

# THE ACTIVIST



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## CAFÉ CHEF'S 90 DAY SACKING 'FOR USING TOO MUCH SAUCE'

A breakfast chef in a Timaru café was sacked under the 90 day law and the only reason his employer could give was that he was 'using too much sauce and aioli'. The story is the latest 90 day unfair dismissal case released on video by the CTU today.

Aaron Greave began working at the MJC Café and Wine Bar in Timaru in July. He was not given a written employment agreement and there was no mention of a 90 day clause until he was sacked. There had been no indication that his performance was anything other than satisfactory.

You can see Aaron tell his own story at [www.youtube.com/NZCTU](http://www.youtube.com/NZCTU)

CTU Secretary Peter Conway said: "This is yet another case of an employer using the 90 day law as a convenient way of getting rid of an employee for any reason, and not because they have given them a chance and found them incompetent."

As in other cases brought to our attention, the CTU has arranged legal advice for Aaron to pursue remedies with the employer. Peter Conway said that Aaron does not want anyone to cease going to the café and neither he nor the CTU want any commercial impact on the business as a result of Aaron speaking out on his rights at work. What Aaron wants in addition to a remedy in his case is for the employment practices to improve at the café and for the 90 day law to be dropped.

"If this law is extended to every workplace in New Zealand we will see many more skilled workers sacked on a whim by some employers and the job security of every worker who changes jobs will be all but swept away. As with the case of the dairy

herd manager whose case we highlighted on Monday, Aaron Greave's sacking shows that the 90 day law is not improving New Zealand's productivity; it is actually undermining it by putting experienced employees out of work and even driving them out of the country."

## TURNAROUND PLAN – KR – BREACH OF GOOD FAITH

There are no more committed people in terms of the Rail industry in this country, than the RMTU and you, our members. We have been a critical part of this industry from its inception, and will be going forward. This applies equally to any Turnaround plan and whether it is to be successful or not.

Given the importance of the role we all play, it was extremely concerning that KiwiRail saw fit to send its KR Freight Business Plan to members direct, without even telling the Union that this was to happen.

If one reads that document, you'd also wonder what the RMTU is, and what we do. The only reference in the entire 30 page document to the RMTU is not even by name, and is undermining and inaccurate:

*"A major hurdle in such an exercise is agreeing a training programme with the union representing the LE drivers".*

Not only is this statement undermining of the RMTU, it is untrue. The Union strives to promote effective training for our members, and to refer to this exercise as a "major hurdle" is misleading and false.

You will also have seen in that document that the Union does not even rate a mention in the section on "Key Factors".

That document also makes statements about a number of issues that are extremely important to the RMTU and its members. In

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

the letter I have written to Jim Quinn raising our serious concerns about what KiwiRail has done and said, I stated:

*"There are various references in the Business Plan to topics that are extremely important to the RMTU and its representation of its members, including the areas of drug testing (page 2); training of staff, including locomotive engineers (page 2); the level of shunting and any initiative to "minimise" the same (page 10); point to point travel by locomotive engineers (page 23); single person remote shunting (page 23); multi skilling (page 23); revised rostering (page 23); and yard reconfigurations (page 23).*

*Each of these topics are important to the RMTU, and to efforts the RMTU has made over many years to represent the interest of its members as a collective."*

Members can be assured that the RMTU has not done a deal on any of these initiatives and most certainly will not without full member consent.

Sidelining, and undermining your Union, through this type of conduct, is completely unacceptable. You will recall the Blue Book process the company tried to use some time ago. That process led to challenges from the Union, and an apology from the company. It also led to a charter, which is supposed to require good faith behaviour. That charter is being disregarded by the company, when it acts as it has over this Business Plan.

The response I received from Jim Quinn to my letter served only to reinforce my concerns at the undermining conduct the company is engaging in. I have written back and we are waiting for a response. Should you wish to have a look at copies of the correspondence please contact national office requesting disclosure.

Rest assured that we will not stand by, and let your Union, and your collective interests, be undermined by this type of conduct.

### **D&A BOOKLET – KIWI RAIL**

Booklets have been distributed around KiwiRail land by management. The booklets are inaccurate and contain so called facts

which are disputed by the RMTU. This booklet was never shown to or disclosed to the RMTU. We reject it totally.

The GS has written to Kiwirail as follows;

*A member came into the office this am bringing with him a D&A booklet which has just been released by KR.*

*I have not seen this booklet before and was not aware it was to be issued to members.*

*Given D&A is a high profile issue between us, and we have a joint working party meeting this Friday, I am very surprised to find that the RMTU was not consulted about the booklet. The booklet contains subject matter which I also find of concern and in particular the fact that the right to representation is left to the last sentence of the booklet on the penultimate last page.*

*Taken as an isolated issue the failure to consult on such an important subject matter would be a concern but when taken in conjunction with all of the other consultation breaches currently occurring it is clear that a pattern is emerging. We now have contractual consultation breaches on 6 corporate policies, KR Freight Business plan, contracting out and 300 wagons.*

*Where does this place the relationship charter and its espoused principles?*

*Can you please explain to me why the RMTU was not consulted in the formulation of and about the distribution of the NZDDA booklet?*

We have received a verbal response from KiwiRail to the effect that the booklet will be withdrawn but we await the formal advice in writing. Members should bin the booklet in our view.

### **300 NEW RAIL WAGONS MUST BE BUILT AT HOME**

Rail workers want to make sure that the economic and employment benefits of the construction job for 300 new rail wagons stays in New Zealand, and is not lost overseas, their union said today.

Expressions of interest close this week for a project labelled 'Design, Manufacture, Test and Delivery of 300 Container Flat Top Wagons', advertised on the Government Electronic Tenders Service (GETS).



Rail and Maritime Transport Union General Secretary Wayne Butson said that rail workers were keen for the work to be done at the KiwiRail workshops in Lower Hutt and Dunedin, where many similar wagons had been built previously.

Mr. Butson said he would hope that the government had the same enthusiasm for keeping rail workers' jobs as it did for keeping *The Hobbit* and other film production in New Zealand.

"Clearly the government is willing to sign cheques and make changes to employment law for an American corporate to keep jobs here. This was in contrast with its unwillingness in May this year to back a local build of the electric multiple units for the Auckland rail network."

Wayne Butson said it was silly for Kiwirail to tender a job from one part of the business, which could easily be carried out by another part of the Kiwirail business.

"The irony for us is that under private ownership the workshops flourished as the owners saw the benefit of spending money internally whereas the nationalised rail company appears to only want to spend its taxpayer sourced money in Asia."

"KiwiRail's tendering rules clearly need to be changed to preference a local build of these wagons. We are hopeful for a good response in Parliament to Clare Curran's Kiwi Jobs Bill, to make it clear for crown entities like KiwiRail that buying local must always be the first option where possible," Wayne Butson said.

### **KR CONTRACTING OUT**

The Union is also very concerned at the alarming increase in contractors undertaking core maintenance work on the network. We have long understood that our members were not sufficiently resourced to undertake all of the capital work necessary to undo the neglect and deprivation of the privatisation years and so we have been pragmatic in our analysis of the contracting work occurring for special projects. However this has changed following recent statements from the GM of KiwiRail Networks who has stated a desire to open up all rail work to contestable contracting.

This reflects his roading background, and in our view this is totally unacceptable in the rail environment.

The Union has formally written to KR initiating a dispute over the application and operation of the Contracting Out clauses of the collective employment agreements we have in place. We are still waiting for a response, despite a reminder email.

We are very concerned at what the signalled approach to contestable contracting out would have on the job security of members as history shows that the lowest cost tender is almost certainly not a unionised tender. The approach that has been signalled also cuts across protections in the collective agreements, including the importance of core work to our members and their job security. The signalled approach also raises serious health and safety concerns for us.

Again, we will not stand by and allow the core work of our members, and the important clauses in our collective agreements to be undermined. We will keep you posted as this dispute progresses.

### **HISTORIC KIWIRAIL EMPLOYMENT AGREEMENT SIGNED**

Rail workers have today signed a historic document with KiwiRail which brings all landbased workers together in a single collective employment agreement.

"In 2002 rail workers' employment was outsourced to several different companies by a desperate for money Tranz Rail. Today is an exciting day for the more than 3,600 workers who are now finally back on the same core terms and conditions within the same Collective Agreement," said Wayne Butson, General Secretary of the Rail and Maritime Transport Union.

Wayne Butson said that a 'best of the best' methodology was used to combine the four collective employment agreements, which meant that the highest rate for any particular group of worker in any of the previous agreements formed the new rate for that job within the business.

"A minimum increase of 2 per cent was negotiated for all workers, with some workers getting up to 5.8%."

"Rail is an essential industry for New Zealand, and as oil prices increase overtime rail's contribution to the national transport supply chain will become increasingly important."

"Well trained and well paid rail workers are the cornerstone of this, and we are celebrating today's agreement which unites the rail workforce," Wayne Butson said.

## UNION WAGE SETTLEMENTS OUTSTRIP AVERAGE

Workers who are in unions are winning wage increases far in excess of the national average, a private sector union said today.

Today's Labour Cost Index showed New Zealanders' wages increased on average by 1.6 percent in the year to September 2010. Inflation is running at 1.5 per cent.

"There is a big gap between the national average and the union negotiated average – Victoria University's recent employment survey showed wages increased by 4.2 per cent in the past year for workers negotiating collectively," National Distribution Union General Secretary Robert Reid said.

"NDU negotiated settlements have also seen strong wage growth," Robert Reid said. "Union members at Progressive (Countdown, Foodtown, Woolworths) supermarkets, Bunnings and Kmart have all achieved increases of between 50c and \$1.20 an hour (3% - 9%), members in The Warehouse are currently voting on an NDU negotiated offer that will see wages rise by almost 8% over the next two years, and a number of transport and manufacturing companies have signed agreements with the NDU that guarantee to pay 3-3.5% or the CPI next year, whichever is the higher."

"Workers not in unions will find their wages are in fact going backwards, as they struggle to keep up with inflation. It is clear that it pays to be in a union," he said.

Robert Reid said that the big gap in union and non-union wage movements also

highlighted the problems with current employment law proposals to block workers from accessing unions.

"Any government with a serious plan to close the Australian wage gap would not want to put any barriers in the way of workers accessing unions to bargain collectively."

## UNION FEE INCREASE

There has been some criticism leveled at the Union for the fee increase. To put the National Fee increase (some branches have made a greater increase in their local fee) in context, it is \$0.80 cents per fortnight for a full-time member. That is 1 cent per hour for an 80 hour worker. We do not think that such an increase is unreasonable. It is worth noting that the delegates to the Unions Annual Conference voted unanimously on the increase.

## UNION DELEGATE QUALIFICATION

The CTU's union delegate's qualification programme is developing rapidly into a major success story. We have now negotiated a deal with Weltec whereby the whole programme can be conducted on line, through Weltec's e-learning programme. This not only allows for instant feedback and response, but also for delegates to work as a classroom and discuss with each other how they would (could) better undertake the delegate's role. As on-line tutor I am able to join in from my home computer.

The downside of this is the number of delegates who do not have easy access to a home or work computer, and also don't have broadband access - joining in as a dial-up subscriber can be a frustrating experience and has no advantage over doing the work on paper. So the paper workbook based approach continues to run alongside the e-system.

Currently there are 70 students studying from 11 CTU unions.

This is a free course for delegates who have undertaken delegate training within their union - although we have a few students who aren't delegates but are keen to learn. There is enough support for learning within the programme for them to cope easily.



This does not replace unions' education programmes - it is intended to broaden that learning with employment relations knowledge in a programme that has a significant union activist slant.

There are about 50 spaces available for the December intake, probably more if we allow for drop off. We would welcome a few from your union, particularly if you haven't any students in the current group. (There will be the same number of vacancies for the following intake early in 2011).

## **ANGRY ACC WORKERS STAGE ONE DAY STRIKE**

Workers in Accident Compensation Corporation (ACC) are staging a one-day strike today in support of their claim for fair pay.

"We've been trying to negotiate a fair and reasonable settlement for PSA members since July 2009, but ACC refuses to come up with a realistic offer," says PSA National Secretary Richard Wagstaff.

"Our members are reluctant to strike but ACC's intransigence has left them with no alternative. They want to send a clear message to ACC that it's time to get back to the bargaining table."

PSA members want a settlement that includes a proper pay system instead of the discretionary performance system currently in place.

"Under the current unfair system our members are falling behind in pay. Many experienced ACC employees are now paid the same as a new employee is paid," says Richard Wagstaff.

PSA members are also being refused fair and reasonable redundancy provisions in line with other employees on individual employment agreements.

"It's time ACC woke up to the fact that they're out of line with other state sector employers who have recently negotiated fair settlements with their workers. ACC says its core value is to 'honour people as people' - it should start with its staff."

## **VEOLIA - UPDATE**

Report back meetings to all members have now occurred. 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. The ballot will be out for a period of 3 weeks.

KiwiRail and the RMTU have agreed to Veolia being added as a subsequent party if the ratification ballot is carried. The KiwiRail MECA is going to the printers and so Veolia's addition to the MECA will be handled by letter between the parties.

The Veolia terms will be in a schedule to the MECA. We anticipate the ballot papers being issued soon to members.

## **MORE BOARDS PREDICTED TO TAKE ACTION OVER NATIONAL STANDARDS**

The education sector union NZEI Te Riu Roa believes the number of school boards taking action over National Standards will continue to grow.

More than 225 school boards of trustees from around the country have said they have no confidence in the Standards and are deferring setting student achievement targets against them next year.

"This action is significant as it is about school boards - made up of parents - standing up and saying they don't believe that National Standards will do anything to enhance their children's learning or raise their achievement," says NZEI President Frances Nelson.

Principals, teachers and academics have been expressing their concern about the flaws in the Standards and their rushed implementation since they were introduced at the beginning of the year.

Ms Nelson says this situation comes as no surprise. "It has been created by the government ignoring the chorus of concern about National Standards and pushing ahead with a policy which has no clear educational base to support it."

"All schools and their communities have been asking the government to do is to stop and listen and halt implementation until the problems with these untested Standards are addressed."

"Sacking these boards and finding more than 200 commissioners to replace them would be an impossible task and the wrong response," says Ms Nelson.

## HARBOURS SUPER UPDATE

The Plan website [www.harbourssuper.org.nz](http://www.harbourssuper.org.nz) has been updated with the following documents.

1. Investment Statement dated October 2010 for the Superannuation Scheme
2. Investment Statement dated October 2010 for the KiwiSaver Scheme
3. Prospectus No. 14 for the Superannuation Scheme, and
4. Prospectus No. 5 for the KiwiSaver Scheme.

If you are holding copies of any Investments Statements dated October 2009 or Prospectus No. 13 or Prospectus No. 4 - these should be destroyed.

## 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](mailto:murray.gaidunlop@clear.net.nz)

## GOVERNMENT FAILS TO LISTEN ON EMPLOYMENT LAW CHANGES

The Government has completely ignored the voices of thousands of New Zealanders who made submissions and took to the streets to oppose the changes to the Employment Relations and Holidays Acts, says the CTU.

The Government Majority on the Transport and Industrial Relations Select Committee has published its reports on the two amendment bills, showing no significant changes to the plans to remove appeal rights from all employees in their first 90 days, restrict union access to workplaces, allow employers to demand a medical certificate for a single day's absence, and encourage the sale of the fourth week's annual leave.

"It seems that this Government is only prepared to listen to business when it comes to changing employment law," said CTU President Helen Kelly. "It is even prepared to bend over at the whim of an overseas corporation and rush through hasty law changes to remove work rights. But it is not prepared to listen to the thousands of New Zealand workers whose rights are being diminished by these two bills."



"More than 8,000 people took the trouble to register their opposition to these unfair and unnecessary changes by making a submission to the Select Committee, and an estimated 22,000 marched on October 20 for the same reason. The vast majority of submissions pointed out that the effect of the changes will be to reduce productivity, breed disharmony and mistrust in the workplace, and depress wage growth and the country's ability to even keep pace with Australian salaries."

"Workers have suffered the brunt of this recession and now the Government members of the select committee have endorsed a wholesale removal of some of the most fundamental rights. Working people will be asking what they have done to deserve this."

## WAGES – NEW APPROACH NEEDED

Wage growth is stalling, raising further concerns over the Government's strategy for closing the earnings gap with Australia, said the CTU today. The Labour Cost index shows that wages grew by 1.6 percent in the year to September 2010, only just keeping pace with the inflation rate of 1.5 percent.

Average hourly earnings in the year to September 2010 grew by only 1.3 percent, the smallest annual growth since June 1994.

Peter Conway, CTU Secretary said: "With inflation set to exceed 4 percent next year as the GST rise takes effect there will be more pressure from workers for fair wage increases. The situation is made worse by the fact that the bulk of the tax cuts have gone to those on high incomes."

"It is time for some better processes to attempt this major task of catching up with Australian wages. The Government has an aim of this being achieved in 2025. That is more than five general elections away. Surely we need some milestones along the way?"

"The CTU is proposing a focus on three main elements: lifting the minimum wage; an open discussion on how we establish industry standards for wages across the

economy; lifting labour and multifactor productivity and ensuring the benefits are shared."

"We are asking the Government to meet with the CTU to discuss how we can set some targets for, say, 2012, 2014 and 2016 to make a start on closing the wage gap."

Peter Conway added: "It is nevertheless good to see that full time equivalent jobs grew by 1.6 percent for the year to September, pointing to some better news when employment figures are released on Thursday."

The median increase in wages for the September quarter was 2.8 percent, a slight lift from the June quarter. "However," said Peter Conway, "the latest annual median increase at 2.9 percent is the lowest since 2001."

## TOO MANY UNEMPLOYED

The CTU said today that a small drop in the numbers on unemployment benefit is welcome. The drop of 483 people to reach 64,798 on unemployment benefit is however a tiny step towards an economic recovery.

Peter Conway, CTU Secretary, said: "In May 2008, there were 17,246 people on unemployment benefit. We want to hear the Government's plans to get the country back to that number of people on unemployment benefit."

"So we need a realistic plan for a 48,000 drop in those on unemployment benefit – not a 'good news story' about a 480 drop."

"When the official number of unemployed was 90,000 in 2008, this resulted in a relatively small number on a benefit as many people were only briefly unemployed. But now we have 150,000 unemployed with nearly half that number on an unemployment benefit. This shows real distress in the labour market."

"Prolonged unemployment causes huge damage to those affected, including their families and communities. We are not even sure if there is an economic recovery. If there is a recovery, we are not sure if it will be, in effect, a jobless recovery. And if more jobs do emerge, what about those left behind as the labour market picks up?"

## **INTRANET ACCESS FOR HEALTH AND SAFETY DELEGATES - KIWIRAIL.**

At the 2010 Bay of Plenty Annual General Meeting, it was raised that some Health and Safety delegates were unable to access the H&S sections on the Intranet.

"It was unanimously passed that Kiwirail should be approached, to ensure that all H&S delegates are able to access the Intranet to help them in their roles as H&S delegates"

In discussions with Paul Anderson, National Manager Health and Safety, Paul clarified access as follows

"I understand that all employees of KiwiRail have a username and password that enables them to access the KiwiRail intranet documentation system from a KiwiRail computer.

If an employee cannot recall their username and password then they will need to make contact with the IT helpdesk to get a new one.

Once logged on, the employee can access the intranet by clicking on the explorer icon then navigating the shortcuts menu and clicking on Health Safety & Environment link."

Could all H&S delegates check their access as above, and contact the IT helpdesk if you have any problems.

## **DAIRY WORKER DRIVEN OVERSEAS BY 90 DAY UNFAIR DISMISSAL**

A dairy worker and his family are the latest victims of summary dismissal under the 90-day fire at will law to be highlighted in a video released by the CTU today.

The couple, who wish to remain anonymous because of any impact on extended family, lost their jobs on a dairy farm as a result of standing up for a migrant co-worker who was being routinely abused by their employer. The family has since decided to move to Australia to pursue their careers in the dairy industry.

The farm worker's story can be seen at [www.youtube.com/NZCTU](http://www.youtube.com/NZCTU) A transcript of the wife's account of their case is also attached.

CTU Secretary Peter Conway said: "Despite being told on several occasions how well they were doing in the weeks before their dismissal, this couple were left without the option of testing the fairness of their sacking because of the 90 day law and have not even been informed of the reasons by their former employer."

"Challenging an employer's abusive behavior towards a fellow worker would be at the very least a highly contestable cause of dismissal for an employee in any other circumstance. What makes it fair simply because they are in the first 90 days?"

"Unions have never argued that employers can't trial employees and dismiss them fairly if they are obviously not up to the job. But these weren't untried, unreliable workers on the margins of the job market - they were mature, experienced and skilled workers in New Zealand's core export industry. The 90 day fire at will law has caused two parents to lose jobs which they loved and were excelling at, and has uprooted the family and driven them out of the country."

James Ritchie, Secretary of the Dairy Workers Union, said: "This is not the kind of employer behaviour we want or expect to see in the dairy industry and it exemplifies everything that is wrong with the 90 day law. Smaller employers should not be exempt from decent standards of behaviour towards their employees, but that is exactly what this law does. By removing the right of appeal against unfair dismissal it allows bad employers to get away with unacceptable abuse of their position and powers."

## **GOVERNMENT FINANCES NOT AN EXCUSE FOR FURTHER CUTS**

The government financial statements released today provide further evidence that the economy is stagnating, said CTU Economist and Policy Director Bill Rosenberg.

"The Government should not use this financial result as a reason to cut back further on expenditure. Instead it needs to ensure that activity levels in the economy are maintained and boosted," said Rosenberg.





Aside from the one-off hits due to the South Canterbury Finance bailout and provision for the Canterbury earthquake, revenues from GST and company tax are down \$1.1 billion, showing that people are concerned about the future and activity in the economy is still fragile.

Another indicator came last Thursday, when it was revealed that the unemployment rate for women was at its highest level since the recession began, at 7.2 percent.

The Operating Balance before Gains and Losses was \$2.2 billion worse than expected and after gains and losses was \$1.5 billion worse, helped by gains on investments.

"We all understand the Government is keen on rebalancing, said Rosenberg. "But it needs to take into account the slow recovery and the effect it is having on people's welfare. By ensuring that the benefit of the tax cuts went to people on high incomes, the results for the economy have been muted. There is a need for a new approach to the economy that increases productivity while ensuring that the benefits are spread to those on low incomes."

## **NZ NEEDS JOBS NOT SCARE TACTICS**

New Zealand needs jobs rather than scare tactics to manage benefit costs, the Green Party said today.

"The Government has a habit of using misleading numbers to undermine our social welfare system. They want to cut benefits when they could be cutting unemployment," said Green Party Co-leader Metiria Turei.

A Sunday paper reported today that the Government's Welfare Working Group is looking at projections on the long-term costs of welfare. Mrs Turei said that, on its surface, the report looked like a hit piece.

"A society where everyone gets a fair go has been the Kiwi dream for generations, but this Government seems hell-bent on taking it apart," Mrs Turei said.

"The truth is that about 80% of Kiwis who use the unemployment benefit are on it for less than a year. They need a helping hand and then they move on, but John Key's Government wants to tell a different story."

The projections from the Centre for Social Research and Evaluation claim that beneficiaries will spend 8-11 years on welfare, according to today's newspaper report.

Ms Turei noted that nearly 250,000 New Zealanders were without work or wanted to work more hours, and that the unemployment rate had been high for years despite John Key's job summit. "We're in favour of steps like building more state houses which would give us construction jobs and tackle a big social problem at the same time."

Long term beneficiaries also include New Zealanders who are on the invalid's benefit. "We're talking about Kiwis with devastating injuries or illnesses like cerebral palsy," Mrs Turei said. "I want to live in a country where we keep our promise to look after all New Zealanders in need."

## **NZ NOT FOR SALE**

The New Zealand Not For Sale Campaign will be formally launched in Christchurch on November 11, in conjunction with the launch of Professor Jane Kelsey's book on the Transpacific Partnership Free Trade Agreement. The NZ Not For Sale Campaign has been set up to oppose the Transpacific

Partnership because it is against New Zealand's best economic, environmental and social interests.

"The trade agreements we already have are linked with high international debt, job losses, asset stripping, risky speculation, increasing sales of land to overseas owners, running down public assets and services, and loss of tino rangatiratanga and national sovereignty", says the Campaign Secretary, Dr Christine Dann.

The TPP would make things a lot worse, Dr Dann says. It opens the door for

- steep rises in the price of medicines,
- the total loss of the local content provision in broadcasting,
- even weaker controls on overseas investment in NZ
- foreign investors suing the government for millions in offshore tribunals
- weaker regulation of the financial sector

- more transnational control of essential services
- undermining action on climate change, and
- further delays and restrictions on agricultural market access to the US.

"The people of New Zealand are getting sick and tired of successive governments putting the interests of dodgy, price-gouging foreign owners and investors ahead of what really matters in building a great country - a healthy natural environment, worthwhile, decently-paid work for all, and a fair and caring society", says Dr Dann.

The Campaign has opened a Statement of Sovereignty petition for the public to sign. The closing date for signatures is 4 July 2011. [www.nznotforsale.org/](http://www.nznotforsale.org/)

## **BITS AND BOBS**

- Government's action to dilute nation's Labour laws to appease Warner Bros in order to keep the upcoming production of the "Hobbit" from moving elsewhere sparked outraged response from Labour. The government also offered \$15 million in tax rebates to the filmmakers and agreed to shoulder \$10 million for publicity to ensure the two-part epic is filmed in New Zealand. In what is now known as "The Hobbit" law, the government diluted the nation's Labour rules to specify that film industry workers are independent contractors rather than employees. Labour had demanded that local actors and other production workers be hired on the film as full-fledged employees on union contracts.
- The result of the "Hobbit" bill passed by National will make employment law less, not more, certain, said Labour's Associate Justice Spokesperson Charles Chauvel. "The law governing the status of workers in New Zealand has been well-settled for the past five and a half years. The sad outcome is that changing it the way the Government has done creates more, not less, uncertainty," Chauvel said. He pointed out that the law makes all film workers contractors, not employees; but if they are party to a written employment agreement, they will be employees. "No clarity is provided about what amounts to a written employment agreement," he

said. Chauvel predicted more litigation as a result of the law change, and said the debate on the Hobbit bill was "characterised by misrepresentation and misinterpretation of the law." "It has been a rushed process, and has resulted in a law that will have the opposite effect of what the Government wanted," said Chauvel.

- Union activists joined a series of protests across the UK as part of a campaign against the government's draconian spending cuts. About 490,000 public sector jobs are likely to be lost as part of the cuts, the deepest and most wide-ranging by a government in decades. In Edinburgh, 20,000 people from all across Scotland marched through Princes Street before a rally at the Ross Bandstand in Princes Street Gardens. Rail, Maritime and Transport (RMT) union general secretary Bob Crow told a London rally collective action was needed to fight the cuts. Health workers, council staff, fire-fighters, teachers and other public sector employees held protests ahead of the cuts announcement. Thousands in Westminster cheered speeches by union leaders before lining up to lobby MPs about cutbacks.
- After nearly two years of talks, Service and Food Workers Union spokesperson Neville Donaldson said the union negotiated an "agreement in principle" with fishing company Sealord that should avert the threatened closure of its Nelson processing plant and the loss of hundreds of jobs. Donaldson said a breakthrough was reached when the company, for the first time, "committed to a long-term future in Nelson." He did not give details pending membership ratification, but news reports indicated that both sides made concessions. But Donaldson said there will be little or no reduction in immediate earnings for workers, and an increase is provided over the term of the agreement. Sealord claimed it needed \$1.8 million in labour cuts to make the plant profitable. The company said processing fish in factory ships at sea was cheaper.

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