

# THE ACTIVIST



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## **NEW EQUAL PAY LAW WILL HELP FIX THE GENDER PAY IMBALANCE**

Creating a more equal society and addressing systemic sexism and discrimination in the workplace has always been the goal of the union movement. "The cause of the gender pay imbalance, which has resulted in a system where employers pay women less than men, needs a multi-faceted approach to fix. The passing last night of The Equal Pay Amendment Act has secured a sustainable and practical way forward to provide an effective process for achieving equal pay for women," CTU President Richard Wagstaff said.

"Working women have been campaigning to equalise the gender pay imbalance for decades.

The passing of new equal pay law today provides structure and support in fixing the systemic problem of paying women less because of their gender."

"When people come together in union to solve an issue they are more powerful and effective than when facing the issue alone. Collectivism is a fundamental principle of the union movement and this is why collective bargaining is always part of our solution. Ensuring that people wanting to take a collective equal pay claims are supported by unions is consistent with the mahi that unions do."

"Working women in union have successfully secured equal pay settlements for almost

80,000 people in the last 4 years - for care and support workers, school support workers, social workers at Oranga Tamariki and teacher aides. There are more equal pay claims in progress. The process by which these outcomes have been achieved are established in the Equal Pay Amendment Act which has just passed. This is proof of what can be achieved when people come together and work as a collective for equity. Collective bargaining is a mechanism to achieve gender equity and fairness."

"It has been a long journey to get to this place. Ensuring that meaningful, long lasting progress is achieved has taken time and required work from many organisations and individuals. The next challenge is to ensure that the Act is used to its full potential; ensuring that pay discrimination based on gender is something for the history books," Wagstaff said.



## **RAIL WORKERS REJECT CLOSURE OF SOUTHLAND BRANCH LINE**

The union representing rail workers says the impending closure of a Southland rail line goes against the Government's own commitment to provincial infrastructure and upgrading New Zealand's rail network.

KiwiRail has confirmed they are planning for the closure of the Ohai to Invercargill Branch Line, commonly referred to as the Wairio Branch.

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

Rail and Maritime Transport Union General Secretary Wayne Butson says rail workers are calling on the Minister of Transport Phil Twyford and Associate Minister of Transport Julie Genter to intervene.

Mr Butson says the line carries coal on the first part of its journey from Ohai to Fonterra's Clondeboye factory in South Canterbury.

"This line is in regular use, and there is untapped local potential for rail in growth areas such as logging."

Mr Butson says remedial work was carried out on the line several years ago and some further work was required to get the line up to speed.

"A line closure means double handling and more trucks on South Island roads – the exact opposite of what the Government says it is trying to achieve."

He says the Union is unhappy that an application by Kiwirail to the Provincial Growth Fund has been declined.

Mr Butson says there are signs of an imbalance with transport infrastructure with the North getting priority over the South.

"Provincial rail lines are an essential part of a national transport strategy and export industries and the Government needs to step up on this occasion."

## CHANGES TO NO2 EXPOSURE LIMITS

Worksafe have significantly lowered the exposure limit for nitrogen dioxide (NO2) produced by diesel engines and welding. The changes are based on health information and will bring NZ into line with

Australia, Canada and UK exposure standards. The new exposure standard for NO2 is 1ppm (over an 8-hour period) with a further reduction planned to bring it down to 0.2ppm. (The new exposure standard is available from the Union Office)

The KRG/RMTU tunnel focus groups will be discussing the implications for the changes particularly with respect to gas monitors and training.



## BARGAINING AT TOLL

Bargaining at Toll began on the 25th of June. The RMTU put up a number of very reasonable claims that looked to improve sick and bereavement leave and service entitlements, alongside a reasonable pay increase. Toll put up an offer of a nil wage increase combined with the loss of penal rates on Saturday, Sunday and nightshift (although overtime after 40 hours would remain). As you can imagine this was met with a strong response from the bargaining team who explained to the company that the RMTU does not accept clawbacks

and that their offer was unacceptable. The company improved its offer to a 1% increase with the loss of penal rates only on Saturdays and Sundays. This meant that members would be paying for their own pay increase.

We made it clear that we do not accept clawbacks and ended the bargaining to report back to members. Those report backs are nearly completed and we have had a resounding response from the membership that they will not give up their penal rates. Armed with this message, we are due back at the table in August.

Union – Power!

## WORKSAFE REP- HEALTH AND SAFETY REP & SUPERVISOR TRAINING

WorkSafe Reps is now offering online courses as well as face to face classroom based learning.

For KiwiRail HSAT Reps, contact KiwiRail's Learning and Development on KLE to arrange a course [KLE.Help@kiwirail.co.nz](mailto:KLE.Help@kiwirail.co.nz) Or go to [Worksafereps.co.nz](http://Worksafereps.co.nz) Phone: 0800 336 966

2/3 September, Initial Stage 1 H&S Rep - Blended Learning, Virtual Learning

8 September, Managers/ Supervisors/ Team Leaders Health & Safety Training, Virtual Learning

9 September, Preventing & Managing Fatigue, Virtual Learning

15 September, Stage 2 - Investigation & Risk Management, Virtual Learning

16 September, Creating Positive Workplaces, Virtual Learning

1/2 October, Initial Stage 1 Health and Safety Rep Training, Whangarei

17 September, Creating Positive Workplaces, Auckland Central

18 September, Stage 2 - Investigation & Risk Management, Auckland Central

29/30 September, Initial Stage 1 Health and Safety Rep Training, Auckland Central

9/10 September, Initial Stage 1 Health and Safety Rep Training, Auckland South

23 September, Preventing & Managing Fatigue, Auckland South

24 September, Creating Positive Workplaces, Auckland South

11/12 August, Initial Stage 1 Health and Safety Rep Training, Hamilton

25 August, Preventing & Managing Fatigue, Hamilton

26 August, Creating Positive Workplaces, Hamilton

8 September, Stage 2 - Investigation & Risk Management, Hamilton

9 September, Managers / Supervisors / Team Leaders Health & Safety Training, Hamilton

19 August, Creating Positive Workplaces, Palmerston North

20 August, Stage 2 - Investigation & Risk Management, Palmerston North



## FATIGUE A BIGGER RISK THAN DRUGS

Fatigue has been identified as more of a risk to workers' safety than impairment caused by illegal and prescription drugs. Safeguard magazine surveyed NZ industry to ask their opinion on the upcoming cannabis referendum in NZ. The majority of respondents said current use of recreational cannabis is a significant safety risk however impairment caused by fatigue was more of a concern. The Union is keeping the pressure on

employers to work with the Union to implement safe fatigue management systems.

## NZR STAFF WELFARE TRUST ACCOMMODATION BALLOT - 2020/2021

## RMTU WEBINAR – FIGHTING FATIGUE FOR SAFETY

The 60-minute webinar is available to RMTU members who are interested in the issue of



fatigue, safety and health. In this webinar we discuss why sleep is not a luxury but a basic human right. The session will include information on workplace systems for managing fatigue including safe rostering principles and processes for worker engagement. The webinar is scheduled for 3pm, 13th August. If you would like to register, please email [kfletcher@rmtunion.org.nz](mailto:kfletcher@rmtunion.org.nz), or call Karen Fletcher on 027 600 6581.

## H2A BLESSING

However you refer to the Hamilton to Auckland (H2A) or Te Huia Train the project is gathering real momentum. On 13 August at 0600hrs a blessing ritual in te reo will be performed by Kura from Te Atiawa. The train will then be on view with speeches from dignitaries to follow.

## UK UNION MEMBERSHIP RISING

Membership of Trade Unions has risen over the last 12 months by 91000 and is now up to 6,440,000 in the UK. This is the third successive year that numbers have gone up and means that Union membership has increased by more than 200,000 since 2017. TUC Secretary Francis O'Grady said "there are now more women carrying a Union card in the UK than at any time since 1995. Collective Bargaining coverage has also increased and as a result the workers are better paid. It is a well-established fact that Unionised workers are naturally better paid than non unionised workers who are not covered by collective bargaining.

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## ISOLATION AND LOCKOUT HPHE AT KIWIRAIL

This is one of the longest ongoing HPHE projects at KiwiRail and it looks like it may finally be coming to fruition, but not without some bumps in the road that need to be overcome. This has morphed from an attempt to systematize Rule 126 to a more general look at isolation and lockout processes and Rule 909. Recently the RMTU put the brakes on this in order to ensure a proper consultation process took place. The main concern was over the implementation of lockable chocks by KR.

The key issues are that there wasn't a full risk assessment and they haven't included the members at the coalface in the risk assessment. There was also a concern with the roll out process which seems to be plagued by a failure to communicate. We met with the company to iron out these concerns. The Company resolved to improve their communication and the RMTU through the Mechanical Industrial Council are providing further feedback. We are hopeful that this has now been resolved

and we can continue with the process in a way that is more inclusive for our members.

## NORTHERN REGION

### NORTH TUGZ BARGAINING

We returned to bargaining last week after the hiatus due to the Covid-19 lockdown. After an Employment Relations Authority decision that supported the RMTU's assertion that North Tugz current system of allocating work, with

members having to be available to work 24/7, the members tabled a roster that would finally give them a decent work/life balance which would give them a much greater ability to plan their lives. The company have gone away to look at the roster and will assess it. We are back at the negotiations on July 31st.

## BOP REGION

### ATC RADIO COVERAGE

The Waikato Rail Branch has issued a PIN notice to KiwiRail giving them notice that the ATC (single Person Crewing) operation of trains on the North Island Main Trunk between Te Rapa and Waiouru will cease unless the ATC radio system meets the standard required. Cessation of ATC operation means that trains must be double crewed. Following meaningful discussions it has been agreed that a radio test train will run the line before 2 August to identify the weak points, if any, in the backbone radio system. If the test train does not run by this date then double crewing will be implemented by the branch. **NOTE: We have just been advised that a test train will run this Sunday!**



### KIWI RAIL FILLS VACANCIES IN NETWORKS IN UPPER SOUTH ISLAND

Members in the Canterbury and West Coast Rail Branches were delighted to hear that KiwiRail moved quickly to approve the filling of fourteen vacant positions across the Upper South Island last week.

This decision came soon after RMTU representatives raised the question of what looked like a pattern of contracting out of core rail work because Network Services lacked the 'capacity' i.e. the people to do it.

Since the cost cutting measures introduced by management during the COVID19 crisis the RMTU has been fighting a battle to ensure that short term 'savings' don't lead to more expense in the long term. One example is the failure to fill vacant roles which impacts on track gang's ability to get the job done. Contractors are rarely cheaper and our members say they often have to rework the job anyway.

In fairness to KiwiRail once the RMTU communicated how strongly members felt about this issue they did move quickly. Once again, the benefit of having a strong union supported by our front line members yielded results.

## SOUTHERN REGION

### TRANZ ALPINE BACK ON TRACK, DUNEDIN RAILWAYS FIASCO CONTINUES

It was great to see a return of KiwiRail's TranzAlpine during the school holidays with a reduced ticket price. The service was packed and KiwiRail provided extra carriages and seats only to have them snapped up.

Our South Island Organiser met the train at Arthur's Pass one day during the second week of the school holidays: 'the train was full of Kiwi families having a tremendous time, there was a really happy and cheerful atmosphere,' he said.

## CULVERT & DRAINAGE INITIATIVE TO CREATE 200 JOBS

KiwiRail has been successful in securing \$26m of funding from government for a 'shovel ready' project to undertake deferred maintenance and drainage work across the country.

Nationwide this will create 200 jobs, 90 of which will be filled by trainees. The agreement with the RMTU is that these roles will be filled by people employed on a fixed term basis i.e. for the duration of the project.

Given the anticipated number of permanently people who will leave KiwiRail during the term of the project as they retire, this provides a good opportunity to bring in fresh blood and train them up so and pool of skilled workers are available to apply for permanent roles as they arise.

The RMTU has lobbied hard for our Labour led government to play an active role in reducing the impact of job losses resulting from the economic impact of COVID19. This is a classic example of how a major state owned enterprise like KiwiRail can be a 21st century 'Ministry of Works' and help create jobs for those who will be hardest hit by the recession.

## BARGAINING INITIATED AT LYTTTELTON PORT

The RMTU - LPC 'Waterfront' collective agreement, which covers the overwhelming majority of our members employed by LPC, expires on 7th September. Under the Employment Relations Act unions may initiate bargaining for the renewal of a collective agreement up to sixty days prior to expiry. The RMTU has initiated bargaining with a proposed coverage clause of all RMTU members employed by LPC at the port of Lyttelton with the exception of the Logistics Officers who are already covered by a collective agreement of their own. This proposed clause is different to the current

coverage clause which defines coverage by job title. As job titles change there is the risk that the parties will dispute coverage. Defining coverage by location gets around this and brings several people who jobs are not currently covered by the RMTU-LPC collective agreement into the bargaining.

Our members who are employed by LPC at Rolleston and Woolston Inland Ports are also excluded from this bargaining as they have their own collective agreement that is defined by those locations.

The Branch Secretary has asked that remits be given to him on the official form no later than 1700 on 31 July either as a hard copy or via e-mail. Members will note there is space on the form for signatures in support of the remit. The more widely and deeply felt a remit is i.e. the more signatures in support stating the signatories

are prepared to take industrial action in support of the remit if necessary, the more likely the RMTU negotiating team will incorporate the remit in our log of claims. Remits will only be accepted if they are submitted on this form.

Once the log of claims is drawn up and the Branch Executive have nominated the bargaining team a claims meeting will be held on date to be advised in order to discuss and endorse the claims and the bargaining team.

## LYTTTELTON PORT FATIGUE MANAGEMENT WORKING GROUP RESTARTS

The RMTU branch and LPC have restarted this project at long last. A facilitated meeting was held on 30 June and the parties agreed to form a core RMTU-LPC working group in order to progress this issue. The aim is to have the work completed by the end of the year. Our National Health and Safety Organiser is supporting the Branch and the Branch will call upon delegates and H & S Representatives from specific areas on an as and when required basis. It is likely the work will culminate with proposed changes to our



collective agreement which will require ratification by the membership.

## LYTTELTON PORT INVESTIGATIONS INTO ALLEGED BULLYING AND HARASSMENT

RMTU members will doubtless be aware from media coverage that several investigations into the above are being conducted by independent reviewers on behalf of LPC.

These are a company-wide investigation and two investigations into allegations concerning specific worksites, namely Woolston Inland Port and the Logistics Officers' Group. Some of the allegations are historical in nature, others more recent. The RMTU Branch Secretary and President met with the lawyer charged with conducting the company wide review on Friday 18th July to hear about the terms of reference and proposed process. A key point is that participation in these reviews is voluntary.

Once the reviews have been concluded it may be established that current employees have a case to answer. If those employees are union members then they are entitled to advice and representation at that point.

Given some of the behaviour of management over the last few years, particularly when a large percentage of our membership was under 'investigation' and threatened with disciplinary action in the Container Terminal, we would not be surprised if allegations are made in relation to this.

## NEGOTIATIONS CONTINUE AT QUALITY MARSHALLING AND PRIME PORT IN TIMARU

Our Timaru Port Branch has been very busy in two sets of negotiations with Quality Marshalling and Prime Port.

Both employers have signalled their preference for a short term collective agreement given the uncertainty around the continuing public health and economic impact of COVID19. The RMTU is not averse to a short term but we are mindful that members worked through the lockdown maintaining the supply chain that is the lifeblood not only of our economy but of our society. Any settlement must take into account the contribution of members and should not involve a deterioration in pay or terms and conditions.

Figures for inflation in the year to June 2020, as reflected by the Consumer Price Index (CPI), suggest that whilst the rate of price rises has eased, there has still been an overall increase of 1.5% in what we pay for goods and services. Any pay adjustment that does not keep up with this increase is in fact a de facto pay cut.

We have yet to receive offers on pay from either QM or Prime Port as the parties were awaiting publication of the latest CPI figures. Now these are in we will seek to progress discussions.



## SECURING MEDICINE SUPPLY AND INVESTING IN COVID-19 CAPACITY

- \$150 million (over two years) for PHARMAC to secure the ongoing supply of medicines and medical devices in the face of global supply challenges
- Further investment (\$30 million) in the National Close Contact Service and the technology that underpins its work
- Full funding for the development of the National Immunisation Solution so it is ready for when a COVID-19 vaccine is available
- \$35 million to purchase and install equipment to supply oxygen to patients (to support the use of more ventilators and respiratory equipment)
- An additional \$50 million for PPE supplies



The Government has moved to ensure New Zealanders continue to get access to the medicines they need, while at the same time investing more in contact tracing and other COVID-19 health responses.

"The world is going to be living with the ongoing impacts of the COVID-19 global pandemic for some time. It's important we continue to invest in our health services and build our capacity to respond to the virus," Health Minister Chris Hipkins said.

"This Government has significantly boosted funding for PHARMAC to purchase medicines. In the last year alone we have announced an extra \$220 million investment, as well as a one-off boost of \$35 million in response to COVID-19.

"However, the cost of medicines has increased due to supply issues caused by the global pandemic.

"For example, to prepare for a potential COVID-19 related increase in treatment of patients in ICU, PHARMAC secured additional stock of several medicines including propofol, fentanyl and noradrenaline. Securing these medicines cost approximately 70% more than would have been expected prior to the pandemic.

"With the virus now spreading faster than ever it's clear that disruption to supply chains will continue and more investment is needed.

"That's why the Government has approved \$74 million more for PHARMAC this year, and \$76 million in 2021/22, out of the Covid Response and Recovery Fund.

"This will mean PHARMAC can continue to purchase the medicines and medical devices New Zealanders need," Chris Hipkins said.

Further health funding has also been approved to strengthen New Zealand's capacity to respond to the ongoing threat from COVID-19, including through contact tracing, technology to support the roll-out of a future vaccine and more money to reflect

the ongoing increase in demand for telehealth services.

"New Zealanders have done incredibly well to eliminate community spread of COVID-19 and we have some of the toughest border protections in the world to keep the virus at bay. But we can't take anything for granted.

"We are constantly reviewing our response and improving our systems and processes.

"As part of that, we're investing a further \$30 million in the National Close Contact Service, including for surge capacity and information technology. It also supports the ongoing development of the COVID Tracer app.

"Contact tracing is one of the key pillars of our defence against COVID-19 and other infectious diseases. This investment will further strengthen our contact tracing capability at a national level.

"A further \$23 million will be used to develop a National Immunisation Solution, so that when a COVID-19 vaccine is developed we are ready to roll out a mass vaccination programme. This builds on an earlier investment of \$15 million.

"We can't afford to wait for a vaccine to be available – we need to start work now to replace the current National Immunisation Register, which simply could not cope with the scale and complexity of a mass COVID-19 vaccination campaign.

"We're also investing in more in our hospitals' infrastructure to support the use of ventilators in the event of an outbreak. \$35 million will be used to purchase more oxygen supplies and the necessary gear to ensure it is delivered at the right pressure.

"All these investments are designed to further build our ability to respond to the global pandemic now and into the future. New Zealand's health response to COVID-19 has been world leading – we intend to keep it that way," Chris Hipkins said.





## NEW ZEALAND RAIL WORKERS BACK CAMPAIGN TO DEFEND HUMAN RIGHTS IN THE PHILIPPINES

Members of the Rail and Maritime Transport Union (RMTU) will join a rally for human rights in the Philippines this Sunday 27 July in Auckland at the Ellen Melville Centre, Freyberg Place (1.30pm).

The rally is organized by Auckland Philippines Solidarity and Migrante Aotearoa as part of a global protest that coincides with the State of the Nation Address of President Duterte.

RMTU General Secretary Wayne Butson says unions are concerned at the worsening human rights situation in the Philippines since President Duterte came to power in 2016.

He says the Duterte Administration's so-called "war on drugs" has been accompanied by extrajudicial killings by the police and military of trade unionists, environmentalists, lawyers, human rights advocates and journalists.

The UN High Commissioner for Human Rights recently noted the Duterte Administration increasingly views criticism and dissent as akin to terrorism.

The Filipino Government recently legislated a new Anti-Terrorism Law which allows authorities to arrest suspected "terrorists" without proper warrant and to detain them up to 24 days with no charges filed. The law can be used to crackdown on unions holding strike actions, political rivals and other dissenters.

The RMTU has a close relationship with Filipino rail union BKM PNR, says Mr Butson.

He says the RMTU will continue to support the right of workers to organize in the Philippines.

## COVID-19 : EMPLOYERS WHO DID NOT ABIDE BY EMPLOYMENT LAW NEED TO FACE CONSEQUENCES

The Council of Trade unions welcomes confirmation from Employment Relations Authority that:

- Workers were entitled to be paid during lockdown because they were ready, willing and able to work even though they could not enter the workplace.
- Minimum wage applied to all contracted hours (not just hours worked).
- Any reduction of pay to 80% or the wage subsidy itself had to be done by mutual agreement with employees.

"These findings align with our view of employment law; what is fair and just. We note that lawyers working for employers have taken a position which is contrary to these findings. It is reassuring that working people and their unions had a more accurate analysis of the law," CTU President Richard Wagstaff said.

"Once again the importance of people coming together, collectively to ensure better, fairer treatment at work has been emphasized. This is the work that people in union do. More kiwis need to join their unions and make work fairer. Ensuring the rights of working people are maintained and protected in a time of crisis is something the union movement is determined to achieve," Wagstaff said.

## TARGETED CONSULTATION ON REVISED PROPOSALS FOR ETHANEDINITRILE

The Environmental Protection Authority (EPA) is currently considering an application to approve EDN as a potential new fumigant for the phytosanitary treatment of wood products.



**Safety matters**

Because we have reviewed some of the original proposals since the first consultation ended, we are carrying out additional targeted consultation on the revised proposals from today.

You can find the consultation document for the revised proposals on our website, and can provide feedback by completing the response form.

If you would like to look at the previous consultation document again, it is also available on the website.

Your submissions will help us determine whether the revised proposals are appropriate for work using EDN.

The deadline for receipt of submissions is 5 pm Friday 7 August, after which we will

review the submissions and finalise the proposals in light of feedback from both rounds of consultation.

We will then present the SWI to the Minister for his consideration.

Please contact us at [regulatory.frameworks@worksafe.govt.nz](mailto:regulatory.frameworks@worksafe.govt.nz) if you have any questions during the consultation period.

**BE SAFE, BE  
HEALTHY, BE KIND  
AND ABOVE ALL  
ELSE .....**

**BE RMTU!**

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24-JUL-20

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