

THE ACTIVIST



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MERRY CHRISTMAS AND A HAPPY, JOYOUS AND SAFE 2009!

It has been a busy year. For all that are having a break over the Christmas and New Year, we hope you have a restful period off, for those that still have to work - take care, be safe.

Merry Christmas and Happy New Year 2009.

FIRE AT WILL BILL - CTU

Key features include:

- # It retains the probationary provisions - which are subject to PG rights etc - and creates new category called "trial period"
- # Trial Periods must be agreed in writing in an employment agreement
- # Removal of rights is limited to unfair dismissal - **unjustified disadvantage** and discrimination etc remain
- # Employees can't be rolled over for another 90 days
- # Trial periods can be agreed as an "additional term and condition" provided it is not inconsistent with a collective agreement
- # Notice of dismissal does not have to be in writing

On behalf of the Union's National Management Committee and Staff we wish all members and their families a happy, joyous Xmas. We also wish you a healthy, safe and prosperous (the only way with collective bargaining) 2007.

Employees on trial periods have to be treated like everyone else in all other respects (yeah right!) including having access to mediation (access to mediation is only for things that happen during the trial period not after unfair dismissal has occurred)

Section 4 applies (good faith provisions) to employees and employers during the employment period but not 4(1A)(c) which requires the employer to consult etc when making decisions that impact on an employee's employment

Employers don't have to give reasons etc for dismissal of an employee on trial

The Trevor Mallard KiwiSaver amendments to stop employers reducing the pay of those that join KiwiSaver are repealed.

The KiwiSaver changes come in immediately

The 90 day period

is effective from 1 April 2009

UNION RUNANGA ACKNOWLEDGES MAORI PARTY STANCE ON FIRE AT WILL BILL

The Runanga o Nga Kaimahi Maori - CTU Runanga says there so many wrongs with rushing through the Fire at Will Bill, and acknowledges the Maori Party's continued opposition to it.

"With rising unemployment the first peoples to become unemployed will be the unskilled and low waged. Maori will be a majority

peoples in this group," CTU vice president Maori Sharon Clair said.

"The Runanga agrees with the Maori Party that Maori unemployment is still too high. And we acknowledge their affirmation that taking away the rights of marginalised workers is not a path to better employment outcomes."

"The removal of human rights to any group at any time is never acceptable or justified," Sharon Clair said.

"He aha te mea nui o te ao? He Tangata, He Tangata, He Tangata. This wise council from our Tupuna does not say that the most important of all things in the world is wealth, individualism and power, it says simply and wisely the most important of all things in the world is people. Workers are an asset, not an article of trade," Sharon Clair said.

KIWIRAIL – VEOLIA MECA – UPDATE

KIWIRAIL – The ratification ballot closed 1700hrs 5 December 2008 and was counted at National Office on Monday 8 December 2008. The results are below. 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.

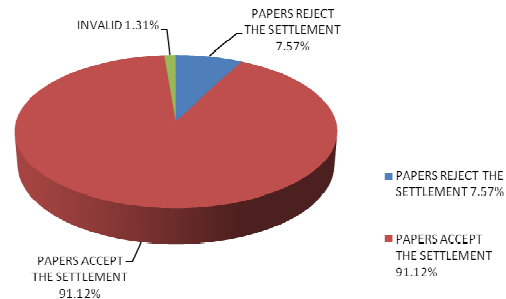
The RMTU has advised KiwiRail of the Ratification ballot results, which are

Rejection ballots - 7.57%

Acceptance ballots - 91.12%

Invalid ballots - 1.31%

KiwiRail Ltd Employees covered by the KiwiRail /Veolia Transport Auckland Ltd Multi Employer Collective Agreement



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.

VEOLIA – Three well attended report back meetings were held on 10 December and approximately 70% of members attended. A secret ballot was taken to shorten the ratification period to enable back pays before Christmas but was rejected by the members by a narrow margin. Ballot papers are now being issued for a full 4 week ratification period.

UGL RAIL MECHANICAL ENGINEERING PAY RATE RELATIVITY WORKING PARTY

JOINT COMMUNICATION 08

DECEMBER 2008

Terms of Settlement

"It was agreed that during the first two months subsequent to ratification the parties shall meet and review the relativities of pay scale three (of the CEA) pay rates for Levels 3, 4, 5 and 6 with other relevant industry groups. Subsequently UGL Rail may amend the rates provided for in the Collective Agreement."

What is the Working Party for?

During the negotiation of the CEA, UGL Rail raised the issue of retention and recruitment of trade qualified employees and sought to address this by a pay offer that was rejected

Despite this the parties are now examining whether there is a recruitment/retention problem and if there is, what needs to be done to fix it

Why do we need a Working Party?

This is a complex issue and it is better dealt with cooperatively rather than through bargaining

Who is on the Working Party?

Representing the RMTU:
Terry Duffy, Ken Cherry,
Martin Greener (Hutt),
Laurie Hall (Linwood), Rudy
Brens (Westfield)

Representing UGL Rail:
Mike Smith, Jenny Kuttel

Facilitation by: Bernard
McIlhone (Partnership
Resource Centre)

What is happening?

The first meeting of the
Working Party was held
Monday 8th December

KiwiRail have also
committed to a Working
Party that will examine the
recruitment and retention issue. The UGL
Rail/RMTU working party will proceed and
sometime in the future, we will liaise with
KiwiRail on our findings

The working party has identified sources for
data to be researched and have established
a project timeline

Working Party Outcome

Well thought out business case that:

- identifies if there is a recruitment/retention issue,
- what the options for addressing the issues are, including possible increments to pay rates

RAIL INDUSTRY WELCOMES MASSIVE NEW INVESTMENT

ARA PRESS RELEASE –

"The rail industry congratulates the Rudd government in making the largest single investment in rail in Australia since Federation.

Railways strongly welcome the investment announced by the Prime Minister today in the National Building initiative. "This substantial investment starts to redress the underinvestment by government in rail over many years." said Mr Bryan Nye, CEO of the Australasian Railway Association (ARA).

The \$1.2b investment in the nation's interstate rail track will improve rail capacity, speed and reliability in addition to creating 2000 new jobs. The funds will flow through the Australian Rail Track Corporation to resleeping, passing opportunities, track upgrades and other construction.

The rail improvements will attract freight to rail reducing transport pollution, road crashes and improving the economy. "Every additional train takes 150 trucks off the road,

saves 45,000 litres of fuel and reduces greenhouse gas emissions by 125 tonnes." said Mr Nye.

The improvements will particularly benefit the Hunter Valley Coal Chain by doubling the capacity to deliver coal to Newcastle port. Container traffic between capital cities and other freight will benefit from interstate and regional track investment. "These are critical elements of Australia's transport system which desperately need improvement to underpin Australia's domestic and export economy" said Mr Nye.

The rail industry agrees with the government's position described by the Prime Minister that the investment will strengthen the economy and will create jobs at a crucial time to businesses.

Rail is essential to Australia's economic, social and environmental sustainability. "In the face of economic crisis, climate change,



and urban congestion it is vital that all governments ensure that rail plays its part and not just pour more money into roads."
said My Nye."

WORKER SUPPORT PACKAGE A START ONLY - CTU

Council of Trade Unions president Helen Kelly says that the ReStart package announced by the Government today has made a start to help workers being made redundant, but there are people who will miss out.

"Many people appear to miss out on this package, including those made redundant who are not drawing down the full accommodation supplement, those who are not being paid the in-work tax credit, or part time workers," Helen Kelly said.

"We also think that the government should keep alive a proposal on guaranteed redundancy payments and notice for workers, in line with the recommendations of a recent Advisory Group, and want the Government to expand assistance for workers to cover the cost of searching for a new job and retraining."

"And it does not make sense to have this assistance coming into effect in January and just two months later hitting workers in small and medium sized enterprises with no right to appeal against unfair dismissal."

"The government's changes last week to employment law are unfair at the best of times, but will just cause additional anxiety for people moving between jobs in the current economic conditions."

"The CTU is looking forward to meeting with the new Minister of Social Development to discuss this package and to look at further forms of support that can be provided for workers made redundant," Helen Kelly said.



CTU ECONOMIC BULLETIN NOVEMBER

HOUSEHOLD ECONOMIC SURVEY

This is normally a three yearly survey, but in this particular intervening year Statistics NZ has focused on housing costs.

They note that median annual household income was \$57,947 in 2007/08, up 3.9 percent from 2006/07.

Median annual personal wage and salary income for those receiving income from this source was \$35,000 (up 2.9 percent from 2006/07).

That means that fully half of New Zealanders earn a wage income less than \$35,000. Median weekly expenditure on housing costs rose from \$130 in 2006/07, to \$156 in 2007/08 (up 20.1 percent).

For those making mortgage payments, median weekly mortgage payments rose from

\$256 to \$328 (up 27.8 percent) between 2006/07 and 2007/08.

In 2007/08, 28 percent of New Zealand households with a mortgage paid over \$500 per week in mortgage payments (18 percent in 2006/07).

For households making rent payments, median weekly household expenditure on rent was \$225, up from \$210 in 2006/07 (up 7.1 percent).

WAGES

The Quarterly Employment Survey (QES) showed that the average ordinary time hourly wage is now \$24.33 (\$22.64 in the private sector and \$30.77 in the public sector).

The female rate of pay is \$22.61 which is 87.8 percent of the male rate of \$25.76. The Labour Cost Index (LCI) shows that ordinary time wages went up by 3.6 percent in the September 2008 year (3.7 percent in the

private sector and 3.6 percent in the public sector).

In the September 2008 year, 61 percent of salary and ordinary time wages in the survey sample increased. For those workers who got an increase in the last year, the median increase was 4.3 percent.

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 18 January 2009 the Auckland Regional Office will be open and, Organiser Scott Wilson will be holding the fort.

Let's be safe and look after one another!

PROUD to be RMTU!

