THE ACTIVIST OF THE PARTY FIRST

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RMTU EXPRESSES CONDOLENCES TO FAMILIES AFFECTED BY AIR NZ TRAGEDY

We express sincere condolences to the New Zealand families who lost loved ones in the Air New Zealand Airbus 320 tragedy. The tragedy claimed the lives of five New Zealanders, including a pilot, three engineers and a civil aviation inspector.

The RMTU has sent messages of condolence to the Aviation & Marine Engineers Association and the Airline Pilots Association.

Our thoughts are with all who have lost loved ones in this terrible tragedy.

KIWIRAIL – VEOLIA MECA – UPDATE

KIWIRAIL – The ratification ballot closes 1700hrs 5 December 2008 and will be counted at National Office on Monday 8 December 2008. Subject to

the collective agreement being ratified, KiwiRail advise that the new terms will come into effect from Sunday 14 December 2008 – the commencement of the fortnight after ratification. The current pay fortnight (at that time) ends on Saturday 27 December 2008 with payment of wages occurring on Thursday 1 January 2009.

On payday 1 January 2009, the following will occur:

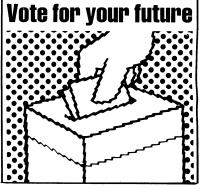
- Payment of arrears based on gross earnings for the period 1 July 2008 to 13 December 2008, and
- The new rates and conditions will apply from 14 December 2008.

Provided RMTU confirms that the agreement has been ratified by the end of business on Wednesday 10 December 2008 it will be possible to achieve payments of the new rates and back pay in Payday Thursday 1 January 2009. If confirmation of ratification occurs after Wednesday 10 December 2008 (and prior to Sunday 14 December 2008), the new rates will still be paid on payday 1 January 2009 but arrears will not be paid until the following payday Thursday 15 January 2009.

<u>VEOLIA -</u> At this stage there is ratification report back meeting(s) planned for 10 December 2008 in Auckland. They will be

held in the Mercure Hotel in the CBD. In addition to discussing the proposed settlement the meetings will discuss and vote on whether the ratification secret ballot process can be expedited so as to enable the backpay to be paid prior to Christmas. PLEASE ENSURE YOU

ATTEND A MEETING!



Do You Know...

A tonne of freight can be carried 680 kilometres using just 3.7 litres of fuel. Road can't do that. Rail can!

KIC LOCO REPS TRIP TO CHINA - DELAYED

The trip was stopped before it began. Rumour has it that there was not much point in going until there is the ability to see a loco than conformed to NZ conditions.

DIGIPOLL'S APART

Research company Digipoll, is being taken to the Employment authority for its treatment

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

of Unite Union members at a Hamilton call centre. Unite's Mike Treen says the research company's director, Gabriel Dekel, is pathologically opposed to unions. Mike says that Dekel has refused to take part in negotiating a Collective Agreement and he has refused to attend mediation.

Mike also reports that Digipoll has moved all non-union staff to a new building, while union members remain in the old building, where someone has put up a sign saying, "Leper colony".

We suggest members might like to inquire as to "which colony are you calling from" if your contacted by Digipoll and only talk to the Union colony.

UNION OFFICE CLOSURE

The Union's National and regional offices will close at 1700hrs on 19 December 2008 and reopen on 6 January 2009 @ 0830hrs.

The **Emergency** "on call" roster for Union Industrial matters during the closedown period is;

Phil Spanswick 20 – 22 December 2008 inclusive 027 2188126

Scott Wilson 23 - 25 December 2008 inclusive 0272464961

Henry Fagaiava 26 - 28 December 2008 inclusive 0276006581

Todd Valster 29 December 2008 - 1 January 2009 inclusive 0274454691

Brian Cronin 2 - 4 January 09 inclusive 0272464941

From 5 to 19 January 2009 the Auckland Regional Office will be open and, organiser Scott Wilson, will be holding the fort.

RAIL UNION ARRESTS

The RMTU condemns the arrest of Bro. Gideon Shoko (Zimbabwe

Amalgamated Railway Workers Union - General Secretary), who is also Deputy Secretary General of the ZCTU, in Harare. He is held in Harare Central Police Station, reportedly along many others. Kenneth Nemachena (Zimbabwe Amalgamated

Railway Workers Union - Area Organising Secretary) and reportedly many others are also detained at Bulawayo Central Police Station.

The arrests followed the Zimbabwe Congress of Trade Unions (ZCTU), peaceful protest action, of handing over a number of petitions to banks throughout the country. The authorities reacted violently and arrested more than 50 people.

The vicious rule of dictator Mugabe must be brought to an end so as to bring to a close a terrible chapter of suffering for the Zimbabwe people.

A protest letter at the arrests has been sent to Mugabe by the RMTU. The Union's protest letter and a "sample letter" that you may wish to send are available on the Union website.

GENERAL SECRETARY ABSENCE

The General Secretary will be attending an ITF Rail Section Conference in Brazil and

taking some overdue leave from 9 to 21 December 2008. Brian Cronin will be acting General Secretary during this time.

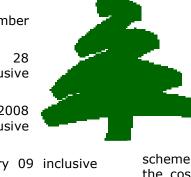
CTU SAYS NO NEED FOR LARGE ACC LEVY INCREASES

The Council of Trade Unions says that the government should push out the deadline on the 1999 decision to fully fund the ACC

scheme to 2019, instead of trying to meet all the costs by 2014. This would remove the need for major increases in ACC levies.

In 1999 a decision was made to fully fund all of the accident and injury payments ACC makes to meet the need of pre 1999 long term conditions and illnesses. Before 1999 levies were collected each year only in respect of cover for new claims expected in the following year.

"The CTU supports the call for legislation to be enacted to extend the deadline for full funding of the ACC scheme from 2014 to 2019. A big increase in the motor vehicle levy would therefore not be necessary, and a more modest increase in the Earners Levy





would be possible for this and other reasons," CTU Economist Peter Conway said. The CTU recommends an increase that is just over half that consulted on by ACC.

"We need to strike a balance in meeting the needs of full cover for the scheme for previous injuries and the levies on people today, and so extending the deadline for fully funding ACC was the primary recommendation in our submission on the recent levy setting consultation."

"The CTU has supported enhancements to the scheme, such as cover for a mental injury caused by exposure to a sudden traumatic event at work. We already know that workers bear the brunt of injury in New Zealand – a national health and safety body has estimated that the full cost of occupational disease and injury totals \$20.9 billion annually, and that only 2% of these total costs are compensated.

"Continuing to enhance ACC cover is an important part of rectifying this inequity, and address issues like those raised by the

train driver who told his emotional story to a select committee this year."

Download the CTU's full submission here: http://union.org.nz/policy/ctu-submission-to-20092010-acc-levy-rate-consultation.

GOVT SHOULD CONSIDER MINIMUM REDUNDANCY STANDARDS

"The new government should keep alive a proposal on guaranteed redundancy payments for workers," Council of Trade Unions president Helen Kelly said today.

The government is currently working on a transition package for workers affected by job losses, which includes payment of up to \$160 for workers already in receipt of government income support, for accommodation or Working for Families.

Earlier in the year an Advisory Group on redundancy and restructuring, which included business and worker representation, agreed that the Government should consider a statutory

requirement for notice and compensation, and set out a number of options.

"Being made redundant is a stressful time for workers both personally and financially. The burden of business closure or downsizing often falls unfairly on workers when they are laid off without compensation," Helen Kelly said.

"Moves to establish guaranteed redundancy entitlements in the last parliament should continue to be developed by the new government."

"Members of unions are much more likely to have redundancy protections, and this shows the benefit of workers coming together collectively to negotiate with employers, in good times and bad."

"But everyone should be entitled to some redundancy payment as part of the minimum code of work rights for all workers," Helen Kelly said.

ONTRACK CORE &

INFRASTRUCTURE MECA BALLOT RESULTS

The result of the recent ratification ballot is as shown below. The procedure agreed by members is that the proposed settlement will be rejected if 33% or more of those affected vote against it.

Total Ballot Papers Issued: 673

Total Ballot Papers Returned: 89 (13.22%)

Total Ballot Papers Returned Void: 8 (1.19%)

Total Ballot Papers Reject Settlement: 81 (12.03%)

Total Ballot Papers Accept Settlement: 584 (86.78%)

86.78% OF MEMBERS VOTED TO ACCEPT THE RECOMMENDED SETTLEMENT

Therefore the Multi Employer Collective Agreement will be signed by the Union on behalf of RMTU members employed by Ontrack Core & Infrastructure Limited.

Ontrack advise that the "back pay" from the MECA settlement will be in the payday of 17 December 2008. The new hourly rates shall be paid in the pay period commencing 14 December 2008.



STOP BEING THE CHRISTMAS GRINCH FARMERS!

The Council of Trade Unions is backing the campaign by members of the National Distribution Union for fair wages from Farmers Trading Company, following a 'Skinny Santa' parade in Auckland today by the workers.

"Leading into Christmas, most of the Farmers workers have been offered a pay increase of 20 cents an hour, or less in some cases," CTU president Helen Kelly said.

"These loyal workers at the retail chain deserve better, and we're calling on Farmers to stop being the Christmas Grinch, and come back to the negotiations with an offer that respects the worth of their workforce."

"The workers action also highlights the need for wider structural changes to our economy to lift our low wages."

"Unions recognise that these are difficult economic times but this current financial crisis is not the fault of ordinary workers."

"Unions will continue to advocate keeping up momentum on lifting real wages, and an important part of that is the minimum wage continuing to rise, to protect the

incomes of the lowest paid," Helen Kelly said

ONTRACK HOURS OF WORK:

Working party meeting 25-26th November Report

The full Ontrack working party met 25-26th November to consider the work that has been done so far on the rewrite of the hours of work and related clauses for the Ontrack Collective Agreement.

This process was initiated to develop a new hours of work regime that would meet the needs of a modern rail maintenance operation, and improve the working lives of Ontrack RMTU members. Significant progress was made. The parties hope that there will be a completed position to take to report back meetings early in the New Year (2009). Although still incomplete, the new hours of work proposal represents a significant improvement on the current hours of work structure.

The proposal once completed will be reported back to Ontrack members around the country, and implemented by CA variation, subject to acceptance by the membership via the variation provision of the CA.

A TALE ABOUT PETE

By Anon.

It was a very sunny day in late October when 5 small yachts set out in a small bay called Botany. In one of the small yachts was the captain of all captains. They say his name is Pete. Now Pete had not been for the earlier briefing and picked up his bulletin to

see where you should and should not sail in this notorious bay. Alas he had sailed in bigger boats than this and he would throw this craft around like a cork out on this briny. Some say he had even run a railroad. His boat was named ONTRACK 1.

As the new ensigns learnt "starboard to port" and what a gybe was etc etc the yachts dashed from one side of the

course to the next and there was great hilarity. It was planned that later in the day there was going to be a race between them all. Unfortunately while Pete was upskilling (soon to be multiskilling) his crew the craft ventured too close to a certain SANDBAR and then slow stop they was AGROUND. Shit was the universal thought, "the Kapitan of all Kapitans had run AGROUND". Is there a VHF on board he bellowed, SILENCE was the deafening reply. Who has a cellphone, another deafening silence.

Sir, its only SAND the crew shouted! We have hit and we can get it off. In true leadership fashion he leapt off expecting all others to be impressed by his bravery and found that the water was only knee deep. He quickly ordered his other officer to get off, but there was little two could achieve





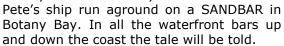
without some help from the real men. Cabin boy Ruff {Ross Clough} stepped forward. Sir I will have to take my Levi's off. Get stripped was the order, although the sight of Ruff in his y fronts was enough to scare any surrounding fish, and much of the crew as well. Over went Ruff to free the vessel.

Off she came, all back on board was the command. As they dragged Pete over the stern one of the ensigns who had hold of the skipper looked him in the eye and said "this would be a good time to discuss our backpay wouldn't you say," Pete gave a withering and was heard to grumble an answer that the crew could not decipher. Apparently the crew were in some discussion over their pay.

After rescuing some locals in distress, the sand-cleaning of the bottom described above resulted in a much faster boat, and the boat overtook the local flag admiral "Ramsay the brave" on the race to the clubhouse. Unfortunately, it wasn't a race to the clubhouse after all, and they found themselves in a different race which they again lost.

They made their way back and a jolly good

time was had by all, especially by Lord Napier and Lord Greymouth in their vivid description of it in the bar afterwards. The day will go down in infamy as the day



ROAD CANNOT DO IT, BUT RAIL CAN: ARTC

The Australian Government should spend more money on upgrading the rail infrastructure between Melbourne, Sydney and Brisbane, the Australian Rail Track Corporation (ARTC) has said. ARTC CEO David Marchant, speaking at the National Press Club in Canberra, said Australia would become incapable of providing sustainable freight services without dedicated rail freight lines to and from capital cities. Mr Marchant, who has been

lobbying the Australian Government to provide a further \$830 million on the rail upgrade projects in northern Sydney, said in stark contrast to the investment in making road transport more productive and efficient, the freight rail transport system has been progressively run down. As a result, rail's share of freight movement between capital cities of Melbourne to Sydney and Brisbane plunged from 50 per cent to less than 12 per cent over the last four decades, while the volume of freight increasing almost 17 times. With freight demand continuing to increase, he said under-utilisation of rail is not viable also in light of the volatility in oil prices and meeting the carbon emissions target. Source: TandLnews.

2008 ROGER AWARD FINALISTS NAMED

The eight finalists for the 2008 Roger Award for the Worst Transnational Corporation Operating in Aotearoa/New Zealand are (in alphabetical order): ANZ, BAT (British American Tobacco NZ), Contact Energy, GlaxoSmithKline, Infratil, McDonalds, Rio Tinto Aluminium NZ (nominated under its

former, better known, name of Comalco) and Telecom. There is one, self explanatory, finalist for the Accomplice Award – Business New Zealand.

Telecom, the winner of the 2007 Roger Award,

is the only transnational corporation (TNC) to have been a finalist every year since the Roger Award started more than a decade ago (although it has only actually won it twice). This year it was nominated for a multitude of sins, ranging from overcharging for mobiles to outsourcing New Zealand jobs to the Philippines.

Infratil is the only one not to have featured before, all the rest have previously been finalists (although none of them have ever won it). This tells you something about these corporate recidivists.

BAT just keeps on finding new and inventive way to sell and promote a product which kills up to 5,000 New Zealanders a year.



ANZ was nominated for reasons ranging from profiteering to outsourcing and very specifically for its role in the ING scandal.

Contact Energy was nominated for shoving up its power prices while simultaneously increasing its directors' fees and because of the environmental dangers posed by its Gasbridge proposal in Taranaki.

McDonalds and Infratil are there because of their bashing of workers and unions (in the case of Infratil, this specifically involved the lockout of Wellington bus drivers by its NZ subsidiary). GlaxoSmithKline was nominated because of the cockup with its reformulated thyroid drug Eltroxin, which adversely affected a large number of New Zealanders. And Rio Tinto Aluminium NZ (the old Comalco), was nominated for a range of reasons, but primarily for being a corporate bully with its constant threats to pack up and leave if it doesn't get its way (despite being the biggest recipient of corporate welfare in NZ, vis a vis its power price).

We've just had an election but all that establishes is which party gets to administer the economy for the next three years. These guys are the ones who actually own it – and no New Zealanders get a vote for them. So this is a real election, whereby Kiwis get to say which of our owners has had the most negative

impact on our country this year.

And the Roger Award is more relevant than ever, with

the election of a Government full of throwbacks to the 90s' mantra of "what is good for Big Business is good for New Zealand". Not only that, we actually have the original Roger back from the political grave and Roger Kerr, Mr Full Speed Ahead To The Past himself, back in favour. It's déjà vu all over again!

The criteria for judging are by assessing the transnational (a corporation which is 25% or more foreign-owned) that has the most negative impact in each or all of the following categories: Economic Dominance - Monopoly, profiteering, tax dodging,

cultural imperialism. People - Unemployment, impact on tangata whenua, impact on women, impact on children, abuse of workers/conditions, health and safety of workers and the public. Environment - Environmental damage, abuse of animals. Political interference - Interference in democratic processes, running an ideological crusade

The judges are: Geoff Bertram, from Wellington, a Victoria University economist; Brian Turner, from Christchurch, immediate past President of the Methodist Church and social justice activist; Paul Corliss, from Christchurch, a life member of the Rail and Maritime Transport Union; Cee Payne-Harker, from Dunedin, Industrial Services Manager for the NZ Nurses' Organisation and health issues activist; Christine Dann, from Banks Peninsula, a writer and researcher; and Bryan Gould, from Bay of Plenty, a former Waikato University Vice-Chancellor. The winner(s) will be announced at an Auckland event in March 2009.

Bad luck to all the finalists and may the worst man win!

CTU WANTS GOVERNMENT TO RE-JIG TAX CUTS

The Council of Trade Unions is calling on the incoming Government to re-jig their tax cut

proposals to provide a more balanced package.

Peter Conway, CTU Economist, says that "under the Government's

proposals a worker on \$20,000 a year will pay \$300 a year more tax in 2010 than what is set out in current legislation whereas someone on \$500,000 a year will pay \$9,202 less tax. This is unfair".

"A two-child low income family where the parents work 50 hours a week to earn \$50,000 will also pay more tax of around \$300 a year by 2010 whereas the high income family earning \$120,000 in the same circumstances will pay \$900 a year less tax."

Peter Conway said that the CTU realises the Government is committed to a certain level





of tax cuts but there is still time to make it a more balanced package.

The CTU notes that the National Party and ACT have agreed to catch up with Australian income levels by 2025. Peter Conway said he presumes that this is an ambition for all New Zealanders not just those on top incomes. If the first piece of legislation by this Government is to make those on low incomes worse off; that is not a good start, he said.

UGL CA DISTRIBUTION

The new CEA booklets have arrived in the UGL head office on Thursday 4 December – the company will despatch to all locations on Friday 5 December 2008.

Union 'Fairness At Work' Issues-Based Campaign To Continue

The Council of Trade Unions' Fairness at Work political campaign would continue, a national meeting of the union movement in Wellington has decided today.

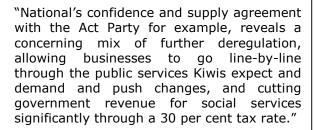
"Unions will continue the 'Fairness at Work' campaign's focus of protecting work rights,

strengthening public services, and setting out a plan to lift wages," CTU president Helen Kelly said.

"The new government has been formed and at the moment there is an understandable focus on the immediate – the current financial crisis and the steps to be taken in the coming weeks to help New Zealand weather the storm."

"The CTU has ideas on this, and will work with the new government on what immediate steps should be taken to support workers, firms and communities during the global financial crisis."

"But we also need to look further out than the first '100 days', at aspects of the government's long term programme which we believe will be harmful for workers."



"It is critical that workers have a direct voice in decisions which will have a big impact on their lives. The CTU acknowledges the early invitation from John Key to meet and the CTU will engage with the government on a constructive basis wherever practicable," Helen Kelly said.

BLAME GAME OVER PORT BOTANY CONGESTION

Stevedore Patrick and Sydney Ports Corporation have both distanced themselves from the severe congestion at the Port Botany terminal that caused angst among truck operators. Questions over their

> incompetency to manage traffic were prompted by a massive truck queue that stretched for more than four kilometres at the terminal the morning of 2 December. The Australian Trucking Association (ATA) argued Patrick failed to provide operators with timely notice to mitigate confusion, causing hours of delay in processing with intense times. Faced

complaints, Sydney Ports said the congestion was caused by Patrick's failure to abide by the mutually agreed communication protocols.

Source: TandLNews

MASPORT WORKERS STRIKE

More than seventy Engineering, Printing and Manufacturing Union and Moulders Union members at Masport are taking strike action in protest at the iconic company's belowinflation pay offer of 3%.

The strike action began yesterday morning and is expected to continue until at least Monday, severely disrupting production at the company's Mt Wellington manufacturing plant.





EPMU national secretary Andrew Little says members see strike action as the only way to get a fair deal.

"In the current inflation environment three percent is effectively a pay cut and our members clearly aren't going to accept that.

"There's a lot of talk about raising New Zealanders' wages and closing the gap with Australia but sometimes that means workers need to take strike action to make sure they get a decent offer."

The EPMU represents fifty workers at Masport and the Moulders Union represents around twenty.

RULE 905

All rail operations members are reminded of the importance of strictly adhering to track protection rule 905. There is no acceptable working situation (including on and off tracking) for infrastructure workers to be within the 500metre buffer zone. If you are moving into the buffer zone to remove the boards etc then additional protection (blocking or Track warrant) must be obtained and used.

Boards must be erected in locations where locomotive engineers etc will have clear and unobstructed view lines.

The Union has expressed its concern to NZRC at the provisions of rule 905 and has called for an urgent joint working party to be formed to look into safety enhancements they may be able to be added to ensure safety of track users. The initial team of nominated RMTU participants will be Geoff Young, Kevin Gubb, Wally Wallbutton, RMTU Organisers Scott Wilson and Todd Valster.



IMPORTANT RMTU DATES 2009

Workers Memorial Day	28 April 2009
Annual Delegates Conference	13 – 15 October 2009
NZCTU Biennial Conference	20 – 22 October 2009
RMTU Ports Forum	May 2009 <i>TBC</i>
Transport Worker Branch contributions deadlines for printing	Issue 1 – 9 February 2009
	Issue 2 – 10 June 2009
	Issue 3 – 10 August 2009
	Issue 4 – 9 November 2009
Branch AGM's (Election Officers & Conf Dels)	To be held in the month of August 2009 as per rules & standing orders
National Management Committee Meetings	NMC 1 st 1/4 Meeting 11 March 2009
	NMC 2 nd ¼ Meeting 10 June 2009
	NMC 3 rd 1/4 Meeting 9 September 2009
	NMC 4th 1/4 Meeting 9 – 10 December 2009
RMTU ELECTIONS	National President
	Call for Nominations
	1 April Closing 29 April 2009
	National Management Committee
	Call for Nominations 1 June closing 31 June 2009

BUSINESS NZ POLICY IS "ANTI FREEDOM"

Engineering, Printing and Manufacturing Union national secretary Andrew Little has condemned Business New Zealand's employment briefing to the incoming government as "anti freedom".



The Business NZ briefing includes advice that, if implemented, would contravene International Labour Organisation standards including removing the right to freedom of association and a series of policies that would deny New Zealand workers the basic right to negotiate together.

Little says the policies show Business NZ and its members are focused on increasing profit at the expense of Kiwi workers' rights.

"None of the policy advice they have put forward deals with the importance of a high-skill, high-wage future, instead the briefing indicates a near obsession with removing workers' rights.

"We've worked constructively with Business NZ in the past on issues such as productivity but by promoting policy that attacks our members and every other New Zealand worker they've seriously damaged that good will."

KIWIRAIL LONG DISTANCE TALKS

An output from the KiwiRail CA talks is the formation of a Working Party to develop and reach agreement for the criteria for competency advancement of Train Managers/Attendants to the new Level 1 position (new paycode 66400). The RMTU members of the working party are Duncan Browne, Alun McCarthy, Brian Armstrong and Todd Valster. The first meeting is scheduled for Thursday 11 December 2008.

UGL WAGES WORKING PARTY

During the 2008 wage talks it was agreed that a Wages Working Party would be formed to look at wages issues within UGL The working party had to be formed within two months of the ratification of the CA. The RMTU reps on the working party are Terry Duffy, Martin Greener, Ken Cherry (All Hutt), Laurie Hall (Linwood), Rudi Brens (Westfield) and Organiser Brian Cronin. The first meeting is in Wellington on 8 December 2008 to develop the terms of reference etc for the work. An output of the KiwiRail wage round is that KiwiRail join this working party but we have

received no details about the process for joining.

BITS AND BOBS

- During the report back meetings for the KiwiRail-Veolia MECA CT site RMTU negotiations rep Garesh Sukha visited Blenheim. After the meeting the members spoke to Garesh and asked why they weren't getting the Shiftworker leave as they were working between 2000 and 0600hrs. Garesh followed it up and now all will qualify for the leave with one member getting back dating of leave. Good work good result.
- After 3 years as CEO of C3 Sean Bolt is moving on. He is taking up a role as CEO of Pacific Forum Line. The RMTU wishes Sean well in his new position.
- United Group rail have been taxing the non taxable vehicle trip allowance for some time and the RMTU has been disputing it. UGL is the sole employer in the rail industry taxing the allowance and their action posed significant danger for all rail industry employers in our view. In the end UGL approached IRD and requested a "decision" from them on the taxation status of the vehicle trip allowance. We await receipt of the decision. If their decision is that it is non taxable then UGL will have to refund all of the erroneously deducted taxation on the allowance and pay it to members. If the decision is that it is taxable then no refund will occur but other employers will need to deduct tax at source and may face a bill for penalties from IRD.
- There's an ad running on US television at the moment extolling the virtues of rail over road.
- Organiser Henry Fagaiava is currently on bereavement leave. His Uncle has died suddenly. We extend our heartfelt sympathy go to Henry and his family at this sad time.

Let's Be Safe Out There & Remember......

"WE'RE STRONGER TOGETHER"!

