

THE ACTIVIST



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RAIL INDUSTRY MECA INITIATION BALLOT RESULT

The result of the recent Multi Employer Collective Agreement (MECA) initiation ballot required by the Employment Relations Act 2000 as a precursor to the Union initiating bargaining is shown below. The legislation prescribes that if more than 51% of the members, who reply to the ballot, working for each employer vote in favour of the Union negotiating a MECA then the Union may initiate with the employers for a MECA.

KIWIRAIL FREIGHT LTD

Total ballot papers issued: 1658
Total ballot papers returned: 769 = 46.38%
Total ballot papers yes: 690 = 89.73%
Total ballot papers no: 79 = 10.27%
89.73% of Kiwirail Freight members support a MECA

KIWIRAIL MECHANICAL LTD

Total ballot papers issued: 367
Total ballot papers returned: 221 = 60.22%
Total ballot papers yes: 196 = 88.69%
Total ballot papers no: 25 = 11.31%
89.69% OF KIWIRAIL MECHANICAL MEMBERS support a MECA

VEOLIA TRANSPORT LTD

Total ballot papers issued: 362
Total ballot papers returned: 207 = 57.18%
Total ballot papers yes: 203 = 98.07%
Total ballot papers no: 4 = 1.93%
98.07% of Veolia Transport members support a MECA

ONTRACK NZRC

Total ballot papers issued: 90
Total ballot papers returned: 50 = 55.56%
Total ballot papers yes: 37 = 74%
Total ballot papers no: 13 = 26%
74% of ONTRACK NZRC members support a MECA

ONTRACK INFRASTRUCTURE

Total ballot papers issued: 629
Total ballot papers returned: 265 = 42.13%
Total ballot papers yes: 236 = 88.68%
Total ballot papers no: 29 = 10.94%
Total ballot papers invalid: 1 = .38%
88.68% of ONTRACK INFRASTRUCTURE members support a MECA

As a result of the ballots the RMTU will serve initiation notices on Kiwirail Freight Ltd, Kiwirail Mechanical Services Ltd, Veolia TRANSPORT Auckland Ltd, Ontrack - NZRC Ltd AND ONTRACK Infrastructure Ltd seeking the negotiation of a Multi Employer Collective Agreement on behalf of RMTU members falling within the coverage of THE PROPOSED Collective Agreement.

Howard Phillips

NATIONAL RETURNING OFFICER

JOIN THE LAST STOP OF NZEI'S NATIONAL STANDARDS BUS TOUR AT PARLIAMENT.

12.30 Wednesday 31 March.

Help us present John Key with appeals from school communities around New Zealand to "Trial National Standards Not Our Kids".

For more information call 0800 NZEI HELP (0800693443).

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

www.handsupforlearning.org.nz

MINISTER BRINGS DOWN RAIL BUDGET

India's Railways Minister Mamata Banerjee presented the government's railway budget for the 2010/11 financial year in parliament last week. Highlights of the budget include:

- Indian Railway Finance Corporation will borrow Rs91.2 billion (\$1.97 billion) from the market in 2010-11;
- Railways not to be privatised;
- High-speed dedicated passenger corridors to be constructed;
- National High Speed Rail Authority to be set up;
- Allocation for construction of new lines increased from Rs2848 million to Rs 4411 million;
- No fare hike for passengers;
- more underpasses for safety;
- Railways to start six water bottling plants provide clean and cheap drinking water to passengers;
- Indian Railways aims to add 25,000 route kilometres by 2020;
- mobile e-ticketing centres at hospitals, universities, courts, IITs, IIMs, district headquarters and village panchayats;
- All 13,000 unmanned level crossings to be manned in the next five years;
- women's wing to be formed in RPF to ensure security of women;

Source: Various

NEW ZEALAND WAGES LAG

NZ wages are around 30% behind Australia's when adjusted for cost of living, reported the Organisation for Economic and Co-operation Development, an international group of the world's 30 most developed economies. But Australian wages have climbed faster than New Zealand in the past 12 months, pushing the gap even

higher. Statistics New Zealand reported that average New Zealand wages increased 2.86% between December 2008 and December 2009, while Australian pay went up 3.6 percent. (All wage statistics are adjusted for inflation.)

According to the data, average New Zealand pay is \$934 a week while Australians average \$1,159 weekly. Labour leader Phil Goff said the latest figures show that Prime Minister's Key's promise to close the gap was "reckless and dishonest".

BANGKOK RAIL LINK OPENING POSTPONED

Following strong local pressure from Thai ITF affiliates and International ITF Unions the Government of Thailand has postponed the opening of their flagship Airport rail link into Bangkok. The Government wishes to outsource the links operation to foreign multinational operators and ITF Thai affiliates oppose this. It is our belief that the

link should be operated by members of the State Railway Union of Thailand who are employees of Thai national railways.

ACC PRIVATISATION

LAID BARE

The government's dogmatic determination to privatise ACC is now completely transparent, says ACC Futures Coalition spokesperson Hazel Armstrong.

Speaking after Chairman John Judge's appearance yesterday at the select committee considering the Insurance (Prudential Supervision) Bill, Armstrong said: "John Judge's line before the select committee reflects the obsession with full funding and emphasises the intention to treat ACC like an insurer. It is not. We do not have insurance benefits derived from individual premiums, we have a set of entitlements (set by legislation) funded by collective levies, which are a form of taxation.

"In the end ACC enables us as a community to provide social and economic protection to



those among who engage in risky activity for the benefit of all. ACC operates alongside of and is complementary to our health and social services systems.

"The commitment to full funding of ACC was introduced by the last National government with the precise intention of selling it off to private insurance. Full funding only makes sense in order to bring ACC's accounts parallel to those of private insurers who need assets to cover the cost of liabilities that accrue as a result of this and past years' activities. Private insurers might go out of business and they need to ensure that today's premium payers are likely to meet the full cost of the liabilities. The provider therefore collects more money today than it needs to meet today's cost.

"None of the reasons that drive a private provider to build up 'reserves' applies to a government-owned entity, particularly a provider like the ACC. The ultimate owner - the government - will never disappear. It has the power to tax to meet future liabilities, expected or unexpected. Neither does the government need to undertake the actuarial calculations to establish whether or not it has a liability now or in the future, nor what the size of that might be.

"The government has similar continuing liabilities in respect of education or the health service, but it would be considered insanity to fund those future liabilities out of current reserves. Why do it for ACC? Only so that it can be sold for the benefit of private business, not for the benefit of ordinary New Zealanders. We will all be the losers in this."

HOLIDAY ENTITLEMENTS FOR ANZAC DAY

This year Anzac day falls on Sunday 25 April. This means that those who normally

work Sundays will receive a paid day off on Anzac day. Alternatively if you do work on Anzac day, you are entitled to time and a half for the hours you work and an alternative holiday (if Sunday would be otherwise a working day for you). Visit the DOL website, for more information on alternative holidays (days in lieu).

Please note that Anzac Day is also a restricted trading day. Most shops selling retail goods can not open until 1pm on this day. Certain shops may remain open. For more information view the DOL website information on Shop Opening Hours.

UNIONS WORLDWIDE BACKING BA CABIN CREW ACTION

The ITF's Civil Aviation Section today reported rising support for the British Airways cabin crew industrial action from their colleagues around the world.

Gabriel Mocho, ITF Civil Aviation Section Secretary stated: "The ITF supports the cabin crew and Bassa/Unite in this dispute. In particular we commend the efforts they have made to find a solution to a conflict which began with the company's apparent imposition of new working conditions while negotiations were still open."

"Unfortunately BA management demonstrated their seeming indifference to the deteriorating situation on Friday when they withdrew an offer that might have solved the dispute."

He continued: "Several unions have already contacted us with messages of support for the cabin crew, together with pledges to provide practical lawful assistance where possible. Unite members have been quick to show solidarity with their colleagues around the world in the past, and they now want to return the favour."



DIARY OF A KIWI IN WESTERN AUSTRALIA.

The following arrived anonymous from cyberspace and is reproduced tongue in cheek.

August 31 - Just got into our new home in Karratha, Western Australia. Now this is a town that knows how to live! Beautiful, sunny days and warm, balmy evenings. I watched the sunset from a deckchair by the pool yesterday. It was beautiful. I've finally found my new home. I love it here.

September 13 - Really heating up now. It got to 31 today. No problem though. Living in air-conditioned home, driving air-conditioned car. What a pleasure to see the sun every day like this. I'm turning into a sun-worshipper.

September 30th - Had the back yard landscaped with tropical plants today. Lot's of palms and rocks. No more mowing lawns for me. Another scorcher today, but I love it here.

October 10th - The temperature hasn't been below 35 all week. How do people get used to this kind of heat? At least today it's windy though. Keep's the flies off a bit. Acclimatizing is taking longer than I expected.

October 15th - Fell asleep by the pool yesterday. Got third degree burns over 60% of my body. Missed three days of work. What a dumb thing to do! Got to respect the ol' sun in a climate like this.

October 20th - Didn't notice Felix (our cat) sneaking into the car before I left for work this morning. By the time I got back to the car after work, Felix had died and swollen up to the size of a shopping bag and stuck to the upholstery. The car now smells like Whiskettes and cat shit. I've learned my lesson though: no more pets in this heat.

October 25 - This wind is a bastard. It feels like a giant bloody blow dryer. And it's hot as hell! The home air conditioner is on the blink and the repair man charged \$200 just to drive over and tell me he needs to order parts from bloody Perth.....

October 30th - The temperature's up around 40 and the parts still haven't arrived for the bloody aircon. Been sleeping outside by the pool for three nights now. Bloody \$600,000 house and we can't even go inside. Why the hell did I ever come here?

November 4 - Finally got the ol' aircon fixed. It cost \$1,500 and gets the temperature down to around 25 degrees, but the humidity makes it feel about 30. Bloody repairman.

November 8 - If one more smart arse says 'Hot enough for you today?' I'm going to bloody throttle him. Bloody heat! By the time I get to work, the car's radiator is boiling over, my clothes are soaking bloody wet and I smell like baked cat!

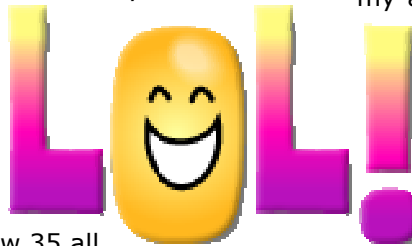
November 9 - Tried to run some errands after work, wore shorts, and sat on the black leather upholstery in the ol' car. I thought my arse was on fire. I lost two layers of flesh, all the hair on the backs of my legs and my bloody arse. Now the car smells like burnt hair, fried arse and baked cat!

November 10 - Weather report! It might as well be a bloody recording. Hot and sunny. Hot and sunny, Hot and bloody sunny! It's been too hot to do anything for two bloody months and the weatherman says it might really warm up next week.

November 15 - Doesn't it ever rain in this damn place? Water restrictions will be next, so my \$5,000 worth of palms might just dry up and blow into the bloody pool. The only things that thrive in this hell-hole are the bloody flies. You don't dare open your mouth for fear of swallowing half a dozen of the buggers!

November 20th - Welcome to HELL! It got to 45 bloody degrees today. Now the air conditioners gone in my car. The repair man came to fix it and said, 'Hot enough for you today?' I had to spend the \$2,500 mortgage payment to bail me out of jail for assaulting the stupid bugger. Bloody Karratha! What kind of sick, demented bloody idiot would want to live here!

December 1 - WHAT!!!! The first day of summer!!!! You are kidding right!



NO NEED TO GET HATCHET OUT ON PRODUCTIVITY

It is no surprise that the Business Round Table and Business NZ are using disappointing productivity statistics to argue for even more attacks on existing employment law. But it was the 'low road' policies implemented in the 1980s and 90s that drove down wages, lowered levels of investment in skills and capital, and opened up a huge gap on all these fronts with Australia including a 30% difference in productivity levels.

Peter Conway, CTU Secretary, says that the CTU supports a Productivity Commission provided it can include a focus on workplace productivity. It should not simply be an ACT Party tool for deregulation. The CTU will wait for further details on the role and functions of this Commission before finalising a position.

The latest statistics for the year to March 2009 include a period when there were large scale redundancies. Often this can initially show a lift in productivity. But we also saw many employers making an effort to hold on to workers, reduce hours of work for a temporary period, rather than send workers down the road.

Peter Conway said that unions continue to work with Government and employers on a range of initiatives to lift productivity. This co-operative approach is producing positive results. The scale of these initiatives needs to grow – rather than head down a negative track of deregulation and dismantling employment protections.

SURGEON ADVISES COURT ACTION AGAINST ACC

Published: 6:17PM Tuesday March 16, 2010 - Source: ONE News

The Accident Compensation Corporation (ACC) is being accused of illegally denying cover to Kiwis with legitimate workplace injuries in a bid to cut costs. ONE News has learnt some medical specialists are advising

clients to take legal action against the corporation, which denies the accusation.

Craig Martin has been repairing shoes and cutting keys on and off for 15 years and has painful tendonitis in his arms. He is convinced his job is to blame for the pain but ACC disputes that and won't pay for his treatment. Martin says he loves his job and wants to continue. "I would expect that they would take a look at the facts, take a look at the fact that four experts including the GP and the physio have said that this is a work-related injury," says Martin. The four experts include an Occupational Therapist and an Orthopaedic Surgeon who were both chosen

by ACC to assess Martin and who both wrote reports saying his injuries are work-related.

But then an ACC medical advisor, who admitted in writing that she hadn't

even examined Martin, disagreed with the experts. ACC is sticking by its decision not to pay but says Martin is entitled to ask for a review of his case. ONE News has talked to a number of specialists who claim ACC is increasingly refusing to cover what it calls "gradual onset" injuries as part of a bid to cut costs.

"Well in my opinion at the moment it's illegal. What they're doing is not within the framework that they were set up to cover," says Orthopaedic Surgeon Graeme Inglis. Inglis says he is one of a number of specialists advising clients to take legal action.

ACC admits its claim payouts are down on last year but says that's because it's sticking more closely to legislation and no longer paying out for injuries that don't qualify. "We need to stick more closely to our legislation and apply more scrutiny to our decision-making," says Cosgrove. Martin says he just wants a fair go from ACC. "I've paid my insurance, I've paid my dues, I just want a fair shake." He says he will take ACC to court if that's what it will take to get cover.



CTU WELCOMES DECISION ON YOUTH RATES

The Council of Trade Unions has welcomed the Government's decision not to support Roger Douglas's youth minimum wage Bill. "We are pleased that the Government agrees that paying young people less for doing the same work as an older person is fundamentally unfair and will do nothing to alleviate unemployment," said CTU President Helen Kelly.

"There can be no justification for wage discrimination on the basis of age. This Bill was nothing but the reactionary twitch of a dying ideology and I am glad that the Government has seen sense in promising to vote it down."

"The Government now needs to focus on tackling youth unemployment through expansion of programmes like its Youth Opportunities programme and with further economic stimulus initiatives. This is also the time to invest in skills training for young people for their own benefit but also to address the ongoing skill shortages facing the country."



- Take immediate steps to secure the release and safe return of kidnapped seafarers to their families
- Work within the international community to secure a stable and peaceful future for Somalia and its people

Speaking from Berlin, ITF Maritime Coordinator Steve Cotton said: "This decision has empowered us to build a worldwide campaign to put pressure on all governments to close the gap in their anti-piracy efforts. At the end of last year* we warned that a point had been reached where the affected area had become too dangerous to enter, except in exceptional circumstances. We also highlighted the scandalous negligence of countries making billions from ships they are doing nothing to protect. There has been no improvement since then."

He continued: "The reality is that seafarers are risking their lives transporting the world's goods through areas that are daily growing more dangerous. That situation is not going to change without dramatic efforts to address the problems of Somalia and its people and grasp the nettle of confronting and prosecuting piracy."

The Berlin meeting also agreed to support the inclusion, where appropriate, of armed military personnel on ships in addition to the commitment by flag states of naval vessels. The ITF remains firmly opposed to the arming of seafarers. It is also gravely concerned by attempts to prevent the payment of ransoms and considers that it is the duty of shipowners and flag states to take all necessary measures to swiftly reunite seafarers with their families when they are held hostage. The ITF also stated that it is unforgivable that the major flag of convenience states have done little more to fight piracy than sign pieces of paper. They have taken no other concrete action, nor have they used their flag state jurisdiction to enable the prosecution of any pirates.

The ITF will now work on an e-petition website and a cross-industry international campaign intended to deliver a powerful message to governments on World Maritime Day.



"TIME TO BEAT PIRACY" CAMPAIGN ANNOUNCED

Union representatives meeting in Berlin have voted to launch a new campaign to persuade all governments to commit the resources necessary to end the increasing problem of Somalia-based piracy.

Seafarers' delegates at ITF meetings in Germany authorised the Federation to build a campaign that is hoped to deliver half a million signatures to governments by World Maritime Day, September 23rd. The campaign will call on them to close the circle on protection of ships, and for those states now ducking their responsibilities to stand up and follow the example of those which are actively involved in combating the threat.

The petition will call on nations to:

- Dedicate significant resources and work to find real solutions to the growing piracy problem.

GLOBAL CONFERENCE OF DAIRY UNIONS COMMITS TO MONITORING FONTERRA ACTIONS ON WORKERS' RIGHTS

The biggest conference ever held of dairy workers' unions committed in Argentina on Friday to step up coordinated actions against casualisation and contracting out by the major transnational corporations and other major employers in the industry.

James Ritchie, NZ Dairy Workers Union National Secretary who represented New Zealand at the conference, said: "The conference noted with concern Fonterra's refusal to allow unions in Sri Lanka and Malaysia access to workers to offer them union membership, and will step up its monitoring activities of the NZ Company in Latin America."

"In 2002 Fonterra signed an agreement with the International Union of Food Workers (IUF) and the NZDWU guaranteeing ILO standards wherever Fonterra operated around the world. However despite this Agreement, access to Fonterra plants by IUF affiliates has been blocked in Sri Lanka and Malaysia and Fonterra says the Agreement does not apply to joint ventures."

"There is a determination by IUF affiliates to give all practical assistance to workers denied their right to join a union and bargain collectively in accordance with ILO standards wherever this occurs."

The conference, which took place in Buenos Aires and Sunchales, Argentina between 9 and 12 March, was convened by the IUF and was attended by 120 participants from 22 countries. The NZ Dairy Workers Union played a lead role in lobbying for the necessity of such a conference in the first place.

Delegates also agreed to take all possible steps to guarantee decent work for workers throughout the supply chain.

Fonterra owns Soprole, the market leader in Dairy in Chile and is a joint partner with Nestle in Dairy Partners of America (DPA) throughout the rest of Latin America.

"The Fonterra part ownership of this company is not widely known in South America and dairy unions will hold both Fonterra and Nestle accountable for the activities of this company with regard to employment standards," commented Mr Ritchie.

The host organisation for the conference, the Argentina Dairy Workers Union (ATILRA) has a cooperation agreement with the NZ Dairy Workers Union.

The global dairy industry faces multiple challenges in an unstable world and the participant unions are to coordinate actions on the issues of protection of the environment, climate change, food safety, health and safety, employment protection, and decent work and incomes for workers as well as producers (farmers).

All around the world producers are being squeezed by processors and retailers but NZ farmers have a significant advantage in owning Fonterra as well as supplying milk to it. This means the price paid to farmers is significantly higher than in countries where producers do not own their industry. Overcapacity of plant and equipment also reduces the price paid to farmers. This is a significant threat in NZ because of too many start up companies.

The conference expressed solidarity and practical support for the workers in the industry in Chile who were not able to attend the conference due to the recent earthquake.

A smaller group which includes the NZ Dairy Workers Union will meet next month in Geneva to develop an action plan to coordinate the work of IUF affiliates in relation to dairy sector activity.



MANSOUR OSANLOO

UPDATE

The ITF reports that it has received information that Mansour Osanloo has again been moved within Rajai Shahr prison. The latest unexplained move - to Ward 5, a ward normally reserved for drug addicts and HIV positive inmates - comes just a month after an abortive attempt to put him in solitary confinement. Shortly afterwards he was attacked by another inmate under suspicious circumstances. The ITF is putting the Iranian

authorities on notice that for as long as they unjustly detain Mansour Osanloo, they are responsible for his wellbeing, and must immediately cease putting him in danger.



BA CABIN STRIKE GOES GLOBAL

The International Transport Workers' Federation (ITF) today reported further support for BA cabin crew among civil aviation workers worldwide. Gabriel Mocho, ITF Civil Aviation Section Secretary stated: "Today's meetings between Unite and the Teamsters, and the decision to help by the Australian Transport Workers' Union show just how strongly airline workers around the world feel about this dispute. We are all backing the cabin crew and their desire for a speedy solution."

"Ask anyone in the 264 aviation trade unions that are members of the ITF what they think of the dispute and they'll tell you that they want to avoid industrial action and disruption to passengers. But in this case they don't believe BA management has shown a real willingness to sort out the problems. The result has been a groundswell of support for the cabin crew and a search for ways to show it."

He continued: "If a solution to this strike isn't found - and we, Unite and all our colleagues worldwide are actively seeking a settlement - then our member unions will continue to mobilise to support the strikers, using the kind of lawful expressions of solidarity that are most appropriate to them."

"That means whatever expression of solidarity they feel is within their power and within the laws of the land where they are located. The cabin crew are being supported in this by everyone from air traffic controllers to refuellers to ground and flight staff, and they want to do what they can to back their colleagues in BA. If a satisfactory solution is found, which is what we all hope for, then that action won't be taken. If it should prove necessary then we'd rather not say in advance the exact forms it will take."

He added: "Other unions have had support from Unite in the past, and they're ready to stand by them now."

He concluded: "Saying it's wrong to internationalise this dispute is missing the point. BA is an international organisation that affects people around the globe. All of them are involved one way or another, and in this case thousands of them, in hundreds of trade unions, are involved in backing the BA cabin crew and a speedy and satisfactory end to this dispute."

The ITF is a global union federation with 751 member trade unions, representing 4,669,720 members in 154 countries. Two hundred and sixty four of those unions represent workers in the aviation sector, including cabin crew, pilots, ground staff, baggage handlers and air traffic controllers. The RMTU is an affiliate of the ITF.

FRESH MIGRATION STATISTICS SHOW

More Kiwis are moving to Australia in response to what economists see as a resumption of a resource-fuelled boom there. Statistics New Zealand reported just over 4,000 Kiwis left for Australia in February, up from 2,800 in December and 2000 in November.

Global accountancy firm Grant Thornton found in a recent international survey that the number of Australian companies planning to increase salaries this year was 23 per cent higher than New Zealand ones. But Reserve Bank governor Alan Bollard last month thought Australia's economic recovery meant good news despite the population shift. "There's a lot of crumbs come off the Australian table that we can take advantage of," he told the news media.

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

"WE'RE STRONGER TOGETHER"!

