

THE ACTIVIST



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PORT TAURANGA CA TALKS

The Port of Tauranga collective negotiations have been stalled due to a dispute around part timers which is in mediation with the next hearing on Tuesday 19th June. There will be a report back meeting on Thursday 21st at 1500hrs to discuss the last offer from POTL which is 4% in year one and 3% in year two plus 1% on the company bonus scheme. Our view is that this is a bit light when the CEO Mark Cairns received a 60% wage increase! There has been no traction so far on the claim for work life balance in terms of time on time off rosters.

CONFERENCE 2012 REMITS

A reminder that Remits for conference 2012 close on 31 July 2012.

Late remits are frequently accepted and conference delegates also have an opportunity to table "notices of motion" at conference to be debated on the floor as well.

It is essential that early advice is given and received for remits which seek to achieve major change within the Union structures or rules as the Conference delegates need to be able to obtain a mandate on how to vote at conference.

All remits to conference **MUST** have been passed by a majority vote at a duly constituted Union branch meeting.

EMPLOYMENT RELATIONS ACT CHANGE PROPOSALS

On Monday, 14th May 2012, the Government announced further changes to employment law. The National Government has advised that it is their intention is to pass these law changes by the end of 2012. No specific details have been released. However it is our understanding is that the Bill will cover:

Concluding a Collective Employment Agreement (CEA).

The Government will return to the pre-2004 provision where the duty of good faith does not require a concluded collective agreement. At the moment you need to conclude unless there is "a genuine reason, based on reasonable grounds, not to". The current provision says that a genuine reason does not include opposition to, or objection in principle to collective bargaining or being a party to a collective agreement. This will probably go, so while there will be a general duty of good faith we will go back to the behaviour of employers who simply say we do not agree with collective bargaining.

The removal of a duty to conclude a collective agreement considerably weakens the framework for collective bargaining. In the Port of Auckland dispute for instance it would have allowed the management to deem bargaining over, and then dismiss all the workers as they intended.



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

The 30-day Rule for New Employees

Currently if the work of a new employee is covered by a CEA and the new employee is not a member of the relevant union the employee must be employed on the terms and conditions in the CEA for their first 30 days of employment. Employers and employees cannot agree with anything that is less than these terms. Under the proposed provision employers could offer new employees less, although it is uncertain whether a provision in a CEA in which an employer agrees to employ all new staff on the terms of the CA might be possible, as it was under the Employment Contracts Act (ECA). Where this provision did operate under the ECA employers used it as a device to get rid of conditions they did not like, by offering a higher pay rate for new employees rather than leave, overtime rates, allowances, hours of work provisions or penal rates (especially if there was not much chance that they would be working them) or a lower rate of pay (Tier 2). The impact of this change is to further undermine collective bargaining to protect and enhance wages and conditions and will also make vulnerable workers seeking a job more likely to accept terms and conditions that are worse than the CEA.

Allowing Employers to Opt Out of MECA bargaining

If an employer who is cited into MECA bargaining opts out (we are not sure but it could be for instance within 10 days of being cited) then the bargaining does not cover them. It will even apply to unions trying to get other employers into MECAs as subsequent parties. At the moment there are very few MECAs in the private sector and those that do exist are in the public sector. The effect of this change is to further undermine collective bargaining – particularly where there is an intention by the union to seek a combined agreement across a sector where there is low pay. This will be a major loss for our KiwiRail members as the MECA is a key mechanism to ensure equity across the industry.

Allowing Proportionate Pay Reductions as a Response to Partial Strikes

At the moment employers, in response to partial strikes, can either suspend the workers, lock them out or accept the partial

performance of work. The Government intends to give employers the power to deduct a proportionate amount of pay for the period the strike continues, but will also require unions to give written notice (can be 5 minutes in a non-essential service) of all strikes to the employer/s and the Department of Labour, including the location, start date and the employees who will be party to the strike in order that the employer can assess what work is not being undertaken. They will also require an end date. If an employer decides to reduce pay they will have to provide written notification to employees that they will be reducing their pay before the reduction is made, although the proportion or amount of reduction will not have to be disclosed in the notice. The Government intends to allow employees to be paid less than the Minimum Wages Act through this proportionate reduction. Employers will also be able to work the proportionate pay adjustment out for a group of workers and apply it to the group rather than the individual.

In case the employer cannot reduce the amount in a worker's pay because the payroll has already been done, the Government will amend the Wages Protection Act to allow the employer to recover this money from a subsequent pay period providing not more than two months out.

If there is disagreement on the proportionate reduction and there is ongoing strike action, then the union can apply to the Employment Court for an injunction (once the employer has given them the calculations) to stop any future reductions from occurring.

The impact of this change is to further undermine collective bargaining and weaken the bargaining strength of workers. It will mean that workers either decide against a limited strike action, accept that deductions will be made, or opt for full strike action. Also employers are permitted to lockout workers including "breaking some or all of the employer's employment agreements" which means they can breach part of a worker's conditions yet there is no provision for compensation for the worker in that case.

Making the timeframes for initiation of bargaining the same for both unions and employers

Currently the union can initiate 60 days beforehand and the employer 40 days beforehand. This gives the union a slight advantage when lining up a number of site CEA's or wishing to bring other unions in to the bargaining etc and there is no provision at the moment for counter-initiation. As well as amending this provision the Government will also amend the ERA to say that if either the employer or the union initiate prior to the expiry date of the existing CEA then it will stay in force for a further 12 months (at the moment only applies to union initiation). The impact of the change allowing employers to initiate first is that the good faith obligations in bargaining will then flow from the coverage and other aspects of the employer initiation and this could weaken the position of the union in bargaining.

Summary

These changes to the Employment Relations Act are all designed to undermine collective bargaining. The existing Employment Relations Act is already proven inadequate as a framework to properly develop collective agreements and needs to be significantly improved – for instance to promote industry standard agreements. Instead these changes proposed by the Government will actually weaken collective bargaining and therefore undermine the protection and improvement of pay and conditions for New Zealand workers. These changes will further disadvantage New Zealand workers compared with workers in Australia.

These proposed changes come on top of amendments made by a National-led Government in 2010 which allowed one week's leave to be cashed up, partially reduced union access to workplaces, reduced the ability of workers to appeal against unfair dismissal (due to changes in personal grievance provisions) and extended to all employers the ability to hire a worker who would have no right of appeal against unfair dismissal (no matter how unfair and even in extreme cases) if that occurred within the first 90 days of employment. These changes did not reduce unemployment and have not helped workers improve their living standards.

Now the Government wants to further weaken the ability of unions in collective bargaining.

KIC UPDATE

The KIC 15 meeting took place last week on the 14th & 15th June at Woburn Training Centre. Highlights from this meeting included –

- finalising the Freight LE Training initiatives (see other article),
- an update on the order for new TEM's
- a discussion on the top 10 safety rules in terminals that must be complied with and promoted by all
- enhancements to the next order of DL's
- extension of the Wagon disconnect procedure to all depots (exhausting all BP air when uncoupling)
- improvements to Cab lighting
- discussion on the current Bull hook hazard and mitigations, KR is seeking input on which wagon to fit alliance couplers to
- an update on the recent KR/RMTU/FRONZ meeting and a proposal to steam train KR LE's at the Kingston Flyer operation
- progress of the CT Working party outcomes

KR also presented a proposal for Point to Point operation between the Te Rapa and Palmerston North depots, KR will be presenting this proposal at these depots in the near future.

We hope to have the KIC 15 minutes out in the next 2 weeks.

GOTTWALD CRANE CA TALKS

The Port of Napier crane drivers have accepted the company offer to settle their Collective Agreement which was a 4.6% increase in year one and CPI (all ords) for years two and three. We have also protected the lift rate bonus from a company proposed increase in the number of crane drivers so that all the crane drivers continue to get a fair share of the box lift bonus.



LE TRAINING UPDATE - KR

KR and the RMTU have been discussing improving Locomotive Engineer training for over 18 months. These discussions have included the prerequisite requirements prior to entering the formative training, support for the trainee from the time they join KR, appointed minders, increasing the numbers of LE Team Leaders so that they can have more responsibility for LE training oversight and increasing the Minder allowance for both casual minders and appointed minders. We are currently working on formal variation wording so that along with all the background and full details of the deal, it can be put to the affected members for ratification. The increase in minders allowance will be backdated to April 1 if ratified.

CELEBRATING INTERISLANDER'S 50TH

As you know this year marks a significant milestone for Interislander - an impressive 50 years of operating a ferry service between the North and South Islands.

We plan on celebrating this with some events and publicity in August. In addition we are keen to make sure that all staff - current and former - have a chance to take part in the celebration of the company's 50 years by sharing their Interislander stories and experiences.

As a start, the email address and a blog site where staff and customers can register and download stories and images has been set up - you can email your contributions and register your interest to 50years@interislander.co.nz or at the blog <http://interislander50.blogspot.com>

Contact can also be made through Interislander's Facebook page: www.facebook.com/interislander

A key component of the anniversary will be a celebratory magazine, where we will include selected stories and pictures from staff and customers, so get in touch and pass this on to those you know who might be interested.

C3 SULPHUR POINT TALKS

The C3 negotiations are moving slowly along, with a further meeting on the 20th June. We have not received the full log of employer counter claims, which is making it difficult to make progress.

RUMOURS ABOUND

The GM of KiwiRail Infrastructure and Engineering is conducting a roadshow of briefings from Auckland to Invercargill between 25 June and 13 July 2012. Union officials and delegates will also be accompanying him. The roadshow is to enable members to hear first-hand the challenges confronting KR I&E.

The Union delegates will talk to members about the RMTU's views and plans after management have left the meetings. The RMTU has several key contracting out clause claims on the table for this bargaining round.

PLEASE ENSURE YOU ATTEND IF YOU ARE AN INFRASTRUCTURE WORKER WITH KR!

FULL FUNDING FOR ACC IS A POLITICAL SWAMP THAT SHOULD BE DRAINED

The CTU welcomes indications by two political parties that they would abandon "full funding" of ACC claims and return to pay as you go with a substantial reserve, CTU Economist Bill Rosenberg says.

"We would encourage the government to use its current review of ACC funding methods to review full funding", he said.

"Full funding has proven to be a political swamp because the funding target rises and falls by as much as annual levy payments. This is a result of changes in assumptions about discount rates, investment returns, rehabilitation rates and cost inflation. It provides excuses for political swamp dwellers to alternate between cries of 'ACC funding crisis' and 'unaffordable levies' without a real basis for either."

In addition building the reserves required for it has been a major driver of rising levies.



Full funding has no practical purpose for a publicly provided service backed by the government. Unlike the New Zealand Superannuation Fund, it does not provide for future generations. It just covers the highly variable estimates of the cost of current claims.

Even a major event like the Christchurch earthquake "will not have a significant impact on ACC's overall financial situation" according to ACC's own Statement of Intent, and outstanding claims are estimated at just \$52 million compared to the total \$2.8 billion claims budgeted for in the year to June 2012 and total assets of \$24 billion. A sensible level of reserves would cover such situations.

"ACC's history shows that the biggest risk it has to cover is the political risk of opportunist or hostile politicians undermining its credibility. An adequate level of reserves would insure against that and major disasters. The huge reserves required for full funding are simply a burden on the economy."

RTC SURPRISE

In a surprise move, Australian Rail Track Corporation (ARTC) has announced it will take the majority of its asset maintenance activities in-house when contracts with two alliance partners, Transfield Services and Downer Rail, expire in December 2012.

The changes relate to most of Australia's interstate track linking Brisbane, Sydney, Melbourne, Adelaide and through Kalgoorlie in Western Australia.

ARTC CEO Mr John Fullerton says the change will involve bringing planning, inspection and reactive maintenance directly under the control and delivery of ARTC. "We are reaching the end of a huge period of investment in rebuilding and modernising our interstate rail network," he says. "This new phase for asset maintenance will put ARTC in greater control of our assets so that we can continue to improve the service we offer our customers. The decision to bring maintenance in house is a reflection of the condition of our assets and the need to have a consistent approach across our network."

C3 KAWERAU

We have settled the C3 Kawerau Collective Agreement with a \$0.50cent increase to wage rates which is backdated to 1st July 2011, and another \$0.50cent increase from 1st July 2012, for a two year term.

METRO WORKERS ASKED TO SPEAK UP ABOUT SAFETY

The RMTU will be surveying Tranz Metro on-board staff to seek their feedback in relation to on-board manning levels. The RMTU has recommended that rostered manning levels be increased to ensure the safety of passengers and staff.

Tranz Metro members will receive a survey asking for feedback regarding their health and safety concerns in mid-July. Members are encouraged to post their feedback in the RMTU letter box at Tranz Metro.

PORT OF LYTTELTON APPEALS

Following the Union's resounding victory in the CHCH Employment Authority, on behalf of members who were unhappy that they were working in the inland port and not getting paid port company wages, the Port Company had 28 days to file an appeal.

The Port Company has filed an appeal to the CHCH Employment Court within the requisite timeframe.

The RMTU on behalf of members will defend this matter vigorously. In our view City Depot is part of LPC and our members are cargo handlers and deserve to be treated as such.

VEOLIA CA NEGS UPDATE

The wage negotiations for the renewal of the Collective Agreement with Veolia have been progressing reasonably well. This is in stark contrast to previous years. The parties meet again this week for another 2 days to intensive negotiations. Veolia is a subsequent party to the KiwiRail MECA which forms the RMTU's baseline industry document for rail.

QR NATIONAL CUTS JOBS



It's feared almost 1,000 jobs could go as Queensland Rail undergoes a major shake-up as the company tries to rein in its operations and costs and shed itself of the bureaucracy it inherited from the Bligh state government.

Before the former Queensland State government sold off the freight haulage arm of Queensland Rail, workers were assured their jobs would be safe for at least three years. But the workers also traded off their job-for-life security with a one-off payment of \$4000, a 4 per cent pay rise and an extension of the employment guarantee from two years to more than three. They also received \$1000 worth of shares in the QR National float. QR National said it would not comment on the actual number of redundancies until it started consultation today with its workers. Under QR National's current agreement with the unions, all redundancies must be voluntary and it cannot force anyone to leave the company or accept a transfer.

MECHANICAL INDUSTRIAL COUNCIL

The Mechanical Industrial Council is has meeting on 25-26 June. Key items are the pay progression project (completion of which is also a remit in the current wage round) as well as the future of Hillside. We will also be discussing the application of medical standards, inconsistency in the investigation of incidents, the Ganz project as well as a number of other matters. If you have something you want raised at the MIC please speak to your delegate in the first instance and or contact John Kerr on 027 246 4941 or jkerr@rmtunion.org.nz.

MT MAUNGANUI COSY CLUB

Reaching a settlement with the Mt Maunganui Cosmopolitan Club is proving difficult for a renewal of the Collective Agreement and so we are off to mediation on 13th July, hopefully for a resolution.

BULLHOOK BAN

The Canterbury branch of the RMTU has for some time been expressing displeasure on behalf of yard operating members at the

lack of progress in the block marshalling of the Alliance Coupler fitted new wagon types within train consists. Additionally there is disquiet amongst yard operating members that new bullhook transition head adapters supplied to yards are actually heavier than the previous models when the weight of the adapters is a major issue on H&S grounds. Most bullhook adapters weigh 27kg's whereas the new ones weigh in at a hefty 30 to 31 kg's.

After exhausting the normal H&S systems within the company the workers have expressed their frustration through the branch with the following notice to management;

To The Operations Manager, Middleton Yard.

We the Canterbury Branch of the RMTU resolve that from Monday 18/06/2012 any UKK/PKK type wagon that arrives at Middleton will not be cut out from the rest of the consist unless all of this type of wagons are group marshalled on any inward service.

This action has become necessary as it is not uncommon for shunt teams to handle up to 30 Bullhooks in a shift and Kiwirail management insisting that this type of wagon is not sent south of Christchurch.

The RMTU fully supports the actions of the Canterbury Branch and encourages members to report discomfort and pain to the company. Reporting incidences helps provide the evidence to the company that there is a significant health and safety concern.

TOLL TRANZ LINK NEGOTIATION ABOUT TO BEGIN

Negotiations for the Toll CA renewal begin this Thursday. Delegates from Christchurch, Hamilton and Auckland (lead by AKld based RMTU organiser Scott Wilson) will be meeting with the company to begin discussions for a new collective agreement.

The talks are being held at the Southdown offices of Toll NZ. Expectations are higher than in the last round of negotiations. Toll members feel that there is a need for a settlement substantially higher than the one reached in the previous discussions.



Talks are set down for two days; it is the negotiating team's expectation to reach an acceptable proposed settlement (subject to member ratification) in that time.

Members may be surprised to learn that Toll recently purchased Northern Southland Transport which we will need members help to fully unionise.

FARMERS INDUSTRIES LIMITED

We have settled the FIL Collective Agreement for a 2 year term with 3% increase in year one and 3% for year two, plus an improvement in the redundancy clause.

KR D&A UPDATE

This met for a full day in Auckland on 18 June. The recent roadshow was reviewed. The hottest topic raised by members around the country was the lack of consistency in the approach to post incident testing. Your representatives have proposed a set of criteria for post incident testing that removes almost all managerial discretion and subjectivity in the interest of achieving a consistent approach. We are also keen to explicitly define the scope of testing. We have not reached agreement with KiwiRail on these but are working through the points of difference. We've tidied up some of the detail in the proposed policy and sought clarification on a number of other matters raised by members.

The RMTU and KiwiRail will keep working on these matters and the intention is that members will get to vote on the proposed policy as part the collective agreement ratification.

ACC REHAB PLAN ANNOUNCED

The Green Party has developed a rehabilitation plan to bring ACC back on track, Green Party health spokesperson Kevin Hague said today.

The step-by-step plan released today sets out the key action points that will bring about the culture change required at ACC. It includes reviewing the legislation and recent activities of ACC, but would also put in some systemic changes such as further security on sensitive claims information,

retraining of front line staff, and bringing medical information back to a high level of priority in decision making.

"ACC needs to return to its original purpose: to provide a world class public service and honour the social contract it was founded on," said Mr Hague.

"There are clear steps that need to be followed to get back on track; I've pulled together the key activities for the next 100 days.

"This rehabilitation plan prioritises the needs of the people making claims, as they should be at the heart of ACC's work.

"Ms Rebstock, or any other chair who is appointed, is welcome to follow my plan to shape her work for the next few months.

"This plan sets out how to shift from a profit driven insurance model back to one that provides the level of care that injured and vulnerable New Zealanders need and should expect from now on.

"ACC is a great institution that has a proud history and still has some very good people working in it. It has, however, been on the wrong path.

"The Minister for ACC needs to seize this opportunity to return ACC to its founding principles and a culture of excellent public service; ready to work for New Zealanders," said Mr Hague.

HILLSIDE

Expressions of interest in the sale of Hillside closed on 9 June. An Information Memorandum has been issued by KiwiRail to interested parties. We understand that there is strong interest from several prospective buyers and the Hillside Branch is working with KiwiRail management to make sure that the interests of our members are protected. The sales process is expected to be completed by August.

Regardless of whether a buyer is found or not, it is the view of the RMTU that Hillside is vital to the medium and long term future of a sustainable rail network in the South island, particularly given the lack of heavy lift facilities in any other location in the South Island post the Canterbury earthquake.



KIWI RAIL BOP ISSUES

We are having a number of rostering and team leaders issues here in Tauranga, which we are unable to settle with local management, so we have to go higher up the food chain to get results, which shows up local management.

In Mechanical we are still "bluing" over the cavalier use of contractors, to the point where the union members advised Jim Quinn of the problem, to his credit he very quickly arranged for Paul Ashton to come down to the Mount to see if the matter can be resolved.

Networks I&E members in Napier, Tauranga and Hamilton are looking forward to the Rick Van Barneveld roadshow, as they want to tell him where to jump with his plan to make the guys redundant and replace them with contractors. Should be interesting.

PORT TARANAKI COLLECTIVE AGREEMENT

The negotiations for the renewal of the Collective Agreement we have with Port Taranaki are now at a stage where we have a proposed settlement. A member ratification meeting will take place Friday 22nd June in the Crow's nest.

NEW NORTHERN EXPLORER (EX OVERLANDER) AK TRAIN SET.

This AK train set is fitted with air ride bogies similar to those fitted on some of the SA/SD train sets. The air ride SA-SD trains has a failure alert to the LE so that they can reduce the speed of the train before tranzlog activates the penalty brake. The RMTU and KR are currently investigating whether this feature is going to be fitted to the AK trains sets.

MOBILE TRAINING

American Railroad Company Union Pacific has unveiled a fleet of mobile classrooms that it says will bring "state-of-the-art operations and safety training" to locomotive engineer and conductor locations across its 23-state system. "The mobile classrooms will supplement ongoing training conducted

at leading-edge facilities where employees are introduced to new technology, and provided refresher certification," said UP. Every mobile classroom has seven workstations, each capable of accommodating two employees. Each simulator station includes a webcam feature enabling instructors in Salt Lake City, Utah, and Omaha, Neb., to assist the students at any time. "Early training equipment, such as locomotive simulators, were large and heavy—about the size of two large deep freezers sitting side-by-side," noted UP. "Today, through technological advances, those same locomotive simulations can be experienced on a laptop computer with these mobile classrooms."

CUTTING WORKERS' RIGHTS WON'T IMPROVE HEALTH AND SAFETY

The Health and Safety Taskforce announced today is an important step in making our workplaces safer, but the government's determination to weaken workers' rights could totally undermine its work, says Labour's spokesperson for Labour Issues, Darien Fenton.

"Labour proposed a Commission of Inquiry into Health and Safety as part of its policies going into the 2011 election, so we are pleased the government agrees that the current system needs a comprehensive review.

"We argued then that the tragedy that is New Zealand's high workplace death and injury toll should be given the same 'status' as that given to the road toll.

"That would mean examining every aspect of our health and safety system, including the possibility of moving from self-regulation to a standards-based system," Darien Fenton said.

"Unfortunately, the government doesn't appear to understand that a healthy and safe workplace goes hand in hand with good workplace cultures, effective worker participation and respect for the fundamental rights of workers.

"Allowing a worker to be sacked without reason within their first 90 days of employment means, along with restrictions



on access for unions, that even where there are health and safety concerns it can be unsafe for workers to raise those issues with their employer.

"The government's plans to seriously weaken collective bargaining rights will have a further detrimental impact, as unions play a very important role in promoting health and safety through collective bargaining agreements, and encouraging worker participation.

"The introduction of workplace experience ratings in ACC - another backward step - will also discourage accident reporting.

"We need to ensure that workers and employers are able to be open and honest about workplace safety.

"While it is pleasing that the government accepts that our workplace death and injury rates are unacceptable, it needs to get real about other changes it is making which will undermine the work it is doing to addressing this critical problem," said Darien Fenton.

RIMUTAKA TRIAL EVACUATION

On 16th September KiwiRail staff and members of the public will be participating in an emergency evacuation of the Rimutaka tunnel. Details of the emergency scenario are kept under wraps to provide authenticity to the exercise. The main objective of the exercise is to practice emergency procedures so staff are skilled in the event of a real emergency. RMTU Health and Safety Reps are participating in key roles within the exercise.

LAW CHANGE NEEDED TO STOP UNSAFE TRUCK DRIVER PRACTISES

First union says a law change is needed to stop unsafe practices by truck drivers on New Zealand's roads.

The Australia New Zealand Policing Advisory Agency has highlighted drug use in the heavy vehicle industry, following 'Operation AUSTRANS' during May in both countries, targeting fatigue, drug use and other road safety issues.

New Zealand needed to follow Australia's lead and bring in law to stop truck drivers having pay systems that encouraged unsafe practices, said Karl Andersen, FIRST Union Transport & Logistics Secretary.

"Owner drivers are under immense pressure to make a living. Many are tied into contracts, that their boss can change at will, that demand outputs that cannot be met without compromising the safety of themselves and other road users," he said.

"This leads to drivers taking short cuts, running bald tires, breaking driver regulations, and in some cases using stimulants to get through."

"Drivers work very long hours and face significant disruption to their family time. They shouldn't also have to work in an unsafe environment and put themselves and others at risk."

Australia's Road Safety Remuneration Act, which comes into force next month, was brought in to make sure truck drivers do not have remuneration-related incentives to work in an unsafe manner, Karl Andersen said.

New Zealand needed to follow suit, and the union was organising a seminar on the matter in September to step up the campaign to get a better deal for owner drivers, he said.

HAVE YOU MOVED RECENTLY?

To ensure members who fall within the coverage of Collective Agreements etc receive their ballot papers We MUST know your current postal address. Please let National Office know your current mailing address or update your details online www.rmtunion.org.nz

SECRET BALLOT BEFORE STRIKING

The Employment Relations (Secret Ballot for Strikes) Amendment Act 2012 potentially increases the obligations on a union around calling a strike, depending on the union's existing rules and practice. It may also result in delays in strike action in some situations, as well as allowing employers



another ground upon which to question legality of strike action. The purpose of the Amendment is stated as "to require unions to hold a secret ballot vote of their members to approve a strike before undertaking any strike action".

The Amendment sets out in detail when a secret ballot is required before a strike may proceed, and that the result must be in favour of a strike. It applies where the union is bound by the current collective agreement or will be bound by a proposed collective agreement, and to a defined group of employees who are or were (as the case may be) bound by the current collective agreement or will be bound by the proposed collective agreement.

The question to be voted on in the secret ballot is legislated to be "whether the member of the union is in favour of the strike".

The requirement for a secret ballot does not apply if it is a lawful strike on the grounds of safety or health.

A failure to comply with the secret ballot requirements in the Amendment makes the strike unlawful (section 86(1)(aa) of the Act).

The majority of the Amendment will come into force in a year's time.

BITS AND BOB'S

- This year is the 25th anniversary of the 4th Labour government's horrendous Labour Relations Act of 1987.
- The Dublin based European Foundation for the Improvement of Living and Working conditions just published a new Comparative Analytical Report on "Employment and Industrial Relations in the Railways Sector". You find the report here:

<http://www.eurofound.europa.eu/eiro/studies/tn1109030s/tn1109030s.htm>

The report contains a lot of employment figures per country, information on industrial relations in countries, classifies countries by strike density, information on employers' organizations and trade unions in the sector, structure of the rail sector.

- Our Lyttelton based admin support and Lyttelton Port branch Secretary Libi Carr celebrated her 1st wedding anniversary this week in salubrious Arthurs Pass. The marriage forged a closer alliance between RMTU and EPMU as the lucky man is Ron Angel a CHCH based EPMU organiser. Proof that Unity is Strength!
- 3 x 1 day delegate training courses are coming up in Wellington. If you are based in the wellington area and want training then make sure you are on the list. Contact Mani Raumati on 027 666 6973 to check you're on the list or to grab a space!

LET'S BE SAFE OUT THERE & REMEMBER.....

- 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 workmate will go home safe and sound at the end of their shift;
- Do not allow yourself to be distracted.

Do not make assumptions

We're Stronger Together!

