

THE ACTIVIST



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MERRY CHRISTMAS AND A HAPPY, JOYOUS AND SAFE 2013!

It has been a very, very busy year.

For all of our members who are having a break over the Christmas and New Year, we hope you have a restful time off, and for those members who have to work – take care and above all think safe and be safe.

BROTHER JIM KELLY RETIRES

21 December sees the retirement of former RMTU President Jim Kelly from KiwiRail. Jim volunteered for redundancy so a Hillside worker could have a job.

More will be said in The Transport Worker magazine in March of next year but for now we wish Jim, Liz, Lisa and Steven all the best for the Festive Season and wish Jim a long and healthy retirement!

UNION OFFICE CLOSURE

The Union's National and regional offices will close at 1300hrs on 21 December 2012 and reopen on 7 January 2012 @ 0830hrs.

The Emergency on call contact for "URGENT – Can't wait" Union Industrial matters during the closedown period is Scott Wilson on 0272464961

SUPPORTING HILLSIDE

On 30 November the Christchurch Rail Branch called for a 2 minute stoppage to mark the passing of 130 years of rail engineering at Hillside. This was followed up by an identical resolution from our Otago Rail Branch. The Union's National Office has heeded the call and asked all members to support the 2 minute stoppage at 1100 on 21 December.

We contacted Jim Quinn requesting they facilitate the stoppage and he replied as follows; "**While I am not sure this step is necessary I am happy that Hillside's history is acknowledged by the team**".

Sure, it won't stop Hillside closing – for now. The RMTU can be proud however of the fact we hammered the message home that what happened to Hillside was a deliberate decision by the National Government and their puppets on the KiwiRail Board.

A recent poll showed that unemployment is the single most important issue in the minds of voters. Given that we've made sure the public have heard more about the job losses at Hillside than all of the thousands that have gone since the Tories came to power our Union can take some credit for getting unemployment up the political agenda.

On behalf of the Union's President, National Management Committee and Staff we wish all members and their families a happy and joyous Christmas. We also wish you a healthy, safe and prosperous (the only way with collective bargaining) 2013.

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

Now we have to honour the workers at Hillside who lost their jobs by fighting to get rid of John Key and the National Government. We've started by securing a commitment from Labour to re-establish Hillside when they are back in power – now let's work to make that happen.

We shall remember come election day 2014!

HOW MANY MEAT VOUCHERS CAN YOU BUY WITH \$1 MILLION?

Members are telling us that the usual Lyttelton Port Company (LPC) Christmas Hamper (for which we are very grateful...) lacks the usual meat voucher.

Given that we are awaiting Peter Davie's (Port Lyttelton CEO) response to our call for him to share out his \$600,000 'bonus' amongst the workers at LPC who earned it, we also thought it would be interesting to work out how many meat vouchers you can buy for the \$1m that Mr Davie got paid this year.

Our understanding is that the voucher is usually worth between approx \$30.00 to \$40.00, so Mr Davie's pay last year would buy between 25,000 and 33,000 vouchers...

Which leaves our members with one question...

Where's My Meat Pete?

IF YOU HAVE AN A&D PROBLEM ASK FOR HELP!!

The RMTU is concerned that members are testing positive for alcohol and/or drugs post incident or reasonable cause within our industries. Our advice is if you think you might have a problem with alcohol or drugs then ask for help. Help is available through Employee Assistance Programmes or by contacting the Union.

Members in the rail industry can enter into voluntary rehabilitation, which is not disciplinary, but rather aimed at helping people sort out their problem with A&D. Some Port employers operate similar systems.



For further details contact your Union delegate or organiser.

KIWI RAIL NETWORKS FLEXI-WORKERS FINALLY START TO GET PAYMENT

KiwiRail Infrastructure staff who agreed to become flexi-workers are finally starting to get the lump sum payments that were agreed. Some have had to wait six months for the money after signing on as flexi-workers.

The company systems for administering these payments have been shown to be woeful. The RMTU has had to chase the company to get it to comply with the agreement it wanted, and made.

This, coupled with the recent company climb-down over its attempt to force Infrastructure staff in to flexi-work, in breach of what was agreed has left a bitter taste in the mouths of track workers, and has seriously damaged KiwiRail's reputation as an organisation that deals with its staff in good faith.

SAFETY CONCERNS – PACIFICA SHIP

The new Pacifica ship, sister ship to the Spirit of Endurance (Brian Collins Foreman at Lyttelton Port Company [LPC] and Jeremy Diskin at Port Nelson were both seriously injured on the Spirit of Endurance) made its first call at Lyttelton on Tuesday.

The Foremen immediately inspected the ship and raised their H&S concerns to management. Management have undertaken to contact Pacifica for the hazards to be fixed before the ship next calls at LPC. Union reps inspected the ship and presented a list of identified hazards to LPC advising the Company they have one week (when the ship will next call at LPC on the 26 December) to fix the hazards or the ship will not be worked.

The next Port call for this ship is Nelson then Tauranga. We advise our members that if

they have identified immediate hazards they are entitled to withdraw their labour stating that the ship is unsafe to work and they are available for other (safe) duties.

The list of hazards as identified at Lyttelton has been circulated to branches affected by ship visits.

KIWI RAIL NEW RATES AND BACKPAY

KiwiRail has advised that the payment of the new rates and allowances are to be applied from 9 December 2012. This means that the pay run paid on 25 December will be the first paid at the new rates.

The back pay will be paid on 10 January 2013.

CHRISTCHURCH RAIL AND LYTTELTON PORT BRANCH JOINT MEETING 12 DECEMBER

We were told loud and clear at National Conference last year that Port and Rail Branches need to work more closely together to maximise our strength and the message was reinforced by this year's Conference theme of "The Need For Change".

So it was great to hold the first joint stopwork meeting in living memory of the Lyttelton Port and Christchurch Rail Branches last week.

The meeting was well attended and the accent was on recognising the positive contribution of delegates and active members during what has been a hard year for our union and working people in general.

Coming off the back of a very successful action by Rail and Port members during the Tranz Alpine's 25th anniversary that publicised the crime of shutting Hillside (for now...), it was great to be able to give our

people a well deserved pat on the back (and a bottle or two as well).

Our General Secretary attended and gave a very upbeat address that was followed by an equally bullish speech by Port Hills Labour MP Ruth Dyson. This captured the mood of the meeting perfectly – it was refreshing to be in a room where one could sense our members' pride and confidence.

The highlight of the afternoon was Murray Dunlop's acceptance speech on being made a life member of the RMTU. Everyone who witnessed this was moved and inspired – well done Murray, you have created a legacy that you, and all of us, can be proud of.



NAPIER PORT BEATS ITS CHEST

2012 has been a record year for Port Napier and it has seen them assume the mantle of being the North Island's second largest export port by volume in tonnage and the country's fourth largest container terminal. Port CEO said "Our growth has been based

on a superior service model provided by all the port staff...". We agree, all of the unionised workers for the Port Company are RMTU members and so it stands to reason that if they are wise enough to be members of NZ's largest specialist Transport Union then it is only natural that they will provide superior service to customers.

We look forward to more gain sharing in future bargaining years.

REVIEWING THE TAX TREATMENT OF EMPLOYEE ALLOWANCES AND OTHER EXPENDITURE PAYMENTS

We have received notification of an IRD officials' issues paper: Reviewing the tax treatment of employee allowances and other expenditure payments.

This paper seeks feedback on proposed reforms in the tax treatment of some payments to employees.

You are also able to make your own submission. The closing date for submission is 1 February 2013.

Whilst this has implications for all employers we deal with we have approached KiwiRail for advice on their view and Bary Hollow of KiwiRail had this to say;

"... the conclusions reached in the discussion document preserve the current tax treatment of allowances paid by KiwiRail in that if allowances are currently paid as non-taxable that treatment will continue under the proposals in the document. The only potential changes to allowances under the document should not affect KiwiRail or our employees. The first relates to accommodation allowances paid to employees who are on a temporary relocation that exceeds 12 months and employees that have home broadband or other communications costs paid."

LABOUR LEADER VISITS HUTT WORKSHOPS

This week David Shearer and Hutt Valley MP's Chris Hipkins and Trevor Mallard toured the Hutt Workshops and met with Delegates after the tour. David told the delegates that the Hutt Workshops is an "impressive example of Kiwi manufacturing and engineering talent". However this was set against the announcement on the same day of a stagnating economy from a Government which is just managing our decline - and one of the sectors suffering hardest is manufacturing. The delegates had the opportunity to outline what they thought needed to happen for Engineering to grow in New Zealand with the main issues being the need for a long term plan, investing in plant and training our future engineers.

MERRY CHRISTMAS!



PRESS RELEASE....

KiwiRail workers across the country will stop work for two minutes at 11am this Friday to mark the passing of 130 years of engineering work at Hillside Workshops.

Last month KiwiRail announced Hillside's foundry had been sold to Bradken Engineering with the retention of 18 jobs, and KiwiRail will keep 7 workers to run its heavy lift maintenance operation, but the rest of Hillside will close on Friday, with 90 job losses.

Wayne Butson, RMTU General Secretary said Hillside had made a huge contribution to the New Zealand rail industry and the Dunedin economy over the past 130 years.

"Hillside has a very proud history, and rail workers across the country wanted a way to mark the significance of its closure," he said.

"It really is with a deep sense of sadness that the occasion will be marked, and rail workers can't help but regret this totally avoidable situation - KiwiRail's decision to not bid for either the \$500 million contract for Auckland's new trains, or for some or all of the 4000 flat top wagons has directly contributed to the closure of Hillside."

"Most other countries would be proud of an asset like Hillside, and do their absolute best to keep it operational. Regrettably, New Zealand's government is more focused on pumping billions of dollars into roading, and expecting rail to be self-sufficient yet compete with this massive subsidy.

"A giant in the rail industry has fallen. Rail workers will take a moment on Friday to mark Hillside's passing," Wayne Butson.

SINGAPORE FIRST STRIKE

Nearly 200 Chinese bus drivers in Singapore launched the city-state's first strike in 25 years over receiving less pay than their Singaporean and Malaysian co-workers for doing the same job. They struck November 26-27 but returned to work after facing severe government pressure. Strikes are

illegal in Singapore for workers in "essential services" such as transport unless they give 14 days' prior notice and comply with other requirements. The strikers also complained that the bus company switched them to a six-day week with slightly higher pay from a five-day week that had allowed them to earn more by doing overtime. In response, the government said it will deport 29 mainland Chinese bus drivers and prosecute five others for taking part in the city-state's first strike since the 1980s. "The strike was planned and premeditated. It disrupted our public transport which is an essential service, and posed a threat to public order," its statement said.

PORT OF TIMARU BRANCH STANDING TALL

Restructures and redundancies always leave a residue of bitterness and discontent so it's been great to see our members in Prime Port Timaru stick it out. They may be battered but they're certainly not beaten.

In the last few days we successfully resolved a disputed redundancy claim on behalf of one member – something that will make a significant difference to that member's family this Xmas. We've also seen our members pick up additional work. The leadership shown by our Branch Secretary Mike Nijssen and Branch President Naylor Young has been exceptional.

Well done to everyone in the Branch – you may not realise it but by protesting when John Key came to town you did more to put a national ports strategy on the political agenda than any other single act in 2012.

KIWI RAIL EMPLOYEE PARTICIPATION AGREEMENT FOR HEALTH AND SAFETY

All Rail Branches have received copies of the RMTU/KiwiRail Employee Participation Agreement for Health and Safety. The agreement has the functions and rights of

the health and safety reps including the election process, access to training, information and paid time to do the role. If you haven't seen the agreement ask your Branch for a copy or go to the RMTU website under RMTU publications. All H&S Reps and Delegate's you should have a copy of the agreement.

HYEFU DISMAL ON JOBS

The Council of Trade Unions says that the half- yearly economic and fiscal update (HYEFU) is dismal on the jobs front.

Council of Trade Unions (CTU) Secretary Peter Conway said that the forecast is for unemployment to average just under 6 percent for the next 5 years.

"That is not a recovery", says Peter Conway.

Economic management by the Government should not just be about achieving a surplus in 2015. The increase in petrol excise tax announced today just ahead of the HYEFU release is clearly designed to reach that surplus target and is further evidence that this is the sole focus of the Government.

"But a crucial measure of economic management is the availability of jobs. In New Zealand we have 175,000 people who are unemployed and 113,000 workers seeking additional hours. This needs to be the Government's top priority for 2013".

The forecast means that we will still have around 150,000 people out of work every year until 2018. And these forecasts have tended to understate unemployment levels rather than the reverse. We also note that although all countries have seen unemployment rise since the global financial crisis, New Zealand has gone from a top performer within the OECD in most of the last decade in relation to unemployment levels to be ranked 15th now. This is a sign that the New Zealand Government has simply not made jobs a priority. The tax changes in 2009 and 2010 which benefitted those on high incomes have also had a negative effect on tax revenue which could



have been used to assist low income families and promote job opportunities.

Peter Conway said "high levels of unemployment are also predicted by Treasury to impact negatively on wage growth with nominal wage increases averaging only 2.5 percent over the forecast period."

"The signs are not good in the HYEUFU", says Peter Conway. "The growth forecast from May this year has been scaled back. Transport costs for households and firms rise. The current account deficit spirals up. The reluctance to adopt policies that would stimulate job creation and lift economic performance means the Government will continue to focus on reducing Government expenditure as a percentage of GDP. The Government is also relying on up to \$7 billion from asset sales in its budget projections".

The HYEUFU shows that the outlook for households for the next couple of years is negative.

The New Year resolutions for John Key and Bill English have to be 'must do better on the jobs front'.

MP'S PAY RISE HARD TO SWALLOW

The Public Service Association says Parliamentary Services staff will find a pay rise for MPs particularly hard to swallow.

The Remuneration Authority has confirmed MPs are likely to receive a pay rise of 1.5% which will be backdated to July 1st, meaning they will end up with a lump sum payment worth thousands of dollars.

PSA National Secretary Brenda Pilott says a thought needs to be spared for Parliamentary Services staff, many of whom work directly for MPs. They haven't had a pay rise for three years and are currently battling to get an increase.

"They are consistently being told by Parliamentary Services that there is no

money in the pot for pay increases yet MPs get a pay rise and a backdated lump sum without even trying. It's an injustice which MPs should seek to remedy."

The backdating of the increase also exposes a clear double standard.

"The days of backdated pay in the public sector are long gone with government departments being given a clear message not to backdate any pay increases agreed to in collective agreements. For that reason it is galling to see the Prime Minister and other MPs set to have their pockets lined with thousands of dollars in backpay."

"While everyone deserves a pay rise, it doesn't sit well to see MPs getting an increase while public sector workers have faced thousands of job cuts in the name of austerity are constantly being told to tighten their belts and have to fight tooth and nail to achieve any wage movement at all."

NEW LAWS

The Australian government is considering new tough penalties against workplace bullying. A national advisory service found that workplace bullying is "widespread" and has led to some workers taking their own lives or becoming permanently disabled. An estimated 6.8 per cent to 15 per cent of Australian workers have been bullied, costing the economy between \$6 billion and \$36 billion each year.

A House of Representative committee has proposed a uniform national approach to address workplace bullying, including an agreed definition of what constitutes bullying behaviour. Labour MP Amanda Rishworth, who chaired the inquiry, said society could not ignore the seriousness of bullying in the workplace. "The psychological and physical detriment to health that bullying had and, of course, the cases that led to suicide were the shocking part for me because it really indicated the seriousness of this," she



2013 CRYSTAL BALL

It is always hard to predict the future but we think things will pretty much stay the same way as they did in 2012 under this shambles of a Government.

The low interest regime will probably continue throughout 2013. We see this in the mortgage market, but it is also evident in the corporate and Government sectors with bond investors accepting lower yields.

Unemployment will remain at current levels or may get a little higher, until we start to see some real growth occurring in the economy and the current high rate of job losses declining.

The NZ dollar will remain at the current levels for some time, making it difficult for NZ exporters. We expect further Government cost cutting and ongoing reduction in Govt employee numbers.

Next year is the last year the Government can do this, as in the following year (2014) there will be an election and so Govt's historically rely on voter amnesia for the last 12 months of the election cycle.

In essence next year is likely to be a repeat of 2012. Shit, what a horrible thought!

KIWI RAIL (FREIGHT) INDUSTRIAL COUNCIL UPDATE

KIC met for the last meeting for 2012 in Hamilton, 28 & 29 November. Both management and reps on the KIC accept that the minutes for this forum need to improve both in lay out and timely distribution. We are looking to get this meeting minutes sent out and uploaded onto the KR Intranet before Christmas.

Some of the highlights of this KIC meeting include –

- A presentation and update on e-protect
- Proposed changes to Post Incident management (RORP)

- KR Financial presentation which includes an outline of a time / attendance project that is currently out for expressions of interest via Government Electronic Tender Service

The next meeting (KIC 17) is set for 21/22 February 2013 in Wellington

TEGAL COUGHS UP

Tough negotiations averted a strike at Tegal's Taranaki Bell Block chicken factory after management agreed with workers' demands to consider raising wages 5 per cent to match what Tegal pays workers at its other NZ factories. The 230 unionised workers are represented by the Engineering, Printing and Manufacturing Union (EPMU).

According to EPMU lead organiser Wayne Ruscoe, the workers had earlier voted industrial action if the company continued to refuse their demands. Ruscoe said workers were back on the job after the union was assured that a resolution to the pay

dispute "would be found." He said the dispute has been going on for more than six months as both parties finally reached "a bit of a truce." Ruscoe said the decision to take action was a first for union workers at the factory and they had never walked off the job before. The workers were "pretty militant," he said.

THE TRANSPORT WORKER – ISSUE 4 2012

The magazine has arrived from the printers and is being distributed to branches. Keep an eye out for it as it is a bumper 32 page edition packed with exciting and interesting stories and pictures.

RMTU PUTS KIWI RAIL ON NOTICE REGARDING BULLHOOKS

Kiwirail are on notice of the risk posed to workers by the handling of transition heads.



The RMTU recently commissioned a consultant rheumatologist and expert in musculoskeletal conditions Dr Wigley to observe

Workers' handling of transition heads. Dr Wigley's report was tabled by the RMTU at the latest Kiwirail Industrial Council meeting.

Dr Wigley says that the manual lifting/maneuvering of the transition heads gives rise to a significant risk of long-lasting (potentially permanent) injury to the workers' backs and/or shoulders. He describes the marked increase in reported injuries since the transition heads were put into use

The RMTU requests an undertaking from Kiwirail that all wagons will be fitted with auto-couplers within the next 6 months. In the meantime, Kiwirail must take all practicable steps to minimise the risk posed to workers by the manual lifting/maneuvering of the transition heads; and to monitor the effectiveness of the intervention to minimise the hazard.



NO NEED TO TAX KIWIS FOR BILLION DOLLAR BOONDOGGLES

National's plan to increase the petrol excise duty by 18% to pay for its so-called 'Roads of National Significance' is a waste of taxpayer money that will unfairly make working families pay for motorways that few will use, Green Party transport spokesperson Julie Anne Genter said today.

In November, the Greens first revealed a leaked New Transport Agency document outlining National's plans to fill the billion dollar hole in the transport budget created by its motorway projects by borrowing in the form of Public-Private Partnerships (PPPs) and increasing petrol tax by 9 cents a litre, or 18%. Transport Minister Gerry Brownlee today confirmed the increase in petrol tax, having recently confirmed plans for a Transmission Gully PPP.

Analysis of National's motorway projects shows just 4% of road journeys will use these routes.

"All Kiwis who drive will soon be paying for National's white elephant motorways that few people will use," said Ms Genter.

"Transmission Gully, the Kapiti Expressway, and the Puhoi to Wellsford Holiday Highway will cost billions of dollars for little benefit and will be used by only a few percent of drivers.

"The Government shouldn't increase tax on all New Zealand families just so that it can pour billions into boondoggles that aren't worth building.

"National is taxing us more on petrol to lock us into a petrol-dependent lifestyle. Instead, we should be investing the transport budget into projects that will allow Kiwis to avoid rising petrol prices by taking public transport, cycling, or walking.

"Projects like the Auckland's City Rail Link are sustainable, cost-effective, and reduce congestion.

That's a smart, green use of taxpayer money; that's where the Greens would invest," said Ms Genter.

INTERISLANDER INDUSTRIAL COUNCIL (ICC) UPDATE

After a break of 8 months, the ICC met in Wellington, 6 December. The first business to be done was to draft Terms of Reference for this forum by using the KIC TOR as a template, these Terms of Reference are now ready for sign off by KR and the RMTU. Reps made it clear to management that while there is an understanding of the issues facing the Interislander the Industrial Council will not be a "bad news" forum and that the RMTU is seeking a broader discussion with the Interislander than cost cutting and restructures.

Bits and Bob's

- Port of Tauranga has purchased 100% of Quality Marshalling Ltd. The purchase of 100% of the company shares for \$34m is effective from 1 February 2013. Quality Marshalling is the second largest log marshaling and scaling company in NZ. The company predominantly operates out of Mount Maunganui and Northport and has 133 employees.

*Looking Forward
to Being
Stronger
Together In
2013!*

Enjoy the break, enjoy the festivities, enjoy some liquid pleasure BUT above all else make sure you don't bring any of it to work.

BE SAFE IF AT WORK!



Important Union Dates

International Women's Day	Friday 8 March 2013
Workers Memorial Day	Sunday 28 April 2013
RMTU Ports Forum	10-11 July 2013
Labour Day	28 October 2013
White Ribbon Day	25 November 2013
Transport Worker - Branch Contribution Deadlines for printing	Issue 1 - 11 February 2013 Issue 2 - 13 May 2013 Issue 3 - 12 August 2013 Issue 4 - 4 November 2013
BRANCH AGM's (Election of Officers & Delegates)	To be held in the month of AUGUST 2013 as per RMTU Rules & Standing Orders. (Please liaise with your Industrial Organiser and other local branches to ensure Gen Sec attendance).
RMTU ELECTIONS	National President: Feb 2013 Followed by the NMC Representative positions and then RMTU Council Representative positions.
National Management Committee Board Meetings	1 st NMC Meeting 13 March 2013 2 nd NMC Meeting 12 June 2013 3 rd NMC Meeting 11 September 2013 4 th NMC/STAFF Meeting 4 & 5 December 2013
NZCTU Meetings & Biennial Conferences	NZCTU MEETINGS: NAC: 21/02, 16/05, 22/08, 28/11 Wellington Runanga: 22/02, 17/05, 23/08, 29/11 Wellington Women's: TBA Wellington NZCTU CONFERENCES: ■ RUNANGA HUI 25-27 March Whakatane ■ Out@Work KAMP 3-7 May TBA ■ Womens COUNCIL 26-27 July TBA ■ CTU BIENNIAL CONFERENCE 9-10 October Wellington (Stand Up & Komiti TBA)

