

THE ACTIVIST



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KIWI RAIL MECA UPDATE

The ratification ballot closes at 1700hrs 2 April 2021. Reports from the ratification report back meeting teams were that the proposed settlement was controversial with some members but by and large the majority of members understood the proposed settlement approach by KiwiRail in light of the Covid effect on its balance sheet. The 1% increase to Kiwisaver was seen as favourable together with the additional and new leave provisions and the pay reviews to be undertaken for payscale 1, 2 4 and 7.

The National Returning Officer will be counting the ballot on Tuesday 6 April (after the mail collection that am) assisted by National Office scrutineers and rank and file member observers. A National Office memo will be issued on Tuesday conveying the ratification ballot result to branches and members.

WORKERS MEMORIAL DAY

28 April is International Workers Memorial Day each year.

On Workers' Memorial Day, we "remember the dead and fight for the living". The RMTU was the first union in NZ to commemorate the day by organising events to remember those workers who are killed or injured through their work but at the same time pledge to continue the fight to make sure that such tragedies are not repeated.

The international theme this year is "Safe and healthy work is every worker's right". Worksafe NZ estimates that 30,000

people develop serious but non-fatal work-related ill-health each year from work.

Please show your solidarity and support for the workers and their families who've been cruelly affected by a workplace death, injury or ill-health.

Events will be occurring around the motu on 28 April.

Please advise the RMTU National office about your Branches planned Workers Memorial Day event.

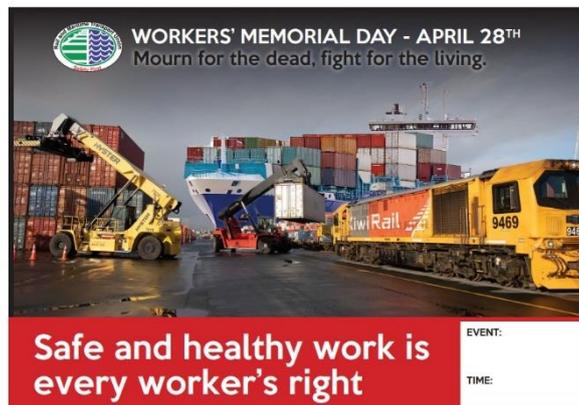
UNVEILING OF GREYMOUTH RAIL DEPOT WORKERS' MEMORIAL

Thanks to some very good work by our West Coast Rail Branch, in particular our Branch Secretary Ron Nijssen and LE Delegate Donald Hibbs, the Greymouth KiwiRail Depot will have a splendid Workers' Memorial stone and plaque which will be unveiled at a ceremony on 28th April this year.

The original idea was to have the memorial in place for Workers' Memorial Day last year, but the COVID lockdown put paid to those well laid plans.

KiwiRail have been very helpful in providing a site and assisting with the acquisition of materials and are hosting the ceremony which commences at 0930. The RMTU General Secretary will be in attendance as will our South Island Organiser.

This unveiling is the sixth Workers' Memorial to be established in the South Island. The others are in Christchurch, Timaru, Dunedin, Waipahi and Invercargill. Other sites are on



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

the North Island in Wellington Rail Yard, Hutt Shops, Palmerston North, Napier Port, Kawarau, Oio, Hamilton and Port of Tauranga. The RMTU has been instrumental in the establishment of all these memorials.

TOLL BARGAINING UPDATE

We have been provided with a final offer from the Company. The final offer, in summary, is a two year term agreement from 1st of June 2020 to date 31st of June 2022. A nil wage increase for the first 12 months to the 31st of May 2021 and then a 2% increase on wages and allowances for the second year, from 1st June 2021 onwards.

There are some changes to the sick leave provisions. A move to 10 days sick leave and an ability to use some of your annual leave as sick leave in special circumstances.

A joint working party to be formed to look at pay scales and rates, which we know need improvement.

There will be report back meetings to members at locations throughout NZ the week commencing Monday 12 April. A full schedule of locations, times and dates will be issued shortly. Ratification of the proposed settlement will be a postal ballot as usual and we expect to be able to issue them shortly once all the documentation including the draft proposed CA and signed terms of settlement is available.

AS ALWAYS, THE DECISION TO ACCEPT OR REJECT THIS OFFER WILL BE DECIDED BY MEMBERS IN THE RATIFICATION VOTE.

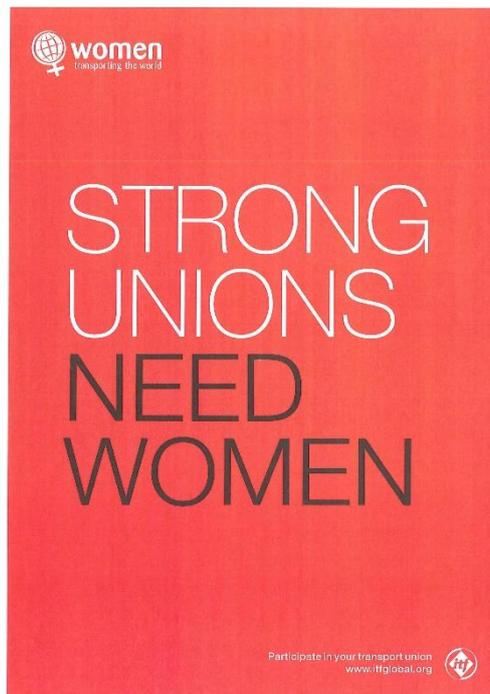
COMBINED UNIONS SUCCESS AT CENTREPORT

The three unions, RMTU, MUNZ and ETU Collective Agreement expired last October. Negotiations were difficult due to the loss of

trade through this port and there was very little on offer from CPL. The unions stuck together throughout the bargaining and have now reached the stage that there is a union recommended settlement with gains for all members and some sector increases. The draft CA is being checked and a report back and ratification meeting planned.

PORTS AND WOMEN'S FORUM

The National Ports Forum is scheduled for 22-23 June 2021 and will be followed by the Women's Forum on 24 June 2021 to be held at The Brentwood Hotel in Kilbirnie.



The National Union will bear the cost associated for one Branch Delegate attending the Women's Forum, and one Port Branch Delegate member attending the Ports Forum. The cost of Observers is the responsibility of the Branch or the Individual.

Registration forms have been sent to all branch secretaries and National Office will forward to each formally nominated sanctioned delegate/observer by email, forum papers, a copy of their travel arrangements, and conference venue and accommodation details.

Completed Registration forms for the Women's

Delegate and Ports Delegates are required from Branches by Friday 30th April 2021. Leave requirements for Delegates requires notice to the Employer so please treat this matter as urgent to ensure your Delegate is released to attend.

KIWI RAIL NETWORKS INDUSTRIAL COUNCIL TO RESTART PAY SCALE 2 REVIEW

Although there is a commitment in the terms of settlement for the RMTU-KiwiRail MECA to finish this project by 30 June if the proposed MECA is ratified the parties are pressing ahead anyway as the review arose out of the

terms of settlement of the 2018 bargaining round and was delayed due to COVID19.

This is a complex exercise as Pay Scale 2 covers at least ninety four roles in Network Services and the process requires the RMTU and KiwiRail to check off all the job and person descriptions, together with the career development plans for each role. Once this is done and these are deemed accurate, the documents are sent to a third party independent assessor, in this case Ernst Young, who compare the jobs and their pay rates with comparable roles in the labour market. KiwiRail is committed to being a 'market median' payer, which means they want to pay in the middle of the range of pay rates that other employers pay for similar roles. Last time this exercise was completed was in 2011 and it concluded that KiwiRail had lagged behind the market median pay rate in a number of roles and consequently pay increases resulted. In some cases these were significant.

There is no guarantee that the current exercise will deliver the same results but it may do. Members should note that KiwiRail has agreed that no rates will be reduced as a consequence of the exercise. In plain English, the only way is up!

INJURY PERFORMANCE GAP GROWS

The annual comparison report between workers compensation schemes in Australia and New Zealand shows our performance continues to worsen against that of our neighbours.

In the various Australian Schemes the rate of serious claims went down by 9% in the four years between 2013-14 and 2017-18, while it went up 25% in NZ over the same period. (serious claims are those in which the claimant is away from work for at least a week).

In the 2018-19 (provisional) year, there were 9.4 serious claims per 1000 workers in Australia compared to 15.8 in NZ. The trend in Australia is all down; from 10.3 in 2013-14 to 9.9 in 2014-15, 2016-17 and 2017-18.

In NZ the trend is moving the wrong way: 11.7 in 2013-14, then 12.9, 13.2, 13.7, 14.5 and 15.8 in 2017-18.

The report, Comparative Performance Monitoring Report 22nd Edition is available from Safe Work Australia.

RAIL MEDICAL STANDARD UPDATE

Kiwirail uses the Australian National Standard for Health Assessment of Rail Safety Workers; (<https://www.kiwirail.co.nz/assets/Uploads/documents/NRSS/0e928816d9/Medical-Standard-2017.pdf>)

and some changes in 2017 to that standard have raised concerns. There have been discussions in the past about these changes but no agreement. The main concerns were around drug and alcohol testing and procedures, this being that if a drug test was non negative (failed) then the worker would have hair testing which would give a history of the last 3 months and a 6 month stand down from work.

Union officials met with KiwiRail last week and clearly expressed that any hair follicle testing was completely unacceptable and the worst scenario for a worker with dependency issues would be to sit at home for 6 months as proposed in the standard. Also we have been

lobbying for a better method of testing than the current urine testing, oral fluids testing, which now has an Australian New Zealand standard that was finalized in 2019.

NELSON PORT BRANCH ACTIVITY

This port branch are ahead of their game with the union claims for bargaining their Collective Agreement (expires 27 June 2021) being discussed at a meeting held last week. Also at this meeting a casual delegate vacancy was filled, Ports Forum delegate and Observer voted on, Women's delegate for both the Ports Forum and Women's in June voted on and the union's negotiating team voted on. A great meeting followed by the usual social catch up. Well done team.



A NEW LIVING WAGE RATE 2021-2022

The Living Wage Movement continues with its tradition of announcing the Living Wage rate on April 1. Employers will have five months to implement the new rate to maintain their accreditation as Living Wage Employers.

This year the announcement is at the Meridian Centre, Wellington and will feature guest speaker, Minister of Finance, Grant Robertson.

The Living Wage Rate is updated annually based on the movement in the average annual earnings in the previous June quarter. The rate is fully reviewed every five years with the next review being in 2023. The announcement of the rate is by the Family Centre Social Policy Research Unit under the leadership of Charles Waldegrave.

The rate will be announced in a press release and posted to the website and Facebook pages.

The proposed KiwiRail MECA settlement includes a provision which would see KiwiRail become a partial Living Wage employer, if ratified by members, as Contractor rates remains an outstanding issue for full Living Wage accreditation. NOTE: The RMTU is a fully accredited Living Wage Employer.

WORKFORCE PLANNING PROJECT RECOMMENCES IN KIWI RAIL NETWORKS

In 2018 the RMTU KiwiRail Networks Industrial Council concluded a very good piece of work that addressed the issue of: 'How can we influence the factors which will enable us to recruit and retain our people and provide opportunities for their development, to ensure we have the right

people, with the right skills, working in the right place at the right time?'

This was a project designed to sort out succession planning and to ensure KiwiRail had sufficient capacity in its Networks workforce to do the job it is there to do. From the perspective of RMTU members this is crucial as if KiwiRail lacks the skilled staff to do the work then the risk is the work will be contracted out, with all the attendant threats to pay rates and terms and conditions.

The project was a success and yielded some very useful demographic data, for example in identified imminent future shortfalls in staffing due to likely retirements in key areas.

Unfortunately the other aspect of the project, which was to put in place mechanisms to ensure these issues were dealt with on a continuous basis over time, did not become embedded in KiwiRail practice. This has meant that, over time, managers have found themselves under pressure to contract

out work as they have lacked the in-house capacity to do the job. This leads to conflict with the RMTU as we vigorously police the contractual requirements of clause 29 of the MECA which obliges KiwiRail to limit contracting out and consult on any proposal to do it.

The project is restarting however and an initial meeting has been held between the RMTU and KiwiRail. There are two streams of separate but related work a) workforce composition and identified gaps and /or shortfalls measured by future plans and projected attrition given demographics and b) development, training and education of people once employed. KiwiRail has employed a Workforce Planner who has worked with Air NZ to assist in the project. Your KNIC representatives have high expectations of this project. In our view prevention is better than cure and this is a classic case of the former.



PORT TARANAKI RMTU COLLECTIVE AGREEMENT 2021

Talks commenced last week to renew the PTL/RMTU Collective Agreement which is due to expire 31 March. In stark contrast to the last couple of bargaining rounds, management stressed from the start the importance of good faith in these negotiations. Most RMTU sectors at PTL were represented around the table. The next bargaining date is set the April 20th.

STOCK UP ON EASTER TREATS FROM OCHO

Following the closure of Dunedin Cadbury Factory, OCHO was sold to more than 3,000 small investors. This made it was the most successful equity crowdfunding campaign in New Zealand, raising the maximum \$2 million in less than two days. OCHO has been an accredited Living Wage Employer since 2018 and we think that makes their chocolate taste even better!

OCHO have kindly offered us a discount code for online purchases www.ocho.co.nz Enter 'LIVING' on check out and you will get 10% off your order. The code is valid until 11 April 2021.

They have "Hot Cross Bun" chocolate...need we say more??!!

KIWI RAIL (FREIGHT OPS) INDUSTRIAL COUNCIL (KIC)

KIC meeting 48 was held 4 - 5 March via video conferencing. This meeting needed to be deferred from the planned February meeting due to Covid - 19. While meeting via Teams was not ideal, we still managed to get through most of the normal KIC agenda. Some highlights include a proposal from Zero Harm head, Alastair Cumming, on a Shunting Research Study to be undertaken by the University of Otago. This study will assess system safety and how risk is managed. The study will also look at 10

years of historical safety data in terminals. Also from ZH a briefing on proposed RCO/RO refresher training.

Some updates from RSAS included a lack of progress on DX air conditioning, rubber mats on shunt refuges, Arataki 2 conversions, speed indicators on shunt locomotives and DL issues. Learning and Development updated on recent issues with the latest LE training school and remediation put in place and virtual reality used in training to enhance the current training.

NEW TECH PROVIDES GREATER AWARENESS AND SAFETY

Following constructive work with frontline teams and the RMTU, KiwiRail is about to roll out a new safety system that uses world-leading sonar technology to keep our people safe.

Many of our team spend time each day working around mobile plant - that is, self-propelled vehicles (excluding locomotives) such as hi-rail excavators or hoists. On the whole, we conduct our duties safely, however incidents and accidents do happen. And when they do, it typically does not end well for the person on the ground. In fact, working around mobile plant is one of KiwiRail's top ten critical risks.

KiwiRail and the RMTU - through our Critical Risk Networks and Industrial Councils - have been working together using High Performance High Engagement (HPHE) methods to reduce and minimise the risk of working on the ground with mobile plant.

KiwiRail has recently finalised a contract with a New Zealand-based company called SonaSafe to provide a 'Proximity Based Warning System' that will improve safety.

SonaSafe is an engineering control which detects when a person wearing a SonaSafe Personal Detection Unit (PDU) enters exclusion or unsafe zones around mobile plant. The person operating the mobile plant is alerted to the danger and can react accordingly.



The Sonasafe system has been exhaustively tested by our teams over the past two years in the field – at our Southdown CT site, in the Waikato and on the West Coast - and has proven highly accurate.

Group GM Zero Harm Alastair Cumming says SonaSafe is a fantastic tool to add to our safety toolkit.

“We’ve made some great improvements recently in terms of keeping our people safe, and this will add another layer of protection for those working around mobile plant. In the first stage of the roll out, all hi-rail excavators and Container Terminal lifting machines will be fitted with this technology and the personnel working on the ground with them will wear a PDU,” he says. “This is an additional layer of protection which enhances awareness of risks, and enables operators to take faster action to keep people safe.”

Future mobile plant which may be fitted with this solution are:

- Excavators
 - Forklifts
-
- Earthmoving/construction machines
 - Hi-Rail motor vehicles

RMTU General Secretary Wayne Butson says that the HPHE process that was followed has delivered a great outcome. “The excellent engagement from the frontline has meant that the solution is fit for purpose and will significantly improve the control effectiveness of working with mobile plant.”

The units are currently being manufactured and the roll out onto the mobile plant should start mid-2021. Training will be provided by Strachan Crang and Marc Parsons who are leading this project.



HEALTH AND SAFETY REP TRAINING - HOW TO REGISTER FOR A COURSE

Following the Union AGM’s, new Health and Safety Reps who’ve recently been elected to Health and Safety Committees are required to register for H&S Rep training. H&S Reps attend 2-days paid training per year paid for by the employer.

To register on a course, go to www.worksafereps.co.nz

NATIONAL’S VIEW OF RAIL INVESTMENT

The following is reproduced to inform members that the National Party’s experienced historical antipathy toward rail in

NZ continues. We do not normally reproduce stories in their entirety however we believe that this one is important as we all know a rail network without branches would lead to a withering death for the trunks and conveys clearly the lack of knowledge and understanding of anyone

who states this viewpoint. I recall with clarity discussions about the viability of the NAL, ECMT, NPGL, Midland Line and south of CHCH and plans to rip them up. Where would we be now if those people had been able to have their way. We well know the cost that ripping up the double line south of CHCH and Dunedin is to us now and so this is why rail MUST be seen as infrastructure essential to our national interest.

National questions taxpayer value from KiwiRail investment Mark Mitchell says there needs to be rationalisation of the rail network. By Brent Edwards - Mon, 08 Mar 2021

The National Party has signalled the government cannot continue to subsidise KiwiRail to the tune of a billion dollars a year. National’s state-owned enterprises spokesperson Mark Mitchell said the government-owned rail company was being

heavily subsidised by taxpayers and he was not sure they were benefiting from the investment.

Mitchell, who was not satisfied with answers he got from KiwiRail chief executive Greg Miller and chair Brian Corban when they appeared before Parliament's Transport and Infrastructure Select Committee last week, told NBR he was aware of a Treasury report done in 2017-18 on rationalising the rail network but which had been subsequently buried.

NBR asked the Treasury whether the paper existed and what it said. The Treasury responded there were files relating to KiwiRail for 2017-18 but officials had not yet been able to identify which document related to 'rationalising the rail network'. NBR's query is now being treated as an Official Information Act request.

Mitchell said the country needed to be smart about how it was used the rail network. "And when it's as heavily subsidised by the taxpayers as it is, identifying clearly who are the beneficiaries and where do the benefits lie in the network [is important]," he said.

Last week, Miller argued roads were heavily subsidised too, with the government spending \$4 billion a year just on maintenance.

KiwiRail chief executive Greg Miller But Mitchell's response is that every day taxpayers are using the roads. He said he still not feel reassured by either Corban or Miller about the benefits taxpayers were getting from the rail network.

Government expectation.

It is not the first time it has been raised. In his letter to KiwiRail in December 2019, the then State-owned Enterprises Minister Winston Peters had also focused on the benefits of the rail network.

"In 2020-21, following two years of significantly increased investments and with future investments signalled, we expect KiwiRail to be demonstrating the benefits and forecasting the future benefits of the public's investment in rail," Peters said in his letter to Corban.

About the same time, the Treasury had been expressing worries about KiwiRail's financial reporting following the earlier budget

decision to inject \$1b into the rail company. The government subsequently approved another \$1.2b investment in this financial year.

In a briefing to Finance Minister Grant Robertson and then-Associate Finance Minister Shane Jones in September 2019, the Treasury said ministers needed to reiterate to KiwiRail their expectation the company would provide high-quality, transparent reporting to the Treasury, particularly given the boost in public funding.

Last year, Miller said KiwiRail was working on improving its financial reporting and was working closely with the Treasury and other agencies to develop a new monitoring framework to track and report on those new investments.

As an example of the rail company's public value, Miller told the select committee last week that in January it had re-opened the rail line between Whangarei and Swanson in West Auckland, which had allowed it to help clear much of the freight backlog from Northport.

He also pointed to the Future of Rail review, carried out by professional services company EY in 2016, which estimated the total value of rail to be \$1.47b to \$1.54b a year in reduced congestion in cities, reduced carbon emissions, improved road safety, and lower road maintenance costs for taxpayers.

KiwiRail is doing 'some great stuff' Still unconvinced But Mitchell remains unconvinced and said he still did not have a clear idea of the benefit to taxpayers from their investment in KiwiRail. Despite that, Mitchell said there was no doubt KiwiRail was doing "some great stuff" and that the country needed a rail network.

If it had highly modernised rail company that provided benefits to freight companies they would use it.

While National has not developed its rail network policy in opposition, Mitchell said he favoured rail playing a role as part of a broader, integrated transport network involving road and coastal shipping as well. "But let's just get very focused on it, and let's do a proper rationalisation because, in my view, it's not sustainable if it has to continue to operate in the coming decades with a

subsidy like it's currently having to support it."

Rather than expanding or upgrading spur lines, he believes KiwiRail should focus on the main trunk line. He said each spur line would have to have a business case to support it but they were very costly to build or upgrade and New Zealand was a country of just five million people.

What amount of investment is appropriate? Mitchell said he accepted there was a lot of spending at the moment on the upgrading and maintenance of lines, as well as investment in new engines and rolling stock.

But looking to the future, he questioned how much more the government could realistically invest in the rail network.

"It's definitely not sustainable in its present form in the long term, so you know that's one of the reasons why I asked for SOEs, because I'm really very interested to have a close look at what's happening inside KiwiRail and our rail network to make sure that we're delivering the best value as a country; [that] we're actually delivering the best value in terms of a proper, integrated supply chain; and real value [is] being returned to the taxpayers who are funding it."

In the 2019-20 financial year, KiwiRail made an operating surplus of \$40 million and, for the six months to December, its surplus was \$28.6m, \$1.7m better than the same six-month period a year earlier. Miller said the company had embarked on a 10-year upgrade programme that would put it in a better position to compete with and complement road transport operators.

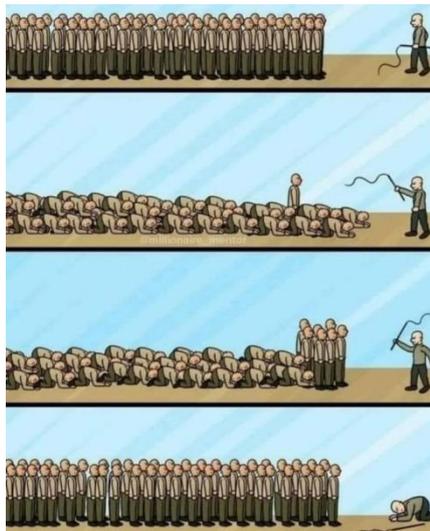
REINVIGORATION OF THE KING COUNTRY BRANCH

The North Island KR MECA roadshow saw the King Country Branch meet for the first time in six years with good attendance from

our members. There were constructive questions and feedback about the MECA, and afterwards, the members stayed behind to discuss the general running of their branch.

One request from the members was to formalise the delegates that represent that area and also reinvigorate the roles of the Executive Committee.

A meeting has been organised to take place on Thursday 29th April, at Taumaranui Networks Depot for all the King Country members to attend and elect their representation. The RMTU looks forward to the newfound confidence and progression of this branch.



MYANMAR FIGHT FOR DEMOCRACY

The military coup in Myanmar has deeply shaken hopes for democracy in the country but Railway Workers, doctors, Nurses, student bodies and government and civil society workers are fighting back. A nationwide strike on 22 February saw millions on the streets of the country. State Railway Workers literally lay on the tracks to stop the trains being commandeered by the military. Several Railway Union leaders have warrants for arrest and have

gone into hiding. The RMTU has supported the formation of the Myanmar Railway workers union and we continue to support them during this time of struggle.

SI MAINLINE LOCOMOTIVE PROCUREMENT UPDATE

A team of rank and file RMTU member Loco Engineer and Mechanical reps are currently reviewing bid documentation and the preferred supplier is likely to be announced later this year. There is a high degree of confidentiality with this project at this procurement stage but once the supplier is announced that will change.

Remember – be Safe at all times!