



## KIWI RAIL NETWORKS PAYSACLE 2 REVIEW PROGRESS

This project should have been completed in time for the expiry of the 2018-20 RMTU KiwiRail MECA and involves a review of all jobs and pay rates in the Network Services (track, signals and communications) section of the collective agreement. KiwiRail is committed to being a 'median market payer' – in plain English they say they will pay wages at the 'going rate' in the labour market. Of course the 'going rate' is often set by union bargaining – for example the going rate for Locomotive Engineers has risen because our members in Transdev Wellington and Auckland negotiated good wage increases (and were prepared to back themselves and take industrial action if necessary to get these). In Networks the last time an exercise was done to compare wages was back in 2010-11 and it resulted in a considerable average increase to members wage rates when the data gathered demonstrated KiwiRail had fallen behind the 'going rate'.

The RMTU and KiwiRail were on schedule to complete this project in time for expiry of the 2018-20 MECA but one of the impacts of the COVID19 lockdown and subsequent economic turmoil was the project was delayed. The good news is we are making progress now and have completed a review of job descriptions and career progression plans for track, structures, track machine, traction line mechanics, traction electricians/general electricians, protectors and, at the time of writing, are about to do this for signals and communications. Once all occupations have been reviewed the data is sent to Ernst Young who undertake an independent 'market survey' comparing terms and conditions and wages for similar jobs in the labour market.

This data is then shared with KiwiRail and the RMTU to assess whether the 'going rate' is being paid. It's in everyone's interests – the employer and union members alike – that KiwiRail gets this right. For the employer it means they can recruit staff and

for members it means they are being paid wages comparable to what they could earn if they worked elsewhere.

Watch future issues of the Activist for more information.

## KR MECA 2020 WAGE ROUND UPDATE

Representatives of KiwiRail and the RMTU met in the Union Offices on 3 February 2021 to iron out the final terms of settlement (TOS) so that the multi employer Collective Agreement can be amended ready for supply to members for their consideration as part of the agreed ratification process. A final line by line check of the documents will be conducted by two Union reps on Thursday 11 February

to ensure the completeness of the documents.

Once this is done the Union will prepare the mail out to members and post. The ballot will be out for 4 weeks from date of postage and so this should provide ample opportunity for members who wish to reject the deal to send their rejection notice back.

As the Union will be reinitiating with KiwiRail on 4 May 2021 to commence MECA Bargaining it would be tidier if we could ratify the current proposed settlement to lock in the gains obtained for members. The KiwiSaver increase is a notable gain for all.

## QUALITY MARSHALLING MEMBERS UNDER PRESSURE

Ruptions at Timaru Port led delegates to hold a membership meeting and to then sit down with management this week. The results were:

The roster committee will be convened this week as per the terms of settlement. Management wishes to lock in night shifts a week ahead and to give an indication of likely shift patterns a minimum of a week ahead. There was an acceptance that communication and rostering can be improved and the intent is to make progress on this immediately.



a QM Mechanic will start in Timaru by the end of February. This will free up staff for access to training on the cranes. A machine operator will also start at the end of February. Vacancies have been advertised for Mobile Harbour Crane Operators, Container Operators and Trainees. The current Terminal Manager is likely to retire in March and QM is currently recruiting with the aim of having a replacement in the role by the end of March.

There was an acknowledgement of the high volume of work that has been undertaken recently. In one eight day period over the last month 5000 plus TEUs were moved. For context average monthly movements are 6000. There has been unprecedented sick leave with several members requiring long absence to recover from operations and treatment. Globally supply chains are fragile and disruptions in Australia and Auckland having an impact on shipping. Together with two major crane breakdowns this has all put pressure on the operation.

Overall management acknowledged they have been reactive and have undertaken to shift to a more planned approach. As part of this management have undertaken to convene a monthly meeting with your delegates to work through issues. Members are encouraged to raise matters with delegates to take forward to managers.

## PORT OTAGO CAMPAIGN MOVES INTO NEXT PHASE

Readers of the Activist will recall that late last year the RMTU Port Otago Branch and MUNZ Local 10 held a joint membership meeting at Port Chalmers and resolved to embark on a campaign in response to management's aggressive and antagonistic approach to industrial relations at the port. This generated some publicity locally: see <https://www.odt.co.nz/business/port-otago-chief-called-resign>

The campaign started with circulation of a petition that will be presented to the

shareholder, Otago Regional Council. Preparations are underway for a demonstration and presentation of the petition at the next meeting of the Regional Council on 24th February.

Our port workers are essential workers on the front line, whose challenging jobs have been complicated by the impact of the COVID19 pandemic. We are hearing a great deal in the media about the 'volatility' and 'fragility' of global supply chains, with news of congestion and disruption to imports and exports in our ports. What is rarely publicised is the fact that that everything that comes across the waterfront does so because port workers make it happen, working around the clock in all weathers in a busy and hazardous environment. The last thing these workers

need are aggressive management attitudes, bullying, a 'sinking lid' approach to staffing and contemptuous treatment of union representatives.

## LYTTELTON PORT BRANCH STOP WORK MEETING

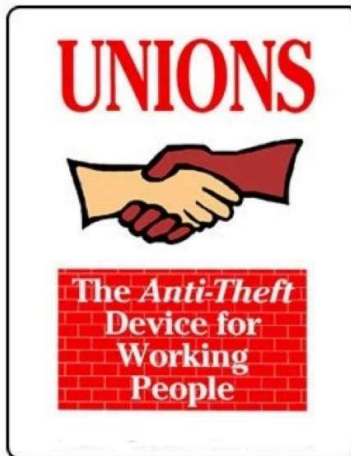
The first meeting of 2021 will be held on Wednesday 17th February from 1400 to 1530 hours at the Woolston Club on Hargood Street Christchurch. All members are encouraged to

attend.

There is a great happening at Lyttelton Port and the inland ports, some of which is positive and this is an important opportunity to update members and discuss these matters together with issues that affect the wider union and workers in general.

## PORT AND WOMEN FORUMS 2021

At the December Meeting of the National Management Committee it was resolved to hold the National Women's Forum in conjunction with the Biennial Ports Forum. The Ports Forum is scheduled for 22-23 June 2021 followed by the Women's Forum 24 June 2021 and the venue will be The Brentwood Hotel in Kilbirnie, Wellington. Branches are



asked to begin consideration of attendee's and a National Office Memo will be issued in March giving specific details as to funding and other arrangements.

## UNION CALLS FOR CLEAN AIR IN REMUTAKA TUNNEL

Firstly a few facts to set the scenario. The Remutaka Tunnel (officially Tunnel 2, Wairarapa Line) is a railway tunnel through New Zealand's Remutaka Range, between Maymorn, near Upper Hutt, and Featherston, on the Wairarapa Line. The tunnel, which was opened to traffic on 3 November 1955, is 8.798 kilometres (5.467 mi) long. It was the longest tunnel in New Zealand, superseding the Otira Tunnel in the South Island until the completion of the Kaimai Tunnel (8.88 km, 5.55 miles) near Tauranga in 1978. Rimitaka remains the longest tunnel in New Zealand with scheduled passenger trains. The tunnel has a single column natural ventilation shaft rising vertically which is situated to the south of the central peak of the tunnel. The rail tunnel was bored to form an arch to aid ventilation at the time. There were three fatalities during the construction.

The RMTU is renewing its call for clean air in the Remutaka Tunnel following an unacceptable spike of NO2 levels.

On 21 January, gas monitors worn by staff working on Transdev Wellington's passenger service registered NO2 levels above the maximum safe level. The gas exposure lasted for over 5 minutes leaving the onboard staff feeling extremely unwell. NO2 exposure is harmful, can cause lung damage and make people more susceptible to respiratory illness.

The RMTU has asked Worksafe and the NZTA to investigate the incident and urges Transdev Wellington, KiwiRail and The Wellington Regional Council to work together to install mechanical ventilation in the tunnel and to ensure freight and passenger trains are adequately "sealed" to

protect staff and passengers from breathing harmful fume whilst travelling through the tunnel.

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

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

To register on a course, go to [www.worksafereps.co.nz](http://www.worksafereps.co.nz)

## RECRUITMENT IN KIWIRAIL NETWORK SERVICES: MORE JOBS THANKS TO UNION PRESSURE

In the last issue of The Activist we reported that: "...the RMTU has been engaged in discussions with management around the Provincial Growth

Fund funded drainage and culvert programme and can report that we will be lobbying hard in the new year for the 60 in-house trainees who were taken on as part of this scheme as fixed term workers to be made permanent."

We are pleased to be able to report that as we went to press with this issue, thanks to the hard work of our representatives like West Coast Rail Branch Secretary Ron Nijssen and Industrial Council Rep and Canterbury Rail Branch Secretary Ian Walker nine members who were on fixed term agreements are being made permanent. This is great news and builds capacity in KiwiRail's network services thereby reducing the incentive to contract out our members' core work as well as giving these workers job security. We will be keeping up the pressure to try and ensure this happens across the country.

The removal of the threat of closure of the Ohai to Invercargill Branch Line, commonly referred to as the Wairio Branch, reported last year in the Activist, thanks to a well organised RMTU campaign, has also resulted in the



recruitment of seven track workers in Southland.

This demonstrates there is no substitute for hard work, determined advocacy and persistence in pursuing our members' interests.

## RMTU/KIWI RAIL (FREIGHT OPERATIONS) INDUSTRIAL COUNCIL (KIC)

The first KIC meeting for 2021 will be held in Wellington, 4 and 5 March.

The current RMTU KIC reps are –

- Debby Brown – Northern KIC LE Rep
- Howard Phillips – Central KIC LE Rep, NMC Member, RMTU VP
- Jed O'Donoghue – South KIC LE Rep, NMC member
- Josh Goodwin – Northern Terminals Rep
- Logan Rusling – Central Terminals Rep
- Rebecca Hauck – Southern Terminals Rep, NMC member
- Antoon Whiu – National CT Rep, and;
- Union Organiser, Todd Valster

The agenda for the KIC meeting is always full and in addition to the KIC meetings and work between meetings, KIC reps are working on the following projects –

- Fatigue Risk Management Group (FRMG)
- Tunnels CRN
- ROM S9 – rostering for terminal workers
- Upper North Island Train Optimisation
- Terminal Optimisation

- Safer Shunting
- SPAD CRN
- Workforce Development
- EF Refurbishment
- H2A – New Hamilton to Auckland services

The minutes from the last KIC 44 meeting in November were available a few weeks after the meeting, hopefully that improvement continues.



to RMTU Delegates and H&S Reps.

## VACCINE ROLLOUT FOR PORT WORKERS

RMTU staff are meeting with Government Ministers and Officials this week to discuss the imminent roll out of COVID 19 Vaccines for front line Port workers.

The information session will include an overview of the COVID-19 vaccination programme and the implementation approach. Maritime NZ has advised that once vaccinated port staff will be required to continue wearing PPE and having weekly or fortnightly COVID tests as per the current Government requirements. A summary of the meeting will be sent

## NEW SHUNTING RULES CRITICISED

The RMTU has requested to meet with NZTA to raise concerns regarding the new shunting rules. NZTA has introduced the rule requiring rail vehicles to be stationary before staff can step off.

The previous rule allowed workers to alight the shunt vehicle at a walking pace. RMTU H&S reps and Delegates are critical of the new 'admin based' control which relies on staff not making a mistake. Admin based safety

controls are the least effective and lowest cost option. The RMTU will ask NZTA why they didn't consult with the RMTU prior to introducing the rule and why they chose a low level control over an engineering control to manage the risk.

## ENVIRONMENTAL PROTESTS PROVOKE CONTROVERSY

The reprieve of Ohai to Invercargill Branch Line allowing the continuation of its use to transport coal from Southland to the Clandeboye plant north of Timaru has led to a couple of protests being mounted by environmentalists who blocked the main line at Dunedin Railway station as a coal train headed north.

KiwiRail and the Police have adopted a relatively soft line and have not prosecuted the protestors. Some RMTU members have been dissatisfied with this and have called upon our union to lobby hard to have the full force of the law applied. KiwiRail's view, as expressed to the RMTU, is that taking a hard line will simply generate more publicity which is precisely what the protestors want. We don't know what the Police view is but assume, given they are taking a similar line to KiwiRail, they share this thinking.

The discussion amongst members has focussed on the democratic right to protest, safety, the impact on rail workers and the issue that is the subject of the action (the mining, burning and export of coal), climate change and a 'just transition' to well paid, secure, 'green' jobs as the coal industry is run down over time. Suffice to say it has been a lively debate and has generated a great deal of (pun intended) hot air.

The issues are complex. Many of our members have jobs that are dependent on the transport of coal. At some point in the future the coal industry will cease to operate in New Zealand, whether we like it or not. As a union that fights for our members' interests the good news is that the growth of rail, along with more jobs for rail workers, is a likely result of the shift to a carbon neutral economy. In the meantime the RMTU has fought, and will continue to fight, for our members' interests: witness our campaign to keep the Ohai line open.

As far as protests go, and the approach that KiwiRail and Police have adopted, that is their prerogative, again whether we like it or not. One thing to consider is that as a union, we support the right to protest and use it frequently ourselves in pursuit of our members' interests. The RMTU has mounted pickets on the rail corridor, stopping the Tranz Alpine in 2013 to generate publicity against the closure of Hillside workshops and again in 2018 to highlight our dispute with Lyttelton Port. Doubtless the debate will continue. What is important is that we have the conversation, keeping in mind that the RMTU has consistently championed rail and rail workers throughout its proud history.

## FATIGUE MANAGEMENT WORKING GROUP AT LYTTELTON PORT

The LPC - Combined Unions Fatigue Management Working Group (FWMG) is now meeting weekly and the unions are now all in the same room together with management. This is an important step as members will recall we were meeting separately at the beginning of this process and the two groups were working in parallel but not together. Working together is a good thing but it is challenging. The group is working on trying to agree guidelines for fatigue management.

One of the challenges involved in this is that there are a range of differing opinions on what the desired result is as any agreed guidelines will inevitably impact on rosters and will ultimately require agreement on hours of work clauses in the various collective agreements at LPC. It is important to note that these clauses can only be changed by agreement between the parties, i.e. unions and management but, in the case of the unions, members have to vote on any proposed change that affects them.

There is a lively debate between the various representatives of the parties as to what should determine the guidelines. Determinants include the science around sleep, fatigue and safety; the potential impact of change on the order of utilisation and therefore members' incomes; what is likely to get over the line in a vote to vary an hours of work clause and so forth. At this stage it is healthy that debate is going on and given the

RMTU represents the widest range of occupational groups it is also healthy there is debate amongst our representatives on the working group.

We are receiving advice from our RMTU National Health and Safety Organiser Karen Fletcher and South Island Regional Organiser John Kerr.

One thing we will seek to do in coming weeks is to maintain the flow of information on progress and discussion. If members have any questions please speak to one or more of your representatives: Heiner Benecke, Andy Kelly, Mark Quinn, Thomas Pickard, Mike Shrimpton, or Glen Arthurs.

## KIWI RAIL RULE BOOK REWRITE

KiwiRail has advised the Union that they wish to embark on a complete rewrite of the NZ Rail Industry rule book. This has been attempted twice in the past with no real success and so we will approach the project with a degree of trepidation.

## FURTHER PURCHASE OF "DOG AND LEMON" LOCOMOTIVES A BAD BUSINESS DECISION BY KIWI RAIL

The union representing rail workers says a decision by KiwiRail to buy further DL locomotives is throwing good money after bad.

KiwiRail has ordered 10 new diesel "DL" class locomotives from CRRC Dalian in China, on top of the 63 that have already been purchased since 2009.

Rail and Maritime Transport Union (RMTU) National Secretary Wayne Butson says the standard view of the on the ground workforce at KiwiRail was that the locomotives were very poor performers.

That's a view backed by KiwiRail's own figures from 2020, that showed none of the engines met KiwiRail's performance target of 80,000 kilometers Mean Distance Between Failure (MDBF) over the previous year.

The MDBF measures the average distance between failures that cause a delay of 15 minutes or more.

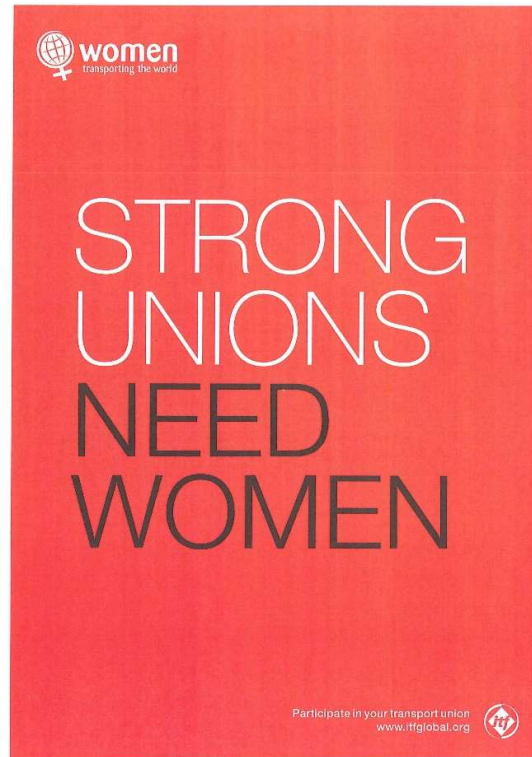
There has been a long history of problems with previous orders of locomotives,

including 40 that contained asbestos despite the manufacturers being told no asbestos was to be used, requiring a multi-million dollar fix.

The locomotives were so controversial they had been nicknamed "Dog and Lemon (DL)" by staff.

Mr Butson says at full power the DL locomotives burn almost twice as much diesel as the 1970 DX class for little additional horsepower gain.

He says the RMTU recommended KiwiRail wait until their new loco specifications had been completed before purchasing new locomotives.



## UNION MEMBERS' SAFER SICK LEAVE CAMPAIGN; A STEP CLOSER

The Council of Trade Unions has today presented an oral submission to the Parliamentary Select Committee (Education and workforce) considering the proposed changes to the Holidays Act which would

allow for improved minimum sick leave entitlements.

"Working people have successfully campaigned to improve the legal minimum sick leave entitlement from 5 days to 10. We support the Governments draft law to secure safer sick leave for all working Kiwis," CTU Secretary Melissa Ansell-Bridges said.

"There are some details in the draft law which do require fixing. Safer sick leave is a matter of urgency. We can't afford to wait for people's work anniversaries, which could mean some people would not have 10 days sick leave for a year and a half. The results from two surveys - one by the CTU and one by UMR - show that the public overwhelmingly backs a change in sick leave from 5 days to 10 or more."

"When people get sick they need to be able to access sick leave regardless of whether they are part time or full time, and have been in their role for 6 months or not. From day 1 working people need access to 10 days paid sick leave."

"COVID has taught us many things, including the importance of staying home when you're unwell. As a society we understand that when we support people to stay home when they are sick, our whole team of 5 million stays well. That's the power of what collective action can achieve," said Ansell-Bridges.

-----

UMR research results - questions and results below.

Question 1 - The New Zealand legal minimum for paid sick leave is 5 days per year. Do you think this is enough?

No, there should be more sick days - 71%

Yes, 5 days is enough - 24%

Unsure - 5%

Question 2 - Approximately how many paid sick leave days per year do you think should be required by law?

Yes, 5 days is enough - 24%

6-9 days -10%

10 days - 48%

More than 10 days -14%

Unsure - 4%

Question 3 - Currently the Government is looking to extend minimum sick leave from 5 days to 10 days. The current bill wouldn't be mandatory for businesses for another 2 years. Do you think:

The extra sick leave should be implemented immediately - 52 2%

2 years is fair to give businesses time to get ready - 32%

There should be no extra sick leave at all - 11%

Unsure - 4%

Question 4 - Currently employers can require employees to get a medical certificate after one day of sick leave. Do you support increasing this to 3 days?

Yes, increase to 3 days - 72%

No, keep it at 1 day - 23%

Unsure - 5%

This data comes from an online survey conducted by UMR research for the CTU from the 14th to the 21st of January 2021. The survey was to a nationally representative sample of n=1032. To ensure the sample was representative, quotas were set for age, gender and region. In addition to this the data was weighted to the 2018 census for age, gender, ethnicity and region.

The maximum margin of error for a sample of n=1032 after accounting for weighting is  $\pm 3.2\%$ . This is for a 50% figure at the 95% confidence level.

## NEW AUSTRALIAN TRAIN MANAGEMENT SYSTEM

Advanced Train Management System (ATMS) is a modern, communications-based, safe-working system for the ARTC, which has been custom engineered for Australian conditions by ARTC and technology partner Lockheed Martin. It enhances the operation of the national interstate rail network, and provides a quantum leap forward in safety, capacity and productivity for freight rail operations.

ATMS replaces traditional trackside signalling equipment and implements intelligent software technology that allows information to be directly shared digitally between ARTC's





Network Control Centre and a train-borne unit on board a locomotive via mobile telecommunications. The Advanced Train Management System (ATMS) has completed its final commissioning trials into service and is now the train control system for 'live' train services between Port Augusta and Whyalla in South Australia.

### **BITS AND BOB'S**

- Deutsche Bahn will launch a hydrogen train, built by Siemens, and an accompanying gas station (which will be a quick to refuel as a diesel train) by 2024 in a move designed to cut 330 tons of carbon emissions each year. It will have a top speed of 160km/h.
- Some NZ Businesses are reporting a 300% increase in shipping costs to NZ as the pandemic continues.
- A recent Treasury finding is that imports into NZ had dropped \$7.5billion year on year.
- The South Australian Government has appointed a private operator to take over the running of Adelaide's rail network. Keolis Downer has been announced as the new operator of the rail network. Drivers who've accepted a job with Keolis Downer have secured permanent on-going employment with no loss of terms or conditions, a transfer of all entitlements, free public transport

travel, and a \$15,000 incentive payment. They have also secured a commitment of no forced redundancies for the next three years, and the right to transfer to the future operator at the end of Keolis Downer's contract.

- The first huge Cross River Rail tunnel boring machine (TBM) has headed underground beneath Brisbane, where it won't emerge until late-2021. Part of the Queensland Government's \$50 billion infrastructure pipeline over the next four years, the TBM will lay the foundations for a new rail line and more construction jobs, and only re-emerge later this year after it has finished tunnelling under the Brisbane River and CBD. More than 100 local companies and 40 workers have played a role in bringing these TBMs to life, part of the 2,400 people so far who have worked on Cross River Rail. The Queensland Government is creating thousands of jobs in industries like construction as part of Cross River Rail, and another 23,600 jobs right across Queensland as part of its record \$26.9 billion roads and transport program.
- Outgoing Port of Tauranga CEO Mark Cairns has been appointed to the Board of Freightways as an independent Director from 1 April 2021. Mark has been the POT CEO for 16 years.

**Remember - be  
Safe at  
all  
times!**

