

THE ACTIVIST



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FONTERRA-MAERSK PORT RESHUFFLE

It appears our brothers and sisters in MUNZ are targeting KiwiRail, within the media, as being the villain in the latest Fonterra/Maersk preferred port dance. They say that Fonterra is picking up a subsidy by using KiwiRail. Our response to that suggestion is "bullshit". Had Fonterra used road transport there would in all likelihood been an even larger taxpayer subsidy involved as we all know that the NZ Road Transport Industry is heavily subsidised by the taxpayer.

This latest round of tonnage loss from Port Taranaki and PrimePort Timaru has nothing to do with KiwiRail and EVERYTHING to do with the fact that NZ Port's continue to allow themselves to be played one off against the other to get Fonterra's and Maersk's business. This game of musical chairs amongst our ports has to stop!

Surely you all remember last year Fonterra and Maersk pulled out of Timaru and the Port Company reacted badly. It shed staff through mass layoffs and sold capital equipment. A matter of a few weeks later Fonterra and Maersk were back in Timaru and it all had to be reversed. This terrible misuse of ratepayer monies by Port Company's has to stop. We as a nation should be telling Fonterra and Maersk what blue water ports they will use and be setting up the rest as feeder ports. This would provide huge stability for the port

owners (ratepayers), Port workforce and enable rail/road capital investment to be targeted to the right places (what happens now to the Clandeboye spur or what would have happened if its construction had already commenced) by Government?

Moreover how do we know that Fonterra won't be back at Port Timaru or Port Taranaki's door in a few weeks time offering up the tonnage? Questions are already being asked about Napier and Lyttelton's ability to handle the promised volumes.

Our KiwiRail and Port Company members in the Taranaki and Timaru suffer equally in any tonnage loss. Less boxes going through the ports mean less rail wagons going to the ports ergo less work all round. Both KiwiRail and the Port Company's are looking at staffing arrangements post the latest Fonterra decision and we will have to work with them to minimise the fallout and develop a way forward.

The Union has received a dusted off reiteration of last year's major restructuring proposal for Primeport Timaru which harks back to the ECA days of mass redundancies and rehire on inferior terms and conditions. The RMTU is considering the proposal and our options.

In all of this one thing never changes. Whether it is the global financial meltdown where the worst display of corporate greed in the modern era brought the world's financial system to the brink of economic collapse and Governments are left to use the taxes of working class men and women to bail out the greedy fat cats and their camp followers. Or it is corporations



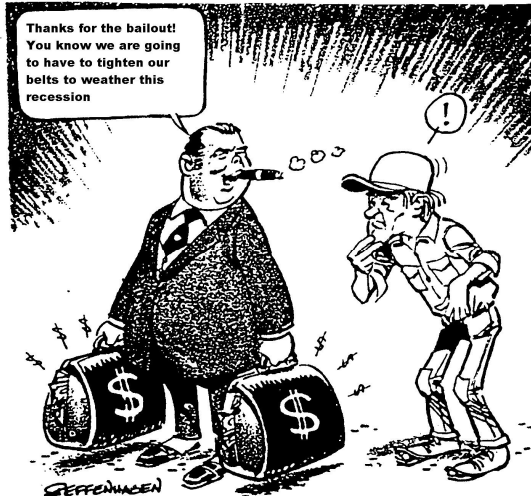
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This is for the information and guidance of RMTU members only!



and multi nationals who all want their product manufactured or transported at the lowest cheapest unit cost so that they can sell it to consumers in the developed world who will soon have no money as their jobless ranks swell and their taxes mount as they struggle to bear their ever expanding burden of personal and share of national debt. The tragedy is that we will all soldier on and pay our bills and fight our fights to maintain dignity in employment but the banks and the private equity firms will be back pulling the strings and decrying any form of regulation as being unnecessary as the "market will prevail" and their profits mount.

ONTRACK: CHANGES TO HOURS OF WORK PROPOSAL

A draft proposal to facilitate a move to more flexible hours of work arrangements has been concluded between the RMTU and Ontrack. This proposal has been under discussion for a considerable period of time. The main sticking point has been the price of change.

The proposal will be put to Ontrack employees who are RMTU members in Wellington and Auckland on 8 and 9 September respectively.

An indicative non binding ballot (vote) will be taken at the meetings to gauge whether this proposal is generally acceptable in those areas. If the proposal is supported in



Wellington and Auckland, a national ballot will be conducted on the proposal as a variation to the Collective Agreement, once all Ontrack members are clear on the proposal.



DOCKERS IN DISPUTE OVER NON-UNIONISED LABOUR IN IRISH PORT

Dockers in Ireland are embroiled in a dispute at a port terminal in Dublin following management moves to replace workers with non-unionised employees.

Members of the ITF-affiliated union Services, Industrial, Professional and Technical Union (SIPTU) working at the Marine Terminals in Ringsend, Dublin, have been on strike since 3 July. The row erupted after the new owners of the facility, Peel Ports, began a campaign to replace the existing workforce with lower paid non-unionised employees. The company issued compulsory redundancy notices to more than half the workforce and demanded that others sign new contracts that cut their pay by 14 to 18 per cent and undermined their working conditions.

The company decided to press ahead with the redundancy plans despite a labour court statement that indicated they could constitute a breach of the Employment Act.

On 10 August, Dublin Port was brought to a standstill as local community groups staged a protest close to where most of the Marine Terminals workers live.

"The workers have shown a strong commitment to the plant over many years and they depend on the terminal for continued employment", said ITF inspector for Ireland, Ken Fleming.

Joe O'Flynn, SIPTU general secretary, commented: "Given Peel Ports' wide ranging and growing presence in Irish, British and other European ports, we believe that if it succeeds in displacing its unionised workforce at Marine Terminals these tactics will be used as a template for similar action elsewhere."

Frank Leys, ITF Dockers' section secretary, added: "The ITF is on standby - we have informed our European arm, the European Transport Workers' Federation, of the issue and have put unions on the continent on red alert. We will call for international solidarity action if necessary to support the Dublin Dockers."

KRMS OFFERS APPRENTICESHIPS

KiwiRail Mechanical Services is currently advertising for current KRMS staff members to apply for adult apprenticeships. The apprenticeships will total 12 and will be nationally through the business i.e. Depots and Hutt Workshop. The apprenticeships will be in the Mechanical Engineering Field (General strand) and may include a Light Fabrication strand depending on availability of training providers. Appointment will be via a selection process.

PUBLIC TRANSPORT INVESTMENTS CREATE JOBS

New Zealand must seize the day and make much-needed public transport investments to create jobs and prevent transport chaos during the Rugby World Cup in 2011.

Green Party Co-Leader Dr Russel Norman said today's release of annual public transport figures in Auckland is an encouraging sign that more investment in transport infrastructure would create jobs, reduce congestion and protect our environment.

"We have a golden opportunity to build on the successful 7.7 percent rise in patronage, the highest level of public transport use in Auckland since the mid 1980s.

"News that Treasury expects unemployment to surge by September next year - and the quarterly leap in Household Labour Force figures from 5 percent to 6 percent - show New Zealanders clearly need jobs. Increased investment in public

transport would create ongoing employment.

2009 research from Australia has shown that investment in public transport generates around 19% more jobs than road building (see Litman reference below).

"It's also an excellent way to cut our greenhouse gas emissions, cut our oil import bill, and reduce congestion in our cities and towns.

"And if we can fast track Auckland's public transport improvements, then we also safeguard our international reputation as good hosts as we'll be able to get the thousands of visiting rugby fans around the city quickly and efficiently."

Dr Norman said public transport infrastructure needs to be improved all over New Zealand, but Auckland is vital as the city will be on show during the Rugby World Cup.

"Getting it wrong is not an option I savour. The full gaze of the international media will be on Auckland and if our public transport system isn't operating well, it won't be a good look.

"It's vital we maintain momentum on this as the faster and more efficient our public transport becomes, the more appealing it will be for commuters."



- Link to Todd Litman's Smart Transportation Economic Stimulation report: http://www.vtpe.org/econ_stim.pdf
- Link to Auckland Regional Transport Authority release Aucklanders say more public transport please: <http://www.arta.co.nz/newsroom/media-releases.html?releaseid=f24aad8e-5056-a41f-92b5-9cb722d63b44>

ONTRACK-NZRC MECA RATIFICATION

The result of the recent KiwiRail-Ontrack Collective Agreement Ratification ballot required by the Employment Relations Act 2000 is shown below. The ballot was conducted in accordance with Union policy and the bargaining process framework

agreed with the employer prior to the commencement of bargaining.

It was agreed between the parties that all members of the Union who fall within the coverage of the proposed MECA WILL become a party to the proposed Multi Employer Collective Employment Agreement should LESS than 33% of members, eligible to vote and who are employed by the employers, reject the proposed Multi Employer Collective Employment Agreement settlement.

Total ballot papers issued to members:

710

Total ballot papers returned signifying settlement rejection:

48

6.62% OF MEMBERS ELIGIBLE TO VOTE

REJECTED THE PROPOSED SETTLEMENT. THIS IS LESS THAN THE 33% REQUIRED TO REJECT THE PROPOSED SETTLEMENT.

Accordingly the 2009/2010 KiwiRail Network/ Ontrack Infrastructure Multi Employer Collective Agreement will be signed by the General Secretary on behalf of Union members as a majority of members have indicated their acceptance of the proposed settlement.

TE KUPENGA MAHI, ANNUAL HUI

We give advanced notice that the proposed dates for our Te Kupenga Mahi, annual hui are: 16 – 18 October 2009. The organisers are holding a booking for: Tapu Te Ranga Marae, Island Bay, Wellington, which is the proposed venue for the hui.

The hui will be celebrating 20 years of Te Kupenga Mahi. If you have been part of TKM's journey, thus far, or you wish to be part of TKM going forward, book these dates into your diary, and join the celebration. Equally, if you know anyone who has been part of TKM in the past, please pass the message on to them, we would love to see them at this hui.

Confirmed details will be emailed to you and posted in the newsletters in the near future. For now lock in the dates and plan to be a part of it. If you have any

questions, please contact Sam Kahui via any of the contact details below. Sam Kahui, Telecommunications Technician| ONTRACK Infrastructure Ltd NZ, email sam.kahui@ontrack.govt.nz, Fax 04 498 3007 | DDI 04 498 3109 | Mobile 021 242 6055

IT'S AGM TIME

All branches of the Union will be holding their Annual general Meetings during August and into early September. Members are urged to ensure that they attend their branch meeting so as to participate and have a voice in Union affairs and also the election of officers and delegates for 2009/10.

CALL FOR NOMINATIONS FOR THE KIWIRAIL

INDUSTRIAL COUNCIL (KIC) – 4 POSITIONS

The Union calls for nominations from members who fall within the categories of representation as follows;

Terminal Rep – Northern Region

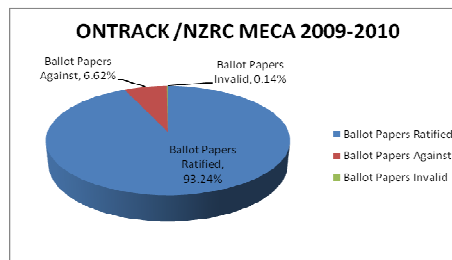
- If you are employed in a KiwiRail terminal within in the Northern Region (North of a line more or less across the North Island at the Porotorau Tunnel) then you are eligible for nomination to this position.

Passenger Rep - Tranz Metro Wellington Operations

- If you are employed in an operational role (including but not limited to LE, TM, P/Op, RCO or TXO) in KiwiRail TMW then you are eligible for nomination for this position.

Loco Engineer Rep – Central Region

- If you are employed as a Locomotive Engineer within KiwiRail (non TMW) in the Central Region (South of a line more or less across the North Island at the Porotorau Tunnel and North of Seddon in the South Island) then you are eligible for nomination for this position.



Loco Engineer Rep – Southern Region

- If you are employed as a KiwiRail Locomotive Engineer within the Southern Region (south of Seddon in the South Island) then you are eligible for nomination for this position.

Terminal Rep – Northern Region

- If you are employed in a KiwiRail terminal within in the Northern Region (North of a line more or less across the North Island at the Porotorau Tunnel) then you are eligible for nomination to this position.

Nomination forms are available from our Website

www.rmtunion.org.nz or National Office by calling 04 4992066, Fax 04 4710896

Nominations must be moved and seconded by current financial Union members who are employed within the same area for which the nominee is being nominated for and an acceptance of nomination signed by the nominee.

Correctly completed Nominations must be received in the Unions National Office by 0830hrs Monday 28 September 2009.

In the event of there being more than one nomination for a position then a postal ballot amongst members eligible to vote will be conducted. Candidates will need to supply a digital photo of themselves and a maximum of 200 words in promotion of themselves as a candidate.

WAIKATO RAIL SERVICES

Postcards developed by the campaign for better transport which support and call for the reinstatement of the Hamilton to

Auckland passenger services are available for download using the following link

<http://www.bettertransport.org.nz/campaigns/hamilton-auckland-rail/>

All members are urged to support and campaign for the service to be reinstated as part of the Union's wider campaign to develop KiwiRail services.

SUPPORT AVAILABLE FOR PACIFIC PEOPLE WHO LOSE JOBS



Pacific people losing their jobs due to the recession need to know there is support and assistance available from the government says Ministry of Pacific Island Affairs chief executive Dr Colin Tukuitonga. "The latest unemployment figures show that 12.8 per cent of Pacific peoples were without a job in June 2009 and that is double the jobless figures at the same time in June 2008," Dr Tukuitonga says.

"Pacific communities need to know they can access support like Working for Families and ReStart from government agencies." "Redundancy is not something many of our Pacific people have experienced before, so they don't know what government assistance they are entitled to in these times of hardship.

Patricia Reade, Work and Income Deputy Chief Executive, says those people who have lost their jobs should contact Work and Income to find out what support is

available. Working for Families can help take the pressure off raising children, help with housing costs and assist with after school care and childcare for many families earning less than \$70,000. This assistance is delivered by Work and Income and Inland Revenue. "Pacific people who are made redundant, had a child recently or suddenly had their income reduced may qualify for a range of assistance" says Ms Reade.

"The ReStart package could also offer some relief for Pacific people who have lost their



jobs. ReStart is there to help you financially if you have children or if you have high housing costs while you are looking for work." "ReStart will be paid out for a maximum of 16 weeks (four months) or until someone finds a job in that period. Pacific people who think they may qualify for this package should call 0800 559 000 for more information." Dr Tukuitonga says Pacific communities are among the hardest hit in any recession. "We want them to know that they are entitled to support and it is important for them to know where they can get help," he says.

People can call Work and Income on 0800 559 009. Work and Income also operates two multilingual contact lines:

- For Tongan phone 0800 669 009
- For Samoan phone 0800 663 003

You can also visit www.workandincome.govt.nz.

CONSULTATION OR OBSTRUCTION?

There is growing concern regarding the actions of some Ontrack (KiwiRail Network) managers who just don't seem to get it, in regards to the need/requirement for full and meaningful consultation.

The Collective Agreement specifies the obligation on Ontrack to consult with the RMTU over issues that may affect conditions of employment, and the parties agreed 18 months ago to work together in a constructive manner.

At a senior level we have no reason to believe that Ontrack is not committed to the constructive relationship that has been built over the last 18 months and those managers who engage with the RMTU industrial council continue to work constructively on a range of major problems in good faith. Genuine consultation is beginning to become the

culture of the way we work together at this level.

However, at an operational lever there have been a number of examples of managers making major changes that affect our members without observing their contractual obligations, let alone working in a spirit of good faith and co-operation. It is almost as if these managers act in this manner in spite of their obligations and the agreed way of conducting business.

If these people don't get on the program Ontrack will have to decide between a constructive relationship with the RMTU or a number of their managers who seem to be willfully obstructing the agreed way of jointly resolving the problems that are holding the rail network back.



CREW ABANDONMENT CASE IN SPAIN

REPRESENTS A "TYPICAL EXAMPLE"

The situation of seafarers on board a vessel that was abandoned on the north-west coast of Spain two months ago is representative of an increasing number of abandonment cases, the ITF has said.

The 12 crewmembers of the Estonian-owned, St Vincent and the Grenadines-flagged Virtus, whose shipowners went bankrupt, were left without provisions in La Coruña. They were owed US\$65,515 in back wages. The ITF, which arranged

a supply of fresh water and electricity, contacted the Red Cross in Spain to support the crew, and several local non-governmental organisations are also helping.

ITF inspector Luz Baz commented: "This is yet another case of an abandoned vessel that we are seeing in European waters. It amounts to a new kind of slavery for workers who have not been paid, have no money to be repatriated, and even have no provisions on board."



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The ITF is currently assisting an increasing number of abandoned crews and recently outlined details of a relief effort to tackle abandonment-like conditions on laid-up ships in Istanbul.

ITF maritime coordinator Stephen Cotton stated that the case of the 1985 Virtus was just one example of a typical current incident.

He explained: "We knew this rise would be coming and first put our inspectors on standby for it last year, but that doesn't make it any less serious.

"I repeat the offer I made in February: any shipping company or financial institution with a maritime client having difficulties – in particular financial problems which are likely to adversely affect crews – can come to us to discuss how we may be able to help."

ZEAL 320 SETTLES

After nearly a year of negotiations, Engineering, Printing and Manufacturing Union members at Air New Zealand subsidiary Zeal 320 have overwhelmingly voted to accept a settlement with the company.

The 15 month deal achieves a number of substantial improvements including a 3.95% pay increase, a 6.7% increase in a tour of duty allowance after 12 months, introduction of a new guaranteed allowance of either \$149 or \$186 a fortnight based on last year's value of an at-risk bonus scheme, a \$1000 up-front payment and the addition of a number of non-financial clauses.

A working group to look at hours of work and rostering will also be established.

The EPMU says the deal goes a long way towards closing the gap with Air New Zealand short haul crew in several key areas and provides greater security of income for the union's 200 members.

EPMU national secretary Andrew Little says the company and union members can now focus on making the new agreement work.

"This has been a long, difficult and, at times, bruising dispute in which our members have stood together exceptionally well to meet the challenge and to get a good outcome.

"Now it's over we will be looking to work with Air New Zealand to achieve more mutually beneficial gains, especially over rostering issues.

"One of the key aspects of this deal is that we have ongoing worker/management groups to address several issues and we are looking to these groups to help build a cooperative relationship with Zeal and its parent airline over the next fifteen months.

"The overwhelming vote from members to accept the deal shows that they are ready to move on from this dispute and get on with doing the job they enjoy and we believe the company feels the same way."

Bits & Bobs

- The first National Management Committee (NMC) meeting for the new NMC will be held in Wellington on 9 September 2009.
- The Labour Party conference is being held in Rotorua 11-13 September 2009 and the RMTU will have 4 reps attending.
- The Wellington rail Branch blocked KiwiRail's attempt to initiate work on upgrading the Petone station platform without any consultation on a safety management plan for the site with the Union. The branch met with managers and plainly stated that they would shut down the suburban trains if the company did not immediately comply with the consultation requirements of the MECA.
- The General Secretary will be attending the Canterbury, Otago and Hillside Branch AGM's next week.
- A number of comments noted on the ratification rejections received for the KiwiRail-Ontrack MECA stated that the wage increase offered (2.75%) was less than current inflation (CPI). Just for the record the current CPI rate is 1.9% forecast CPI rate for 2010 is 1.6%.



- NZ Police have just settled their wages dispute at final offer arbitration at 2.0%.
- The Metals MECA has also settled at 2.0%.

Let's Be Safe Out There & remember these few key pointers.....

- Maintain situational awareness at all times;
- Ensure all are aware of the work to be performed;
- Make safety your first priority;
- Make sure you will go home safe and sound at the end of your shift;
- Make sure your workmates will go home safe and sound at the end of their shift;
- Do not allow yourself to be distracted;
- Do not make assumptions;
- Safety is not someone else's responsibility – IT'S YOURS!

“WE'RE STRONGER TOGETHER”!



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