

MARCH 2015

# THE *Transport Worker*



**A RED**  
card for  
Lyttelton  
Port  
Company

The journal of the RMTU – NZ's largest specialist transport union

## 7 LPC STRIKE &amp; SETTLEMENT



The details behind the strike action at Lyttelton Port Company and the settlement it achieved.

## 11 FIRE IN THE TUNNEL



A lucky escape for these three chaps when their vehicle caught fire in a Wellington tunnel.

## 28 CONGRATULATIONS



Phil Bosworth with his wife Eileen - one of our members congratulated for services to the Union and its members.

COVER PHOTOGRAPH: Laurie Collins demonstrates how he used the Union's Red Card to halt work in unsafe conditions.

The Transport Worker is published by the Rail & Maritime Transport Union, P O Box 1103, Wellington, Aotearoa-New Zealand.

Design and production by Mike Regan.

Printed by Thames Publications Ltd, P O Box 11-025, Wellington.

**WWW.RMTUNION.ORG.NZ**

**ISBN 1173-6488**



**Wayne Butson**  
**General secretary**  
**RMTU**

## Big year looming

**W**ELCOME to the first issue of your Union magazine for 2015. I know you will find it a great read.

This issue is first and foremost focussed on workplace health and safety. This is entirely intentional and reflects that a considerable amount of the "action" in 2014 was – and 2015 will be the same – highlighting that there is a great deal more work to be done providing workplaces for our members which encourage and support them coming to work and going home safe and sound at the end of the day. Health and safety is union work and it is currently a huge part of your Union's activities.

The fact that a union of our size has a dedicated employee tasked with H&S oversight is illustrative of our drive and determination to improve safety. The fact that we successfully opposed Port of Lyttelton's application for an urgent injunction which would have forced our members to work in a situation which they deemed to be unsafe, illustrates that we have recourse to advice, support and assistance of the highest calibre. I urge all members to read Judge Corkill's decision on that application.

This year is shaping up to be a very busy and challenging one on health and safety for us all.

As most of you will know Libi Carr resigned from her branch secretary role in the Lyttelton Port branch for personal reasons just prior to Christmas and has decided to look for opportunities elsewhere. Libi is a loss to our Union as during her time with us she has shown a strong affinity for working men and women within the Lyttelton Port branch of the Union and had also found her voice to be a strong and articulate advocate for a greater role for women within our Union. I am sure that Libi will remember her time with us as fondly as we will remember her time amongst us. I know you will all join with me in wishing her well in her future whatever it may hold.

Whilst on the topic of the NMC, 2015 is election year for them and the national president and general secretary positions. The national president's position was called on 2 March and all the other positions will follow sequentially with the actual timing being dependent on whether any ballots are required to be run. I wish to formally record my sincere appreciation for the work of the rank and file members of the Union leadership team. Without their passion and determination to maintain the relevancy of the RMTU to each and everyone of you, our Union would not be as effective as it is.

The RMTU plays way beyond its weight on the local and international stage and is well known for its expertise and the great outcomes it achieves on behalf of its members.

Sadly, this issue of the magazine foreshadows the enactment and application of the National Party's latest changes to the Employment Relations Act. These changes are a step backward and will further reduce the ability of unions to deliver ongoing gains for new recruits on green field sites.

Employers of RMTU members will use these new found powers within the Act at their peril. The pendulum may have swung a bit further to their side with these changes but we shall remember and there will be a day of Utu.

Read, enjoy and above all else be RMTU and proud to be Union. I believe 2015 is going to be a challenging year for us all no matter where we are, what we are doing or where we are working. It is gratifying to know that by being members of a strong, democratic and well resourced Union you can rest assured that you are far from being powerless in your workplace.

Kia kaha brothers and sisters. 🌐

## Retirement

Dear Editor,

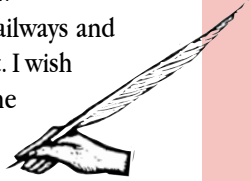
Having retired medically unfit from KiwiRail after a major heart attack last July and I wish to resign from the Union.

Having joined NZGR as it then was, on 17 May 1976 at Westfield as a loco trainee, I then served in Auckland until August 1977, when I transferred to Napier. The next four enjoyable years were spent there, gaining my second grade in the process. In Easter 1982 I transferred to Wellington to obtain my engine driver's appointment, where I have remained to this day. I gained my first grade certificate in July 1986, and passed my electric ticket in December that same year.

I have many pleasant memories of my time on the railways and will continue to watch events from a distance with interest. I wish all those who remain the best of luck and fortune for the future, and keep up the good work!

Andrew Gilbert

LE (retired) Wellington.



## Some notice boards of note



InterIsland Lodge, Wellington ferry terminal.



Shunter's Lodge, Wellington freight terminal.



Palmerston North main electric maintenance depot.



New Wellington North yard board, posters and information racks.



# When protecting line workers doesn't work

**N**OT only are KiwiRail being charged for three work protection incidents they have also been severely criticised by NZTA for the most serious of the three.

The RMTU firmly believes these incidents can – and must be – avoided by putting in place protocols designating clear authority, improved team communications, better planning and for clearance for a train to enter a protected worksite to not be given until the rail protection officer (RPO) can visually determine that all of the work team are off the rail and clear.

"No one goes to work expecting to be critically injured – or worse – but tragically this is what occurred in the Raurimu incident," says RMTU organiser, Todd Valster.

He says the team on the day were not aware that there was a change as to who would be providing the protection, which was poor planning beyond their control. The RPO provides protection to the worksite and controls the train movements on to the site, the track ganger is the worksite leader and, when under the traction overhead, the electrical safety observer would always be seen as an authority. Confusion is possible. Team communication is also key.

"We have many areas with less than optimal radio and mobile coverage," said Todd. "The Raurimu worksite was large, with curves, the RPO could not see all of the team members – which is no criticism of the RPO – as the site was set up according to the codes. A serious flaw in the investigation of the Raurimu incident is the lack of investigation information to those involved. The investigation report done by KiwiRail is still not available, leaving no opportunity for all concerned to learn and improve from this serious event."

In the past, working on the tracks was considered relatively safe. At least



there was little danger of being hit by a train because the instruction was 100 per cent clear: Close the track or protection would include detonators that would alert the LE and the track team of a protection issue. Also road bridges were established to transfer goods and people across the affected section of line giving the track team a safe worksite and without the disruption and risk of trains having to enter a work site.

## Eroded protection

Over recent years those vital protections have gradually been eroded.

When Government bought back rail from Toll they failed to buy the road transport part of the company, leaving it with Toll. In pretty short order KiwiRail discovered that to road bridge goods and people past track maintenance was suddenly a big expense, and one they hadn't planned for. Their solution was to erode the protection provisions for workers by slowing trains down, shortening their delays and focussing their eye firmly on the commercial outcomes: the money. Ironically, or sadly, back when Toll took over rail, the first promise of the CEO was to

## Three serious incidents

### Raurimu

At 0906hrs on Tuesday 17 June 2014 a north-bound Palmerston North to Tauranga freight train consisting of two EF class locomotives hauling 21 freight wagons, was authorised by a rail protection officer to pass the compulsory stop board at the south end of a protected work area between National Park and Raurimu. Whilst travelling through the work area, the train collided with a hi-rail digger being operated by a Downer New Zealand contractor on the railway line between National Park and Raurimu. The train pushed the digger approximately 130 metres along the track before being able to stop. The digger operator sustained critical injuries. The digger was in a work group performing track de-stressing operations. The train had permission to travel through the work area and the digger operator either did not hear or did not understand he was not to on-track. The work area stretched across around 7.60km of hilly terrain with no line of sight for the length of the work area on the day of the accident. On-site workers reported that the weather was foggy and misty.

### Carterton

Less than two weeks after the Raurimu incident, a rail contractor's machine was foul of the track and hit by a log train. It is understood that the contractor was using the passenger train timetable to work out if any trains were coming!

### Wairarapa

Following some major work on a rail bridge between Carterton and Masterton in August, clearance was mistakenly given for a train to come through the worksite while a machine was still on track. Due to the LE's vigilance, he managed to stop the train just in time to avoid a collision. This near hit was far too close!

have a mechanical or electrical method of stopping trains from entering track work-sites. Twelve years later it still does not exist.

Juggling the need to have the track work done, the protection of its workers and traffic flow along the lines – KiwiRail has come down in favour of flow and its commercial implications over the safety and health of its workers, in the opinion of the RMTU.

Over those same years the rules surrounding track maintenance have been subject to frequent fiddling, resulting in screeds of paper notifying interested parties of those changes. The inundation of rule changes has confused workers and obfuscated their intention. No sooner has one set of changes been learnt they are then changed and a new set delivered. They now come with such frequency that they are not read properly and KiwiRail have no way of checking that the changes have been absorbed.

Additionally, KiwiRail made nearly all its in-house protection officers redundant in 2013 – and then employed nearly all of them back via independent contractors. Naturally, those independent contractors returned with less motivation or accountability, thus contributing to the continued erosion of standards.

Following the Raurimu incident, and subsequently two others (see sidebar 1), both Worksafe New Zealand and New Zealand Transport Association (NZTA) probed the issue of protection. New Zealand's regulatory regime places NZTA as the lead investigator for rail but Worksafe New Zealand concluded that KiwiRail needed to be prosecuted while NZTA delivered an eleven point list of safety issues to be addressed by March 13, 2015 – as this magazine goes to press.



## Ensure understanding

NZTA determined that there was not a culture of personal, mutual and organisational accountability on KiwiRail worksites and that they must ensure its work gangs understand the safety risks and that they put into place checks that ensure they do.

Legally, the action taken by Worksafe

New Zealand is unusual and sends an ominous warning to KiwiRail says ex president of the CTU, Ross Wilson.

"Kiwi Rail is setting a very poor corporate example by attracting WorksafeNZ prosecutions under section 49 of the Health and Safety in Employment Act. "Prosecutions under this section can attract the maximum fine of \$500,000 and are only taken

## Offences and penalties

### Section 49 Health and Safety in Employment Act

Offences likely to cause serious harm

(1) Where:

- (a) a person who, knowing that any action is reasonably likely to cause serious harm to any person, takes the action; and
- (b) the action is contrary to a provision of this Act: the person commits an offence against this Act.

(2) Where:

- (a) a person who, knowing that failure to take any action is reasonably likely to cause serious harm to any person, fails to take the action; and
- (b) the person is required by this Act to take the action: the person commits an offence against this Act.

(3) Every person who commits an offence under this section is liable on conviction to:

- (a) imprisonment for a term of not more than 2 years; or
- (b) a fine of not more than \$500,000; or
- (c) both.

(4) A person charged with an offence under this section may be convicted of an offence against section 50 as if the person had been charged under that section.

◀ when the employer's failure is with the knowledge that it is reasonably likely to cause serious harm to its workers.

"Prosecutions are only rarely taken because the prosecution has to show that the employer knew that its failure is likely to cause serious harm".

"KiwiRail are facing four charges that it exposed workers in the Otira Tunnel to serious harm through exposure to noxious gases, and five charges relating to three serious incidents involving vehicles and workers on track work. In one of the latter incidents the digger operator was seriously injured when struck by a train and in another the train stopped just short of the digger operator working on the line.

"These are fundamental, almost reckless, failures by KiwiRail to ensure the safety and health of its workers."

## First time prosecution under section 49

RMTU general secretary Wayne Butson agrees saying: "Believe it or not, this is the first time any industry has been prosecuted by Worksafe New Zealand for breaking the laws as stated in section 49.


Butson also considers it unfortunate and retrograde that NZTA have the ultimate responsibility.

"Having two regulatory bodies is a nonsense," he said. "We need just one and our preference is Worksafe New Zealand who have shown they are not afraid to litigate."

From his standpoint he sees Worksafe New Zealand acting with vigour while NZTA is somewhat less rigorous.

"NZTA seem to prefer the ambulance at the bottom of the cliff scenario," he said, "while Worksafe New Zealand put their effort into prevention."

He points to their tunnel (Otira, Rimutaka, Kaimai) record where safety standards have improved considerably since Worksafe New Zealand took a closer look. (See sidebar 2)

"The RMTU has a clear focus," said Butson. "We are interested in the welfare and safety of our members and we think KiwiRail can do much better. We have offered to help find solutions but they are determined to go their own way. That's not what we want." 

## Tunnel vision

New Zealand's three longest train tunnels have been under close scrutiny recently and some dramatic changes have taken place. In 2012 this magazine reported on criticisms of health and safety hazards in and around the Otira Tunnel and helped Hazel Armstrong publish her book: Review of safe working procedures for train operations in the Otira Tunnel.

After considerable discussion, site inspections, mishaps and near misses a regime of worker protections was put in place. These included better ventilation, emergency evacuation procedures, clearing hazardous waste along the tracks and walls, renewed cabling and tracks, and much more.

The upshot of the review is that the Otira Tunnel is a much safer working environment for rail workers.

Similar actions were undertaken for the Rimutaka and Kaimai Tunnels which suffered similar hazards and problems - though maybe not quite at the magnitude of Otira with its steep, mountain incline and severe weather patterns. Nevertheless, workers in the other two tunnels were equally at risk with a recent gas incident at one bringing it to the fore. Safety standards were, or are being, put in place.

RMTU general secretary Wayne Butson expressed satisfaction with the state of affairs regarding the three major tunnels but says: "There are two tunnels between Wellington and Tawa which are busier than those three together and they have absolutely no safety equipment or procedures in place at all."

He says this is a state of affairs that must not be allowed to fester or to wait until an accident lands the issue on Worksafe New Zealand's agenda.



## ARE YOU A MEMBER?

### NZ Harbours Superannuation Scheme



The NZ Harbours Superannuation Scheme is open to all port workers.



The Scheme has an external administrator and contributions are invested with five fund managers.

Download a copy of an Investment Statement and Application Form at:

**[www.harbourssuper.org.nz](http://www.harbourssuper.org.nz)**







*(l to r) Stu Marsh, Shaun Clements, Tony Wornall, Jimmy Martin, Laurie Collins, John Kerr, Hazel Armstrong, Andy Kelly and Guido Ballara.*

# Lyttelton Port: Anatomy of an extended dispute

**S**INCE July last year the RMTU has been building the Union's organisation at Lyttelton Port Company (LPC) – not an easy task.

In late July the Maritime Union of NZ (MUNZ) initiated bargaining separately for their collective agreement, thus giving LPC the chance to break up the 22-year multi-union agreement leaving the RMTU to bargain separately.

Earlier, RMTU members overwhelmingly endorsed a bargaining strategy which included bringing the inland port at Woolston into the waterfront collective agreement. These inland port members had been the subject of two legal cases in the previous two years; the second of which, the Employment Court, ruled that the inland port wasn't covered by the waterfront collective agreement.

## Scene set

The scene was set for a period of hard bargaining and members were under no illusions that LPC would resist the RMTU's claims.

A series of events followed which raised tensions:

- In August LPC mechanic and MUNZ branch president, Brad Fletcher, was

killed after a scissor lift fell on him – the third life lost on the Lyttelton waterfront in 12 months.

- Subsequently, LPC CEO Peter Davie announced that every worker had a 'virtual red card' they could pull if they thought the job was dangerous.
- The deaths roused workers' anger.
- Davie being given a \$200,000 bonus, taking his salary package to \$1.2m (an 18% increase).
- The Christchurch City Council was under pressure to sell assets to fund earthquake repairs including LPC.

Local Christchurch commentator Edna Welthorpe summed up the situation:

"What's brewing on the waterfront in Lyttelton is a potent mix of righteous anger and quiet determination, coupled with a set of circumstances that makes conflict seem almost inevitable – a government bent on further pegging back workers' rights; a city council under pressure to sell off assets to fix its financial problems; a management that has raised workers' wage expectations by delivering this substantial increase to Davie; and a public that has a growing sympathy for the men who do dangerous work in all weathers around the clock to keep the waterfront working."

By September, said South Island organiser, John Kerr, it was evident that LPC was dragging its feet in getting to the negotiating table with the RMTU although it was quick to do a deal with MUNZ. Unfortunately, that MUNZ deal wasn't a good one in the RMTU's opinion. Additionally, it was obvious that



**HAVE WE GOT YOUR NUMBER?**

Providing us with your up-to-date contact details allows us to send you targetted and timely information, particularly in times of dispute or unrest.

Check we have by:

- talking to your branch secretary who has a comprehensive list of members;
- going to the Union website and updating your details – <http://bit.ly/exmEyL>
- phoning 04-499-2066;
- faxing 04-471-0896 ;

Make sure we have your e-mail address to save on postage.

LPC were going to dig in on the inland port issue.

"Then one of our members tried pulling Davie's 'virtual red card' when he was ordered to work on a scissor lift and didn't feel safe," said Kerr. "He was abused to such an extent that he walked off the job and resigned. The RMTU fully backed him and he eventually settled with LPC out of court."

In early December members voted unanimously to go on an indefinite overtime ban in support of the claims kicking off on 17 December. The dispute started to attract media attention.

The company's line was that the overtime ban would have 'little impact'. They expected the RMTU to accept something similar to MUNZ: around 2% backdated to expire in September and another 1% twelve months from settlement.

"The settlement was conditional on us agreeing a new workshop roster that the company hadn't yet dreamed up," said Kerr. "So the second wage increase was a moving target and every day that went by the value of our deal was reducing."

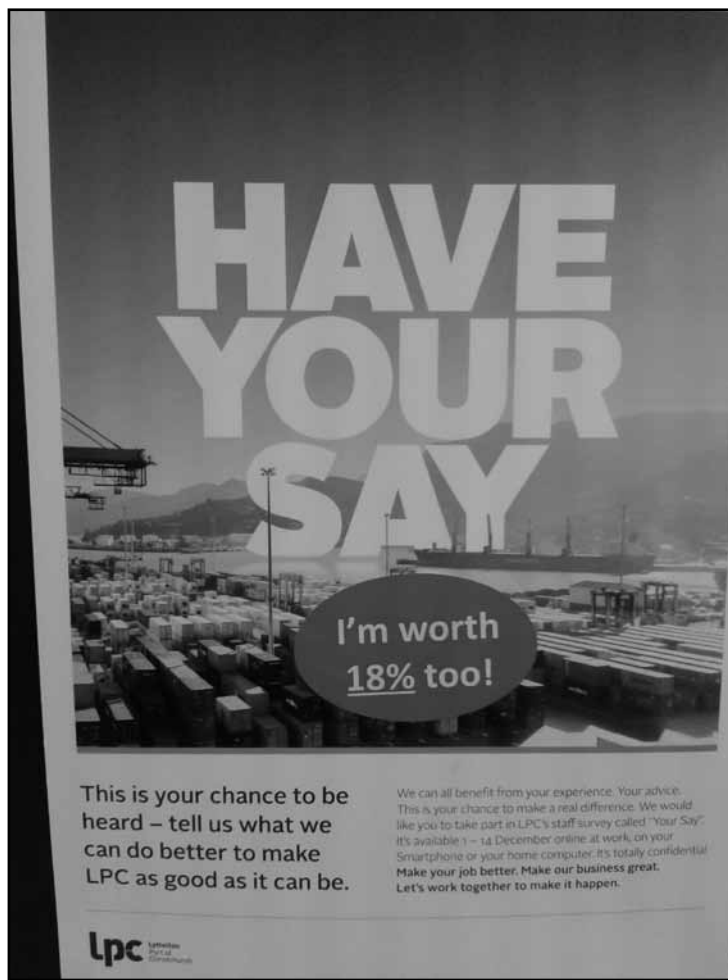
## Then everything changed

The night of December 19 changed everything.

The overtime ban meant there was a shortage of safety critical maintenance staff booked on duty on a Friday and Saturday night to deal with any emergencies involving heavy equipment. That night RMTU health and safety representative Laurie Collins pulled a red card. Not the LPC's 'virtual' red card but a real one which had been supplied by the RMTU.

He was supported by RMTU and MUNZ members despite pressure from management, but he held his ground.

In his affidavit to the court, Collins, said: "Bo Samuelsson (the container terminal manager) asked us if we were refusing to



*Some wag at LPC finds an excellent place for a protest sticker on an LPC poster.*

work. I said words to the effect that operating machinery without the workshop as the first response team was not safe. I also referred to the Risk Assessment being a paper shuffle without proper consultation with the workers concerned."

He added that after being accompanied to the smoko room by operations manager Paul Monk, that the workers there agreed with his assessment of LPC's Risk Assessment and with no workshop staff did not feel safe in the container cranes or the straddles.

He said: "During the heated discussion where I explained the Risk Assessment, I may have become loud and somewhat heated because LPC's management continued to refuse to listen or accept our genuine concerns."

As a group of RMTU and MUNZ workers they made it very clear to the three management reps in the smoko room that it was a health and safety issue and not an industrial one.

At that point Kerr was called (around midnight) by H&S reps and management.

He advised members that they were within their rights to refuse any work they perceived to be unsafe.

Electrician Mark Brown, from the workshop, was one of the workers who followed the RMTU's call for an overtime ban effectively leaving the workshop unstaffed.

He said in his affidavit:

"... we and the workshop staff are the first response to rescue crane drivers ... and are the only ones trained in the use of elevated platforms." He added that: "As far as I know there is no procedure or safety equipment for drivers to evacuate the cab safely outside the park up."

Electricians are the only people with permitted access to a range of essential elements.

That night the container terminal shut down and the next day LPC filed for an urgent injunction asking a judge to declare the action unlawful and forcing the workers to return to normal work in the container terminal.

## A hard weekend followed

"What followed was a hard weekend," said Kerr. "Members swore affidavits, the RMTU legal team, the RMTU general secretary and H&S advisor Hazel Armstrong, swung into gear and burned the midnight oil to mount a defence against the application. By Sunday night the judge was ready to make his interim declaration."

Judge BA Corkill dismissed the LPC application but found that both parties appeared willing to mediate on health and safety issues.

"Given that willingness," he wrote, "I do not consider it necessary to make any formal direction as to mediation or otherwise, although I strongly urge all parties to engage constructively in these processes with a view to resolving their outstanding differences."

In the final analysis he said the health and safety issue only affected two weekend shifts which did not significantly impinge on LPC's operational requirements and that





health and safety should prevail.

The container terminal remained shut at night on the weekends for seven consecutive weeks as the overtime ban ran on and the RMTU tried to thrash out a deal for renewal of the collective agreement with LPC.

This proved to be no easy task as management went on holiday, despite delayed shipping and, in some cases, diverted ships.

"We kept the pressure on making sure the public knew the issues and remained on our side," said Kerr. "Responses were all similar: Why don't LPC fix the problem and do a deal?"

When talks recommenced it was via mediation involving the Ministry of Business, Innovation and Employment.

## About respect

On January 27 at a mass RMTU meeting Butson clearly stated: "This issue is about being taken seriously and treated with respect by this employer and up to now, here in Lyttelton, we aren't getting much of that."

Members overwhelmingly voted to go out the gate and that night the RMTU began issuing 14-days notice of consecutive 24 hour stoppages – and continued doing so each day until finally – eight days later – sitting down for talks with LPC on February 4.

The media interest was intense. Davie had shrugged off the first strike notice, saying the port would continue to operate. After three notices the penny dropped that these notices would keep coming indefinitely and each held that element of

**"While there are many lessons to be drawn from this dispute, what is very clear is that there is no substitute for strong organisation, good communications and a clear strategy."**

- John Kerr

surprise: the option to withdraw a notice at the eleventh hour. Before long Davie was advising customers to make other arrangements as LPC could not guarantee the operation of the port. There were rumours of a lock out by LPC swirling around.

Behind the scenes the RMTU had ramped up its lobbying of politicians and toned down its media campaign. Members were ready to take to the streets outside Christchurch City Council, Lyttelton police were asking about plans for pickets and the strike committee was discussing

non-violent, direct action and even civil disobedience training. Thanks to the efforts of newly-elected branch secretary Heiner Benecke members were receiving information in real time via texts and social media.

At the same time RMTU negotiators were pressing the point that a deal could be done if the parties simply talked.


## Breakthrough

The breakthrough came at mediation on February 4 when LPC gave up its previous pay position and rolled out a three year backdated deal delivering 2.5% each year. The RMTU accepted a separate collective for the inland port which at least gave members there some improvement in their terms and conditions.

As a responsible union the RMTU knows when to deal and take what's on the table.

"Later that night we learnt that MUNZ had failed to ratify their agreement properly leaving its legality in question," said Kerr. "Instead of being a deal for 3% over 18 months, the term ran from settlement not expiry, in effect making it 3% over 21 months. Some MUNZ members mounted a legal challenge which was accepted leaving their agreement null and void. It could have been so different."

On February 12 the membership overwhelmingly voted to ratify both collective agreements.

"While there are many lessons to be drawn from this dispute, what is very clear is that there is no substitute for strong organisation, good communications and a clear strategy," said Kerr. 

# Rimutaka Tunnel safety issues



*TranzMetro reps Gary Innes, Wayne Coley and Tony King holding a copy of petition of names wanting health and safety improvements in the Rimutaka Tunnel.*

**A**T long last progress has been made on the health and safety issues raised by workers on the TranzMetro Wairarapa passenger service.

In August last year Wairarapa on-board staff petitioned the TranzMetro health and safety action team (HSAT) with a list of their safety concerns. Workers said there were not enough trained staff to manage the peak volume of passengers during an emergency scenario, particularly if an incident were to occur within the Rimutaka tunnel.

Up to 500 passengers travel on the peak services which run between Wellington and Masterton. Early last year a risk assessment was commissioned by KiwiRail to identify the risks associated with the tunnel. The risk assessment said it is almost certain that passengers would panic during an emergency in the tunnel, particularly if the train was overcrowded or there was a communication failure between on-board staff and passengers. Workers identified the on-board public address system as unreliable and that they had 'lost faith' in using it in an emergency situation.

## Rimutaka Tunnel facts


The Tunnel is 8.9km long, single track and one of the longest tunnels in the KiwiRail network. It runs between Featherston and Maymorn and is very dark due to the lack of permanent lighting. Additionally it crests in the middle obscuring light from both ends. There is no radio coverage and no ability for the driver and train control to be in contact other than by track telephones situated every 360-400 metres. Funding has been approved to install a 'leaky cable' this year to enable radio communications.

Following the workers' petition a meeting was held in late December 2014 with TranzMetro and RMTU safety representatives including Graeme Twist, Tony King and H&S organiser Karen Fletcher from RMTU. The NZTA was also informed of the issues.

Outcomes from the meeting include increased minimum staffing levels and improved training for on-board staff including

tunnel gas awareness. Staff will also have the ability to shut off carriages to ensure an adequate ratio of staff to passenger numbers. A strategy for managing the number of bikes and luggage will be considered together with a review of the PA system.

The RMTU remains critical of TranzMetro's approach to calculating staffing levels for the largest peak hour trains. The new ratio of staff to passengers is based on an additional single staff member per 120 passengers. However, once passenger numbers rise above 241 there will be no additional staff rostered leaving the same numbers of staff to manage 241 through to 500 passengers. Workers are concerned that in an emergency three staff may not be adequate – especially the higher number of passengers over an eight car consist.

On-board staff will be asked to provide feedback on the new minimum staffing levels via the MIS 7b forms and it was agreed that the next full Wairarapa passenger service emergency exercise test the effectiveness of the on-board staffing levels. 



# Traction truck blaze puts focus on tunnel safety

**W**ITH the safety focus on our longest and high profile tunnels – Otira, Rimutaka and Kaimai – there is increasing concern that our shorter tunnels are being left behind.

Almost all of the tunnels outside the 'big three' have little in the way of safety equipment as a recent incident showed.

On 18 January 2014 in the 1200m Main Line Tunnel no.1 near Wellington a diesel rail maintenance vehicle caught fire.

Three KiwiRail workers were using the elevated work platform on the vehicle to inspect power lines when they heard a muffled explosion and noticed smoke coming from the cab of the vehicle. They evacuated the scene immediately. All three were checked at an after-hours medical centre as a precaution but none were injured.

In the end the Fire Service attended and extinguished the fire.

WorkSafe New Zealand and the New Zealand Transport Agency are conducting an investigation into the circumstances.

Early indications show that the fire was caused by a burst hydraulic oil hose or fuel pipe spraying vapour onto a hot exhaust manifold.

Four issues have so far been identified:

- There was no automatic fire suppression system fitted to the diesel vehicle;
- The tunnel workers were not wearing self contained self rescuers, although they were available and were found abandoned on the maintenance vehicle elevated work platform after the fire;
- The fire was 122m into the tunnel and at the limit of the Fire Service operational capability; and
- There was no mains water supply at the entrance to the tunnel or within the tunnel.

The RMTU calls for urgent action saying that all operators in high hazard industries should note the seriousness of this incident, consider the four significant issues outlined above and review their operating practices.

Further details and recommendations from the regulators will be available at the conclusion of the investigation.

Meanwhile, there is no doubt that to bring these hundreds of 'minor' tunnels up to an acceptable safety standard will cost a lot of money.

"Yet another example of the unfair playing field rail is required to play on," says RMTU general secretary Wayne Butson. "If New Zealand's road tunnels were found to have similar built-in faults putting users at serious health and safety risk the money would soon be found to sort it out." 🇳🇿



*Paul Tautubi, Zac Tabuparae and Nicholas Van Lent.*





# LPC health and safety roundup

**O**NE of Libi Carr's last duties late last year before retirement was to accompany visiting H&S organiser Karen Fletcher from head office. The purpose of the visit was to build organisation around health and safety and everyone involved said it was a resounding success. Karen's knowledge and energy was greatly appreciated and she inspired and enthused LPC health and safety representatives. This project was one of Libi's last jobs as branch secretary and what a legacy she left us, says South Island organiser John Kerr: "With her knowledgeable, self-confident cadre of active worker representatives!" 🇳🇿



*Libi, Karen and new LPC branch secretary Heiner Benecke.*



*Trevor (Mog) Lester.*

## Risk assessment tools not equal

**R**ISK is a subjective concept in health and safety. What one person considers safe another person may not. Risk assessment is the overall process for risk identification, risk analysis and risk evaluation.

The RMTU compared the risk assessment tools of Lyttelton Port Company, KiwiRail and Queensland Rail.

The comparison showed the three companies' rate risk levels differently.

The LPC tool rates a likely/moderate risk including a 50% chance of medical treatment as a 'medium' risk and deemed acceptable with current controls.

By comparison both the KiwiRail and Queensland Rail risk assessment tools considered the same risk to be of a 'high' level and unacceptable.

This example highlights the importance of worker input into the entire risk assessment framework used by companies.

The AUS/NZ standard on risk management says stakeholder (worker) consultation and communication should be a two-way process from the beginning including development of the risk management policy, through to monitoring and review of the company's risk management process. This includes joint decision making around the level of risk associated with operational tasks.

Risk assessment is most accurate when it is done with the input from the workers carrying out the task.

Don't let someone else draw the line on what is an acceptable level of risk to your health and safety.

**YOU draw the line. Just say 'NO'.** 🇳🇿



Nest will donate  
\$200 to RMTU for  
every member who  
becomes a Nest client.



## Nest Home Loans and RMTU are providing your financial solutions

### Introducing the Nest Home Loans RMTU workplace package!

Nest Home Loans – the one-stop shop for mortgages, insurances, loans and Kiwisaver.

Nest has negotiated large interest rate discounts for all RMTU members on their Home Loans, plus market-leading Insurance products that can't be beaten!

Call Nest to find out how to save thousands.

**0800 337 426**

We guarantee if you find a deal better anywhere else we will beat it or we pay you \$200 for your time.\*

\* You must supply their proof of an offer from another institution



**Contact Jeff Kerwin** Nest's dedicated RMTU liaison  
0800 337 426 | 07 211 4537 | 027 667 2941  
jeff@nesthomeloans.co.nz | www.nesthomeloans.co.nz





# RMTU's Red Card is an effective



The RMTU's RED CARD campaign was launched in Christchurch at the combined rail and port branch meeting.

## If the job's not safe, just say 'No'!

**T**HE 'Just say NO' card – otherwise known as the red card – was launched at the RMTU Canterbury branch meeting in December last year and will be rolled out to the rest of the RMTU membership shortly.

The card is designed to be carried in a wallet or on a person. It reminds workers of their rights under Section 28A of the Health and Safety in Employment Act (HSE Act) to stop working if the job is likely to cause serious harm.

The steps are:

- If it doesn't feel right, step back;
- What is the hazard or the risk?;
- If you continue, could you or someone else, be seriously harmed?;
- If the answer is 'YES', then STOP, inform your manager, H&S rep, and/or your RMTU delegate or call the RMTU on 04-499-2066.

If you are stopping work under section 28A of the HSE Act you must:

- Genuinely believe that the work is unsafe and likely to cause serious harm to yourself or to others. You don't have to be correct, but you do need to genuinely believe the work is unsafe;
- Inform and attempt to resolve the matter with the employer in good faith;
- Perform other safe work that an employer may reasonably request; and
- Where work is inherently risky, the risk of harm must have materially increased beyond the usual level of risk in order for a worker to stop work under section 28A of the HSE Act. For example the level of risk is not being adequately controlled.

**If in doubt, reach out.**

**WORKERS MEMORIAL DAY 28 APRIL 2014**

**Mourn for the dead, fight for the living.**



**“If the job's not safe,  
just say NO.”**

THE RMTU WILL BACK YOUR DECISION





# Effective workplace tool



# Just say NO!

**"If the job's  
not safe,  
just say NO."**

*Barry Simpkins, NMC Nth Island Rail  
Mike Williams, NMC Sth Island Rail*



THE RMTU WILL BACK YOUR DECISION



**"If the job's  
not safe,  
just say NO."**

*John Bannerman, Westcoast Rail  
Vice Chairman, and Infrastructure  
Council Track Supervisors Rep*



THE RMTU WILL BACK YOUR DECISION



- If it doesn't feel right, step back.
  - What is the hazard or risk?
  - If you continue, could you or someone else, be seriously harmed?
  - If the answer is YES, then STOP, inform your manager, H&S rep and/or your RMTU delegate.
- Or call the RMTU on 04-499-2066

Near midnight on December 19, RMTU health and safety representative Laurie Collins (right) pulled his red card from his wallet and told the Lyttelton Port Company that it simply wasn't safe to work the cranes in the port. He was supported 100% by RMTU and MUNZ members and despite pressure from management he held his ground and the port ground to a standstill.



# Time up for TPPA?

By Bill Rosenberg

CTU economist

**N**EGOTIATIONS are at a critical stage in the proposed Trans-Pacific Partnership Agreement (TPPA). Ministers are meeting in mid March to make decisions that may well finalise the agreement.

If it is signed it will raise medicine prices, weaken our medicine-buying agency PHARMAC – which is very effective at holding down costs – and make it harder to reduce smoking and obesity.

It will allow overseas investors to sue the New Zealand government in private overseas dispute tribunals if it reduces their profits when it acts in the interests of New Zealand workers or protects the environment.

Such cases against governments have been growing exponentially and obstruct government actions in crucial areas such as our environment, public health, financial crises, labour standards and other human rights.

## Harder for workers

It will make it harder to support local jobs such as by giving local firms an advantage in supplying the government. The Government has already signed away the right of KiwiRail to favour local firms over suppliers from 43 countries in a Government Procurement Agreement in the World Trade Organisation. The TPPA is likely to add to the list of countries.

The TPPA will make it harder to prevent another financial crisis or to control our exchange rate which is killing exporters.

State owned entities such as public broadcasters could be forced to act only commercially, preventing us using them for public and social purposes, and new ones, such as a publicly owned insurer, could not be established in response to failure of the private insurers to provide for our needs.

Even greater dairy and other agricultural access to the US and Japan is certain to be far less than the Government promised at the outset because Japan is refusing to

eliminate its taxes on agricultural imports – and it is likely that Canada and the US will do the same.


This agreement is sold to New Zealanders as a trade agreement but in fact most of it changes the rules on investment and intellectual property in favour of large multinational corporations, and reduces the governments' ability to regulate in their citizens' interests in hundreds of different ways.

To make it worse, the draft text of the agreement will be kept secret until the agreement is signed, and there is no process in New Zealand to allow a proper public inquiry into it until it is too late to change it.

There is widespread concern in New Zealand and internationally, from health workers and experts, authors, internet providers, technology innovators, Consumer NZ, librarians, lawyers, unionists and many more.

That is why another National Day of Action was held on Saturday 7 March calling for "TPPA: No Deal!" Ten thousand people took part in a National Day of Action in November in 17 different centres.

Unions were among the organisations sponsoring the day and many unionists took part, some flying union banners. If it can be stopped in the next few months, it could well be the end of it. More information is available at

<http://www.itsourfuture.org.nz> 



*John Key joins the anti-TPPA rally at Midland Park, Wellington along with hundreds of real protestors.*





# All SEETU Go

**T**HE Thailand State Enterprise Electrified Train Workers' Union (SEETU) is a new ITF affiliated railway union. The union covers workers employed by the Bangkok Airport Rail Link Company, a subsidiary of the State Railway of Thailand (SRT). The RMTU celebrates their formation and welcomes them into the ITF family of transport unions globally.

Recently the chair of the ITF railway section, Bro Oystein Aslaksen, a locomotive man from Norway, visited Thailand as part of an ITF delegation to support the State Railway Union of Thailand (SRUT) in their anti-privatisation campaign. The Thai Government has blown the dust off previously abandoned privatisation policies and has commenced a new strategy to restructure the rail transportation system by splitting infrastructure from the rail operator and thereby establish a new rail track department under the umbrella of the Ministry of Transport. They also wish to limit the role of the SRT from acting as both the regulator and train operator and to become just another rail operator in the intercity railway network.

The SRUT mobilised their members and union activists from Bangkok and



all nine branches across the country to develop a strategic plan for a renewal of the anti-privatisation fight. The seminar was held on 3 February. The morning session started with a panel discussion on rail privatisation and its impact on workers and the consequential impact on rail safety. The panellists comprised representatives from SRUT, Bro Somsak Kosaisook, ITF, Bro

Oystein Aslaksen and representatives from SRT management, plus an academic who is drafting the SRT's rail policies.

At the end of the session, Bro.Oystein was interviewed by the national media. The RMTU will support SRUT as much as possible as we have experienced the failure of privatisation and have lived through its negative effects. 🌐

## CAPTION COMPETITION

Entries close 15 MAY 2015.

Winner will be contacted and name and entry published in the JUNE 2015 issue of *The Transport Worker*.

Entries can be sent to [admin@rmtunion.org.nz](mailto:admin@rmtunion.org.nz)

### Last issue's winner



*"I'll get you my pretties."*

**Andy Kelly  
Lyttelton.**

**WIN \$100  
prize**



Make up an appropriate (or even inappropriate) caption for this photo of the signing of the KiwiRail collective agreement recently and win a cash prize of \$100.



# Workers shortchanged

**R**EAL wages didn't keep up with productivity growth over the 30 years of trickle-down economics.

Workers have been short changed by up to one sixth of the wages they should have earned as a result of employers not sharing the benefits of productivity growth, said the Council of Trade Unions.

A study released last month by the Productivity Commission shows that real wages fell significantly behind productivity growth in a large part of the economy between 1978 and 2010. This resulted in wages and salaries and labour income of self-employed people getting a falling share of the income the economy generates (the labour income share).

CTU economist Bill Rosenberg has calculated that wages, in the part of the economy considered by the Commission, would have been 12% higher on average in 2011 if they had kept up with productivity from the point of view of the revenue their employers were receiving for their products over the period studied (since 1978). Wages

would have had to be 49% higher in 2011 from the point of view of keeping up with the rise in cost of living which workers have faced over that period.

Over a wider part of the economy which includes almost all its market sector, I estimate wages would have been 16% higher in 2012 if they had kept up with productivity growth since 1989."


"This is an important part of the story of growth in income inequality in New Zealand. The fall in the labour income share is well known and has been happening in most countries around the world. However it was particularly strong in New Zealand," Rosenberg says.

"Even over a brief period in the late 1990s when the labour income share rose, a large part of that increase went to the top 1% of salaries.

It was a period of high growth in the share of income that top executives and highly paid professionals were getting according an analysis of IRD tax data." Rosenberg says.

"The Commission's work is important in that it finds that a large part of the fall in the labour share of income was due to the high unemployment and the introduction of the Employment Contracts act in the early 1990s. The opening of the economy (globalisation) also contributed through competition with imports from low-wage countries, and offshoring of production to those countries. All of these led to a loss of bargaining power for employees," Rosenberg says.

"The Commission contrasts New Zealand with Australia where strong productivity growth over a similar period did not lead to wages falling behind and a loss in labour income share." Rosenberg says.

"Wages and salaries matter a lot to New Zealand households. Wages and salaries were 83% of 'market' income (before taxes and benefits) and 74% of all their income according to Statistics New Zealand's Household Economic Survey for 2014, and that proportion has risen since the late 1990s." Rosenberg says. 



## \$1,500 AD&D

**All members of RMTU are now covered by a \$1,500 Accidental Death & Dismemberment Benefit, including \$500 spouse coverage and a further \$500 coverage on dependent children.**

**Members also have the option to increase their coverage an additional \$10,000 which costs just \$2 for the first year. Please contact an AIL representative to deliver your AD&D Benefit and explain the additional insurance coverage available.**

**If you have not filled out a response card, call our freephone for more information NOW!**



**AMERICAN INCOME LIFE**  
insurance company

Please note: To qualify for the \$10,000 of additional ADB coverage, an AIL representative must visit you, obtain an enrollment form and collect premium for the first year. You may renew annually thereafter for \$5.

## Canadian rail strike

Canadian Pacific Railway Ltd began operating a reduced freight schedule run by its managers last month after talks on a new contract broke down and more than 3,000 train engineers and conductors walked off the job. Canada's No. 2 railway and the Teamsters Canada Rail Conference failed to agree on terms including scheduling and rest times. The strike will affect automakers, crude-by-rail and grain shipments and port operators. Commuters in Montreal will also feel the effects. CP workers in the United States, where the railway has a substantial network, are not on strike.

## Koreans not guilty

On December 22, the Western Seoul District Court handed down a non-guilty verdict in the trial of four central rail union leaders, a significant victory for the union

and the ITF after a year-long struggle. While the court found imprisoning the Korean Railway Workers' Union (KRWU) in December 2013 to be illegitimate, it ruled that the strike lacked the 'surprise' character necessary to constitute obstruction of business.


## INTERNATIONAL BRIEFS

### 29 US ports' dispute

The bitter contract dispute at 29 West Coast ports intensified last month when dockworkers shut down the Port of Oakland amid tense negotiations that have prompted government intervention and calls for a settlement from across the nation. Twelve cargo vessels were left sitting at the port when Oakland dockworkers took the day off for a monthly union meeting that

has historically been held at night. The work stoppage came as terminal operators and longshore workers haggled over the details in a proposed union contract.

### Seafarer's foot severed

Two men have been seriously injured during an incident on board a ship at Port Hedland, Western Australia. The Australian Maritime Safety Authority said the crew members from the Happy Buccaneer were injured by a load spreader. The pair were taken to Hedland Health Campus with leg injuries, where they are in stable condition. Maritime Union of Australia's North West organiser Kyle McGinn said union representatives said: "As far as I'm aware, there's been a serious incident on board a foreign-manned vessel . . . another foreign labour incident in the Pilbara. There have multiple incidents over the last 12 months involving foreign seafarers." 

# Sickness, accident & death



## The New Zealand Locomotive Engineers' Sickness, Accident and Death Benefit Fund

In the last 10 years 230 locomotive engineers had to retire due to medical reasons. They received a total payout of \$4,737,097 from the above Fund. LEs who didn't belong to the Fund and who were forced to retire did not receive anything.

**You could be next to miss out!**

**For as little as \$219 a year your future – or those of your next of kin – could be better assured.**

### Contact:

Julia Harrison, PO Box 813,  
Wellington  
Telephone: (04) 499-2066  
Fax: (04) 471-0896  
Email: [julia@rmtunion.org.nz](mailto:julia@rmtunion.org.nz)

**Attention LEs  
Join this Fund now for  
your own peace of mind**



# Fiji wage orders project



## UnionAID

Better Work, Better World

**G**ARMENT, manufacturing and retail workers in Fiji will benefit from better wages and enforcement of their rights under UnionAID's project.

Low wages mean many workers in Fiji's garment, manufacturing and retail sectors live below the poverty line. Workers in the garment sector are entitled to a minimum wage of just NZ\$1.40/hr and minimum wages in the manufacturing and retail sectors are only slightly higher. Shockingly a 2012 report by the ILO suggested many workers aren't even paid these minimum wages as poor enforcement means employers can easily flout the law.

Fiji's system of Wage Regulated Orders covers about 60% of workers with a further 30% of workers members of unions and covered by collective agreements. Increasing the regulated minimum wages and their enforcement is thus an important first step to reducing poverty in Fiji until access to collective bargaining can be improved.

UnionAID's 10 month project aims to improve workers understanding of their wage rights and how to enforce them as well as ultimately increase the level of the regulated minimum wages. UnionAID's




project leader, Kuini Lutua, has extensive experience in union organising and campaigning and is the former General Secretary of the Fiji Nurses Association. She will be working alongside the National Union of Factory and Commercial Workers (NUFCW) in Fiji.

The project will provide garment, manufacturing and retail workers in the Suva area with education and training about their rights under Fiji's Wage Regulated Orders and support them to enforcement these rights. It will also improve both workers



and unions understanding of the process for setting Wage Regulated Orders through the Fiji Wages Council. This is intended build capacity of both the workers and the NUFCW to advocate for a higher minimum wage in future decision making rounds of the Fiji Wages Council.

The project is due to be completed in September 2015. 

## Unions have a long tradition of international solidarity.

Becoming a Kiwi Solidarity member is a modern way of expressing that solidarity and helping vulnerable workers in developing countries in our region get a fairer deal.

### Sign up to UnionAID today

UnionAID is the only New Zealand overseas aid agency that places workers' rights at the centre of its work.

tel: 04 385 1334 (ext 810), fax: 04 385 6051, write: P O Box 6689, Marion Square, Wellington, email: [unionaid@nzctu.org.nz](mailto:unionaid@nzctu.org.nz)  
Or phone 0900 UNAID (0900 862 43) to automatically donate \$30.



# WWI exhibition at Paekakariki Station

**T**HE last post was a very stirring tribute at the official opening of Paekakariki's new museum of WWI collections last month. It was good to see local kaumatua Uncle Tuki Takiwa officially bless the room – very fitting considering many of the local troops who went to battle in Europe were young Maori.

The first native contingent (Te Hokowhitu a Tu) left Wellington on 14 February, 1915 aboard the HMNZT20 Warrimoo, bound for Port Suez, Egypt. One hundred years later on 15 February 2015 the Paekakariki Station Museum opened its exhibition of WWI photos and memorabilia, commemorating these men along with others from the Kapiti Coast.

The Paekakariki War Memorial plaque was also refurbished and re-unveiled on the day.

Mana MP Kris Faafoi and other dignitaries were there for the opening.

The museum will be open on Saturdays and Sundays from 1100



to 1500 hours and the display will run until 30 April 2015.

Memorial booklets have been produced where available from Army records of those names showing on the War Memorial plaque.

It is well worth a trip to the station for a look at some of our local lads who set off on an 'adventure' on Feb 14, 1915 and found themselves in some of the bloodiest of battles of WWI. 🇳🇿



## RMTU input to H&S regulation

**O**N February 20 the RMTU was invited to comment on the draft Approved Code of Practice for Worker Engagement, Representation and Participation.

RMTU representatives Shaun Clements (Lyttelton port), Jeremy Diskin (Port Nelson), Russell Schwartzfeger (KiwiRail), David True (Transdev) and RMTU H&S organiser Karen Fletcher were invited to attend Worksafe New Zealand's targeted consultation.

The new ACOP is part of a suite of regulations to underpin the new health and safety legislation due to come into force in the fourth quarter of 2015. The new legislation is a response to the Pike River tragedy which put the spotlight on New Zealand's woeful health and safety record. 🇳🇿

*(l to r) Shaun Clements LPC, Jeremy Diskin Port Nelson, Karen Fletcher, RMTU, David True Transdev and Russell Schwartzfeger KRG*





# Speak up! Stand together! Stop bullying!

**L**AST year RMTU members stood up and said 'NO' to workplace bullying at various events around the country. Pink shirt day is now a global campaign aimed at reducing bullying and celebrating diversity.

What is bullying?

Bullying is a health and safety issue and a significant hazard in NZ workplaces. It affects people physically and mentally resulting in increased stress levels and reduced emotional wellbeing. It reduces peoples' resilience and lowers work performance. In short, bullying is bad for business. Employers who don't deal with it risk breaking the law, including the Health and Safety in Employment Act.

**Pink Shirt  
Day  
23 May 2015**

Worksafe New Zealand defines bullying as: "Repeated and unreasonable behaviour directed towards a worker or a group of workers that creates a risk to health and safety. Bullying can be personal attacks such as belittling remarks, public humiliation, persistent or public criticism. Task related bullying includes being given unachievable

or meaningless tasks or receiving an unreasonable level of monitoring."

The harm associated with bullying is stress. Harm can include, lowered self-esteem, anxiety and depression, fatigue and burnout.

Worksafe's best practice guideline on preventing and responding to workplace bullying is

a useful source of information for workers and employers to use to learn what bullying looks like and ideas on how to deal with it.

What can you do about bullying?

The guidelines recommend that if you are being bullied you could do the following:

Find out what internal policies your employer has for dealing with bullying and use them;

- Address the unreasonable behaviour as soon as possible so it doesn't escalate;
- Keep a detailed record of the bullying incident(s) including the date, time, what was said/done, how you responded and how the bullying affected you;
- Look after yourself and don't ignore stress levels; and
- Seek help. Help is available from your H&S rep, Union delegate, employer representative and Worksafe New Zealand.

Now is the time to start talking with your workmates about what you could do on May 23 to speak up, stand together and say 'NO' to bullying. 🌐

Worksafe NZ (2014) Best Practice guidelines//preventing and responding to workplace bullying.



## International Women's Day

International Women's Day is recognised, celebrated and supported by thousands of organisations and individuals across the world and has been observed since the early 1900s. For the ITF family it is about helping to secure rights for women and raise their visibility and participation in the union movement. The unfortunate fact is that women are still not paid equally to that of their male counterparts, women still are not present in equal numbers in business or politics and, globally, women's education, health and the violence against them is worse than that of men. Annually on 8 March, thousands of events are held throughout the world to inspire women and celebrate their achievements. It's an opportunity for unions all over the world - men and women - to stand together, support female members and address the issues facing women transport industry workers. This year's theme was 'Time to count us in!'

## Inaugural women's forum

The inaugural RMTU women's forum is being held in Wellington on 21/22 April, 2015 and programme planning is well underway. The forum will together active and keen RMTU women to begin empowering women to take greater leadership roles within the RMTU at all levels. The forum will:

- nominate a women's candidate (or candidates) for the NMC with elections due to be held this year;
- create a framework and identify key areas that the NMC role will cover which will submitted for final approval by the NMC;
- develop an RMTU women's communication network; and
- agree on a group of women who will begin the process of being a support and communication network for RMTU active women such as women branch representatives, NMC rep, women delegates, branches that don't have women – how to support these groups.


Amongst the anticipated (and lively) debate and decision making will be speakers, education sessions, and an evening meal on the first night and lots of strong union women to get to know and build networks with.



## Sting in MECA tail

**K**IWI RAIL CEO Peter Reidy (l) and Wayne Butson sign the KiwiRail-RMTU Multi Employer Collective Agreement (MECA) and in so doing set the scene for constructive engagement industrially for 24 months from expiry.

The March 2015 changes to the Employment Relations Act means that in 2016 KiwiRail will have the choice of saying "no" or "yes" to a renewal of the MECA and you and your Union will be powerless to do anything to change their minds.

Are we stronger together? If your answer is "yes" then you now see the issue. 

**T**O those of you who were able to get away on holiday and refresh yourselves it was great to have such settled weather.

The staff here at operations in Te Rapa were given the choice of a ham or a meat pack as a gift from KiwiRail last Christmas. Thanks to Harvey Stoneham who helped organise this. The hams proved most popular.

The political world has started to crank up with the National led government breaking promises and becoming the true mushroom farmers that we have become accustomed to over the last seven years. The memory loss of the prime minister is becoming more evident particularly when

## WAIKATO RAIL

his own staff and MPs are involved. Who knows what will happen over the coming year. The casino and convention centre is another

calamity for this government.

Over the last month some of our former workers passed away.

Danny Fletcher, locomotive supervisor at Te Rapa from 1978 to 1980. He was 93.

Len Goodwin retired locomotive engineer. Len finished up in Mount Maunganui but served a lot of time in Taumarunui where he eventually settled after his retirement. He was 70.


Andy Otto, train control at Hamilton. Andy had been in train control right up until

it was shifted to Wellington. Andy did a short stint in operations at Te Rapa. He was 62.

Gwenda King, pay office at Te Rapa locomotive depot. She worked there up until the late seventies. She was 75.

To all the families we offer our sincere condolence.

On the NIMT construction has started on several bridge replacements between Ongarue and Taumarunui. This project will take a few years to complete. There are also the bridges at Taupiri being replaced.

The number of loco failures has increased particularly with the EF class. The electrics are well over due for either a major overhaul or, if the government approves, renewal. Seeing diesel locos running trains between Wellington and Auckland is common on the overnight services. 

**H**I from the land of lots of oil – but bugger all milk. Having endless days of summer is great but cows need the rain for the

grass to grow. Sooo the milk is drying up fast. We would normally get through to the last milk trains in May but trains are already dropping here. Next milk season starting in August, Fonterra will have a new powder plant opening at their Pahiatua site. This

## TARANAKI RAIL

has resulted in the Oringi milk collection site closing.

Hawkes Bay milk will now be trucked to Pahiatua rather than Oringi as previously

happened for the last 13 years. The effects of this are that Palmerston North/Whareroa milk will only be carrying 8 OM milk trains rather than the standard 16. The new ELA (environmental load-out area) has kicked into life at Whareroa. Everyone's

vision of this siding being a spic and span place is evidently not the case with a lot of rubbish littering the siding.

The shunters within the Fonterra sidings have also had other issues with the lack of maintenance with the points within their plant.

Within the Fonterra plant it is up to them to maintain and oil points. This has not been the case with the operations' guys struggling to pull points over.

The new altered back shunt has provided challenging times for locomotive



◀ engineers at Whareroa. Previously with a 16 OM milk train there was two wagon length between the front of the locomotive and the stop block. With the new altered siding we now have two metres.

Not bad when the train you are pulling is 1,117 tonnes of raw milk and wagons. The company investigated and found it was going to cost \$60,000 to extend the siding for a 16 OM milk train.

The company has said that extending the back shunt when the milk trains are being reduced to 8 OMs doesn't make sense. An alternative was found where the milk trains could head towards the new ELA siding. This remedy is also not without its problems with the tight curvature over the points as the operations staff believe this could lead to a derailment.

There has been some good news at

Whareroa with the arrival of the new milk hut. The old one was small and cramped. This hut has been an on going issue for the last few seasons. The hut still has to be wired up but we are for ever hopeful that will be done soon.


At Eltham sidings, Fonterra are expanding the building to take over most of the rail sidings. Of course, this was decided two weeks after KiwiRail had spent \$16,000 on the lighting to provide for shunting at night time.

Then, they pulled all the new installed lighting down. Brilliant, someone is talking to someone. The end result of the Eltham expansion has resulted in a serious reduction in shunting space for trains required to drop and pick up tonnage.

Stratford has been really quiet lately. The company has decided not to use the

Kapuni branch as they deem the line uneconomic despite Nova Gas and Balance approaching the company with requests for a shunting service out there. This has had a bad effect on the three remaining rail operators at Stratford where, unfortunately, the three Rs are been mentioned: redeployment, relocation and redundancy. The company, which has had these poor buggers hanging by a thread for the last 18 months, are hoping to make a decision in the next month on their fate.

New Plymouth have been steadily ticking over with some decent size trains arriving and departing. The new gas siding is in place. There have been some suggestions that a new CT may be built in New Plymouth at some stage in the future.

Bye for now and lets all be safe out there! 

**K**IA ORA, another 12 months done and a fresh new year ahead. The first point of interest: Andrew Little is certainly making sensible ripples within the political

pond and gave a great speech in Parliament on the 11/2 that put paid to the National Party BS and ridiculed Key, Joyce, Smith and Bennett. Effectively stating that National Party policy is all window dressing. Even now, in some discussions I have been party to, the lustre seems to be tarnishing on Key. A long way to go yet but let's hope the Labour waka stays in the right direction over the duration without any leadership challenges. A term we use regularly is unity and solidarity.

Keep the dirty laundry in the basket and ensure the media door is well bolted! The next few months will no doubt have some defining moments politically.

The first National Party blunders for the year include the no-show at Ratana in January and Sky City seeking tax payer money to the tune of \$140 million for the Auckland international conference centre! This reeks of the old boy's network, private deals in the back room and smells a lot like the Hobbit rip off. Let's hope Joe Public gets past its short term memory problem and learns what this party is all about. Watch for the damage to come over the next three years

## NAPIER PORT

to both middle and lower socio-economic groups.

The parliamentary sparks will be well and truly flying by the time this editorial hits the press.

The end of 2014 saw a relatively good outcome in terms of our collective agreement. Improvements in the base rates, conditions for casuals and a three year deal. The annual increases were significant, there were also rate adjustments for team leaders as a consequence of the port company's drive around leadership roles.

The three year deal is: year 1, 2.85%; year 2, 2.95%; year 3, 3.3%. I wish to acknowledge our Union organiser Phil Spanswick and the negotiating team for a job well done.


Our membership increases as the Napier Port continues to grow, not just the business – we now have a new empty container site on the outskirts of town in the industrial area of Pandora/Ahuriri (all pay rates are compatible with on port rates – including casuals). The outcome has seen a rise in both permanent and casual positions with some 40 hour/six month guarantees going to some casual staff. As reported in the last Transport Worker the loading of break bulk pulp and timber from both WPI and Pan Pack has over ridden break bulk vessels, for the preference of

containers, boxes are currently cheaper. ISL who did the majority of the contract stevedoring has now very limited work in Napier. Some of their employees now are working for the Napier Port Company and all have joined the RMTU or moved over to HB Stevedores (MUNZ).

At long last it is good to see progress in a positive way at Lyttleton Port. We salute the efforts put in by the membership and its leadership. A hard fought battle, to this juncture, the determination and unity of the branch has paid off. Well done to you all!

Lastly, the selling off of part of Napier Port is rearing its ugly head yet again. It is interesting to see who is making such comments. Yes, it is those with money. Comments have already been scribed into a previous edition of this magazine on this subject. In short, most ports belong to a council, region or city. Returns from ports in general are always in the black. This in turn benefits the shareholders, you and I, the rate payers. Sell off portions of ports and rates will be forced up, because the new private owner will demand the rest, depriving councils/ratepayers of a full dividend. This is the greedy wanting to line their own pockets at the expense of Joe Public. A blatant disregard for the wellbeing of the region and its economic growth.

Watch this space!

Honour in unity. 

MALO E LELEI

**W**ELL, the new year is truly underway and we are still licking our wounds from last year's staff cull on IEAs. Whilst we're yet to be fully briefed on the downsizing, you soon get to hear that so-and-so has gone or is finishing up at the end of the week. Such cuts always have a debilitating affect upon an organisation and ours is no different. Just how deep the cuts go or what SNAFUs are identified remains to be seen. By the time these notes are published, I would hope we have a better understanding of the bigger picture. I read the CEO's first weekly email of 2015 with interest. He was in the throes of planning a meeting with government to discuss our 'funding requirements'. Given that KiwiRail is nowhere near operating on a level playing field, we'll continue to need some serious money to support us in many areas. I say 'operating' as opposed to 'competing' as we're an SOE, our competitors are not, (except maybe for Air New Zealand) and as such, we have some bloody tight operating constraints that damn near ensure, (in my opinion), that we'll never truly end up on the fictional 'level playing field'.

Decembers' edition of The Transport Worker arrived late and was not distributed before Xmas so some members were deprived of another excellent pre-Christmas read. However, when it did arrive, there was comment about the last page. There were concerns about the safety glasses only being worn by the RMTU delegates however, dear readers, be assured this was safely managed by the team with appropriate permissions sought and local instructions issued in order to maintain our impressive zero harm performance!

The next tranche of DLs for additional remedial attention to their asbestos problems are scheduled for April. As these are Gen IIs, it is believed that our throughput will be faster than last year. We are also awaiting the final order of DLs from the manufacturer. Let's hope they've corrected their quality control issues and we end up with a properly performing fleet!

We still have small groups of wagons coming through our projects team in dribs and drabs however, we do understand the company's financial state and the usual delays of time involved in getting projects

## HUTT WORKSHOPS

signed off.

The continuing drive towards a zero-harm culture plods on. I can't feel anything other than concern at the upfront financial cost to the Company. We at the workshops have some pretty impressive records but our simple methodologies don't appear to have been taken on board by senior management. I imagine the money will continue to be shovelled into the execution of poorly conceived ideas that may not deliver what we need in the timeframe available. For the Company's sake I hope I'm wrong.

The much-promised second stage of safety leadership training for union and HSAT reps has not yet taken place. We are wary of these courses being fronted by a contractor. How can people buy into a culture during a time of flux and upheaval if the trainers are not part of the railway family? How can attendees bring issues to the attention of the teacher if s/he has little or no authority to pass on or address the concerns? My sidekick, who has access to the Company intranet, informs me that the capability and culture team has been wiped (they were the Company's own trainers). Is this a sign of the times or affirmation of a Company in chaos?

Other concerns which have cropped-up with zero harm are the errors that exist in the plethora of compliance guides that are making their way on to the front-line. I would have thought that we'd see some literary quality from the leadership, but alas, no. The year is shaping up as a repeat of last year. We'll be butting our heads against the proverbial brick wall for some time yet!

D&A testing raised its ugly head late last year and several staff – of which some were not directly involved – were tested post incident, without any resulting problems. This of course indicated that the company continues to act in an inconsistent manner with its documented policies and guidelines that have been formulated in collaboration with the RMTU. On this occasion nobody involved was openly upset by the process but we're awaiting the day when somebody stands up and says 'NO. I decline to be

tested as you're not being procedurally correct'. That day will be an interesting one as it will require some immediate evidence to support the management's proposed course of action. That will be a test of who has got the bigger balls.



On a different note, the much talked about change to site security has arrived in the form of a feature-rich gate control system. The problem is though, it wasn't a seamless changeover, it's not user friendly and needed much attention within days of commissioning. (See the attached photos with the control point as installed and the ensuing 'modification' to allow ease of use). I know neither the final costs nor whose budget paid for it but the project was



◀ somewhat abysmal in its execution from a user's point of view.

The building's asbestos problems continue to be controlled by a small team of staff, consultants and contractors with the regular updates pushed out to fortnightly. We're not aware of what is planned for this year however, the temporary coatings applied last year are due to expire so decisions will have to be made soon.

Mention must be made of Phil Bosworth's life membership. At the time of writing a modest function was being planned to acknowledge his industrial service over the years. Well done Phil. (Ed: See back page)


The structural strengthening of Plant 1

continues and the recent re-cladding of a section of wall looks mighty fine. We hope the budget lasts until the job is complete.

The recent restructuring of our local managers has resulted in some changes to reporting lines and a desire to plan the work more closely. We shall report in the next issue as to how that has worked out because no sooner had this new way been lined up, we had an 'incident' due to too many staff doing too much work with too little planning too close together. If this is what zero harm brings, then Dr Bob can tender his resignation and go away (I wanted to use some other words but the branch editor threatened to break my fingers).

Still on the subject of safety, our local site safety induction video was updated late last year and all visitors (old and new) are made to view it to ensure statutory compliance. Staff members Laurie Jarden and Brian King were the 'actors' and have provided us with some light comic relief.

I had hoped to have been in a position to report on the previously mentioned local 'mini survey' conducted after the Staff Engagement Survey to drill down into problem areas alluded to in that survey. Management's reaction to the responses is yet to be revealed but here's hoping it will be well before the next company survey!

Mou o aa. 

**K**IA ORA from the capital and a big welcome back to all our members who took the time over Christmas and New

Year to wind down and relax with family and friends. We hope you got plenty of rest.

After sorting out the Christmas rosters in Metro, the December/January period passed with the usual mix of bus replacements and line block ensuring many hours of work for everyone who did not take a break over this period.

Work has begun on the long-awaited rebuild of Upper Hutt Station and platform.

The multitude of events on around Wellington brought out the party people due to the fantastic summer conditions and along with it, issues associated with drunken revellers. Of course the usual problems with training and manning levels always raise their ugly heads at these times, especially around the Rimutaka tunnel.

Our year begins with a few key managerial holes in the ranks of Tranz Metro with the departure of Deborah Hume (general manager, passenger) and Scott Brooks (Metro manager). Although both were rather sudden, they were not altogether unexpected especially as they both left after a relatively short term in office. Ahhh, you detect a note of cynicism maybe? Well it appears we have not seen the last of Dr Deborah Hume as she has re-invented herself as a public transport consultant to the Greater Wellington Regional Council and

## WELLINGTON RAIL

so we look on with some trepidation. Brookes however cut the umbilical and rushed back to the motherland to support his

son's potential career in county cricket. So the story goes!

On a lighter note we welcome the new Metro manager, Rob Gordon, who has moved across from the EMU depot. We look forward to working with him as we build a working relationships. We have started this new endeavour with agreement to setting up LCC groups to better deal with problems before they become festering issues.

On a more serious and solemn note we acknowledge the recent passing of two of Wellington's distinguished entities: retired 41-year veteran Wairarapa-based locomotive engineer, Peter Elsey and just recently, retired locomotive engineer, Martin Mason. Peter, like most young men, was certainly a go getter in his day and an avid motorcycle enthusiast to boot. He suffered fools gladly and took no prisoners when it came to a little speed motivated fun. Hence, among his peers he acquired the affectionate name of the 'Flying Nun'. Many a railway motorcycle rally ended with Pete leading a farewell charge for home or keeping the wannabes honest. To your lovely wife Dot and family we pass on our sincere condolences at your great loss. Martin was a 42 year vet having retired in May of 2008 and was a much liked personality within the rail fraternity with his natural ability to socialise with

anyone and everyone. He, like most men of his era, had an enduring love for anything mechanical and could happily chat all day about the finer details of any given machine. This would naturally be of more mutual benefit with a free beer in hand. Martin gained many lifelong friends which was clearly attested to by the large attendance at Wellington's historical Old Saint Paul's cathedral. To Martin's wife Mary and family we again forward our heartfelt sympathies at your great loss.


A great Totoro has fallen to seed a new generation - Kia kaha brothers.

Sadly, we also said goodbye to another senior locomotive engineer, Andy Gilbert, who medically retired after 38 plus years of service to the Union and rail. To Andy, and his wife Christine, we forward a very special farewell for many years of comradeship and lasting memories. We wish you both a bright and cheerful future and remind you that you are always welcome to visit any time.

As always the IMP machinery is working overtime in Wellington with the greatly appreciated assistance of volunteer delegates. Remember, no delegate – no IMP!

Again, we acknowledge the continued increase of new employees into the Tranz Metro fold. As usual, the RMTU Wellington rail branch welcomes one and all into the fold.

Finally, for those of you who worked through the holiday season, we thank you for affording an opportunity for the rest and relaxation to our fellow brothers and sisters.

Until next issue, stay safe! 

**T**HE big news this summer has been collective bargaining and the dispute that ran from early December to mid-February. By the time you read this our agreement should be ratified. The story of that struggle is told in another article.

## LYTTELTON PORT

In December we had our annual joint meeting with the Christchurch rail branch. It was good to meet our comrades in rail and to concentrate on positive matters as a very difficult year drew to a close. General secretary Wayne Butson attended and we all gave former branch secretary Libi Carr a good send off – as well as a gift voucher for some shoes! Thanks for all your hard work and help Libi, you'll be sorely missed by all of us, especially given that the South Island organiser lacks your charm and patience!

Welcome aboard to Heiner Benecke, who was elected as acting branch secretary at the meeting, a role that was confirmed by the executive in January. Heiner has certainly been thrown in the deep end as he took up the position at the height of the dispute. Heiner is a cargo handler at the port and while he has a hard act to follow given Libi's enormous contribution we all think he will do a good job.

The other focus of our joint meeting was to recognise the enormous contribution made by our delegates. Wayne Butson handed out certificates of appreciation to a select number of delegates and it is worth repeating in full what he said:

### Malcolm Walker

Malcolm is a lines supervisor at LPC and has been an RMTU delegate for a little over two years. He's worked in the port and maritime industries for much longer than that, far too long for us to mention here.

Suffice to say he's a true 'old salt'.

Since the last pay talks at LPC he's taken up the cudgel for the lines supervisors, got himself elected and trained and on the

branch executive. He has organised his members around their claims to the point where they were prepared to take action. His sense of humour and ability to express his members' concerns in plain English has made him an invaluable member of our team at the port branch. Thanks Malcolm, we know you hate being made a fuss of but we don't care! You deserve recognition brother.

### Mark Brown

Mark is one of our electricians' delegates and brings a very strong intellect and good judgement to the role. He's got himself trained and has applied what he's learned in organising the members to focus on solutions to their problems. He is a quiet leader in the workplace, and understands the value of applied militancy to put pressure on the employer as well as knowing when to back off and bank the gains.

Mark is a first class listener and thinks matters through before making his views known. They are all the more valuable for that. Like all of the lads on the negotiating team he's working under considerable pressure at present, but has kept a cool head and is a good example to the more excitable of our brethren.

### Simon Gillard

Simon is our delegate at City Depot. If you'd asked him 12 months ago would he be doing some of the things he's doing now he'd have scoffed.

Simon is above all a fast learner. He has developed a great deal in a short time, showing organisational and leadership skills he never knew he had. He is very good at advocating his members' concerns to the wider delegate group; he is conscientious about the 'nuts and bolts' of organising like making sure communications and notices are getting to where it matters; and he isn't afraid to state his opinion when necessary.

This year he had to speak publicly, be a diplomat when necessary and stand be and be counted when diplomacy didn't work. Thanks Simon, you're an excellent example of someone who has felt the fear and then just gone ahead and done it anyway.

We've lost a few good people over the summer as they moved to other opportunities and one person in particular who will be missed is one of our electrician members



*The branch bids Libi Carr farewell and wishes her well.*

Jimmy Martin. Jimmy was very active in the RMTU and combined youthful vigour with wisdom beyond his years.

It has been a long hot summer in Lyttelton but we're in good shape and proud to be RMTU! 🇳🇿

**G**REETINGS from down south! With the dry weather we have all had lately it is nice to finally see a bit of rain. Hopefully it will be enough for the really dry areas around our countryside.

## PORT CHALMERS

Our thoughts are still with everyone involved with the Lyttelton dispute that is ongoing although it is good to hear that some progress seems to be on the move so hopefully good news to follow.

On the local front the season is getting

busier with vessels calling with higher volumes, and some of the Maersk exchanges being in excess of 1500 moves which keeps everyone busy.

We hope to see more improvements in the workplace for 2015 and encourage everyone to be as health and safety conscious as we can – and report anything that is so they can be improved upon. 🇳🇿





*Eileen and Phil Bosworth share the love on Phil being inducted into the RMTU life member hall of fame.*

## CONGRATULATIONS!



*(above) Tony Dreaver, (below 1) Ian Stewart and (below 2) Malcolm Walker receive delegate awards from Wayne Butson.*



*(below) Andy Gilbert is acknowledged for his loyal membership to the RMTU at his farewell owing to medical retirement from KiwiRail.*



*Nepia Takuira-Mita is handed his letter of reinstatement by lawyer Ben Thompson following the RMTU mounting litigation opposing his dismissal from KiwiRail.*

