

THE ACTIVIST



Published Regularly - ISSN 1178-7392 (Print & Online) 29 October 2010

BRIAN CRONIN FAREWELLED

In a very well attended funeral RMTU Organiser Brian Cronin was sent off in style in Christchurch on 18 October 2010. A number of speakers gave moving accounts of the affect that Brian had had on their lives and on members. They retold stories from the past and also recorded his tireless lifetime service to RMTU members.

In tribute to Brian many, many cans of Guinness were skulled in his honour.

The RMTU once again wishes to record its sincere sympathy and condolence to Mandy, Amelia, Bridget and the other members of the Cronin and Gill families.

Farewell Brother – Gone - but never to be forgotten

KIWI RAIL MECA UPDATE

Following the counting of the postal ratification vote the National Returning Officer declared that the proposed settlement had been overwhelmingly ratified by members. 92.26% of members supported the ratification whilst 7.74% rejected the deal.

The General secretary Wayne Butson and KiwiRail CEO Jim Quinn will sign the MECA on Tuesday 2 November 2010.

KiwiRail advises that it expects to pay the back dating (of the 2% general increase) on 18 November together with the commencement of the new rates. Backdating to 1 April for ex UGL and 1 July for rest of KiwiRail).

Members whose rate of pay increases as part of the "best of best" alignment will all soon receive individual letters from the

employer advising and confirming the new individual payrate as specified in the Collective agreement.

Thank you to the negotiators and all delegates and especially to all members who supported their work.

DAY OF ACTION – 20 OCTOBER 2010

Fantastic Effort - National Day of Action!!

Congratulations everyone on a great turnout yesterday. Our figures show that around 22,000 people took part in stopwork action from Kaitaia to Bluff.

It was a fantastic collective effort by unions and demonstrated great unity and purpose.

Thanks to all of you who made the day of action a success.

The media reports have been very positive and reflected both the huge numbers who stopped work and the strong messages about the issues at the heart of the protest action.

For photos of the various events see <http://fairness.org.nz/October20pics> which we will continue to update as there are only a few photos there at this stage. See also our CTU front page at <http://union.org.nz/>.

Now of course the momentum must continue. This includes:

- Union claims in collective agreement negotiations to ensure that union access and the right to appeal against dismissal in the first 90 days are maintained
- Lobbying MPs on the two Bills in Parliament – a Kit has been sent out
- Profiling cases – 'name and shame'

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

- Organising community events so we can get these issues out among the wider public

The CTU National Affiliates Council will also review the campaign at our next meeting and discuss next steps.

Thanks once again and congratulations on a great effort.

UNION FEE INCREASE

Annual Conference voted to approve a Union fee increase from 1 November 2010 for the financial year 2010-11. Members are reminded that there was no fee increase last year and that the wages of Union staff are indexed to the rail collectives which means they get the rail increase whatever it may be. The actual increase is as follows;

\$8.00 per week for full-time members

\$16.00 per fortnight for full-time members

\$34.70 per month for full-time members

\$1.20 per day for daily casuals

\$4.00 per week or \$8.00 per fortnight for part-time employees working less than 20 hours per week

\$4.00 per week or \$8.00 per fortnight for trainees/apprentices earning remuneration below a determined amount.

	Union Fee	GST @ 15%	Strike Fund	Fee
Weekly	8.00	1.04	0.20	6.76
Fortnightly	16.00	2.09	0.40	13.51
Monthly	34.70	4.53	0.90	29.27
Daily Casuals	1.20	0.16		1.04
Part/Time	4.00	0.52	0.10	3.38
Trainees	4.00	0.52	0.10	3.38
Apprentices	4.00	0.52	0.10	3.38
Honorary Membership	30.00	3.91		26.09

\$30.00 per year for Honorary Membership (which is defined as having been a continuous member of the Union for no less than five (5) years which then entitles the Honorary Member to receive:-

The Transport Worker – mailed out quarterly; and

Group C Membership of the Railway Welfare Trust Fund.)

KR POLICIES

The Union was surprised to see KR announce the release of 6 new corporate policies in the staff newsletter last week. The Union has not been consulted in the formulation of these policies which is we believe of KR's contractual obligations. We have raised our concerns with the company and await their response before we consider what to do about this breach.

TURNAROUND PLAN – KR

The Union has been requesting more information and for full disclosure on KiwiRail's Turnaround Plan. To date all we have received is an offer from the KR CEO to brief the Union staff and National Management Committee. Accordingly we were very surprised to be advised by members that the KR Freight Business Plan was mailed to members direct. We have written to KR registering our concerns and are awaiting a response.

CONFERENCE 2010 STANDUP FIGHT BACK

Most of you are familiar with the chant "when workers' rights are under attack stand up fight back" a very apt theme for this year's conference as you would have picked up from this edition of the Activist

Conference spirits were high; delegate, observer, paid officials, and guests alike could not help but notice the positive and defiant mood. The devastating news on day two of Brian's passing brought sadness and grief however as if guided by Brian's spirit there was a grim determination to continue on with conference 2010 and a determination to ensure the message that when we Stand up

and fight back becomes the Union mantra for the year ahead.

Conference guests and speakers were:

International Guests: Phillip Kessey RTBU, Ian Bray MUA, Peter Lane TWU, Guest speakers in order of appearance: Helen Kelly Nat Pres CTU, Hon Jim Anderton Progressive Party, Gareth Hughes MP Green Party, Bronwynn Maxwell CTU, Ross Wilson Chair UnionAID, Eddie Dickenson RMTU Organiser & Life Member, Gary Parsloe MUNZ, Roy Cowley LESAD Fund, Bill Rosenberg CTU Economist, Mario Soljan AIL, Jim Quinn KiwiRail Ltd CEO, Dean Camplin C3Ltd CEO, Baz Pritchard C3Ltd ER Manager, Graham Silbery Veolia Transport Ltd MD, Gavin Cook Veolia Transport Ltd HR Manager, Graeme Boomer KiwiRail Ltd IR Manager, Bernard McIlhone DoL, Hon Phil; Goff Labour Party, Peter Conway Nat Sec CTU

VEOLIA - UPDATE

Report back meetings to all members have occurred this week. The tone of the meetings has been robust but generally supportive of the proposed settlement. The ratification of the proposed settlement will be by postal ballot in accordance with Union policy. We are currently preparing ballot papers for mail-out commencing next week. The ballot will be out for a period of 3 weeks.

SYD KEEPA - NZCTU VICE PRESIDENT MĀORI

We are pleased to advise members that Syd Keepa is the new NZCTU Te Kauae Kaimahi Vice President Māori. Syd is employed by the NDU. Congratulations to Syd on his election and we look forward to working with him in his new role.

BIGGEST WORKER PROTESTS IN A DECADE REJECT LAW CHANGES

Workers from Kaitaia to Bluff attended protests today on Government plans to change workplace laws.

By lunchtime more than 15,000 workers had attended stopwork meetings and rallies. 7,000 packed the TelstraClear Stadium in Auckland and 4,000 piled into Parliament Grounds. 1500 rallied in Hamilton, 800 in Hastings and 750 in Nelson. Thousands more are expected in events throughout the afternoon in many centres.

CTU President Helen Kelly said at Parliament that the Government has turned its back on Kiwi workers and their families, who are bearing the brunt of the GST increase, miserly tax cuts for the lowest paid which nowhere near compensate increased costs, and no investment in jobs.

"Now the Government thinks it's ok to kick working people again with a raft of unfair workplace laws that remove the most basic of work rights and in the

long term are aimed at wage reductions," she said.

Kelly highlighted the removal of unfair dismissal rights in the first 90 days of employment, the requirement for a sick note on the first day of illness and reducing union access to workplaces.

"We will keep on campaigning on these basic work rights until they are given back and are there for future generations of workers," she said.

In Auckland thousands of workers bussed to the TelstraClear Stadium to hear CTU vice president Richard Wagstaff and union leaders Andrew Little, Jill Ovens and Robert Reid reject the changes and call for a long term campaign of opposition.

Kelly acknowledged statements of support for the national day of action from both the Labour Party and the Green Party.



PAUL LITTLE PREPARES TO STEP DOWN FROM TOLL

Paul Little has announced that after a quarter of a century at the head of Toll Holdings, he will be leaving the company when a replacement is found, who is expected to be in place by January 2012. Toll shares have dropped more than 5% on the news.

TE KUPENGA MAHI ANNUAL MEETING

Te Kupenga Mahi will be holding its annual meeting on 12-14 November 2010 at Waitangi Marae in the Bay of Islands this year. The theme for discussions is "Healthy Workforce" and the 3 day programme will cover topics such as:

- Healthy Lifestyle Challenges
- KiwiRail services and providers
- Encouraging a Healthy Change
- SAFE MATE - looking after ourselves and others on the job

Te Roopu Awhina (Te Kupenga Mahi Committee) invite staff and families to attend who are interested in the topics above or who would like to learn more about Te Kupenga Mahi, our KiwiRail staff network.

How to Register for the Hui:

Contact the closest Te Roopu Awhina member listed below and let them know you are interested in attending the hui. Registration Fee is \$20 per family to cover marae accommodation and meals.

Northland:

Bob Koroi, 027 276 1487

Auckland:

Sam Rihari, 027 319 5478; Mary Campbell, 021 030 0767; Jack

(Haki) Tawhai, 021 071 1808; or Charlotte Marsh, 021 220 2003

Hamilton:

Ray Brown, 021 241 5215; or John Marsh, 021 241 4993

Tauranga:

Ricky Kuka, 021 241 5274

Ohakune:

David Wiari, 027 461 4293

Wellington:

Percy Williams, 027 293 9864; or Aroha Tanirau, 021 034 1187

South Island:

Tania Haraki, 027 339 0881

More on Te Kupenga Mahi:

Te Kupenga Mahi is a voluntary network of staff initiated in 1989 and formalised with a constitution by the then NZ Rail Ltd in 1990. Today KiwiRail supports Te Kupenga Mahi and the services it provides to staff and the community including Te Pure, tangihanga support and putea, and whanau support. Te Roopu Awhina (Committee) members are elected at the Annual Hui.

MINISTER COMES CLEAN ON 90 DAY TRIAL PERIODS

After weeks of claiming that the 90 day trial period in the Employment Relations Bill (No 2), currently before select committee is "voluntary" and that "employees don't need to have a trial period if they don't want one" the Minister of Labour has now refused to rule out making the 90 day trial period a mandatory provision for every New Zealand wage and salary earner, Labour's Associate Spokesperson for Labour and Industrial Relations Darien Fenton said today. "In answers to questions in the House today as to whether the Minister would rule out making the 90 day trial period a default provision for all employers, the Minister said no.

"Making a 90 day trial period the default provision would mean that every employment agreement would automatically have a 90 day trial period. "The default provision has been pushed at Select Committee by employers who want to be able to deny rights for workers to have a reason for being sacked and to be able to challenge that reason.

"Firstly, it was 90 days for workplaces with 20 or less employees. Then the Minister was rolled by Rodney Hide and her intention to extend 90 day trials to workplaces of 50 or



less workers became all workplaces.

"Now the Minister is saying that's not enough, even although she has repeatedly insisted that 90 day trials would be voluntary and reached by agreement in good faith.

"Next it will be 90 days isn't enough, so it will become 100 days, and then 180 days.

"What's disappointing is that the Minister seems all too willing to listen to ACT and some employers, but appears to have her ears shut to the thousands of workers who have made submissions to the Select Committee saying 90 day trial periods and a denial of access to justice is unfair and unjustified," Dairen Fenton said.



GETTING THE LOWER INCOME EARNERS INTO A HOUSE

The Government has just announced its "Gateway Scheme" where those on lower incomes will be able to buy or build their own home, but defer the payment on the land for up to ten years.

TOLL NETWORKS CA – HOURS OF WORK CHANGES

At this year's negotiations Toll outlined the issue of a few workers being left behind to complete the work when there were unavoidable delays, this meant the few were working high hours and the company's preference was for as many of the team as possible to complete the work to avoid excessive hours and the need to supplement the workforce with temps and labour hire workers during the peak months.

Clauses were proposed and formed part of the settlement which was ratified. This does not mean there is compulsory overtime and the requirement to work overtime must be reasonable.

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

GOVERNMENT HAS ROOM TO DO MORE ON STALLING ECONOMY

There is clearly still room for fiscal stimulus for an economy that is not going anywhere, and in fact is getting smaller per New Zealander, said the CTU today. The Government Financial Statements for the year ended in June show an operating deficit over \$1 billion lower than forecast in the 2009 Budget - \$1.2 billion less in the Operating Balance; and \$1.4 billion before gains and losses.

Bill Rosenberg, CTU Economist and Policy Director said: "The Minister of Finance says the very slow recovery is due to people reducing borrowing on their homes instead of spending on goods and services. However, we cannot be confident this is a trend rather than a sign of people's concern about the future and the difficulty in borrowing. A stimulus could be applied in ways that improved our infrastructure and people's housing."

The Minister of Finance acknowledged that New Zealand's government debt position was significantly better than other OECD countries, which average the equivalent of 100 percent of GDP. New Zealand's net government debt is forecast to peak around 30 percent of GDP. At June 2010 it was 14.1 percent of GDP – significantly less than the 15.6 percent of GDP expected in the 2009 Budget. Gross debt is 28.3 percent of GDP compared to 29.1 percent forecast.

Net borrowing for the year was less than the figure of '\$240 million per week over the next four years' regularly used by the Government. In fact net borrowing was \$161 million per week during the year, after repayment of older debt.

ITF CONCERNED OVER OZ DOCKSIDE SAFETY SKIMPING



The ITF has signaled its concern over apparent attempts by an Australian employer to remove a government mandated safety role from dockside operations.

The Federation has been alerted by the Maritime Union of Australia (MUA) to instances where a company sought to undermine the role of the 'hatchman' – someone who can act when needed to alert crane operators to dangers in any area where their vision may be obscured.

Despite the provision of someone to carry out this duty when necessary being mandated under Australian government Marine Orders, the MUA has reported cases in June this year where dockers had to threaten action and call in the Australian Maritime Safety Authority in order to block attempts to order workers to carry on without one.

ITF Dockers' Section Secretary Frank Leys stated: "So far dockers have successfully resisted attempts to force or con them into working without a lookout. Well and good, but the attempt should never have been made, and could be a harbinger of a longer running strategy to get this job scrapped – which would be pure folly"

He continued: "When needed, the hatchman acts as the eyes of the crane

driver in those parts of a hatch which their vision would not otherwise cover. I am seriously concerned at recent developments on the Fremantle waterfront and across the Australian waterfront generally as some employers seek the removal of lookouts from stevedoring operations. Similar attacks on the hatchman position have been reported in Townsville, Darwin, Brisbane and Port Kembla."

He concluded: "The ITF supports the MUA's international claim for maintenance of hatchmen or similar designated employees in stevedoring operations, and will take up the issue with stevedoring operators, international shipping companies and beyond."

ELECTRONIC WORK DIARIES ON THE WAY

Using electronic work diaries to comply with fatigue management laws in Australia's heavy vehicle industry could improve road safety, boost efficiency and reduce red tape, according to a draft policy paper released by the National Transport Commission (NTC). The NTC's Electronic Systems for Heavy Vehicle Driver Fatigue and Speed Compliance: Draft Policy Paper – developed in consultation with industry and government stakeholders – proposes a way forward for industry and regulators on allowing the voluntary use of electronic work diaries to monitor heavy vehicle work and rest hours. It also addresses the use of technology to monitor speed compliance.

With fatigue and speed among the major contributing factors of heavy vehicle crashes in Australia, NTC senior manager Dr Jeff Potter said technologies that allow operators to manage risks as they happen would have widespread safety benefits for industry, government and the community. "We know that many transport operators are already using electronic work diaries to beneficially manage speed and fatigue compliance in real time," Dr Potter said.

EXTENSION OF TIME FOR REDUNDANCY TAX CREDIT

In case you were not aware of the following:



On 30 September, Peter Dunne, Minister of Revenue announced there would be an extension to the redundancy tax credit which was stopped in the May Budget. "The extension will apply to all redundancies received before 1 April 2011 and, once the legislation has been amended, will be paid at the rate of 6 cents in the dollar." For the Minister's full announcement, see <http://taxpolicy.ird.govt.nz/news/2010-09-30-extension-redundancy-tax-credit#statement>

UNFAIR FUNDING SWITCH IN TERTIARY EDUCATION

The CTU is critical of the Government announcement to remove funding equivalent to 55,000 places in industry training.

Peter Conway, CTU Secretary, said: "While we welcome extra university places, the Government is funding this by removing \$55 million from industry training."

Peter Conway said it is important that all tertiary education spending meets the requirement for 'value for money'. But it beggars belief that while unemployment is rising and the economy is stalling, the Government would pull funding out of apprenticeships and industry training that will underpin our economy and avoid future skill shortages.

Even if numbers of trainees are down in this period, the Government could put additional funding into other forms of vocational education that would lift both skills and job opportunities.

"It is also significant that Polytechnics and Wananga do not benefit from this switch."

"So far this Government has reduced funding for night classes, early childhood education and industry training. This indicates the low priority they place on supporting education and skill development vital for current and future workers and the overall economy."

The Government claims there is 'less demand' for industry training due to the

recession, but in Australia last year their Government committed AUD\$3.8 billion over 4 years to apprenticeships and in the June quarter of 2010 noted that apprenticeship commencements were back to levels seen in June 2008 before the global financial crisis.

"Of course they are a much larger economy so the figures are not directly comparable, but the differences in priorities and outcomes are obvious."

REAL INCOMES FALLING

Median weekly incomes have stagnated in dollar terms since 2008, which means they have fallen over 4 percent in real terms (that is, after price rises have been taken into account), said the CTU today.

The median weekly income was \$536 in June 2008, \$538 in 2009, and \$529 this year, according to the annual New Zealand Income Survey released today,

which shows weekly income for the year to June. Half of people receive more and half receive less than the median. Household incomes showed a similar pattern.

"The survey shows that people's living standards have fallen over the last two years," said Bill Rosenberg, CTU Policy Director and Economist. "Those relying on wages and salaries have done least badly, but households still have lower incomes than both last year and 2008 when taking price rises into account. The self-employed have done worst of all, with a sizeable fall in income of 6.3 percent for the year. This shows the importance of wages and salaries not only to provide relatively secure incomes for people, but as a stabiliser in the economy in times of recession. It shows why workers have reason to resist actions like Telecom's to push them out of regular employment into insecure self-employed contractor positions."

The total median weekly income includes wage, investment and other income. However median weekly wage and salary income for those receiving it increased by 1.2 percent from the June 2009 quarter. This was the lowest recorded rise since the June 1999 quarter. Median hourly earnings rose \$0.53 to



\$20.00, at 2.7 percent, the smallest increase since 2003.

"When looking at men and women separately, however, there are larger movements: for those receiving it, wage and salary income increased 4.0 percent for men and 4.3 percent for women. What appears to have happened is that households and the workforce have become more dependent on lower paid women's work during the recession, so that both household income and the overall median wage and salary increase have not risen nearly as fast."

As would be expected during the recession, people are more reliant on income from benefits from the Government. During the year the number of people receiving income from government transfers increased by 54,400 (4.9 percent), though income from that source (for those receiving it) fell slightly – by \$4 to \$269.

However, median weekly income from self-employment (for those receiving it) has fallen significantly since 2009 – it is down 6.3 percent or \$38 to \$575.

"We are also reminded of how few people receive significant income from investment: the median is only \$12 per week for those who do receive it – down from \$15 in 2009," Rosenberg said.

WORKPLACE INJURY STATISTICS UNDERMINE CASE FOR PRIVATISATION

"The latest figures on workplace injuries released yesterday by Statistics New Zealand demonstrate that there the injury rate in the work account is declining. There is no case for privatising the work account," said ACC Futures Coalition spokesperson Hazel Armstrong today.

The statistics for 2009 continue the trend of a declining incidence of workplace injury every year since 2002. In 2009, the provisional incidence rate was 112 work-related injury claims per 1,000 full-time

equivalent employees (FTEs) compared with 143 in 2002. The picture for claims resulting in entitlement payments is also encouraging. Provisionally, in 2009, 13 percent (26,700) of claims resulted in entitlement payments with an incidence rate of 14 claims per 1,000 FTEs. Between 2002 and 2008, the incidence rate for entitlement payments remained between 18 and 19 claims per 1,000 FTEs.

"According to the government there is a need to privatize the work account of ACC because spending is out of control," said Ms. Armstrong. "But these figures reinforce all the other information we have that the work account is performing well."

The work account covers workplace accidents affecting employees.

"We put this improvement down to the advent of worker involvement in health and safety, as well as ACC's work on injury prevention," said Ms. Armstrong.

In 2002 the Health and Safety in Employment Act was amended to provide for democratically elected health and safety representatives and health and safety committees. The

ACC funds training of health and safety representatives in the workplace. Over 30,000 health and safety representatives have been trained. The ACC funding of training highlights the needs of workers in the high risk industries such as agriculture, construction, manufacturing and residential care.

"This is a classic example of how an integrated approach to health and safety can make a real difference to outcomes. Private insurers are unlikely to fund a nationwide, integrated across industry training of health and safety representatives."

"There are no grounds to privatize the work account of ACC and we call on the Government to come clean on their position," Ms Armstrong said. "Last year they made a commitment to privatize in order to gain the support of ACT for legislation that drastically reduced entitlements and coverage under ACC. Since then we have been waiting on the report of the Stocktake of ACC Accounts which was looking into the viability of



privatizing the work account. This was due in June and we can only presume that the delay reflects the lack of evidence for privatisation. Meanwhile, as time goes by more evidence mounts against privatisation”.

THE MONEY MARKET

22 October 2010 the money markets were at the following levels:

Official cash rate 3.00% (unchanged)
 90 day bill rate 3.19 (up from 3.17)
 1 year swap rate 3.42 (down from 3.48)
 3 year swap rate 3.98 (down from 4.00)
 10 year bond rate 5.05 (down from 5.13)
 Kiwi dollar 0.7516 (up from 0.7501)

2011 CENSUS OF POPULATION AND DWELLINGS

The census is the official count of how many people and dwellings there are in New Zealand. The 2011 Census will be New Zealand's first major national event in 2011 ahead of Rugby World Cup 2011 and the 2011 General Election.

For the 2011 Census to be a success there needs to be widespread awareness of the census and its value to individuals, communities and the country as a whole. Statistics New Zealand will be running an advertising campaign in the lead up to census day. Further information is being added to the 2011 Census website: www.census.govt.nz

Statistics New Zealand is also very keen to raise awareness that census forms can be completed online, and this option is secure, quick and easy. Data collected from the five-yearly census is used to help determine how billions of dollars are spent in the community. It is used to help make decisions about which services are needed and where they should be, such as hospitals, kōhanga reo, schools, roads, public transport and recreational facilities. Census information is also used by councils, community groups, iwi and businesses to plan for the future.

MORTGAGE LENDING IS SLOWING

The amount of money being advanced on residential mortgages is slowing and householders are reducing their debt levels. In the June quarter this year, mortgage lending increased by \$1.06 billion, compared with \$1.32 billion in the March quarter and \$2.02 billion in the June quarter last year. There are a number of ways that householders are reducing their debt. Many are coming off more expensive fixed rate mortgages onto lower floating rates - if they keep their payments the same, then they are paying off more principal and hence their mortgages are reducing. Retail sales are slower indicating that many people are not buying and not increasing their debt levels through hire purchase. More people are opting into KiwiSaver, which again is increasing savings levels and improving households' asset positions.

BITS AND BOBS

- KR D&A Working Party gets underway on 5 November 2010.
- KR puts out a tender on the GETS website for 300 wagons. This is a disgrace as this work should be going to the 2 rail workshops. These are wagons not loco's or EMU's. This is work our highly skilled workshop tradespersons already do.

“WE’RE STRONGER TOGETHER”!

