Rugby World Cup and it is as follows;

☞ KiwiRail shall pay its employees that are involved in providing services for Rugby World Cup in Auckland and are on the Business Unit's roster a sum of \$1500.00 (taxable). It will be payable on the first pay day following the completion of the Rugby World Cup.

- ☞ This payment is only applicable to employees who are providing services to Auckland Metro.
- ☞ KiwiRail will deduct from the total amount payable at a rate of \$125.00 (taxable) per week or part week not worked or \$250.00 (taxable) if the day is rostered on a Rugby World Cup Eden Park match (Game day) and is not worked to a limit of \$1500.00.
- ☞ Where an employee is rostered and /or is required to work on and works the day on which a Rugby World Cup Eden Park match is to be played (Game Day) then a payment for working Game Day will be made equivalent to 2 hours pay paid at Time x 1.5 of the employees hourly pay rate and is based on;

1. The fact that the employee has worked the Game Day
 2. That the employee undertakes to review the Game Day operational briefing in their own time before their Game Day book on time and confirms via signature at their book on location on the Game Day.
 3. That the employee submits a completed "Game Day Feedback Report" attached within 48 hours either in person, post, fax or e-mail. This report is to be completed in the employees own time.
 4. Provided that points 1 - 3 have been met, the employee can claim the payment on the pay-week that the Game Day was worked via the normal time sheet process.
- ☞ Where the day off is attributable to sickness and/or bereavement leave then this will be discussed individually with the employee concerned.
 - ☞ Where an employee takes sick leave (including domestic or bereavement leave) the employee must produce a medical certificate (or other suitable evidence of proof for bereavement leave) for the time off.
 - ☞ It is understood employees that have committed their name to the Business Unit's roster list, leave (including days in lieu, alternative days, shift leave, annual leave) will be deferred during the Rugby World Cup period from 9 September 2011 to 24 October 2011.

KiwiRail does not accept that this will set a precedent for any future events.



ROGER AWARD – NOMINATIONS OPEN

Nominations are now open for the 2011 Roger Award for the Worst Transnational Corporation Operating in Aotearoa/New Zealand.

All details are on the nomination form, which is online at our Website (but please note that Fonterra is not eligible. Nor is any other New Zealand-owned company).

Here are the links to it, in both Word and PDF.

<http://canterbury.cyberplace.co.nz/community/CAFCA/publications/Roger/2011Nomination.doc>

<http://canterbury.cyberplace.co.nz/community/CAFCA/publications/Roger/2011Nomination.pdf>

You can use it to send us your nomination/s, either electronically, or print it, fill it in and post it to us at the below postal address.

And please distribute it far and wide.

UNIONAID

UnionAID is pleased to announce that as of 1 April 2012 The Unions Aotearoa International Development (UnionAID) Trust will be eligible for charitable tax credits or deductions, this is good news for all our financial supporters.

UnionAid is planning a study tour to Mae Sot on the Thai-Burma border from the 23rd to the 28th January 2012

As well as visiting the new UnionAID Occupational Skills Training Centre the study tour will be a unique opportunity to talk to Burmese people on the border about their hopes and aspirations for a democratic Burma, to learn about international aid and development and the work of UnionAID partner the Federation of Trade Unions of Burma, and other groups fighting for a democratic Burma.

Although the application date has closed for this unique travel opportunity there is still a few seats left. If you are interested and would like further information please visit:

<http://unionaid.org.nz/2011/08/unionaid-study-group-to-thai-burma-border/> or

E-mail: rossw@nzctu.org.nz.

KIWRAIL INDUSTRIAL COUNCILS 2011-2013 TERM CALL FOR NOMINATION RESULT.

Nominations were called and have now closed for RMTU Representative Positions on the KR Industrial Councils.

Union policy as determined by Annual 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.

KIWRAIL NETWORKS INDUSTRIAL COUNCIL REPRESENTATIVES

The Union Organiser for the KiwiRail Networks Industrial Council is Scott Wilson. There are no KiwiRail Ltd Networks Representatives on the NMC and therefore all positions on the council were open for nomination.

The following is the outcome of the nominations call for the KiwiRail Networks Industrial Council:

Infrastructure Track Supervisor (incl Ganger)

Hopa Bell was the only nomination received and is therefore Declared Elected Unopposed.

Infrastructure – Signals, Comms, Traction

Phil Kearns was the only nomination received and is therefore Declared Elected Unopposed.

Infrastructure – Bridges and Structures

Buzz Terrey was the only nomination received and is therefore Declared Elected Unopposed.

Infrastructure – Mechanical Group

Jerry Hohepa was the only nomination received and is therefore Declared Elected Unopposed.

Operations – Train Controller



Geoffrey Young was the only nomination received and is therefore Declared Elected Unopposed.

Trackworker Position

William Lanigan and Eddie Dargaville were nominated. A ballot will be conducted.

Operations – Scale 1

Kevin Jones and Steven Rangi were nominated. A ballot will be conducted.

A hearty congratulations to those RMTU Delegates who have been elected unopposed. For those participating in the ballot process, good luck and may the best delegate be selected by their peers.

KIWIRAIL PASSENGER INDUSTRIAL COUNCIL REPRESENTATIVES

The Union Organiser for the KiwiRail Passenger Industrial Council is Wayne Butson. There are no KiwiRail Ltd Passenger Representatives on the NMC and therefore all positions on the council are open for nomination.

The following is the outcome of the nominations for the KiwiRail Passenger Industrial Council:

Loco Engineers

Hayden Smith was the only nomination received and is therefore Declared Elected Unopposed.

Train Manager (Long Distance)

Brian Armstrong was the only nomination received and is therefore Declared Elected Unopposed.

Train Manager (Urban)

Harvey Patterson was the only nomination received and is therefore Declared Elected Unopposed.

Yard Operations

There were no nominations received. Nominations will be recalled

Scale 1

There were no nominations received. Nominations will be recalled.

A hearty congratulations to those RMTU Delegates who have been elected unopposed. For those participating in the ballot process, good luck and may the best delegate be selected by their peers.

KIWIRAIL FREIGHT INDUSTRIAL COUNCIL REPRESENTATIVES

The Union Organiser for the KiwiRail Freight Industrial Council is Todd Valster. There are two eligible NMC members for the council. Barry Simpkins fills the Locomotive Northern Representative position and Doug Blakie fills the Terminals Southern position. All remaining positions on the council were open for nominations.

The following is the outcome of the nominations call for the KiwiRail Freight Industrial Council:

Locomotive Central

Wally Wallbutton was the only nomination received and is therefore Declared Elected Unopposed.

Locomotive Southern

Michael Williams and Brian McKay were nominated. A ballot will be conducted.

Terminals Central

John Maguren and Michael Vowles were nominated. A ballot will be conducted.

C T Site

James Collins, Wayne Coombe, Joe Harding and Len Miller were nominated. A ballot will be conducted.

Terminals Northern

Dean Ngatai was the only nomination received and is therefore Declared Elected Unopposed.

A hearty congratulations to those RMTU Delegates who have been elected unopposed. For those participating in the ballot process, good luck and may the best delegate be selected by their peers.



INTERISLAND INDUSTRIAL COUNCIL REPRESENTATIVES

The Union Organiser for the KiwiRail Interislander Industrial Council is George Laird. There are no Interisland Representatives on the NMC and therefore all positions on the council are open for nominations.

The following is the outcome of the nominations for the KiwiRail Passenger Industrial Council:

Ferry Operations North

John Finch was the only nomination received and is therefore Declared Elected Unopposed.

Scale 1 (Inside) North

Elizabeth Connell was the only nomination received and is therefore Declared Elected Unopposed.

Scale 1 (Inside) South

Tania Haraki was the only nomination received and is therefore Declared Elected Unopposed.

Ferry Operations (outside) South

Brent Coburn and Newton Popplewell were nominated. A ballot will be conducted.

A hearty congratulations to those RMTU Delegates who have been elected unopposed. For those participating in the ballot process, good luck and may the best delegate be selected by their peers.

KIWI RAIL MECHANICAL INDUSTRIAL COUNCIL REPRESENTATIVES

The Union Organiser for the KiwiRail Passenger Industrial Council is John Kerr. There is 1 NMC member eligible for the council. Howard Phillips fills the Electric Suburban Wellington Representative position and all remaining positions on the council are open for nominations.

The following is the outcome of the nominations for the KiwiRail Mechanical Industrial Council:

Auckland Metro Maintenance - TAMM

Paul Riddell was the only nomination received and is therefore Declared Elected Unopposed.

Hillside Workshops

Stuart Johnston was the only nomination received and is therefore Declared Elected Unopposed.

Hutt Workshops

Kasia Kurene and Terry Duffy were nominated. A ballot will be conducted.

North Island Depots (2 positions)

Steve Brown, Shane McNae and Rudy Brens were nominated. A ballot will be conducted.

South Island Depots

Jim Kelly and Laurence Hall were nominated. A ballot will be conducted.

A hearty congratulations to those RMTU Delegates who have been elected unopposed. For those participating in the ballot process, good luck and may the best delegate be selected by their peers.

THE BALLOT – A SUMMARY

Ballots will be issued from National Office the week commencing 16 September 2011. Please ensure you advise National Office if you have recently changed address and anytime since the last RMTU mail-out. Call RMTU 04-4992066 or alternatively update your details online www.rmtunion.org.nz.

All Ballots will close at 0900hrs on Monday 10 October 2011.

FREE PASS – PRIV TRAVEL

We have received a number of queries recently requesting clarification as what happens after a member is made redundant or takes retirement in relation to travel privs under the provisions of the Collective Agreement. This is the entitlement;

KiwiRail applies the following :

Free rail travel and one free return ferry trip for themselves, nominated persons and dependents for a period equal to one half of retiring leave entitlement. The period must commence within 6 months from the date of retirement (last working day)

An application form must be completed.



KR INDUSTRIAL COUNCIL NOMINATIONS RECALL – PASSENGER 2011 - 2013

Nominations are called for the vacant positions on the KiwiRail Passenger Industrial Council.

Yard Operations

If you are employed by KiwiRail Ltd in a Terminal Operations capacity in Passenger Group then you are eligible for nomination for this position.

Scale 1

If you are employed by KiwiRail Ltd in a capacity which is paid under payscale 1 in Passenger Group then you are eligible for nomination for this position.

Nominations must be moved and seconded by current financial Union members who are employed within the same area for which the nominee is being nominated for and an acceptance of nomination signed by the nominee.

Correctly completed Nominations must be received in the Unions National Office by 0900hrs Monday 17 October 2011

LABOUR'S YOUTH EMPLOYMENT PACKAGE: KEY POINTS

You can find the press release, backgrounder and fiscal info here;

<http://labour.org.nz/news/labour%E2%80%99s-plan-all-teens-earning-or-learning>

Here are some key points about the policy;

- The scale of youth unemployment in New Zealand today is a national tragedy with 24,000 of New Zealand's teenagers under 20 not in work, education or training
- A life on the unemployment scrapheap with little or no hope would end up costing the country a great deal more. The NZ Institute estimates costs as high as \$900 million

- New Zealand is facing a huge skills shortage, with additional workers needed to rebuild Christchurch. We have to start preparing for this now
- Tinkering around the edges and short term thinking is nowhere near good enough
- Labour has developed a comprehensive a \$250 million package to get all 24,000 back on track by the end of our first term.

- Under this plan all of our unemployed teenagers will be either earning or learning.

- This will be funded entirely through \$80 million in savings from existing schemes and revenue generated from Labour's fairer tax plan.

- Labour will invest \$87 million to get 9000 young New Zealanders off the dole and into apprenticeships by

offering employers an \$8727 subsidy per person over one year.

- Giving them a job, training, and a reason to get up in the morning is far more productive than paying for them to sit and do nothing on the dole.
- We will fund 1000 extra group and shared apprenticeship places, which provides a better fit for some employers and provide \$80 million for an additional 5000 free training places in polytechnics and private training establishments than currently exist for 16 and 17 year olds.
- This will include a strong focus on Maori and Pasifika youth, where unemployment levels are staggeringly high.
- We have talked about New Zealand being able to own its own future. Giving our young people a future they can own is a vital part of that plan.

Authorised by Chris Flatt, 160 Willis Street, Wellington



FIJI SUFFERS

Fiji Transport Workers' Union (FTWU) and Fiji Sugar & General Workers' Union (FSGWU) will be the first unions to suffer the impact of the Essential National Industries (Employment) Decree which was gazetted on 29th July 2011. It has been signalled that Air Pacific and Fiji Sugar Corporation will be the first enterprises to be subject to the terms of the Decree.

FTWU organises Air Pacific workers, FSGWU organises FSC workers. Essential national industries are defined to include those in which the Fiji government has a majority and essential interest. National airline Air Pacific is owned by the Fiji government (51%), Qantas (46.32%) and with minor stakes held by Air New Zealand (1.94%) and the governments of Kiribati (0.27%), Tonga (0.27%), Nauru (0.08%) and Samoa (0.12%). Fiji Sugar Corporation is 68% owned by the Fiji government. Corporations specifically designated within essential industries will be de-unionised by the ENI Decree and from time of designation CBAs will have a lifespan of 60 days within which workers will have to agree to the employers' proposals or have them imposed on expiry of the period.

The decree prevents full-time trade unionists from representing workers, absolves employers from overtime payment obligations, eliminates the check-off system of union fee deduction/remittance, bans strikes without 28 days' notice and a written authority from the Prime Minister and allows companies to lock out workers and unilaterally change their terms and conditions of employment. ITF has 7 Fijian affiliates.

The 2 trade union national centres in Fiji – FTUC and FICTU are working closely together to minimise the impact of the series of oppressive decrees on workers and their families. Resolutions of solidarity with Fijian affiliates and their members were unanimously adopted at the ITF Asia/Pacific Railway Workers' Committee Meeting in Bangkok 28th -29th July and the ITF South Pacific Aviation Workers' Meeting in Auckland 10th -11th August.

UNIONIST KILLED

The ITF has vehemently condemned the murder of Amir Shah, President of the ITF-affiliated People's Unity Union of Pakistan International Airlines (PIA) Employees. He was killed in Karachi on 16th July after unknown assailants opened fire on his car. PIA workers went on strike on 17th July to express their anger over the murder and demand that government take steps to bring the perpetrators to justice. The strike affected flights in and out of Karachi and Islamabad airports.

An investigation involving police and representatives from the Federal Investigation Agency is supposed to follow. In a statement released on 18th July, ITF president Paddy Crumlin and ITF general secretary David Cockcroft paid homage to Shah, describing his death as a "rude shock not only for Pakistan but the entire world". They said that ITF members were ready to expose "forces in society that try to silence the democratic voices of working class organisation."

UREWERA CHARGES SHOULD NEVER HAVE BEEN LAID

The National Distribution Union is welcoming the partial dropping of charges against those arrested in the 2007 raids in Ruatoki and other areas.

"Common sense has finally prevailed," said Robert Reid, NDU General Secretary.

"There was never anything in this case, and the Crown is lucky it has an excuse for getting out of the farce that the Police created for them."

The National Distribution Union has members, former members and friends among the defendants, Robert Reid said.

"The raids, the police terrorising of Tuho, the detention of many of the defendants for up to a month, the subsequent decision of the Solicitor General that no offence was committed under the Terrorism Suppression Act and the four year legal process illustrate the sorry farce that this was from day one," he said.

Robert Reid called for the charges against the four remaining defendants to be dropped also.

DOC JOB CUTS WILL IMPACT REGIONAL ECONOMIES AND CONSERVATION PROTECTION TO COMMUNITIES

New details from the Department of Conservation (DOC) on job cuts first announced in July show punitive government budget cuts are squeezing DOC out of the regions, as they are other agencies.

Earlier today, DOC released a report that will see 96 jobs cut across the country; a move the PSA says will reduce the department's ability to deliver on the conservation New Zealanders want and need.

"PSA members at DOC believe these changes will undermine the Department's effectiveness rather than enhance it. Despite DOC following a model of conservation that closely involves and depends on communities, the changes in this review shift support services away from many communities, says PSA National Secretary Brenda Pilott.

"The bulk of the jobs will go from four regional centres: Northland; Tongariro/Whanganui/Taranaki; Nelson/Marlborough, and Southland. Smaller centres need more jobs not less," says Brenda Pilott.

The cuts are part of a 2009 budget cut which saw \$54 million over four years slashed from the Department. More job losses are tipped for next year from the Department's conservancy and area offices. Like other government departments, DOC will also have to find the cost of employer contributions to KiwiSaver and the State Sector Retirement Saving Scheme.

"Ultimately, it's the New Zealand public that loses out from these on-going cuts. Government departments cannot keep doing more with less. Like any other business there comes a time when they can only do less with less," says Brenda Pilott.

"The PSA recognises that DOC is under significant budget pressures from a Government that does not value public services. Both staff and management are going to great lengths to work with what's available, but this review appears to cut dangerously deep into DOC's resources.

"Some of the proposed job cuts include technical staff who provide advice and support within their communities about the protection of places and species that New Zealanders value.

"DOC and other public service departments need to find efficiencies through different means other than the crudest one of cutting jobs. Our members at DOC recommended other ways to save money like: halt the Gallup employee engagement poll which costs over \$60,000 each year, reduce travel and make more use of video conferencing technology, reduce the number of temporary or fixed-term employees before making permanent staff redundant, undertake an audit of building rents and locations, and finally, ask staff what else can be done.

"Getting rid of people who perform the roles that ensure services are delivered to communities should always be a last resort. The PSA will continue to push DOC to look for efficiencies in other areas before throwing its most valuable resource – its staff – onto the dole queue," says Brenda Pilott.

GREENS WELCOME ELECTRIC TRAIN DECISION, GOVT CAN DO MORE

The Green Party welcomed the announcement today that the Auckland Council and the Government will be sharing



the cost of additional electric trains for the fast growing Auckland rail network.

"We're glad the Government finally saw the light, after cancelling the regional fuel tax, and agreed to help the Auckland Council meet the phenomenal growth of rail patronage," said Green Party Transport spokesperson Gareth Hughes.

"The Green Party has championed electrification of the Auckland rail network for more than half a decade, initially winning funding for it from under the last Labour Government," said Mr Hughes.

"We are happy that Aucklanders will finally have a decent electrified rail network. But the CBD rail loop has to be fast tracked to meet the fast growing demand for trains.

"New Zealanders want and need smart green transport investment, especially in Auckland.

"Smarter transport will be better for our economy and create more jobs and it is also better for our environment," said Mr Hughes.

"It is a shame that all the electric multiple units will all be ordered from overseas however, when we had the capacity to manufacture a number of them here in New Zealand."

Authorised by Gareth Hughes, Parliament Buildings, Wellington

LEARNING OR EARNING TRUMPS BENEFIT CARD

The Council of Trade Unions youth wing Stand Up welcomes Labour's youth employment policy package released today.

Spokesperson James Sleep says "this policy is a big step in the right direction and covers some of the most critical areas the Government has been inadequately addressing."

"The National Government's response to this crisis has not been bold enough. Its recent announcements have been

misdirected towards a small number of young people on a benefit and not focused on creating jobs. We welcome Labour's commitment to strengthening youth transitions and investing in new and innovative initiatives to get young people into apprenticeships and jobs."

"We are particularly supportive of the training subsidy to employers - it's an innovative way to create sustainable employment for young people which includes a training component, something which is currently missing in the Government's Job Ops scheme."

"Groups such as the New Zealand Institute, the Industry Training Federation and the Mayor's Taskforce

for Jobs have spoken about the need to strengthen youth transitions or other initiatives adopted by Labour. It is good to see policy based on evidence and experience."

BITS AND BOBS



Postcards Opposing the Trans-Pacific Partnership Agreement have been distributed to branches. Please ensure you take a handful and distribute them widely.

Let's Be Safe Out There!

