

THE ACTIVIST



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RAIL MECA UPDATE

The RMTU and KR management members of the Wider Reference Group (flash name for the wagheround teams) met in Wellington in August and have signed off on the proposed settlement deal. This means that the settlement is now subject to YOUR vote and say. To facilitate this a round of nationwide report back meetings will be conducted during the week commencing 13 September 2010. The usual postal ratification ballot will be concurrently occurring over a period of 4 weeks.

Veolia talks are continuing with a report back meeting occurring next week with members. The talks have reached what appears to be an impasse at this stage and so members will be asked to either modify their demands or to authorise strike action in support of their claims.

In the event that the KiwiRail MECA is settled and ratified and Veolia remains unresolved Veolia can be added later as a subsequent party with KiwiRail's consent.

All members are urged to attend the joint meetings in your area during the week commencing 13 September 2010.

The negotiators wish to thank members for their patience and tolerance during the negotiations. The wait has been a while but the task of merging everything using the "best of best" methodology has been challenging for both sides.

DAY OF ACTION – 20 OCTOBER 2010

First of all, thanks everyone for a great effort in the August rallies. The rallies were a great success with around 5000 attending across four centres. Some media reports were for lower numbers, but overall the reports were good, reflected the positive character and determination showed at the rallies and certainly raised the profile of the issues.

Now of course we are looking to build upon this momentum and to focus on achieving higher participation levels for the 20 October day of Action.

The fairness at Work campaign is a comprehensive campaign with many different aspects including You Tube stories, leaflets, postcards, pickets, 'name and shame', lobbying, advertising and so on. This includes unions making claims to vary CEAs to include Personal grievance and access rights and taking action if the employer will

not agree when the negotiations come up.

We as the RMTU also need to get as many delegates and members to put in submissions on the two Bills.

Branches are asked to consider ways to maximise participation (primarily by combined Section 26 stopwork meetings) but also look at other ways we can get people to join in on the day.

A crucial discussion at NAC this Thursday is how we finalise the main aspects of the Day of Action.



Stand Up – Fight Back

Support the National Day of Action

20 October 2010

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

Can you therefore consider this before Thursday so we can nail down as many details as realistically possible then?

If you need to discuss any of this with the CTU before Thursday please ring me, Peter or Andrea.

TOO MANY WORKERS SACKED DURING DOWNTURN: EMPLOYERS

New research has identified that an overwhelming majority of Australia and New Zealand's employers (84 per cent) say they made too many redundancies during the downturn and many now lack the right teams to grow their organisations,

The research findings reveal 80 per cent of employers have an active focus on growth, but their attempts to rebuild and improve the strength of their workforce are falling flat. Employers say that almost half (44 per cent) of their current hires are 'not good'. The results, taken from 605 employers and 1,690 employees throughout Australia/New Zealand, show both groups have positive outlooks – 85 per cent and 82 per cent respectively say they are feeling positive about the economic future. A third (29 per cent) of employers go further, saying their outlook is 'upbeat and opportunistic'. For the full story go to: <http://www.tandlnews.com.au/2010/08/25/article/Too-many-workers-sacked-during-downturn-employers/BPMWZFWNXW>

ASB REVERSE MORTGAGES SIGN OF A RETURN TO RISKY LENDING

The return of risky lending products and loosening lending criteria are a sign that banks have learnt nothing from the global financial crisis and recession says finance workers' union Finsec.

ASB bank has announced it will be introducing reverse mortgages where

borrowers over 65 use the equity in their home and are charged compounding interest but do not have to make any repayments. The bank recovers its money at the point which the house is sold.

"The global financial crisis forced the banks to improve their lending practices, so it is worrying to see the return of exploitative lending products, like reverse mortgages," said Finsec Campaigns Director Andrew Campbell.

"Banks should have learnt that pumping up customer debt leads to major economic instability. Banks should be encouraging stability by incentivising saving and home ownership, not setting up new debt products

that could see people lose the entire value of their home," said Campbell.

"The global financial crisis taught us that banks behaving badly can destroy whole economies. Banks need

to develop new operating models that are not fixated on loading as much debt on customers as possible," said Campbell.

"ASB's move into reverse mortgages is further evidence that we need new rules around bank lending. Finsec is calling for the establishment of a code of ethical lending and the establishment of a consumer protection agency to make sure lenders act fairly," said Campbell.

NEW REPORT ON PORTS INDUSTRY RELEASED

The Local Government Forum released today a report on the performance of New Zealand ports, which are a vital link in the transport chain between New Zealand and the rest of the world.

Entitled Port Ownership and Performance: An assessment of the evidence, the study was undertaken by Dr Brent Layton, a researcher and former director of the New Zealand Institute of Economic Research.

Forum chair Charles Finny said that there had been major improvements in the efficiency of New Zealand ports following reforms in the late 1980s and early '90s.



JOBS,
JUSTICE,
CLIMATE

These included the corporatisation of the former harbour boards, partial listing of some port companies on the sharemarket, and waterfront labour reforms. At the time it was expected that most port companies would eventually be privately owned.

The NZIER study finds that efficiency improvements in the industry appear to have stalled, with some evidence suggesting New Zealand ports may rank towards the bottom end of the ports of developed countries.

Reforms in Australia, including the privatisation of most port operations, have seen the efficiency of Australian ports improve and exceed that of some major New Zealand ports.

Contrary to some views, the study finds that the industry's problems are not mainly an inadequate return on capital. Most ports have made positive economic returns, although there has been a sharp deterioration in the economic returns of Ports of Auckland, particularly since it was effectively nationalised by the Auckland Regional Council in 2005.

Rather, the study finds that the problems of local authority ownership are reflected mainly in the barriers to port rationalisation and the introduction of experienced international operators into the management of ports.

Dr Layton said: "Most New Zealand ports have considerable scope to improve their efficiency and the quality of their services and become more competitive and commercial in their pricing.

"The study suggests four policy options for examination, namely,

- increased information disclosure
- contestability in container stevedoring where practical
- separation of the roles of port landlord and stevedoring services as in Australia, and

- divestment of shares in port companies to encourage more efficient operations and rationalisation."

Mr Finny said that improvements in port industry performance were imperative to improve international competitiveness and export growth.

The NZIER study's conclusions were consistent with the advice of the OECD in its last report on New Zealand.

"The Forum will be presenting the report to ministers responsible for infrastructure, transport, agriculture and local government and asking them to give it serious consideration", Mr Finny concluded.

GOVERNMENT NEEDS TO REFOCUS ON JOBS

"The untimely dropping of Community Max except in targeted regions and the outlook for construction jobs highlight once again that not enough is being done to support employment", said Peter Conway, CTU Secretary.

The number on unemployment benefit is rising, the official measure of unemployment is 6.8 per cent, there are 159,000 unemployed and the jobless measure indicates that 255,700 people are out of work. This shows the recession is not over.

Peter Conway said the Government needs to refocus on jobs.

"Why not expand Community Max which has been a success, increase funding for the skills investment subsidy and straight-to-work programmes, boost Task Force Green, expand tertiary education support, undertake a more significant housing programme and bring forward infrastructure spending where practicable".

Peter Conway said that while there are limits to what the Government can do, there is a lot more that could be done right now and the unemployed deserve to be a higher priority.

"The intense focus of early 2009 has been lost while unemployment remains a major problem".



INJURED AND WORK FOR KR (NOT NZRC OR NETWORKS) – NEW REGIME

From 1 September 2010 all workplace injury and non workplace injury claims within rail will be handled by WorkAon. Networks and NZRC will continue to be covered by ACC itself.

X'TRAPOLIS TRAIN MANUFACTURING UNDER WAY IN BALLARAT

Alstom Transport and UGL Rail have started manufacturing X'Trapolis trains for Melbourne suburban network operator Metro Train at their factory in Ballarat as part of a local content agreement boosting jobs in the state's manufacturing industry. The 38 train set contract includes assembly of 19 trains and the manufacture of another 19.

"The initial assembly and manufacture of associated parts will result in 135 new jobs for Victoria – 65 new jobs at Ballarat's UGL Rail factory as well as 70 additional direct new jobs through supply chain activity," said Victorian Minister for Industry and Regional Development, Jacinta Allen.

As usual the Aussies are showing us the way things should have gone with the NZ Jobs for NZ Workers campaign. Read the full story at: <http://www.tandlnews.com.au/2010/08/31/article/XTrapolis-train-manufacturing-under-way-in-Ballar/HQBRJFWKRB.html>

JAPAN AIRLINES TO LAY OFF 16,200

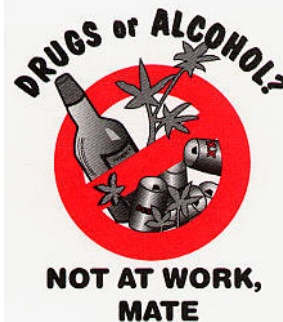
In a last-ditch effort to save the financially stricken airline, Japan Airlines (JAL) management has announced a restructuring plan that will cut 16,200 jobs, more than 40 routes and over 100 aircraft.

A TALE OF TWO BANKS

Bank workers union Finsec is contrasting the employment practices of two of the big Australian owned banks, with cause to celebrate at Westpac while ANZ National staff launch a campaign to get that bank to act fairly.

Thousands of Westpac staff are celebrating commitments just won in collective bargaining including a commitment that the bank will not offshore jobs, a package of wage increases worth more than 3%, a commitment to union rights, and increased leave entitlements.

Meanwhile ANZ and National bank staff are launching a campaign to draw attention to their bank's attempts to drive down wages and conditions.



Finsec's campaign parodies ANZ's 'In a perfect world' advertising campaign pointing out that in a perfect world ANZ wouldn't cut pay, send jobs overseas and would invest more of their profit in New Zealand.

"Westpac is leading the way by making a commitment to keep jobs in New Zealand but ANZ National is

refusing to rule out sending more Kiwi jobs overseas," said Campbell.

"ANZ National is also proposing to cut pay scales for new staff, despite reporting \$367 million profit in the first six months of this year," said Campbell.

"Despite ANZ's advertising slogans about a perfect world, this bank is showing how far from perfect their treatment of staff is. We think bad corporate behaviour needs to be exposed," said Campbell.

"While ordinary customers and staff are struggling to get by, the bank is making big profits but doing nothing to fix significant problems. The bank needs to change their approach to negotiations and take some positive steps to treat staff fairly," said Campbell.

RAILROAD RIDERS RALLY

Friday 26th, Saturday 27th, Sunday 28th
November 2010 - Cass

The 2010 Rally will be held in conjunction with the World Famous Cass Bash. Accommodation for Riders will be in the University of Canterbury Hostel which provides dorm and twin rooms. Sleeping bags needed.

The Cass Bash provides quality music, food and drinks on a "one charge cover all" based on each day's attendance. Costs being prepared and all will be advised ASAP.

On Saturday (weather dependent) we will ride over mountain passes to points of great historical significance (Pubs). Upon arrival back at Cass time will be allowed to clean up bikes prior to the "Line Up" where others may view the machines and choose a "crowd favourite".

STOP PRESS: Mini golf 10.00hrs Sunday on the High Country's No1 Golf Course at CASS

More info and numbers attending:
murray.gaidunlop@clear.net.nz

**DHL WORKERS
IN NEW ZEALAND
JOIN PROTESTS
AGAINST LABOUR
LAW CHANGES**

Workers based at DHL in New Zealand have lent their backing to a campaign against plans to amend the country's labour laws.

More than 100 DHL workers from Auckland, represented by the ITF-affiliated National Distribution Union (NDU), were among 1000 unionists present at a protest meeting on 19 August. The meeting, organised by the NDU, is part of a campaign by the union and the wider trade union movement to oppose proposed changes in the law which include: removing union officials' right to access to workplaces; extending to all workplaces a 90 day trial period during which workers could face dismissal; allowing workers to sell one week of their annual leave for cash and enabling employers to ask for a medical certificate from workers after only one day off work. More than 4,000 workers have so far attended NDU protests.

Meanwhile, on 21 and 22 August, several thousand workers from all sectors of the economy - including those represented by the ITF-affiliated Maritime Union of New Zealand - took part in protest rallies, led by the New Zealand Council of Trade Unions. They were held in cities such as Auckland, Wellington and Christchurch.

INDUSTRIAL COUNCILS – RAIL

We now have 4 industrial councils agreed with KiwiRail. The KiwiRail Industrial council (Freight LE's, Yards, CT etc), KiwiRail Networks Industrial council (NZRC and Ontrack Infrastructure), Mechanical Industrial council (UGL and Hillside) and Passenger Industrial council (Long distance and Metro passenger). 3 of the 4 have met and we expect the 4th (passenger) to have its inaugural meeting in September. Minutes of the meetings will be circulated to all members and will be available for download on the Union website once available.

ANZ NATIONAL DAY OF ACTION

Stand Up – Fight Back
Support the National Day of
Action
20 October 2010

You're invited to the Wellington Day of Action in support of Finsec members across ANZ National bank.

After two rounds of negotiations members have turned down an above CPI pay increase

to achieve fairness for all members, a 1 year term and no clawbacks.

These CBD workers are taking action in their breaks and own time and would appreciate the support of any other union members for our day of action. It also a good opportunity for all unionists to protest our most unpopular bank.

FRIDAY 3rd September

ANZ branch, ground floor of ANZ Tower

215 Lambton Quay (on the corner of Featherston St and Lambton Quay)

11am - 2pm

We have stickers, leaflets and postcards to send through to the bank and all help with activity would be fantastic. Any noise-making ability is welcome too!



Please contact; Annabel Snow 027 573 4285 for any enquiries.

It would be great to see you there!! Please forward onto your networks.

MATANGI ON THE MOVE

The new wellington Unit had its first run on the Melling Branch last weekend. Rail fan photographers outnumbered everyone 10 to 1. The official launch of the train is on 9 September in Wellington. The train is a tribute to the collaborative approach taken by WRC, KiwiRail and the RMTU during its design and construction phases.

Wellington commuters and the RMTU metro members can't wait for them to enter service so that the reliability of the system is improved and the negativity which currently pervades the metro trains dissipates. We are all sick and tired of the constant criticism of the media and commuters. Patronage on the trains is well down and we hope that the commuters will return once the trains commence service and reliability improves.

MORE TIME NEEDED FOR SUBMISSIONS ON EMPLOYMENT LAWS

The Government is not allowing sufficient time for submissions on its far-reaching employment law proposals, said the CTU today. The amendments to the Employment Relations Act and the Holidays Act have been allocated less than three weeks for submissions to be made by 13 and 17 September respectively.

"These are the most significant changes in employment law in 20 years," said CTU President Helen Kelly. "They will reduce the work rights of every single employee in the country and yet the Government is determined to race them through Parliament without giving the public enough time to consider them and have their say."



"They forced through the 90 day fire at will law for small companies under urgency as soon as they were in office, effectively stifling any debate in 2008. Now they seem determined to restrict the room for debate as much as possible with this ridiculous and insulting timescale."

Kelly said that the union movement would assist anyone who wanted to make their own submission in the limited time available but called on the Government to extend its unreasonable deadline.

The CTU and its affiliates will ensure that as many people as possible are able to make themselves heard by assisting them to make submissions through the Fairness at Work website at www.fairness.org.nz and ask the Select Committee to allow as many as possible to appear to express their opposition to the law changes, including by moving hearings around the country.

GOVERNMENT FAILING YOUNG KIWIS

The New Zealand youth union movement, Stand Up, is calling on the Government to reinstate funding for the recently axed youth unemployment initiative, Community Max, to assist young New Zealanders who are currently out of work and education.

National Convener, James Sleep, says the Government is all talk when it comes to solving youth unemployment, and the axing of one of their key youth unemployment initiatives, Community Max, has shown they have failed to walk the talk.

"Youth unemployment is steadily rising. The June Quarterly Household Labour Force Survey released earlier this month showed that youth unemployment increased to 18.2 percent. Most concerning is the increase in unemployment of Māori and Pacific youth - 30.3% and 30.6%, up from 24.8% and 25.8% respectively in June 2009." says Sleep.

Sleep says these statistics show a crisis in the area of youth unemployment, and the

last thing the Government should be doing is axing initiatives like Community Max, which aim to get young Kiwis up skilled and into work.

"The Government's priorities are wrong. Whilst youth unemployment is increasing, the Government is cutting funding to job creation initiatives, education and skills development. The axing of Community Max strengthens the case that the Government is failing young New Zealanders. When many young New Zealanders need assistance to up skill and get into work the Government has cut pathways of opportunities"

Stand Up believes the Government is missing in action in the area of youth unemployment and must immediately pump money into creating opportunities for the tens of thousands of young people currently out of work and education, not just paying lip service to some of New Zealand's most vulnerable people.

"New Zealand will be better off with a skilled and productive workforce. Simply ignoring the issue and allowing tens of thousands of young people to languish on benefits, and the negative social outlook it creates, will only hinder our short and long term economic recovery" Sleep concluded.

CABINET PAPERS REVEAL GOVERNMENT'S BLINKERS ON EMPLOYMENT REFORMS

The revelation that the Government's proposal to allow employers to demand a medical certificate after only one day's absence was made without any consultation with the Department of Labour only serves to confirm the CTU's view that it is the 'straw man' in the current package of employment reforms.

And the willingness of the Government to adopt Act Party policy in extending the 90 day fire at will law to all workplaces

contrary to their own initial intention should also ring alarm bells for anyone who thinks these are minor changes from a moderate centre-right administration.

CTU President Helen Kelly said: "We predicted on the 9 August that the sick leave proposal was likely to be cut in order to make the Government look conciliatory on this package of reforms. Why bother to consult policy advisers when you know you are going to sacrifice the measure in order to deflect attention from the far more serious attacks on employees' rights?"

"It has also been repeatedly pointed out that the Holidays Act already allows the employer to require a doctor's certificate for one or two days but only if the employer has reasonable grounds to believe the sickness is not genuine. The Government's proposal is to remove the requirement for employers to be reasonable on this issue."

"Hundreds of thousands of workers every year – including nurses, teachers and other professionals – will be made vulnerable to summary dismissal with no right of appeal whenever they move jobs under the extension of the 90 day law. Now they know who to thank: the Act Party and National's cabinet who nodded through their policy proposal in return for the support they need in Parliament."

"The Department of Labour's advice against changes to union access rules comes as no surprise to us either. In a Department consultation exercise in 2009 even Business NZ said they were happy with the status quo, and as we revealed in our letters to John Key about his broken promises on this issue, he has admitted to us that there is no problem that needs to be fixed."

"It seems also that we are not the only people to be disturbed at the breakneck pace at which this legislation is being introduced and forced through without proper debate. If Treasury and Ministry of Economic Development concern at the haste is to be so routinely ignored and submissions crammed into three week windows, it suggests a Government with a closed mind which does



not want to consult or negotiate or arrive at decisions from the best informed position. It reveals a Government with no respect for ordinary New Zealanders."

ANZ NATIONAL FORCING CALL CENTRE STAFF TO WORK 10 DAYS STRAIGHT – "WE NEVER SEE OUR FAMILIES"

ANZ staff who work in a Wellington-based call centre that handles calls from customers in Australia are going public over their employment conditions which can see them work up to 10 days straight and in unhealthy shift patterns.

Staff at the call centre describe the rotational shift as brutal, and say it disrupts sleep patterns, causes illness and damages family relationships.

ANZ Customer Services Consultant Arlyn Rupita says these shifts leave her feeling like she's not doing a good job as a mother to her two young children. "They really miss me – and it's too long for me to go without spending decent time with them too. I feel like I'm having withdrawal symptoms from not seeing my own kids enough."

Fellow ANZ staff member Tina Eshaya says the way these shifts are structured means work overpowers family and other commitments. "It's got to the point where my daughter hates me going to work. Family comes first with me but that's difficult to achieve with these rosters."

Finsec is arguing for a fairer, more family friendly approach to the organisation of shifts as part of its negotiations with the bank, which are ongoing. "Given the size and profitability of the operation, ANZ are more than capable of accommodating fairer shift patterns," said Finsec Campaigns Director Andrew Campbell.

"It is shocking that ANZ is using such draconian shift patterns in this call centre. These staff are treated like second class citizens as they have much worse arrangements than the bank's other New Zealand call centre workers," said Campbell.

"It is time for ANZ to treat these people with respect. They can create fairer working hours for these staff and they should," said Campbell. Finsec members from throughout the bank will be participating in a day of action tomorrow to highlight the bank's less than perfect employment practices and bargaining position.

Bits and Bobs

- Next meeting of the RMTU-MUNZ Alliance Charter Steering committee is in Wellington on Tuesday 7 September 2010.
- KiwiRail announces operating profit of \$74.4m this week. We are hearing more and more about the "Turnaround Plan" in the media but little "detail" on what is within the plan. Turnaround plans don't usually involve no change and so we look forward to seeing what it is that is going to be different "this time" to what we have seen tried by a succession of suits in rail since "corporatisation" in 1987. The irony is that some of the most bitter battles between management and the Unions all occurred during the time rail was a government SOE which we now find ourselves being once again. Those who don't learn from history are destined to repeat it – or so we have heard!
- The Lyttelton RMTU office is now relocated into the Lyttelton Railway Station. Contacts numbers are still the same but access to members has improved now that the office is outside of the port security area. We await advice of the housewarming party but wonder how KR's dry workplace rules will impact on this kiwi tradition.
- Port Tauranga announces an after tax profit lift of 9.3% to \$49.4m. Luckily wage talks are currently occurring for our RMTU port company members and so we look forward to our share of the cake.

"WE'RE STRONGER TOGETHER"!

