

THE ACTIVIST



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KIWI RAIL MECA INCREASE

Members who fall within the coverage of the above Multi Employer Collective Agreement shall receive a 2% increase to all wage rates and allowances from 2 July 2017.

All workers who were employed by KiwiRail, and who fall within coverage, who have not joined the Union shall not receive the increase and will move to individual employment agreements. KiwiRail shall provide the Union with a list of workers who fall within this category.

OTIRA TUNNEL WORKERS - UNAUTHORISED HEALTH ASSESSMENTS

The Union is advising members to Say No to an unauthorised health assessment as part of training in the use of new respiratory protective equipment (CABA).

The health assessment is completely unauthorised and is a breach of the national standard for health assessment of rail safety workers. There are no safeguards or protections around how the information will be stored or used.

The union strongly advises workers to say no to filling in the health assessment information and have asked KiwiRail to make sure the already completed forms are destroyed.

RELIEF GS

AS Wayne Butson is on leave 26 to 30 June Todd Valster will be acting General Secretary during this time.

CALL FOR NOMINATIONS – KIWI RAIL INDUSTRIAL COUNCILS

Nominations are called for following Council Representatives:

- **KiwiRail Freight Industrial Council, and**
- **Interislander Industrial Council, and**
- **KiwiRail Mechanical Industrial Council, and**
- **KiwiRail I & A Industrial Council,**

The Joint Industrial Councils have governing terms of reference signed by the Union and KiwiRail Ltd. They are intended to be the escalation centre for industrial issues which arise during the course of the employment relationship on a day to day basis which have not or cannot be resolved at a local or branch level or issues that have national significance.

The term of office is 2 years.

NOTE: Union policy as determined by biennial Conference requires that any member of the Union's National Management Committee (NMC) who is eligible for nomination

to a position on an Industrial Council shall be deemed to have been elected to that position.

KiwiRail Freight Industrial Council

Following the recent NMC election, John Keenan will fill the Locomotive Central position and Mike Williams the Locomotive Southern position.

Nominations are called for:

Locomotive Northern – Incumbent Tim Kerwin.



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

Upper North Island Terminals – Incumbent Dean Ngatai.

Lower North Island Terminals – Vacant.

South Island Terminals – Incumbent Marty Duncan.

C T Site – Incumbent Antoon Whiu.

Position Description:

Locomotive Northern

If you are employed by KiwiRail Ltd as a Locomotive Engineer in the Northern Freight Region (Northland, Auckland, Bay of Plenty, Waikato and King Country) then you are eligible for nomination to this position.

Upper North Island Terminals

If you are employed by KiwiRail Ltd at a Rail Freight Terminal Site in the Northern Freight Region (Northland, Auckland, Waikato, Bay of Plenty or King Country) then you are eligible for nomination for this position.

Lower North Island Terminals

If you are employed by KiwiRail Ltd at a Rail Freight Terminal Site in the Central Freight Region (Taranaki, Palmerston North, Hawkes Bay, or Wellington) then you are eligible for nomination for this position.

South Island Terminals

If you are employed by KiwiRail Ltd at a Rail Freight Terminals Site in the South Island then you are eligible for nomination for this position.

C T Site

If you are employed by KiwiRail Ltd at a designated CT Site anywhere within NZ then you are eligible for nomination for this position.

Interislander Industrial Council

There are no Interislander Representatives on the NMC and therefore all positions on the council are open for nominations.

Nominations are called for:

Scale 1 (Inside Wellington Terminal) –

Incumbent Chris Hanna.

Scale 1 (Inside Picton Terminal) – Incumbent Tania Haraki.

Ferry Operations (Wellington Outside Terminal) – Incumbent John Finch.

Ferry Operations (Picton Outside Terminal) – Incumbent Vern Steele.

Position Description:

Scale 1 (Inside Wellington Terminal)

If you are employed by Interislander in an occupation which works predominantly Inside the Wellington Terminal then you are eligible for nomination for this position.

Scale 1 (Inside Picton Terminal)

If you are employed by Interislander in an occupation which works predominantly Inside the Picton Terminal then you are eligible for nomination for this position.

Ferry Operations Wellington Outside Terminal

If you are employed by Interislander in Ferry Operations Outside the Wellington Terminal then you are eligible for nomination for this position.

Ferry Operations Picton Outside Terminal

If you are employed by Interislander in Ferry

Operations Outside the Picton Terminal then you are eligible for nomination for this position.

KiwiRail Mechanical Industrial Council

There are no KiwiRail Mechanical Representatives on the NMC and therefore all positions on the council are open for nominations.

Nominations are called for:

Train Examiner Maintenance – Incumbent Shane McNae.

Hutt Workshops – Incumbent Myles Carter.

Servicing Mechanical – Incumbent Logan Kahui.

North Island Depots – Incumbent John Evans.

South Island Depots – Incumbent Luke



James.

Position Description:

Train Examiner Maintenance

If you are employed by KiwiRail Ltd in a TXM Role in freight group anywhere in New Zealand you are eligible for nomination for this position.

Hutt Workshops

If you are employed by KiwiRail Ltd within Hutt Workshops then you are eligible for nomination for this position.

Servicing Mechanical

If you are employed by KiwiRail Ltd in a servicing role in a Locomotive Depot anywhere in New Zealand then you are eligible for nomination for this position.

North Island Depot

If you are employed by KiwiRail Ltd in a North Island Loco or Wagon Mechanical Depot then you are eligible for nomination for this position.

South Island Depots

If you are employed by KiwiRail Ltd in a South Island Loco, Wagon or Waltham Passenger depot then you are eligible for nomination for this position.

KiwiRail I & A Industrial Council

There are no KiwiRail I & A Representatives on the NMC therefore all positions on the council are open for nominations.

Nominations are called for:

Infrastructure Bridges & Structures – Incumbent Lou Watene.

Infrastructure Mechanical – Incumbent Jerry Hohepa.

Infrastructure Track Supervisors – currently vacant.

Operations Scale 1 – currently vacant.

Operations Train Control – Incumbent Michael Graham

Infrastructure Trackworker – Incumbent Brad Claridge

Infrastructure Sigs, Comms, Traction – Ian Walker

Position Description:

Infrastructure – Bridges and Structures

If you are employed within the Bridge or Structures gangs specialised area of KiwiRail I & A then you are eligible for nomination to this position.

Infrastructure – Mechanical Group

If you are employed within the track machine and mobile mechanised groups, plant fitter specialised area of KiwiRail I & A then you are eligible for nomination to this position.

Infrastructure Track Supervisor (incl Ganger)

If you hold a position of a Track Supervisor, Ganger, Leading Hand or Foreperson in any area of KiwiRail I & A operation then you are eligible for nomination for this position.

Operations – Scale 1

If you are paid under payscale 1 of the MECA and employed within the clerical, administration, codes and standards and technical areas of KiwiRail I & A then you are eligible for nomination to this position.

Operations – Train Controller

If you are employed within the Train Control specialised area of KiwiRail I & A then you are eligible for nomination to this position.

Infrastructure Track Worker position

If you are employed by KiwiRail I & A as a track worker/maintainer (other than leading) anywhere within NZ then you are eligible for nomination for this position.

Infrastructure – Signals, Comms, Traction

If you are employed within the Signals, Communications, Traction specialised areas of KiwiRail I & A then you are eligible for nomination to this position.

Nominations MUST be in writing on the official Nomination Form and contain the signed consent of the candidate, be proposed and seconded by financial members (Rule 1) of the Union from the equivalent industry designation or operating area/sector.



Official Nomination Forms are available on the RMTU Website www.rmtunion.org.nz or from the National Office by calling on 04-499-2066, or emailing admin@rmtunion.org.nz.

Correctly completed nomination forms must be received by the National Returning Officer at the National Office of the Rail & Maritime Transport Union, PO Box 1103 Wellington 6140 no later than 1700 hrs. on Friday 21 July 2017. You can also fax the completed form to 04 4710896 or scan and email to admin@rmtunion.org.nz or jharrison@rmtunion.org.nz and ensure you get a receipt acknowledgement please.

Members and Branch Returning Officers are advised that in the event that there is more than one nomination for any position, a postal ballot shall be run out of the National Office by the National Returning Officer.

Nominees must have their photo and a short promotional statement of up to 150 to 200 words to the National Office no later than 1700 hrs on Friday 28 July 2017. Electronic receipt of this information is preferred. Please ensure you get a receipt acknowledgement please.

Please ensure you advise National Office if you have changed addresses or your designation in the Company since the last RMTU mail-out. If we can't get a ballot paper to you because we do not have the correct mailing address then we cannot get you a voting form. Call RMTU 04-4992066 or alternatively update your details online www.rmtunion.org.nz or email admin@rmtunion.org.nz

Signed: Howard Phillips,
National Returning Officer

RMTU MEMBERSHIP DATABASE UPDATES

The RMTU membership database is an important tool in contacting Union Members

or ensuring members are kept up to date with the latest information. We are concerned at the number of "unknown" or "return to sender" envelopes returned to National Office as part of this year's officer elections. We remind members that if you wish to exercise their rights and participate in the decision making aspects of the Union they should ensure they inform National Office of any change of address or contact details as soon as possible. This includes any change of designation or employer.

Branch Secretaries hold "update of membership forms" that you can post or fax in or alternatively for immediate action members are reminded to utilise the update of membership details link on our website www.rmtunion.org.nz.

For example – All national Union elected positions are up for election this year and so there may be votes conducted by mail. If we have the incorrect address info you will not get a vote as you will never receive a voting paper. **Update now!**

JOINT COMMUNICATION - RMTU AND PORT NELSON

The RMTU and PNL wish to update their members/employees on progress with the Collective Agreement negotiations which commenced on 8 June.

The parties met on 8 and 9 June. The Port Nelson CEO Martin Byrne gave a company update and the RMTU also provided an overview of the key themes of their claims.

A framework for bargaining was discussed and agreed. Each party presented their claims. Further dates for bargaining agreed are 4 and 5 July, and 27 and 28 July at Port Nelson.

Todd Valster RMTU - Shelley Spencer Senior Manager People and Safety

THE ROM S3 REVIEW 2017 – JOINT PROJECT - COMMUNICATION #1

Purpose of the Review

"Review and update where necessary to ensure the ROM S3 is fit for purpose to



deliver safe and efficient life balance rosters for Locomotive Engineers using current fatigue risk management principles”

ROM S3 Review team –

- KR – Paul Ashton, Rangī Rarere, Kim Santer, Paul Monzari and Alastair Cumming
- RMTU – Mike Williams, Mike Fleck, Jed O’Donoghue, Tim Kerwin, Les Perrin and Todd Valster

The ROM S3 review team met on the 11th May in Christchurch. At this meeting a list of items to be reviewed was discussed and agreed. In total there are 33 items that fall under 7 headings.

These headings are – Roster Construction, Hours of Work, Fatigue Management / At Risk, Relevance to ROM (MECA), Definitions, Utilisation and Other.

This team met again 20 -21 June in Wellington to work on the items.

To date the team has identified clauses within the current ROM S3 that are better suited to being in the MECA when next renewed.

A pilot conceptual roster will be constructed for a desktop exercise when the team meets again late July in Palmerston North. This conceptual roster includes hours of work improvements introduced last year, e.g. the minimum 12 hours off between shifts.

The conceptual roster will focus on refining at risk shifts that are not just a single “A at risk” shift but defining “at risk night, AN”, and “at risk early, AE” and placing these shifts in blocks (no single RDO within blocks of at risk shifts).

During this review it has become clear that there can be communication issues between the roster centre and LE’s. A particular issue is communicating roster changes, ask and/or advise. There has been discussion on a communications survey of LE’s to get feedback on how (which method) and when they would like to be communicated with. We hope to have that

done before the next ROM S3 review meeting.

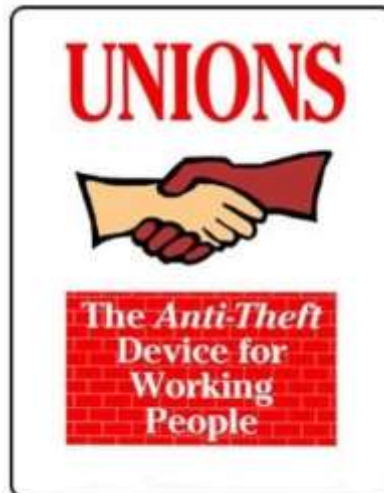
Also there has been extensive discussion on the need for cultural change, specifically the need for fatigue reporting (not coming to work) and appropriate responses when fatigue has been reported.

Signed: Paul Ashton KR and Todd Valster RMTU

SUCCESSFUL PORTS FORUM INSPIRES & INFORMS

RMTU Women’s representatives met on 13 June in Wellington. We were inspired by Green MP Jan Logie’s presentation on the Domestic Violence Bill and plan to introduce clauses in the CEA’s that support people to escape violent relationships through paid time off work and flexible work arrangements. We developed our mission statement which is to “To inspire change thru empowerment”

E ducate
M otivate
P articipate
O rganise
W ahine Toa
E ncourage
R espect
M aanakitanga
E quality
N uture
T ogether



SUCCESSFUL PORTS FORUM INSPIRES & INFORMS

The RMTU held our biennial Ports Forum on 14-15th June in Wellington. Ports delegates from all over New Zealand attended for two days of intensive discussion, debate and education.

A highlight of the forum was CTU General Counsel Jeff Sisson’s presentation on the failures that Employers have been party to in relation to holiday pay. It was sobering to hear that ports, along with DHBs, are at high risk of paying workers incorrectly. Branches received some excellent advice on how to start to tackle this. Labour MP Michael Wood and Green MP Gareth Hughes were very

welcome guests and participated in a well informed and wide ranging discussion across a range of themes – not just port related. It was gratifying to hear from such relatively young and passionate politicians who clearly have the interest of working people at heart.

We did some very good work, led by our National H&S Organiser Karen Fletcher, on fatigue management and it was unanimously agreed that there needs to be a big push by the RMTU on this front this year. We also had sessions on automation and technology, taking a society wide view of the changes that are in store, and pattern bargaining. The forum resolved to adopt a pattern bargaining approach to try and mitigate the risk of a race to the bottom in terms and conditions in our ports.

Finally we heard about the discussions with MUNZ regarding a possible amalgamation from our National President Aubrey Wilkinson and MUNZ General Secretary Joe Fleetwood. Again there was a consensus – one union on the waterfront makes sense!

TERMINAL OPERATIONS PAY SCALE 7 REVIEW - UPDATE NUMBER 3

The KR/RMTU project group reviewing payscale 7 (Terminal Operations employees) has met on two further occasions in Wellington - on Tuesday 11 April and Friday 19 May.

To recap the terms of reference for this review are:

1. A review of the current pay scale identifying obsolescent pay codes and designations,
2. An analysis of recruitment and retention trends and identifying any issues with recruitment or retention,
3. A summary of current and future requirements for Rail Operators and Remote Control Operators,
4. An analysis of skills and competencies for Rail Operator and



Remote Control Operator roles and identifying differences by location,

5. The development of a progression structure recognising the different roles, service and competency requirements,
6. The development of a pay structure aligning to the progression structure.

At these meetings it was confirmed that all current position and position title data had been updated to reflect the current pay scale 7 positions.

The team developed a draft progression structure for Rail Operators of three grades which recognises skills and competencies gained. The first grade (on certification) is for Train Examining/Shunting or Servicing certifications with an additional service related step (grade 2) occurring after 24 months in a grade 1 role. The next level (grade 3) reflects additional competencies (e.g. main line 2nd person certification).

The team also identified/confirmed the skills and competencies for Remote Control Operators and developed a draft progression structure for Remote Control Operators. This will be reviewed further at the next meeting. The Team Leader progression criteria was also reviewed. The team supported re-confirmation of the existing criteria for advancement from level 1 to level 2.

The next meeting of the project team is on Thursday 29 June 2017. At this meeting the team will focus on confirming a progression structure for Remote Control Operator and commence drafting a report covering the elements in the terms of reference.

Todd Valster and Paul Ashton – co leads

PICKET OVER CONTRACTING OUT KIWIRAIL NETWORKS AND SUCCESSFUL TALKS TO RESOLVE THE ISSUE

In late May the RMTU withdrew from all HPHE projects in Networks because of

breaches of the MECA involving contracting out of members work.

On 6th June the RMTU Networks Industrial Council spent a full day in very productive talks with KiwiRail. The discussions were challenging but there was a willingness on both sides to talk through the issues. By close of play we had a draft document that we were satisfied would not only repair some of the damage to our relationship but go a long way towards ensuring this sort of thing wouldn't happen again.

Imagine our dismay and anger when half an hour after the meeting we discovered that there had been another breach and work near Picton had been contracted out. The following day KiwiRail CEO Peter Reidy was due to deliver a presentation at Midas Place to staff. In retaliation for what happened the RMTU organised a boycott of Mr Reidy's talk that members respected. A symbolic picket was mounted which generated quite a reaction from management. The objective was achieved however, judging by management's reaction, they were starting to understand how we felt.

We are a responsible union though and once everyone calmed down senior management did sign a Heads of Agreement that should see to it that this sort of debacle isn't repeated. We have already had a meeting with the Project Management Office to explain the obligations that KiwiRail has signed up to in the MECA and on 28th June the RMTU and KiwiRail will be giving a joint presentation to key managers on the same topic.

In light of this we have reengaged with HPHE and look forward to a better relationship with management in the future.

The Heads of Agreement is as follows:

Heads of Agreement

KiwiRail & Rail & Maritime Transport Union (RMTU) - (The parties)

Network Services and Asset Management & Investment Industrial Council - 24 May 2017

The parties agree that a meeting of all staff working for, and contracted to, the Project Management Office will be held and a joint presentation by the parties will be given regarding the role of the RMTU, its relationship with KiwiRail and the statutory and contractual obligations arising from that relationship;

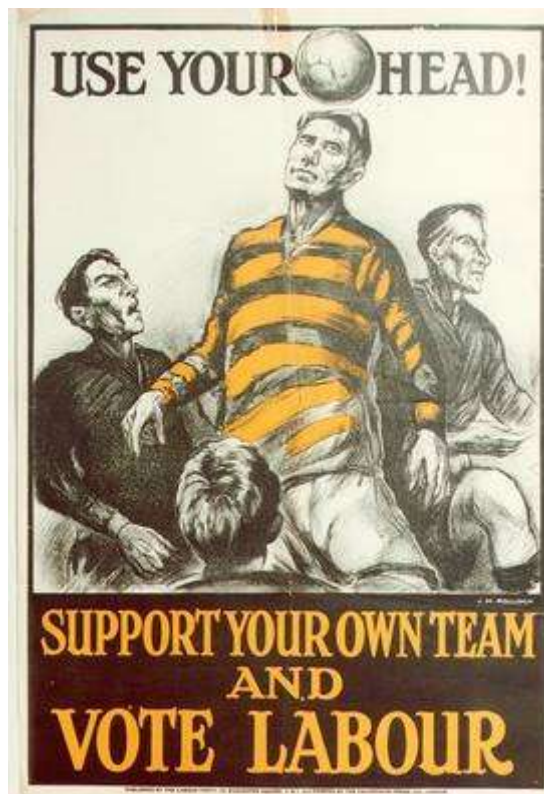
RMTU delegate(s) and organisers will be invited to Network Services and Asset Management & Investment bi-monthly regional meetings with contractors for the purpose of continuing to improve safety within the rail sector and learning from other industries, fostering a "no surprises" environment and enabling the monitoring of contractor activity in and around the rail corridor;

Information regarding Network Services and Asset Management & Investment FY17/18 national business and capital plan will be

presented to the wider RMTU membership in an accessible and understandable manner with particular emphasis on work categorised as: core and therefore in-house; major capital and therefore likely to be contracted out; and mixed;

Network Services and Asset Management & Investment will provide information around the financial delegations to contract out work, by job title; a joint programme to inform and educate the people identified in point 3 above around the obligations when considering the contracting out of core work will be undertaken;

RMTU delegates and organisers will be invited to regional quarterly meetings that



will identify planned work that is proposed to be contracted out and review work that has been done;

Industrial Council meetings have been scheduled quarterly through to February 2018.

LYTTELTON PORT GOES DIGITAL: JOINT STATEMENT FROM RMTU, LPC AND MUNZ TO MEMBERS

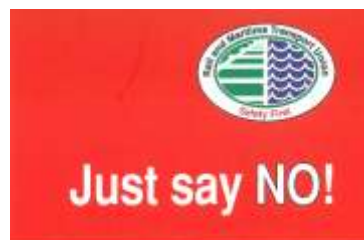
LPC is moved over to a new digital radio system on 21 June. The priority of LPC and your union is that you all remain safe as we undergo this change.

Therefore: If there are any minor niggles or inconveniences that are not safety related as we make the change please raise these with your immediate manager and/or supervisor. It won't do any harm to let your union delegate know as well.

If there are problems that you believe may be an increased safety risk, but you don't believe there is an immediate risk of serious harm, then talk to your manager and/or supervisor straight away and tell your Health and Safety Representative.

If you believe that there is an increased and imminent risk of serious harm then use the guidelines on the Red Card: stop work, move out of the area of the risk, tell your manager/supervisor, your health and safety representative and your union officials.

Remember, we want everyone to be safe. The Red Card is for imminent danger; your manager/supervisor and health and safety representative and/or union delegates are all there to support you and keep you safe. Better safe than sorry – if in doubt talk to them!



MASS MEETING OF LYTTELTON PORT MEMBERS ENDORSE CLAIMS FOR BARGAINING

RMTU members employed by LPC and covered by the waterfront agreement met on 16th June and unanimously endorsed a tight log of claims in preparation for bargaining with kicks off on 9th July.

Our members had gone through an exhaustive remits process and only those claims that were deeply and widely felt will be presented to LPC. That means, in effect, claims that members have said they are prepared to take industrial action to support.

After our delegates resolved back in April that this bargaining round will not result in a loss of terms and conditions it was gratifying to receive such strong support from the wider membership for the claims we will table.

There was also a unanimous vote of support for our union's senior leadership, the National President and General Secretary, and a demand that LPC honour its obligations in relation to the Holidays Act.

SAFETY MOMENT – HOW MANY HOURS HAS THAT CONTRACTOR DONE?

KiwiRail members have become aware that they are sometimes working alongside contractors who are being made to work an unreasonable and unsafe amount of hours by their employer.

In the overwhelming majority of cases this is not the workers' fault: this is what happens when you don't have a strong union to back you up. It is a danger to you and your workmates however, and the contract worker.

If you suspect this is going on report it to your manager, H&S Rep and union delegate. We all have to look after one another!

PRIME PORT BARGAINING STARTS

Prime Port RMTU delegates Murray Cadigan and Roy Hislop joined South Island Organiser John Kerr in the opening discussions with Prime Port on 22 June. The RMTU has worked up a log of claims and agreed a process arrangement for the bargaining. Further discussions will take place in late July.

SI ORGANISER ABSENT 23RD JUNE-24TH JULY

Our South Island Organiser John Kerr will attend the UK RMT delegate AGM in Exeter 24-28 June and then take some leave with family in Britain. Members who require assistance should contact their delegate in the first instance. Delegates should seek support from our organisers in the North Island if they need it. Todd Valster, Phil Spanswick and Stu Johnstone are available for general industrial issues and Karen Fletcher is our expert on H&S related matters.

TRANSDEV WELLINGTON AND AUCKLAND BARGAINING UPDATE

The Union has issued bargaining notice to Transdev Wellington and Hyundai Rotem. The employers should have posted on noticeboards advising that they have received such notice by now. A finalization of claims meeting is scheduled in Wellington for Tuesday 9 May and it is hoped that a mutually convenient date can be set for the parties to commence dialogue on a Bargaining Process Agreement (BPA) and to simultaneous exchange of claims. Members will be kept informed through the process.

Transdev Auckland and the RMTU have discussed changing to Interest Based Bargaining for our 2017 CA negotiations. 2 days training will be given next week to the bargaining teams by an agreed external facilitator who will then also facilitate bargaining sessions. Claims have been discussed and voted on by our members so we understand what the deeply and widely felt issues are. Ratification will change to a postal ballot as agreed at the RMTU biennial conference last year.



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

SAFETY FIRST!