

# THE *Transport Worker*

SEPTEMBER 2013

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

**Rallies begin  
against the ERA bill**







## 8 RMT CONFERENCE



Howard Phillips speaking to delegates about the New Zealand experience.

## 18 LYTTTELTON INSPECTION



RMTU H&S organiser Karen Fletcher takes a close look at safety around the port and its Inland Depot.

## 22 NEW AUCKLAND TRAINS



A team from the RMTU went to Spain to gauge progress on the new trains for Auckland.

## COVER PHOTO

Photo taken at the first rally against changes to the ERA Act at Petone. Page 3.

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

## A thriving Union

**T**HIS time of year is annual general meeting time for all of the Union branches and I particularly enjoy attending as many of these meetings as I can as I like to congratulate the outgoing and incoming branch officers and delegates.

Our Union would not be as successful or effective without the tireless efforts of these volunteers. Remember, they have a job to do just the same as you and yet they are prepared to give of their free time and energy to undertake Union work on your behalf. I, and the other members of the paid staff, are highly appreciative and grateful for the work done by our voluntary officials and delegates. I have attended a few meetings to date and have more scheduled in September and look forward to meeting as many of you as are able to attend. The meetings I have attended have had excellent turnouts of members and there has been strong contests for branch positions. This signals that the Union is in good heart and that our members are actively engaged and care about what we are doing. This will serve us well in the coming months as we endure what the current National-led Government unleashes with its attacks on workers' bargaining strength, meal breaks and more.

We also have our first National Management Committee (NMC) meeting of the new electoral term on 11 September and this will see some changes on the governance body of the Union. We will be welcoming Andy Kelly (southern ports) and Mike Williams (southern core rail) into our ranks and farewelling Doug Blakie and Ruth Blakeley. I acknowledge the contributions that Doug and Ruth have made to the RMTU during their time on the NMC. They both have strong moral compasses and their support for working class principles was unwavering whilst they held their union leadership roles at national level. Both will continue to be active within their branches and this too is a measure of their passion for a fair deal in the workplace.

## Disgraceful new legislation

At the AGMs I have spoken about the changes the National-led Government is making to the Employment Relations Act which will negatively impact on the RMTU and inhibit our ability to retain or advance current terms and conditions of employment. Giving employers the unchallengeable right to end bargaining, calculate amounts and deduct unilaterally from pay packets the 'cost' for partial strikes and to reject any claim for a MECA will pose risks for us all in the coming months if passed into law. Additionally the removal of the 30 day rule for new workers coming into workplaces with collective agreements will lead to a possible introduction of having tier 1 and tier 2 workers in a workplace. These are all disgraceful, shameful amendments and should cause all those workers who voted for a centre right party to regret that vote.

But more importantly, should also cause those who failed to vote to realise that disassociating themselves from the electoral process does not ensure fairness for workers in New Zealand. These changes, coupled with a new, possibly aggressive, CEO in KiwiRail will make the 2014 bargaining round very challenging for us all.

## Heads up for Election 2014

As I type this we are looking for a new leader for the political wing of the Labour Party. We all must remember that Labour may need a leader who has gravitas and charisma but New Zealand needs a leader of people who has a strong grounding in the dignity of labour and fairness and equity for all. This would provide a strong foil to the arrogance and flagrant disregard for democracy and privacy of New Zealanders that characterises the John Key-led band with their pathetic camp followers of John Banks and Peter Dunne. 🇳🇿



## Rally in Hutt kicks off national ERA protest

**T**HE first of three rallies (Wellington, Auckland and Christchurch) to protest the anti-worker and unfair employment law changes being proposed took place in Lower Hutt on August 20. On this fine Wellington day over 1500 workers and leaders attended. They were entertained by live music, informed by good speakers and fed by a team of our Hutt Workshops members who prepared the BBQ. 🇳🇿 To join this campaign and stay active and informed go to:

[www.workrights.org.nz/](http://www.workrights.org.nz/)



## Japan quake video

Dear Editor

My thoughts on the DVD about Japanese rail workers during the earthquake and tsunami (see review page 21).

I had seen footage on TV about the devastation that occurred following the earthquake, yet I never really understood or appreciated what it must have been like to experience such a horrific event first hand.

Watching the DVD and listening to the railwaymen recall their experience on that terrible day made me realise for the first time the enormity of the situation they faced and the immense pressure of responsibility on them.

The courage and clear thinking of the JR members in the face of such terror was simply heroic.

I applaud their sense of duty not only to their employer and work colleagues but the service they gave to the affected communities during the aftermath.

I pray that if I were ever to experience such circumstances that I would demonstrate the calmness and commitment that was so bravely displayed by my brothers in the JR union.

Regards

Telai Sefesi.

## Response to book

Dear Editor,

It's actually quite harrowing reading (Your life for the job by Hazel Armstrong) and each part takes time to digest before moving on. I knew little about the historical lead-

up to my brother's death (Ronald Higginson, pictured, killed 6/9/1996 at the Mainfeight siding, Palmerston North) and have learnt much today. But the overall culture that led to that huge cluster of deaths is exactly



how we found it to be in 1996.

Will John Key and the other parties aspiring to leadership receive copies of the book? Thanks and congratulations to Hazel Armstrong.

Best regards

Dianne Morgan.



## ◀ KiwiRail support for LEs

Dear Editor,

With reference to the letter titled 'Accident resilience' published in your June edition, I am writing personally, on behalf of KiwiRail and on behalf of the LEs who were part of the television documentary referenced in the letter.

I acknowledge that every one of our LEs react differently when confronted with the unimaginable - that those impacts vary from person to person was rather the point of the story. I know how variable those impacts are as I speak to every LE after a fatality.

Traditionally, much of the media coverage following a fatality on the rail network focuses on the pedestrians or motorists involved. LEs and their crews, who are simply going about their work duties diligently and correctly, are invariably the forgotten victims.

When Television New Zealand approached us regarding this item we consulted with the Union and together agreed to support it because it would portray that over-looked side of the story.

The writer of the letter, who chose to remain anonymous, presents his own very valid response to the situations he has found himself in and the impact on his family - and we support him for that. It again highlights how variable the reaction to these incidents are and that there is no wrong response . . . it's personal.

We applaud the courage of the LEs involved in the production of the story for agreeing to speak honestly and openly about the impact on them. Each of them detailed their own personal response and coping strategies, which are all equally valid, and they have our full support.

From the feedback we received the story appears to have been very well received by viewers and did what it set out to do - draw attention to the impact on rail workers of what is often the inattention or poor judgement of others.

There are too many people on our staff who are carrying the memory of rail collisions with them. We will continue to work with the RMTU to find ways to highlight the responsibility of motorists and pedestrians to keep themselves safe near the rail corridor.

Jim Quinn

KiwiRail, chief executive.

# Employment rights' changes since 2008

**U**NDER this National-led government more than 30 changes have been made to employment rights to New Zealand workers according to research from the Council of Trade Unions.

The changes began in 2008 with the removal of rights of appeal against unfair dismissal for workers employed by enterprises of fewer than 20 workers. No reason was needed to be given by the employer for dismissal. Later that year the Government reduced KiwiSaver employer contributions to 2%, repealed

the employer tax credit and removed the requirement that compulsory employer KiwiSaver contributions must be paid on top of gross salary or wages.

In 2010 the Government further changed the Act by extending the 90 day provisions, reduced the rights of union access to workplaces, removing reinstatement as a primary remedy for dismissal and broadened the range of reasons why an employer could justifiably dismiss a worker by changing the test from what a reasonable employer 'would' have done, to what a reasonable employer 'could' have done.

Later that year they changed the Holidays Amendment Act which now requires proof of sickness or injury from the first day of illness or injury, specifically aimed at meat workers but affecting all workers. The changes also included a provision allowing workers to trade their fourth week of annual leave for cash.

Those changes were quickly followed by the public changes affecting film workers effectively removing their right to query whether their contract was in fact a contract of employment rather

than a contractor, thus giving them less protection.

In 2011 they targetted the Taxation Act and removed the Employer Superannuation Contribution Tax exemption on employer contributions and made it

## A spanner in the works



compulsory for all employers to deduct this at a progressive rate.

In 2012 it was the Employment Relations Amendment Act under fire with changes requiring union rules to provide for secret ballots for any strike - though not a requirement for boards of directors in a lockout. This was followed by the reduction of the minimum wage to 80% of the adult rate for workers aged 16 to 19 with 16 or 17 year olds their next target. This would apply for any six month period from when they start a job.

Finally, this year the National-led government are about to remove the duty to conclude collective bargaining allowing employers to go through the motions before going to their preferred option of individual contracts. The result will be fewer collective agreements.

Additionally, it will allow a 'free hit' period when bargaining is deemed concluded. If the Court deems bargaining as over, there is a 60 day period when the union cannot initiate bargaining, the existing collective agreement is deemed to be gone, and the employer can therefore promote individual agreements. They can

also at that time (as they are not covered by good faith bargaining rules) able to restructure. That is do what Ports of Auckland wanted to do and sack the workers in the middle of bargaining.

The proposed changes will also include an equalising of time frames to initiate bargaining, a way for employers to opt out of multi-employer collective bargaining, a repeal of the 30 day rule for new employees, the removal of automatic entitlement to meal and refreshment breaks, the removal of protections in the transfer of business for workers, changes to strike notice requirements way beyond the current requirements, pay deductions for partial strikes and amendments to the good faith disclosure of information provisions which means employers can legally withhold evaluative material that formed the basis of an employer's decision to dismiss the employee, either on the grounds of redundancy or for any other cause.

The National-led government have also affected workers' rights by:

- Changes to the minimum wage;
- Reducing a worker's ability to file ACC claims in relation to hearing loss;
- Not supporting the Holidays (Full Recognition of Waitangi and Anzac Days) Amendment Act 2013. Nevertheless, it was passed;
- Its support of a private member's Bill allowing employers to bring in other workers when there is a strike; and
- Introducing positive changes on foreign charter vessels affecting the health and safety of migrant workers' rights. 🇳🇵

## First steps for Burmese rail union



Ross Wilson joins members of the Burmese rail union outside their new office.

**T**HE tiny Burmese railway union office is built onto the front of the house of the president. The advantages of no urban planning restrictions, says Ross Wilson. They put it up in a couple of weeks.

They have now set it up with all the items UnionAID gave them and eventually hope to get an office on site in the railway compound, at which stage this office will be used for a library. The office was formally opened before Ross and Helen left Burma in July.

Meanwhile, the nascent union has a bank account, money and a budget with the ILO planning some training for railway staff to encourage membership growth as workers feel less anxious about signing up.

Although they all look very serious in the photos, says Ross, they are excited by the project and there is a lot of enthusiasm. Min Lwin, who spent some time in New Zealand, is doing a great job organising and will also take up a part-time training role at the ILO. He was picked out by an Australian trainer as being a gifted trainer during a recent workshop. 🇳🇵



## ARE YOU A MEMBER?

### NZ Harbours Superannuation and KiwiSaver Schemes



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

The NZ Harbours KiwiSaver Scheme is open to port workers, Rail & Maritime Transport Union members and their families.



The Schemes have an external administrator and contributions are invested by four top-rated fund managers.

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

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







## Helen Kelly visits Lyttelton

**C**TU president Helen Kelly was treated to a day on the job at KiwiRail and Lyttelton with RMTU members recently.

Pictured with delegates and members, Helen spent a number of hours visiting and discussing concerns about a number of topics including the National government's hands-off approach to a high performing public rail network.

We have all had the opportunity to observe the panic-stricken Nats racing around trying to rescue their mates at Fonterra. Contrast this frantic scramble to rescue Fonterra with their laissez faire approach to the shutting down of Hillside and their continuing lack of investment in rail as a significant future transport mode for NZ products to market.

It hasn't escaped us that the product most likely to be on a KiwiRail wagons is Fonterra's milk powder.

There is a risk in having all our cows in one field and being a one crop economy. When that crop goes belly up we are all in trouble.

In addition to discussing the Government and their mates KiwiRail members were keen to talk about Labour's policies for repealing the Employment Relations Act changes which the Nats are pushing through Parliament now.

In a return to the Employment Contracts Act (Round 2) the National Government, assisted by Peter Dunne, are planning to bring in legislation that will, as reported in their own Cabinet papers: drive down worker's wages in NZ.

Unless there is a shift in National's exceedingly slim one vote majority this legislation will go through.

Helen also visited Lyttelton Inland Port where she met with our fantastic RMTU members there.

A short stop work meeting was held for all RMTU members and they certainly put her on the spot asking her why the NZCTU has not yet called for a general strike in response to the above-mentioned legislation.

RMTU members at the Inland Port are still awaiting the Employment Court decision that will determine whether they are covered by the collective agreement which covers their union comrades six minutes through the hill at the port.

The law changes stand to have significant impact on our Inland Port comrades who are all on individual agreements.

One of the changes is to remove a worker's right to a tea break.

What this means is that, unless you are protected by a collective agreement, your employer can require you to work continuously without a break.

For workers operating heavy machinery which require precise movements, not being able to have a tea break would be, very simply, unsafe.

We don't think LPC will utilise this provision of the legislation but actually why would any employer?

How does taking your tea break away make a safe and productive workplace?

In the one hour stop work meeting



held on site at the Lyttelton Port, RMTU and MUNZ members questioned a general strike in protest of the changes.

Helen expressed the concern that the areas where we have high union density in NZ are also areas where members struggle to walk off the job, even for a short time, for example, nurses, teachers, public service workers, etc, which means that a general strike is a high risk strategy.

The CTU have four prongs to the campaign against the changes:

1. Take the message to working people and encourage workers to be involved in spreading the message – Facebook, Twitter, word of mouth, talking to their friends, families and neighbours.
2. Take the message to the wider community through community groups, church groups, iwi connections, sports groups – anywhere there are working people who will be affected by this legislation.
3. Worker rallies across NZ (in Christchurch, for example, August 29 from 10.30 -11.30 at Wigram Air Force Museum).
4. Build the campaign towards the General Election in 2014.

## Forest workers in danger

Helen also discussed the appalling lack of safety standards in the NZ forestry industry. This is a massively profitable industry yet workers are poorly paid and H&S is non-existent. So far this year six workers have been killed on the job, the most recent only two weeks ago.

Typical forestry working conditions are:

- 12 hour days, six days a week.
- Working alone.
- Working in the dark – early morning and late evening.
- Driving long distances to get into the

forest and out again.

- Working on hillsides, in gullies, driving on treacherous roads.
- Working in all weather - there is no downtime payment for when the weather turns to shite.

The most recent death was a worker with 27 years experience on \$16 an hour, working alone in the early morning and felling the tree that crushed him.

Forestry industry bosses want to hold their own Inquiry into H&S.

We have to question the independence of the people responsible for the lack of H&S to hold their own Inquiry. The CTU is calling for an independent inquiry. We agree.

## The AFFCO dispute

RMTU and MUNZ members contributed to the AFFCO dispute last year either by adopting a family or through contributions to the CTU, or both.

So members were interested to hear more details about the AFFCO dispute. Employees at AFFCO are Meat Workers Union members.

AFFCO is a meat processing plant in the North Island owned by Talleys which is rabidly anti-union.

AFFCO is a major employer for many workers in the small surrounding North Island towns where secure, well-paid employment is rare and thus, poverty is an all too familiar by-product.

One of the most important conditions of employment for AFFCO workers is seniority which is the guarantee of first on at the start of the season last off at the end, first to return at the start of next season and so on.

The meat works are seasonal and for many workers the only security of employment they have is their guarantee of seniority.

Talley's wanted to remove this and

have Tap on Tap off labour force – be available when Talley's wanted you with no guarantee of anything, other than insecure employment.

Talley's locked out half the workforce in an attempt to force an agreement. The remaining half were left to walk through a picket line of family, friends, and community or going out on strike.

Eighty-six days on the picket line. Union members around NZ and the world responded. Support came in and working people who were already on the breadline stood strong in the face of incredible greed from Talley's who just wanted more 'efficiencies' in their business by taking money from workers' pockets.

It was a case of who will blink first. Talley's have deep pockets and they were prepared to wait and starve workers back to the job.

Then, in a watershed moment, the discovery came that Iwi supply 40% of the product to Talley's and suddenly Talley's had a problem.

Iwi supply fishing quota, land for vegetables that Talley's farm on, and in the AFFCO dispute, meat.

The result? Talley's settled. Seniority was maintained and workers returned to work.

Helen said the collaborative approach with Iwi is what ultimately brought about the settlement.

Iwi and the CTU are now turning towards the forestry industry where many Maori workers are employed.

For more information on the AFFCO dispute and other union work go to

[www.ctu.org.nz](http://www.ctu.org.nz)

- Thank you to all RMTU and MUNZ members who attended the meeting and thank you to Helen for coming down from shaky Wellington to visit Canterbury. We enjoyed hosting you and hope to see you back again. 🇳🇿



## Dearly departed ...

Sharp eyes picked up this safety hazard before it caused serious harm to workers. RMTU general secretary Wayne Butson says being vigilant and alert were key assets to survival of our ancestors and "it looks as if we will need to hone these skills to survive into the future".

# Stunning RMT conference wows RMTU's two delegates

**A**T the end of June, RMTU national vice president Howard Phillips and South Island organiser John Kerr attended the National Union of Rail, Maritime and Transport Workers conference in Brighton, England. The RMT, as it is universally known, has a reputation for being one of the most determined unions in Britain: it embraced militant solidarity when Tony Blair's New Labour Party betrayed the British working class in its continuation of Thatcherite policies. That resistance to Blairism led to a break with the Labour Party as the RMT, having given its branches the right to support parties other than Labour, was expelled in early 2004.

Against this background, the leadership of the RMT, under its general secretary Bob Crow, embarked on a drive to organise along industrial lines, using techniques learned by union activists in South Africa fighting against apartheid, and by building confidence amongst the rank and file and grass roots activists.

That initiative led the RMT to become Britain's fastest growing union – something in which the membership takes great pride as the two RMTU delegates discovered as they travelled around Britain by train wearing their RMT T-shirt.

"One certainly gets looked after," said John.

As the RMT gathered in Brighton, Howard and John were introduced to the



*Howard Phillips speaks to delegates at the RMT conference in the UK.*

union's leadership and had the opportunity to meet rank and file representatives of nearly 90,000 members.

## Serious people

The first thing that made an impression was the seriousness with which people took their responsibilities. Yes, the pair were warmly welcomed (having travelled further than anyone else to attend) and yes, British working class humour and banter is irrepressible, but there was no doubt that the men and women gathered there were there to do a job of work.

The conference is billed as 'the union's parliament' and some NZ MPs could learn a great deal from the manner in which business was conducted.

Union president Peter Pinkney, opened proceedings with a call for a general strike of all British workers in response to the Conservative government's austerity policies.

The Conference continued with bread and butter union issues: health and safety, wages, casualisation and job security. However, it could not get away from the wider political and economic context of the national president's call to arms.

The fact is that in the aftermath of the financial crisis of 2008, mainstream politics is failing to deliver for many in Britain and Europe. The politics of austerity has led to an increase of members for right wing

parties: the anti-European United Kingdom Independence Party (UKIP) and the British National Party (BNP) – an overtly racist and fascist party. This is serious stuff as they have secured seats on local councils and even had members elected to the European Parliament. Across Europe, from Dublin to Istanbul, there is a growing tide of discontent and resistance to the politics of austerity – from both left and right. In the short time our delegates were there, there was a general strike in Portugal, mass rioting in Bulgaria and it all kicked off again in Egypt.

## Challenging times

The RMT is organising workers in a very challenging economic and social environment, and it's succeeding by applying old fashioned industrial union values in a modern context.

Under Crow's leadership, the union has successfully sought to promote the interests of its women members, focusing on issues that particularly affect them such as maternity leave and child care as well as sexual harassment.

Also great efforts have been made to build confidence amongst members who belong to ethnic minorities through training workplace reps (aka delegates) and by expelling racists who have attempted to infiltrate the union.

All this is done against a background ►

### Where the %##\*# are you?

Did you get that important notice from the Union last month? Last year? Any time? If you haven't had any mail from RMTU head office then you had better tell us where you've moved to. Check your address by:

- talking to your branch chair who has a list of local members and their details;
- going to the Union website and updating your details – <http://bit.ly/exmEYL>
- phoning 04-499-2066;
- faxing 04-471-0896;
- giving us your e-mail to save on postage.



of the fundamentals of industrial unionism – the RMT is there to represent all transport workers and, as Crow made very clear in a speech supporting a motion against discrimination on grounds of sexuality, won't let bosses divide workers on grounds of gender, ethnicity, or sexuality. The RMT is there for the workers and the working class.

## Inspiring and intimidating

"It was both inspiring and intimidating to be part of all this," said John. "To hear Irish and Italian comrades describe the loss of hope in their countries and of the economic collapses looming; to hear brothers from America talk of the sense of betrayal as the Obama administration fails to deliver his 'New Deal' after the manner of Roosevelt; and to hear of the new phenomena in France, Portugal and Spain of graduates without a future and mass unemployment amongst the under 25s fuelling growing discontent."

In this context, the RMT has never lost sight of the value of organising and educating its rank and file.

What became clear to John and Howard was that: free market capitalism has failed; there is an increasing wave to resistance to government policies that seek to make the masses pay for the failure of the political elite; and the so called leaders of social democracy (in Britain the Labour Party) deny the first two points.

"Organised workers may have been on the retreat for a generation, but there are enough of us left to forge links with the new social movements leading the resistance," he said. "The 'Jacobins with laptops' that led to the Arab spring; the kids that set up the 'Occupy' camps in Wall St and outside St Pauls; and the Greek and Spanish socialists taking to the streets against resurgent fascism."

In Britain it was evident to them that the Labour Party is but a pink shadow of the Tories, led by the same private school elite and committed to the same failed policies.

As Crow and the RMT argue for re-nationalisation of rail and running trains as a social service, they are taking on morally and intellectually bankrupt leaders on both sides of the political spectrum. As

Crow says: "Labour aren't an opposition, they're sleepwalking, relying on the Tories to score enough own goals so they'll get back in by default."

Seen in this light, New Zealand seemed even more of a backwater than usual. After all, NZ avoided a banking crisis by virtue of regulated, largely Australian-owned banks, and our economy experienced stimulus through the unplanned Christchurch earthquake which has meant that just enough people are getting just enough income to avoid the riots that Europe has seen. Also NZ renationalised rail and, of course, sells loads of milk powder to China. When Howard gave his speech he didn't know about the Fonterra cock up.

## RMT education

After the conference John took an opportunity to take some leave and visit the RMT's recently opened residential education centre for workplace reps in



*Plaque at the RMT's Doncaster educational facility.*

Doncaster. The RMT's director of education, Andy Gilchrist, arranged the visit and he was able to sit in on a course and take away some valuable training materials.

"If our British comrades are anything to go by," said John, "in NZ we're doing the right things: their curriculum isn't too different from our re-vamped delegate training. What they do differently is have lay officials doing the teaching and they run very successful courses for young members."

All in all, the pair said it was a great conference, a tremendous learning experience and one that they both hope NZ Union members will see the benefit of as they go about their work for the RMTU in the coming weeks and months. 🌐

## Youth conference in Wellington

THE Stand Up Youth NZCTU conference was held on July 11 and 12 at the National Library in Wellington. It provided a space for union members, aged 35 and under, to discuss ways to make the union movement more relevant to young people.

The two days of the conference were quite full on but were a lot of fun. I enjoyed the opportunity to listen to a range of interesting speakers who created discussion around issues currently facing the union movement, the importance of making the union movement more relevant to those in privileged workplaces, ideas and activities around organising young union members, and more.

I also met a lot of new people from other unions who had travelled from different places in New Zealand, and it was cool to hear what they had been involved in and what they were currently organising. It was a good time, and it would be awesome to see more RMTU members at the next conference! 🌐

- Ka'isa Beech



*Ka'isa Beech*

## Chicago ITF dockers' conference

**A**T the time, as the NMC South Island ports representative, it was my privilege to attend and represent the RMTU on the international stage at the ITF FPC and Associated meetings, in Chicago, from 7-12 July 2013.

The RMTU joined all unions endorsing Paddy Crumlin's gratitude to outgoing secretariat David Cockroft, and endorsed support for newly elected Steve Cotton.

Throughout the conference there was a lot of discussion about the challenges facing the movement, common themes of union busting, contracting out (nationally and globally), automation and yellow unions. The issues were robustly discussed and debated.

Information presented included key global disputes in Hong Kong, UK, Australia, Israel, America's west coast, Vancouver, Portland; issues in the European Union, and importantly for New Zealand, Port of Auckland.

Unions banded together in support of continuing to fight back against union busting tactics, build up the power of port unions nationally and internationally, and global campaigning.

Frank Leys gave a comprehensive report on the ILO developments in health and safety issues and the women's, youth and HIV sectors which also reported on the work and campaigning within their sectors.

In summary we need to develop strategies to win disputes. Losing is not an option and we need to take lessons from the past to build for the future.

Thank you to all of you who have supported me as South Island ports rep and I look forward to continuing to work for our Union in the capacities granted me by the honest, hardworking and inspiring delegates and the members who strive to make a safe and healthy workplace for themselves, their families and our communities. 🇳🇿

- Ruth Blakeley

## CTU Women's conference



*Team RMTU (l to r) Nona Ngatuere and Kasia Kurene Lower Hutt Workshops, Julia Harrison national office, Jennifer Griffin and Mel Te Pou KiwiRail Tranz Metro Wellington, Susan Beck KiwiRail Picton, Maselina Ab Kuoi Transdev Auckland, Ruth Blakeley Port Chalmers, Tania Haraki KiwiRail Picton and Christine Fisiibo Tranz Metro Wellington).*

**T**HE RMTU was well represented at the recent NZCTU Biennial Women's Conference. Led by Ruth Blakeley they focused on enhancing the role of the women's network and engaging and encouraging women to participate at all levels.

CTU president Helen Kelly spoke passionately about the key issues impacting on the union movement at local, national and international levels, and impressed the importance of the role of women in the organisation.

An inspirational speech from Max Adlam of the Australian Services Union headed a panel discussion lead by Ruth with Laura Boynton DWU and Marion Leslie MUNZ who spoke about leading women in male dominated workplaces. Our delegates were left feeling inspired and energised and the RMTU will

benefit from the on-going work of the women's network. Our hats off to the amazing organising team of Karin, Belinda and Julia who coped admirably with the stress and chaos of venue changes, conference requirements and delegates safety as a result of the recent earthquakes. 🇳🇿





## Pacific Island Fono

**T**HE recent two-day CTU Komiti Pasifika Biennial Fono in Wellington attracted 85 delegates representing all corners of the Pacific and NZ. The Fono was full of laughter and song where everyone showcased their unique cultures and where speakers motivated and inspired delegates to stand tall and proud. Incoming convenors were directed to champion the voices of Pacific people by ensuring they



are represented and visible within the CTU and its many campaigns – especially the Living Wage Campaign. Congratulations to Telai Sefesi, elected as co-convenor, and

Clint Samasia (PPTA) and Marion MacNeil (TEU) as the leaders of Komiti Pasifika. Many thanks to outgoing leaders Natalie Faitala and Michelle Schaaf. 🌐



## ICLS meeting in Thailand

**T**HE ICLS international steering committee meeting was held at the State Railway Union of Thailand (SRUT) office, in Bangkok, Thailand on May 30.

The committee comprises members from Australia, Burma, New Zealand, Philippines, Thailand, Taiwan, Japan, and Korea.

Members reported on their union activities associated with the ICLS and also listened to a report from the secretariat on the Centre's activities and situation reports

since the last forum held in Wellington in December 2012. The steering committee agreed that Forum 2013 would be held in Hat Yai, Thailand, from the 15 to 19 November, 2013. Hat Yai is very significant place as this is where six Hat Yai branch officials were dismissed as a result of refusing to operate trains with non-functioning vigilance device equipment on their locomotives on safety grounds. The branch activity followed a major derailment with loss of life attribut-

able to human fatigue factors. The RMTU and other ITF affiliated unions condemned the Thai Government action in dismissing the workers. The RMTU's general secretary was part of an international inspection team which visited Thailand to investigate the incident in his capacity of chair of the ITF Asia Pacific Railway Section.

The RMTU will be sending participants to the Hat Yai forum in Thailand. 🌐

## ITF conference, Hong Kong

**T**HE 8th ITF Asia-Pacific Regional Conference was held 14-17 May 2013 in Hong Kong and brought all ITF Asia Pacific country affiliates together. The theme of the meeting was 'Organising to build strong transport unions in the Pacific'. The Asia Pacific region is an organising challenge owing to the region's size and the host of languages spoken. Section meetings included tourism, fisheries, rail, civil aviation, seafarers, dockers, road, urban transport, freight logistics, women, youth, HIV/Aids and education. All up a very challenging agenda and especially if you throw in office elections. 🌐



*The Asia Pacific leadership (l to r) Diptiben Shukla women rep (NFIR, India), Wayne Butson chair (RMTU), CA Rajasridhar vice chair (AIRF, India) and Pinyo Ruenpetch vice chair (SRUT, Thailand).*

# Labour deemed to be in good shape

**T**HE Northern South Island Labour Regional Conference was held at Rehua Marae in Christchurch on May 11 and 12. RMTU members John Kerr, Libi Carr and Andy Kelly attended.

The conference focussed on the development of the Labour Party policy platform resulting in robust and energetic discussion. All RMTU members spoke with vigour, elegance and passion at the sessions they attended defending the rights of working New Zealanders.

Phil Twyford, Labour spokesperson for housing spoke about Labour's plans for building an extra 100,000 houses, improvements to social housing affordability, and, in particular, discussed the on-going shortage of actual houses in Christchurch and the affordability of what housing is left which are fit to live in.

After attending the three said that the Labour Party was in good shape and that they looked forward to supporting them in government in 2014. 🇳🇿



## H&S

# Objections to intrusive drug testing

**A** Privacy Commissioner publication called Privacy at work – A guide for employers and employees describes drug testing, particularly urine testing, as intrusive and invasive.

The guide says: "The more invasive the type of drug testing, the stronger the justifications need to be for its use. Testing for a specific reason (eg on suspicion) is easier to support than random testing."

The RMTU has received complaints from male and female workers saying the process for drug and alcohol testing is embarrassing and undignified. One worker described a recent urine test as the "most humiliating experience in my working career".

## Lack of privacy

The issues relate to the lack of privacy and dignity during the collection process.

Women have said having a male collector was embarrassing because the process requires the collector to wait for the urine sample to be provided, handle and analyse the sample and check the toilet for 'tampering' before it can be flushed.

Other complaints relate to lack of privacy inside the NZ Drug Detection Agency van. One woman complained there were

two men in the van (one a NZDDA trainee) whilst she provided the urine sample which made the situation worse.

Another member said: "The testing was done in a back room, where there was a urinal at one end and a toilet at the other. There is no partition of any type. The NZDDA employee sits right behind you while doing the test. I was left feeling embarrassed and intruded on, and pretty much felt like a criminal."

## Reform requested

The RMTU has formally requested KiwiRail address these concerns by requiring continuing arrangement provide the following:

- A collector who is the same gender as the person being tested;
- A gender appropriate cup for female employees;
- A testing location which enhances appropriate privacy and dignity, and an agreement not to use the NZDDA van except where testing is outside normal business locations or in remote places;
- Hygiene facilities need to be provided to an appropriate standard; and
- Consideration given to using non-

invasive drug testing methods such as saliva testing.

KiwiRail have responded in part affirming that, where the gender of the person being tested is known to be female that NZDDA will make every effort to present a female tester. However, this will not be the case in remote locations and where female testers are not employed. KiwiRail said: "Where the gender is different, the tester will stand outside the cubicle or van whilst the sample is being provided." The RMTU does not consider KiwiRail has gone far enough to respond to members' concerns.

## Less intrusive

Saliva testing is a less intrusive testing method that is used in New Zealand and Australia.

The Australian Rail Transport Bus Union supports saliva testing as being less intrusive and more indicative of recent use and impairment.

They have negotiated clauses in their enterprise agreements that provide for saliva testing for random testing. Urine testing is used as a follow up test if the saliva test has a non-negative (positive) result. 🇳🇿



# Asbestos at EMU Wellington

**T**HE weather bomb which hit Wellington in June with winds of 150kph created an asbestos problem at the Wellington EMU depot.

The south end of the depot was constructed in the 1940s out of asbestos sheeting (chrysotile) and the fibres became friable (airborne) after the roof was damaged.

The RMTU requested immediate environmental testing of the workplace and asbestos was found to be present on work surfaces, floors and machinery. It is not known how long asbestos has been present in the work area and could have become loose from general wear and tear over a number of years. The RMTU recommends workers request that environmental monitoring is carried out for potential hazards such as asbestos but also other airborne contaminants such as dusts and fumes.


At the EMU depot a joint RMTU/KiwiRail working party was established including H&S delegates to jointly manage the hazard. The group classified the south end of the depot as a no go zone and recommended the construction of a barrier wall separating the north and south ends of the depot to isolate the hazard.

Workers were given guidance to leave boots and overalls at work to avoid spreading asbestos to their homes, to not dry sweep the work area and to wash hands



*Eugene Williams, a member of the joint RMTU KiwiRail working group managing the asbestos hazard, in front of the barrier isolating the asbestos from the work area.*

regularly. Recent monitoring found no asbestos fibres in the working area and a regular industrial cleaning programme has now been implemented which will contribute to minimising general dust exposure.

The EMU depot is due to be demolished and rebuilt by the Greater Wellington Regional Council in early 2014. The RMTU will work with stakeholders to ensure workers' safety is paramount during the rebuild. 

## Health fact

Smokers who are also exposed to asbestos have a risk of developing lung cancer that is greater than the individual risks from asbestos and smoking added together. People who were exposed to asbestos on the job at any time during their life or who suspect they may have been exposed should not smoke. - National Cancer Institute at the National Institutes of Health

## Reinvigorating KiwiRail's H&S action team

**A** new Terms of Reference (TOR) for the KiwiRail Health and Safety action teams (HSAT) has been jointly developed by the RMTU and KiwiRail.

The purpose of the document is to reinvigorate the HSAT and clarify the functions of the committee members including the process for escalating unresolved H&S issues to the joint RMTU/KiwiRail industrial councils. In addition, the proposed TOR recommends HSAT members take on portfolios such as being involved in hazard assessments or incident investigation.

### Training

H&S reps who are overdue for training

are being re-registered on the NZCTU training register. Reps who need to do stage one are being registered first. After that, invitations to attend training will be sent to reps requiring stage 2 and 3.

### Elections

The RMTU is calling for nominations for H&S reps for the HSATs.

The joint RMTU/KiwiRail employee participation agreement requires H&S rep elections every two-years and following the written resignation of any current member. HSAT teams should consist of one rep per site/vessel/terminal ensuring all types of work (including shift workers and con-

tractors) are represented and a manager who has the authority to make day to day decisions.

The Union and the employer will jointly manage the election process. It will involve nomination forms being distributed jointly or by the Union branch calling for nominations. The RMTU and KiwiRail will jointly promote the election via workplace posters in early October 2013. HSAT nomination forms are available on the RMTU website.



■ If you require any advice or assistance please contact RMTU, health and safety organiser Karen Fletcher at:

[kfletcher@rmtunion.org.nz](mailto:kfletcher@rmtunion.org.nz)

## Kaimai incident revisited

**I**N August 2012, a group of contractors working in the Kaimai Tunnel were apparently overwhelmed by fumes, most likely carbon monoxide (CO), from petrol driven plant and nitrogen dioxide from the diesel driven trucks. This incident was widely reported in the media.

KiwiRail have brought in an independent investigator to review the incident. At the time of writing, this report had not been given to the RMTU.

Also, a joint RMTU and KiwiRail working party has been established to review working procedures in the Tunnel. The RMTU representatives are William Lanigan, track maintainer, Mason Erueti, track ganger, Shane McNae, train examiner maintenance, Bernie Snook, locomotive engineer, Hazel Armstrong, lawyer and Karen Fletcher, health and safety organiser. The working party is due to finalise its report in October 2013.

The working party has sent out a survey to all people who work in the Kaimai Tunnel, asking them to identify hazards and occupational health symptoms such as rashes, breathing difficulties, headaches, etc. It has also met with track workers based in Tauranga. During the review, monitoring uncovered the presence of asbestos. This led to a ban on routine work in the tunnel until the asbestos is removed. The working party has recommended further monitoring be undertaken for fumes, heat, dust, noise, diesel particulates, fungus spores and other toxic substances.

The RMTU reps think that tunnel gas awareness training needs to be consistent across all business units. It also needs to have an on-the-job component with additional refresher courses.

The working party has identified communication as a key issue for people working in the Kaimai Tunnel. This is particularly important because of the potential for workers to be overwhelmed by fumes and gases and become disorientated. The tunnel is eight kilometres long, and is not lit. It is also important because there can be more than one work group in the tunnel at a time and the radio telephone has limited reach.

The RMTU will be meeting with Brett Murray, general manager of high hazards and specialist services, health and safety branch of the Ministry of Business, Innovation and Employment to discuss Kaimai Tunnel safety. The new chief mines inspector recently visited the Otira Tunnel and required KiwiRail to fit the Tranz Alpine with fire suppression equipment to the locomotives and rear bank the Tranz Apline. The RMTU welcomes MBIE's involvement in the regulation of tunnel safety. 

## Government response

**T**HE Government responded to the recommendations of the independent Health and Safety Taskforce established following the Pike River mining disaster. Its objective was to find solutions to NZ's rate of workplace injuries and fatalities. National MP Simon Bridges said in his introduction to *Working Safer - a blueprint for health and safety at work*, (released in August) that 75 people are killed each year in New Zealand workplaces, and an estimated 600 to 900 people succumb to the long-term effects of occupational disease. The RMTU was represented by the NZCTU. The Government's objective was to reduce the death and injury toll by 25% by 2020.

The reform package includes:

- New health and safety legislation to replace the those in the Employment Act. The new law will be based on the Australian model law.
- Clear H&S regulations and guidance material to underpin the legislation to enable businesses, employees and contractors to better understand their rights and responsibilities.
- A new Government regulator called WorkSafe NZ including the new high hazards unit, better data collection and research. Focus on major hazards and occupational health.
- Stronger penalties and enforcement.
- Strengthened worker participation.

The blueprint says: "The work force are the eyes and ears on the ground and need to be encouraged to speak up about what is not working."

Improvements include:

- A requirement for the board of WorkSafe to include perspectives of workers to ensure that the views of workers will be fully considered;
- WorkSafe setting up expert advisory groups containing worker


representatives that will be used to test the development of new legislation, regulation and guidance;

- Providing for more effective worker participation through the regulatory regime and accompanying guidance with the ability to differentiate requirements where necessary for high-risk industries; and
- Prevention and enforcement efforts focussed on workers and increasing their understanding.

The legislation will specify powers and functions for representatives and committees, including the powers for trained health and safety representatives to direct unsafe work to cease (balanced by safeguards against improper use) and issue a provisional improvement notice (PIN) to employers requiring they be addressed.

Regulations and guidance will also be developed for representatives, committees and duty-holders about how the worker participation provisions apply to them. There will be stronger protections for workers who raise health and safety issues and greater enforcement, including more connections between inspectors and health and safety representatives.

Under Australian legislation a health and safety rep can issue a PIN if they believe an act or regulation is being breached. It can specify what actions are necessary to prevent a further breach of the legislation. The PIN ceases if it is cancelled by the H&S rep or the regulatory inspector.

Currently, under the HSE Act, an H&S rep may advise a worker to stop work likely to cause serious harm. However this does not prevent a more vulnerable worker, such as a contractor or person in their first 90 days of employment, to perform the unsafe task instead. The ability for reps to direct against unsafe work or issue a PIN will significantly strengthen H&S reps ability to support safe work practices. 



# NZ Railways Staff Welfare Trust family health insurance

**O**VER 1.3 million New Zealanders have health insurance because it provides peace of mind, especially in times of difficulty.

You don't know what health problems may affect you in the future nor how they may impact on your family, your lifestyle and, importantly, your earning ability.

Not all treatments or costs are covered by the public health system, and you often have no control over the timing of the care you receive. It is common for people to endure a long and uncomfortable wait until a condition worsens enough for them to be treated.

Having health insurance means that you and your family can have access to treatment, quickly and that all, or most of, the (often expensive) costs can be recovered quickly. It takes away the uncertainty of any unexpected, immediate, and future health care needs.

## Public V. Private

The New Zealand public system does a good job in providing access to treatment for serious illness and emergencies. However, for non-urgent health conditions there are often delays.

These include hip and knee replacements, cardiac procedures, colonoscopies and cataract removals. Without treatment these conditions can have a huge impact on a person's quality of life.

Further, treatment delays are likely to get worse over the next decade as demand for treatment rises faster than the country's ability to fund it. Health insurance makes an enormous contribution towards the health and well-being of New Zealanders, funding around half of all elective surgery. In 2012, health insurers funded almost \$900 million in healthcare treatment costs.

## Comprehensive or elective cover

Hospital cover or Major Medical type policies are the most popular, account-

ing for around 70% of all policies. These typically cover only health conditions which require hospitalisation and related expenses that can have a major impact on family resources.

## Best of both worlds

Most members of the RMTU are in the very fortunate position of having access to cover for many day-to-day healthcare costs covered as part of their collective contract PLUS access to the Extended Health Plan for an additional cost payable by simple and affordable payroll deductions.

The Extended Health Plan, managed by Cosignia and underwritten by a major New Zealand insurer, is a premium optional addition to the day-to-day cover that you are entitled to as a member of the New Zealand Railways Staff Welfare Trust.

It can provide you, your family and children, the facility to bypass public hospital waiting lists and have access to the best healthcare in an approved private hospital within a time frame that suits you.

By combining your day to day cover with the Extended Health Plan, you will have access to one of the most affordable and comprehensive health insurance combinations available

Additionally, members can obtain pre-approval for operations taking money worries away at a time you least need it.

## Plan ahead

If you are worried about retirement, we have that covered as well. Provided you have been insured through the Trust options, a further range of options will be provided and continually managed for you by the Union's and Trust's independent advisors Group Health.

## Extended Health Plan

The health insurance cover enjoyed by members of the Extended Health Plan is provided by Tower Medical Insurance Limited. In recent times Tower has ob-


served higher surgical costs coupled with an increase in the volume of claims. Most notably, they have seen an increase in skin lesion removal and orthopaedic surgeries.

Over the last few years a wider range of technology has become available for treatment and diagnostic procedures such as robotic surgery bringing an increase in the number of higher value claims that are also contributing to medical inflation.

In the last year the Extended Health Plan has paid claims in excess of half a million dollars to 50 individual claimants. The top five claims in the last year were:

- Back surgery - \$86,000
- Heart valve replacement - \$60,000
- Coronary bypass - \$38,000
- Heart surgery - \$35,000
- Mastectomy/radiation therapy - \$34,000

The average amount paid over a year across all 50 claims exceeding \$10,000 shows that the Extended Health Plan continues to assist Trust members in a meaningful way.

For more information please contact your Welfare Trust office, or Group Health Solutions Ltd direct on 0800 625 676 and let them know that you are a member of the RMTU. 

## New Zealand Railways Staff Welfare Trust

Take the worry out of your family's basic medical costs with insurance through **YOUR** Welfare Trust.

Contact our advisors Group Health on **0800 625 676**





Grant Robinson and Darien Fenton

Ben Thompson  
HA Law

Dave Marden



Georgina McLeod

Karen Fletcher



Doug Blakie and Stu Johnstone



John Kerr



## Ports Forum shows

**P**ORT automation, the independent taskforce enquiry into H&S in NZ (which arose out of the Pike River tragedy), National's war on workers and what a politician's view of a National Port Strategy means?

These were some of the topics covered at the lively RMTU Ports Forum 2013 held on June 11 and 12 in Wellington and attended by RMTU delegates from ports across NZ.

Dave Marden and Kelvyn Martyn, who attended the recent ITF Automation Conference in Sydney, reported back that whilst automation is coming to ports it is not automatic. Automation is a significant cost to any port and for very large ports, where economies of scale and corresponding increases in productivity offset the cost of automation, then moving to full automation may be a worthwhile investment.

In NZ, where the huge cost of a full automation is unlikely to result in corresponding productivity and financial gains, automation is likely to be on a much smaller scale.

The ITF conference determined that automation is not a new process and each piece of newly introduced technology alters the way we work on the waterfront.

The critical factor for us as union workers is ensuring that where companies are considering any type of automation, this is done on the basis of open, frank and meaningful negotiations with representative unions.

Therefore, automation with negotiation is the ITF's position and the their conference in Sydney passed a resolution setting out nine

points of protection for workers that must be part of any automation negotiations.

The RMTU Ports Forum endorsed that resolution and Ruth Blakeley, RMTU representative who went to the Chicago Dockers' Conference in July, took this endorsement with her to pass on to our international union comrades.

RMTU H&S organiser Karen Fletcher, spoke to the Forum about the independent Taskforce enquiry into H&S in NZ and the implications for H&S in the workplace.

In a nutshell, the Taskforce have said to the Government that unions – and its members, not its officials – are the only group that can independently represent and advocate workers for H&S in the workplace.

How the current Government is going to wrap its head around the fact that an independent Taskforce has bluntly stated it is union workers and unionised labour that are the best people to represent workers on H&S in NZ remains to be seen.

The facts remain that in NZ you are twice as likely to be killed on the job than if you worked in Australia and six times more likely to be killed on the job than if you worked in Britain.

We've got some hard work in front of us but, the result will be safe workplaces where people can go home to their families at the end of each working day. It's a goal that is worth a lot of hard graft.

National's war on workers was a topic presented by the CTU's Jeff Sissons and Georgina McLeod. Currently going through





# ows its strengths

Parliament are more proposed changes to industrial relations legislation. National continues to present their full scale attack on working people as 'tinkering around the edges'. More like 'tinkering' with a sledgehammer and hydrochloric acid.

The Government's agenda is absolutely clear: remove any rights workers have and hand a complete arsenal of weaponry to the employer whilst portraying their revisit to the 1990s as moderate change that will hopefully create jobs.

Many of the proposed changes are hidden in technical wording deep in the Employment Relations Act. Most of us don't read law on a daily basis so explaining the changes can makes people's eyes glaze over.

Try this one for size: Removal of the duty to conclude collective bargaining.

What does that mean? Right now unions and employers must conclude bargaining so you get a signed collective agreement. Deal done and dusted. Your terms and conditions are secure and protected – and hopefully improved.

Removing the duty to conclude allows employers to walk away. No reasons are required and your collective agreement is discarded. Instead, you go onto an individual agreement leaving the employer free to pick you off one by one.

That is just one of the proposed changes.

What do we do? Well they didn't get us in the 1990s, although they tried really hard, and they won't get us now because we know that together we are strong, and we are going

to have to be strong – and together.

Another topic discussed over the two days of the Forum was what does a National Ports Strategy look like to a politician?

To answer this question the Forum listened to Labour's transport spokesperson, Iain Lees-Galloway, and Green Party spokesperson, Julie Ann Genter.

We were encouraged to hear phrases like 'coastal shipping', 'integrated transport strategy' and 'invest in rail to transport goods to market'.

The Forum discussed the stranglehold that shipping companies hold over NZ ports where they are exempt from the Fair Trading Act and can, and do, set ports against each other competing for business.

Labour and the Greens say government has a critical role in facilitating ports working together – not against each other.

The detail of this is something both believe needs to be worked out with the stakeholders – all of us. In an integrated transport network we fully anticipate being at the table with the next Labour/Green government to work the details out.

Many thanks to all delegates and observers who attended, to the speakers for their presentations and to the RMTU organisers for their education sessions.

Make sure that you ask your delegates who attended the Forum for a rundown on what happened and when you've had a chat have a think about what small thing you might be able to do to keep your Union strong. 🌐



*Dave Marden, Ruth Blakeley & Aubrey Wilkinson*



*Lyndy McIntyre  
SRWU*

*Jeff Sissons  
CTU*

*Roy Cowley  
HSP*



*RMTU's Daniel Manu and Aubrey Wilkinson*



*Julie Ann Genter  
Greens/CTU*

*Richard  
Wagstaff CTU*

*Paul Dennis  
RMTU*



*Libi Carr RMTU*

*Iain Lees-Galloway  
Labour*

# H&S organiser visits Lyttelton

**O**N August 8 RMTU H&S organiser Karen Fletcher spent a busy day with members and delegates at Lyttelton and the Inland Port.

## Inland Port

**At Inland Port Karen was hosted by John Healey.**

There are a number of truckies huts around the site for truck drivers to stand in while their vehicles are being loaded or unloaded. The huts are a direct result of RMTU members refusing to load and unload trucks while drivers ignored safety procedures.

Karen was shown where large hyster forklifts shift and stack containers, load and unload rail wagons and trucks and stack containers very high and very precisely.

RMTU members there also survey and check containers, clearing them as safe to be used before they are loaded onto trucks or rail transport, often for Fonterra.

Karen was surprised at how quiet the large hysters can be, appearing around the corner of a block stack without warning.

She observed the precision required to move containers on and off trucks and stack into the block stacks.

They discussed ways to improve H&S training there. One of her aims was to identify delegates and/or members interested in H&S training delivered by the CTU in partnership with ACC.

## Lyttelton Port

**At Lyttelton Port Karen was hosted by Paul Dennis.**

At Lyttelton Port they met with maintenance staff and electricians where she had a lively discussion on H&S processes, procedures and practice.

Over lunch they discussed how H&S processes and procedures at Lyttelton work in practice. She suggested a discussion with Trish Telfer on an Employee Participation Agreement (EPA) – a legislative requirement for an employer with over 30 employees.

Before meeting with Trish, Karen and Paul visited security staff again to discuss H&S processes, procedures and practice.

She was shown the security notification

book for H&S hazards and concerns which is taken to H&S meetings. When the issues are dealt with and closed off they are noted in the book.

This is an easy and practical way for security staff to keep track of, and manage, H&S issues across their area.

Any immediate and serious H&S hazards are of course promptly notified to be dealt with immediately.

By the time Karen had completed her visits she had 15 names of RMTU members keen to do H&S training. With the 15 names they headed for a meeting with Trish Telfer.

Paul in representing RMTU members, was articulate, clear, and firm as he explained to Trish H&S flaws he had followed up and discussed with members across the port.

The most significant of these, and the most frustrating – and repeated again and again by members – was the Corrective Action Report (CAR).

## CARs at Lyttelton Port

The view repeatedly expressed by RMTU members is that there is huge room for improvement in how CARs are dealt with.

Members advise that they can fill in a CAR on the same incident repeatedly and nothing is actioned. The same hazard can sit on the minutes of the H&S committee for months despite regular meetings across all areas and not be closed off.

Paul identified:

- The original format of CARs, which members found user friendly, had been altered. Instead of an original and a carbon copy with a tracking number there is now only one copy and no



tracking number.

- The only person now with a copy is the manager – not the member. Having a carbon copy and an identifying number meant each report could be easily tracked.
- The person who notified the hazard should have a copy of the CAR so they can follow up what action was taken.
- There does not appear to be a clear system or process that can identify the tracking of CARs nor a way of reporting back to the person who identified the hazard and filled out the report.
- Communication across the port areas appears siloed and separate. Common hazards (where numerous CARs may have been filled out for the same hazard) may not be identified as significant hazards needing immediate attention



but are kept in their own separate area.

- While repeated reports are being filled out for similar hazards they are not being fixed or, when there is a fix, it is without consultation or agreement across all the affected areas.
- H&S hazards need to be viewed across the business so that common and repeatedly identified hazards are fixed quickly.
- Hazards do not seem to be getting reported upwards to senior management.

Paul backed up his concerns with real examples.

Numerous CARs have identifying crossing the straddle patch as a hazard when boxes are stacked three high and the straddle driver's vision is blocked. Anyone crossing the patch is in serious danger of injury or worse.

Over five months, six near miss CARs have been filed regarding crossing this gauntlet. The identified fix was to stop stacking three high. Visibility is then increased. What happened was boxes would be taken down to two or one high for a short period of time (maybe hours only) and then would be stacked three high again.

Paul said there was a tension between operations in the Terminal where the Terminal needed more space and continued to stack three high, and operations in maintenance where staff (and others) needed to safely cross the patch.

## CARs upgrade

Paul Dennis will lead a team to get CARs working properly. The RMTU would like:

- Transparency. When a CAR is completed you can track it through to completion.
- Copies of every CAR kept by the person filling them out.
- Near miss forms need at least two copies so they can be tracked in the same way track identified hazards are fixed.
- LPC to report on the number of CARs filled out and actioned and hazards fixed.
- LPC to report on the number of near miss forms filled out and what action taken to eliminate the identified hazard.

Much of the work above is about getting good, clear systems and process in place where everyone knows what to do. A critical part of a safe operation where workers come to work safe and go home safe.

## Hazards identified

Paul strongly recommended that H&S reps across the entire operation meet and identify solutions for common hazards such as crossing the patch and poor visibility due to height of boxes.

## H&S Training

With over 17 members and delegates

keen to begin H&S training we'll be doing some pretty soon. Karen has advised LPC of the numbers and we are now working on delivery of Level 1 training before the end of this year.

## EPA

We have advised LPC that the RMTU would like to develop an EPA with the employer. We have provided examples from Port Nelson and KiwiRail.

EPAs set out (amongst other things) how H&S reps will be elected and recognised, a process for identifying and fixing hazards and how to escalate hazards that are not fixed in a timely manner.

RMTU members believe an EPA would be a good thing to develop at LPC for clarity of process and procedure.

## Return visit

Karen will be returning to LPC (and may have been by the time we go to press) to follow up the progress on CARs, H&S training and the EPA.

She will also visit areas missed last time and no doubt get some more names for H&S training. We look forward to seeing you again soon Karen. 🌐

■ *The RMTU thanks Mark Truscott and Tim Lawton who both came in from the RDO to cover delegates hosting Karen and her visit.*



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 **SOVEREIGN**

# Destination Fiji - yeah right!

**T**HE South Pacific nation might have beautiful clear water, sandy beaches and smiling faces, but behind that lies an uglier side to the country.

Did you know that:

- 60 per cent of people earning a wage are living below the poverty line;
- The minimum wage is not enough to feed a family; and
- Workers have been stripped of their human rights.

Things need to change before New Zealand workers travel to Fiji for a holiday.

If you want to learn more about the situation and to spread the word, visit:

<http://destinationfiji.org>



## Notice board of the month

A great notice board now proudly hangs in the KiwiRail HQ Parnell office meal room. Well done to the active committee members. Keep up the outstanding work.



## \$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!



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# Surviving a magnitude 9 quake and giant tsunami

**N**OT a single loco driver, conductor or passenger aboard trains affected by the magnitude 9 east Japan earthquake and sub-sequent tsunami of November 3, 2011 died – an incredible statistic considering the devastation they wrought.

Some escapes were truly miraculous but almost all were a consequence of good training, constant discussion, job satisfaction and a Japanese propensity to follow leaders' instructions.

The escapes, experiences and lessons are dramatically documented on an excellent DVD produced by the East Japan Railway Worker's Union called *The voices of union members who created the JR East miracle – The lessons of 3.11*.

The DVD comprises more than 15 testimonies about 11 incidents from, mainly, rail workers caught up in the tragic turmoil including drivers, conductors, train controllers and station personnel.

Each testimony is translated and spoken with meaning and feeling and broken up with live footage, photos and graphics showing where each incident took place.

Most of the railway in that part of Japan ran close to the sea. Any wagons or buildings in the path of the fearsome tsunami were apparently washed away and all that



remains today are rusting overgrown tracks and derelict buildings.

Near Nobiru station a train was stranded when the train's power automatically switched off when the earthquake struck. The passengers were led to a nearby school and, eventually, to the top floor where they watched in horror as the tsunami swept all aside.

Near Shinchi station the passengers were taken to the nearby town hall while the driver and conductor dutifully waited by their train for instructions. When the tsunami came they clambered up to the passenger overpass and watched in terror as the water washed everything away even slamming one


carriage against the flimsy structure and reaching the top step before abating. They spent the rest of that freezing night on their precarious perch expecting doom at any moment.

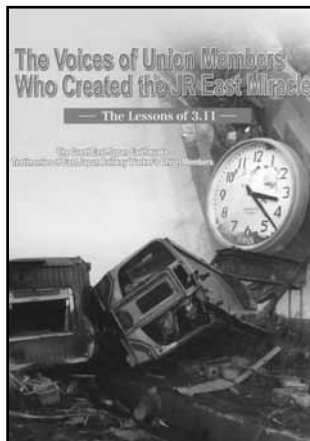
Others spoke of being stranded in tunnels in their shinkansens with over a 1000 passengers or controlling crowds at railway stations, walking the tracks to locate survivors or helping in the aftermath.

What struck this reviewer was the adherence to procedures impressed upon rail workers by constant training and discussion and the calmness they portrayed to passengers despite their inner fears.

In the Union's discussions of events and actions afterwards their overall assessment was that their workers did as well as could be expected considering the catastrophic series of natural events. Their conclusions

were for continued training, some minor improvements to procedures, a push for better supplies aboard trains to care for survivors until outside help arrived and a need for the rail unions to be at the centre of caring and humanity.

This is an excellent video and one this reviewer believes all branches could show to members. 



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# Spanish build inspected

**A six-man team visited Spain to check out the new trains for Auckland and were pleased with what they found. They visited the CAF train manufacturing factory in Beasain and the Lander simulator workshop in San Sebastian.**

**O**VERALL, the group were very satisfied with the quality of the product being supplied for Auckland and are confident that the trains, simulators and the maintenance will be most satisfactory and to the benefit of Auckland Transport, RMTU members and the Auckland public.

CAF employs around 2,500 people and is a one stop shop as far as train manufacturing is concerned and is a very long-established company and some of the buildings are from a bygone era with lots of quaint Spanish-style architecture. However, the equipment on the inside is very up-to-date with parts continuing to expand. CAF employees seem to be well looked after and CAF appears to be a good, well resourced employer. They have a large canteen, company buses ferrying employees to and from work from neighbouring towns and their own medical clinic. Contented, well looked after staff means good work production standards and good quality products being produced.

A variety of train and tram products were viewed in their various stages of construction and assembly, and all appeared to be of good build quality. In comparison to the other trains and trams being built, the Auckland EMUs appear to definitely be a superior product in terms of design detail and overall appeal.

The delegation were shown around all aspects of the CAF operation which includes building trains and trams from the ground up. The Auckland EMUs include bogies, which are a good solid-looking design featuring welded bogie frames (not cast), which are of the standard provided for the French TGV trains – some of the fastest trains

**The RMTU was represented by Isaac Broome (Transdev drivers), Chris Harman (KiwiRail drivers), Ray Gosai (train managers) and Elliott Coupe (KiwiRail mechanical). They joined Transdev managers Craig Inger and William Els.**

in the world. The bogie components look impressive with double suspension (spring and air bag). Testing them is very rigorous and Elliott Coupe was shown the testing procedures but only after a confidentiality agreement. CAF are quite sensitive about

certain parts of their operation.

The passenger saloon doors and ramps on the trailer cars look to be very easy to use and reliable – simple but well constructed. The delegation tested the door controls and ramps and all worked speedily and satisfactorily. No issues were found. It will be interesting to observe how quickly the Auckland public adapt to the new door operation and what the dwell times will be with passengers standing at the door waiting for it to open.

The cab console and electric cabinets are separate units – all done onsite by CAF, not contractors.

The cab doors look very good. The delegation had no issues with cab entry and exit despite the slightly skinny width compared to the SD and ADL/ADK cab doors. The exterior cab door handles are user friendly for both ground level and platform level access. The new revised rounded handle also met with approval.

The cab steps are illuminated for easy foot finding in the dark.

The cab warning sounds for vigilance, right of way etc has good crossover with the current Auckland rolling stock.

The new cab will have a feature whereby the driver will log into the train Train Monitoring System (TMS) for each trip. This will most likely involve entering an employee number, then train service number. This is common practice in many modern trains now around the world. This will need to be discussed further between the RMTU and Transdev.

A simple low profile alligator type clip for paperwork, fitted to the front of the driver's desk, was quite acceptable. If it proves to be unsatisfactory ▶



*A mock up of the cab (above) and the train manager's control board.*





in operation, an alternative could be for a paperwork stand to be fitted on the end of the right side end of the screen console.

Train managers will have access to TMS components in the rear cab where they may, if the train is to run through a station without stopping, for example access the route and deselect a station, and this changes the announcement inside the passenger saloon.

CAF are currently working on voice announcements and are waiting for a list from Transdev and Auckland Transport.

Maintenance staff will be able to log into the TMS separately and access the many restricted screens to make any modifications.

Agreement was made that CCTV will not be live or able to be viewed in the lead cab whilst the train is in motion unless an emergency alarm is activated. Outside cameras to activate at some point approaching platform and will remain on until a certain distance

out from platform.

The passenger seating fitted in the saloon is now more comfortable than those presented in the mock up and should expect to be received with satisfaction by passengers (and staff).

Options for fitting spyholes in the cab-saloon door were offered and the consensus was the need for only one and the height chosen was the eye height of Ray Gosai,



who was thought he was a good mid range height.

Drivers and train managers will have four keys each while maintenance staff will have seven. They will each be colour and number coded for ease of recognition.

Issues identified on first inspection and the response.

Parked position of windscreen wiper: The parked position of the windscreen wiper on the left was determined to be the minder driver's primary field of vision. A request was made to have it parked on the right. This request had been completed.

Cab radio handsets: A problem was identified with the tight positioning of the three handsets for the two cab radios and the intercom on the left side of the driver's console. As presented, there is very minimal room between the handsets to fit fingers around the handset and the possibility of inadvertently pressing

## Sickness, accident & death



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

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◀ the talk button on the handsets. There was also an issue with the handset cords tangling together and around the emergency stop button mushroom.

These issues had been partially resolved with the fitting of a catch tray to contain the cables. Solutions for the repositioning and configuring the handsets are still being made and are intended to be addressed by the time the first EMU is shipped.

Potential problems: Whilst the new train will be quite user friendly for both staff and passengers, some may find it a little bit difficult getting their heads around this big advance in new technology. The RMTU will need to insist that Transdev/KiwiRail provide sufficient time and patience for all members to fully adapt, understand and become comfortable while learning the train's new technology.

The delegation recommends that a way be found for all drivers to be introduced to the new technology beforehand, to get used to the screens and learn to read them easily.

The delegation also recommended that easy to read illustrated booklets on how to use the new trains be supplied, perhaps with a video to play on staff room TVs at Papakura and Britomart?

## Simulators

The Lander simulator workshop and display centre in San Sebastian is part owned by CAF and produce high quality, realistic train, tram, bus, truck, car and even motorcycle simulators. The delegation was invited to try a variety of simulators including the Auckland network simulation. The two simulators being provided for Auckland for training purposes will be interesting new concept and have been prepared by a very pleasant, detail focused, skilled team. They will certainly be an aid to driver training. However, it must be noted that simulation training cannot replace the need for on-job training on actual trains on a live networks in the real world. Appropriate consultation needs to be had between the RMTU and Transdev regarding training hours and the use of simulator training verses on job training.

## Cab radio

A blanked off slot has been allocated in the left side panel next to the driver beneath the driver's desk in readiness for an enter-



(above) Fabricating a new carriage and  
(below) the driving simulator.



tainment radio. The delegation awaits with eagerness the findings of the independent report currently being compiled for Auckland Transport in relation to this item and hopes that common sense will prevail and permit this item. It was suggested that when this radio is fitted, a model be selected with a USB port which will enable drivers to bring their own music on a USB stick. The cab radio will cut out when transmissions are made on the train control radio.

## Door controls

As agreed, three door open option buttons have been fitted on each side of the driver's desk, together with a door close button which will have a cover to prevent use. The three buttons include:

- A release button, to release all the doors on one side of the train.
- A T car open button, to release all doors on one side of the train as well as opening the doors and operating the ramps on the middle trailer car. This will be pressed by the driver should the driver see a wheelchair passenger on the platform. Pressing this button is not compulsory by the driver but will help reduce the dwell time.
- An all car open button, to open all doors on one side. This can be used at the driver's discretion for very busy

trains and stations eg rugby specials, peak services arriving in Britomart. etc.

The normal, everyday operating procedure will be for the driver to give the door release on which ever side the platform is on. The passengers will then have the ability to open and close doors individually themselves from both outside and inside. When it is time to depart, the train manager will insert her/his key and press the door close button which cancels the door release and closes all doors except the local door where they are operating from. The train manager then presses the door close button again which pops out from its pressed in position and this closes the local door. The train manager then presses the right of way button which provides an audible signal to the driver.

The door close button in the driver's cab will have a cover placed over it to prevent the driver using the controls while the train is in train manager mode. Requiring a second person to close the passenger doors and give the right of way ensures the continued safety critical responsibilities requested by the RMTU and the duties of the train manager as part of the operation of the new EMUs.

The cover for the door close button was not present when the EMU was inspected by the delegation. This will need to be sighted and approved when the first EMU arrives in Auckland. As with the radio handset issue, the delegation are open to making themselves available for a revisit to the factory to re-inspect these items.

## Conclusion

Overall the delegation felt the trip to be very worthwhile and useful. The representatives from CAF, Lander and Auckland Transport were very pleasant, helpful and knowledgeable, and the delegation have been provided with good resources as well as participating in productive consultation. A good level of consensus has been achieved and the RMTU should expect that CAF will continue to serve members well with a good quality product and with good maintenance. Members should not expect to encounter the same issues as those experienced with the locomotive and wagon purchases made in recent times with the supplier chosen by KiwiRail. The delegation now awaits the arrival of the first EMU in Auckland. 🚆



# Wiri workshop opened in style

*The very impressive Wiri EMU depot was opened on July 5 by Auckland Mayor Len Brown who thanked Bernie Henare and the RMTU membership as partners in this project and spoke of the opportunities to create meaningful jobs for future generations.*

(l to r) Isaac Broome (Transdev LE), Chris Harmon (K/R LE), Bill Sweeney (Transdev LE), Ray Gosai (Transdev train manager), Bernie Henare (KR loco T/L) and Elliott Coupe (mech T/L Westfield).



(l to r) Stuart Johnstone, Bernie Henare, Isaac Broome, Elliott Coupe, Chris Harmon and Ray Gosai.



Mayor Len Brown with AT chairman Dr Lester Levy

## Big numbers at branch AGMs



Wellington

**T**HE Auckland AGM had three main guest speakers: Auckland councillor Mike Lee, Auckland Transport chairman Dr Lester Levy and Wayne Butson. Dr Levy spoke of the need for AT to be much closer to their customers and the best way for them to achieve this, while Mike Lee thanked those who stood for branch positions as that demonstrated we are a good, strong, democratic union. 🇳🇿



Auckland



Palmerston North

**T**O be in a packed room with passionate RMTU members definitely sends a sign to KiwiRail that RMTU's heart beats strong. The executive was re-elected unopposed indicating endorsement and confidence in the way the branch has reinvigorated itself under strong leadership. The next 12 months will see a focus on support networks, delegate training and mentoring support with a delegates day planned for 2 October. Wellington is the first branch to elect a youth and a women's rep and challenges others to follow suit. 🇳🇿

**A** record turnout at PN is illustrative of the new vibrancy and vigour within the branch. All positions were hotly contested with Steve Brown resoundingly elected chair and Tim Kerwin secretary. Training is being planned for the host of new delegates elected. This branch is fast becoming a major cog in our strong, democratic RMTU! 🇳🇿

# Weather woes hit KR's pocket

**W**HEN the weather turns nasty all of us should turn our minds to how much of the level playing field remains for KiwiRail. The pictures on this page are a snapshot of some of the very expensive damage inflicted upon the NZ rail network by mother nature this winter. Some of our brothers invariably have to work in terrible conditions to endeavour to get these tracks open and back earning revenue for KiwiRail.


Have you ever wondered who pays to fix the roading system when it is damaged by mother nature? The answer is the taxpayer. The same can be asked when an airport is similarly damaged. The airlines don't for sure. What about a port? Do the shipping lines pay? NO again.

So why is it that when the rail tracks are damaged that KiwiRail must find the money for repairs?

This lack of a level playing field is holding KiwiRail back and we all know that this money had to be diverted from other projects. Instead it is used to restore tracks and bridges which suffered from weather-related flooding.

We may have KiwiRail but the reality is that not a lot has changed. It remains an entity expected to provide all of its operating and repair capital from its operating revenues. That may work if it was just the operating divisions but the track infrastructure needs to be funded entirely out of the Government's Transport Fund.

What do you think?

More importantly what do the Labour and Greens think? 



*Tim Kerwin's photos of the washout at Makotuku on the Napier line.*



*Taeri River in flood near Waibola.*



# Have you been overpaid?

**T**HE Employer has a right to recover any overpayment to employees under particular circumstances provided for in the Wages Protection Act 1983.

These are:

- When the methods or equipment used to pay you cause an error which could not have reasonably been avoided;
- That before recovering the overpayment the employer gives notice of the intent to recover it;
- That the overpayment is recovered not later than two months after that notice is given; and
- That any deduction is made only with the employee's written consent.

If the overpayment notification is not clear, the RMTU suggests that you send a reply email and request a recalculation of the amount, and a "plain English" explanation

as to how the alleged overpayment has happened (for example, a system error or a retrospective timesheet change). If you are happy that the explanation is correct and clearly presented, you can respond with a request for a repayment option that suits you, such as a lump sum or fortnightly repayments.

Where an explanation from the employer is not clear, we suggest you contact your local RMTU delegate or organiser.

Once there is clarification of the overpayment, one of two things will occur:


It may be that you have genuinely been overpaid and that it is reasonable for the employer to seek recovery; or

It may be that, even though the employer has made an error, circumstances are such that you are entitled to challenge the recovery of the overpayment.

For example:

- Did you receive the money in good faith?
- Did you alter your position, relying on the overpayment being valid?
- Did you question the payment with the employer and were told it was valid?

If you believe there are circumstances that mean you should not be required to repay the overpayment, the RMTU can assist you in the submissions process. Through this process you can request a full or partial write-off of the debt, which will then be considered by the employer. Where the employer is unable to supply a clear explanation, no recovery would occur.

If you need assistance or advice about an overpayment issue, contact your local delegate or organiser. 

## New Nippon high speed train

**A** prototype of Japan's new super fast maglev bullet train has been successfully tested at Tsuru in Yamanashi. The train is designed to travel at speeds of 310mph. It has a 15 metre long streamlined distinctive nose together with hi tech magnetic levitation technology to give a smooth ride without the usual wheel noise. The absence of friction between wheel and rail means acceleration and deceleration are faster and unaffected by weather. The train consists of 16 cars carrying 1,000 passengers and is scheduled to enter service on the Tokyo-Nagara line in 2027. It will cut the current journey time



from 90 to 40 minutes and will eventually run between Tokyo and Osaka. The central line in Japan – the Tokaido Shin-

kansen – is the world's busiest high speed rail line carrying 151 million passengers each year. 



## Asset sales an election issue

**A**SSET sales continue unabated despite protest and huge opposition. This brazen Government believes the sales will not affect their chances of a third year on the treasury benches. This Union is determined they will be part of the mix voters consider when elections are called – along with all their other contentious decisions and anti-worker legislation.

This photo shows a protest outside Parliament in Wellington.

## PORT NAPIER BRANCH

**C**ONGRATULATIONS to the new representatives elected to the NMC. To those who have served and missed out on re-election, thank you for your contribution in the management of our Union. It was a privilege to have worked alongside you. Your efforts are noted and appreciated. As the North Island ports representative I thank the membership as a whole for letting me run for the position unopposed, I am humbled.

On the home front, we continue to stay busy with the return of Winstones Pulp International after an absence of 17 odd years and their associated timber cargo. Workloads have increased and as a consequence recruitment by the port company has made gains for the Union in terms of both casual


employment and more permanent staff being engaged boosting our numbers locally.

We have also started a Union recruitment drive within C3. We now have three permanent employees and will continue to encourage others to join. Most of C3 at Napier is covered by MUNZ, however this is within their shipping operations and break bulk cargoes. In essence, we are targeting the log marshalling aspects of the business, similar to Tauranga.

Container turnover is slightly up on last year. We have probably just passed our seasonal peak. Interestingly, this week we had our first 15 bay wide vessel, the Cap Campbell. A little farther to reach for our mobile cranes and no doubt a heads up in terms of ships getting wider and longer

coming to NZ ports.

After attending this year's ports forum and hearing several key speakers, it was clear that Labour, Greens, CTU and organisers from other unions all have a clear message: We must support in any way possible, the fight to stop John Key and the blue brigade from pushing through draconian anti-worker legislation. It is essential we all play our part in doing anything we can, whether it be signing a petition, going online and e-mailing the many causes out there that need our support or joining a demonstration. Adding your voice nationally and internationally demonstrates our Union is active and involved. This in turn, can reap benefits. Ultimately picket lines also show our Union is out there and supportive.

Food for thought? 

## PALMERSTON NORTH BRANCH

**T**HE off season is nearly over with green grass everywhere leading our focus to the always very busy milk season in the Manawatu.

We have just had our AGM which was a great success and congratulations go to all elected delegates. Many thanks to the nominated delegates and those who have stood down. We had over 50 members at our AGM – up from seven at our last. Better communication, engagement and the voice of the branch through its delegates are getting through. We have set up better notice boards thanks to the help of our brother in Wellington, Mani Raumati, set up group emails and a dedicated and closed-to-public Facebook site to communicate with other members. The branch voice is getting louder!

We are seeing a few changes around our area – some good and some not so good. Track work is starting to take place and what's left of our brothers and sisters in I&E are working hard to repair restrictions and de-stress track. Of course this could be done quicker if we had better resources.

Our brothers in servicing have recently




refused to further take part in the SAP trial which effectively is to see what they are doing in an eight-hour shift. However, it is, as like most surveys, for cost cutting and is flawed! Any time they are not in the shed servicing is to be classed as 'shunting'. Servicing staff do many radio tests and transfers and windows etc outside of the shed which isn't shunting but no doubt questions will be asked why servicing are 'shunting' for four hours when really they have been doing a whole lot more.

Standardisation seems to be really taking full effect now and the staff are having issues with the new set up. It seems that the brothers and sisters are having their work environment changed to suit aes-

thetics instead of staff needs and suitability. In one case a manager came in and told his staff to tear down all that s\*\*t on the walls by lunch. That s\*\*t meant something to the members. Apparently, or so The Express tells us, everybody loves the new set up in the operations building. We would like to know who this 'everybody' is because it isn't anyone in this branch.

The shunters still seem to be having issues with underfoot conditions in the yard despite this being raised for months at HSAT meetings.

It has been mentioned too that some of our brothers and sisters in the yard do not wish to speak up about any issues as this will result in reprisals from certain people above. Thankfully Aaron Temperton has written to all shunters nationwide stating that he will take any phone calls about bullying. We hope the yard staff will take up this offer. Bullying will not be tolerated!

Recently we have seen the retirement of Joe Morony who joined loco in Taihape in the 1970s. The branch thanks Joe for his contribution over the years and wishes him all the best in his deserved retirement. 



## HUTT WORKSHOP BRANCH

**T**O begin with I must first acknowledge the efforts of all the contributors to the June edition of The Transport Worker – it was a bumper issue with many interesting articles, and well done to all those smaller branches, ports and rail, which penned even a few words together just letting the rest of us know that they are still alive and functioning!

Our year continues with fluctuating workloads across capital, project and out-of-course work. Since our last branch notes our newly appointed operations manager has taken up his position and has been tasked with revitalising our drive towards lean(er) production. This has kicked off with some small pilot initiatives but is promised to really get (fully) underway when an assisting contractor (surprise surprise) is engaged in the foreseeable future. Three possibles have been short-listed and the one selected should be announced soon – provided we can afford them! We hope that this will not be a repeat of a programme back in United Group Rail days when a contractor was engaged at great cost to look at improvements but was dropped after the initial phase. It appears to be a matter of conjecture as to whether it was due to projected cost overruns or the feeling that those in charge could take over the reins and complete the job themselves. Either way, we are at a new cusp in our journey along the path of continuous improvement; let's hope it is well planned and executed!

Back in mid-May we had an interesting start to the working week with the lights going out after a weekend upgrade of the power supply equipment by the local power company. The settings on some equipment were not adequate and we suffered no less than six interruptions throughout the morning and early afternoon. You simply don't know how much you rely on electricity until it's interrupted and you don't know when it's going to be reliably restored. I was waiting for the Business Continuity Plan to kick in but it seems we didn't have one for this occasion! Fortunately there was some low-level manual work to be done so that kept us limping along till normality was restored.

Late in June (Thursday 20th), we had a bit of an overnight storm in the Wellington region which interrupted power lines, knocked over trees, blew in some of our

roller doors, stressed a windowed wall in one of the plants, lifted some of the aging roof of our main Inventory store and took out the odd piece of flashing. A responsible command decision was made to send staff home for their own protection around mid-morning which was well received and quickly acted upon. As you can imagine, a bit of a clean-up greeted us on the Monday morning, and ever since then we've had our local roofing contractor fully engaged in putting things right with the aid of a monster cherry-picker that's often heard crawling around the site as the guys go from job-to-job. If they're here for much longer our enthusiastic branch secretary may try and sign them up!


The earthquakes around the weekend of Friday 19 produced a bit of a problem as it was desirable to not let staff enter the site on Monday until some safety checks had been made. It was soon discovered that there were no provisions to easily contact staff and let them know and some turned up for work on Monday. They were not allowed to commence work until the checks had occurred but were allowed access the canteens even though some of these are located well within some of the buildings! Fortunately all appears to have been reasonably okay. It will be interesting to see if these recent events have an impact of long overdue structural upgrades.

Our AGM was held in early August with our mechanical engineering group manager, Clive Cooper-Smith, and our general secretary, Wayne Butson attending as guest speakers. Todd Valster tagged along too because there was a free BBQ following the meeting! The presentation by Clive was well received with a good Q&A session afterwards. Whilst we were hoping for updates on some big projects, we were given an appreciation of how some pending major financial decisions can suffer continued delays for good reason. We were also shown projections for the next few financial years which were both a grateful insight, but also confirmation, of a possible sinking lid on the staffing compliment. Of course we don't know what future changes to the landscape may be in store for us but we shall remain ever vigilant and open to those new challenges and ready to meet them head on!

As has often been the case this year, issues surrounding drugs and alcohol were raised. Those of us on the frontline all know the new policy has been a bit of a clusterf\*\*k, and that it will continue to be a source of frustration. However, we now intend to address some of the more contentious points via the LCC process. These mainly concern transparency of the process and its possible machinations. Other examples have been openly highlighted in the recent publication of Wayne's correspondence with KiwiRail's GM of safety and people, Matt Ballard. The documents clearly show that the change to the new policy was not well planned and managed. I'm picking there will be a nationwide sequel to all of this so watch out for the updates.

The branch committee was re-elected for another year with the addition of Josh Quigley representing the inventory members who have not had a sector representative for some time. This is both an acknowledgement of the efforts put in by the incumbents and also an opportunity to ensure continuity of training which is often a juggling act with time, cost and availability of resources. It also allows new blood to be injected without impacting momentum. Too often major structural upheaval simply doesn't deliver on the promise – more so by Government and the company rather than the Union!

Wayne also brought us up-to-date with the bigger economic and industrial picture across the nation with a particular focus on the attacks on the average NZ worker by the National-led government with its proposed changes in the Employment Relations Amendment Bill – parts of which are really quite sinister. Both Wayne and Todd drove home the need for us to attend the Fairness at Work rallies to stand up for, and strive to preserve, our rights. Whilst both major political parties often tinker with labour laws, the National party has a penchant for trying to drag us back to the days of draconian rule! Remember, your moral obligation next year: Vote in the General Election, it only takes two ticks.

Make sure you stand up and fight back whenever the situation arises. Remember, when even one of us is threatened, we are all at risk! Kia Kaha. 

## WEST COAST RAIL BRANCH

**O**UR Greymouth and Westport branches remain busy, especially as they are in the frontline of the economy with the happenings in recent months.

The good news is that Solid Energy has not collapsed and continues to shift coal across the hill to Lyttelton via the coal route and the Midland Line, keeping our members in gainful employment. One thing that has come out of the Fonterra fiasco is that the Government can no longer pretend it's 'hands off' when it comes to getting involved in commercial decisions and activity. The speed with which ministers and officials were parachuted into Fonterra's head office when the botulism scandal broke does set something of a precedent.

The other good news is that KiwiRail, in its wisdom, after scaring the horses by hold-


ing meetings arguing that a modified train plan or weekly 'block of line' on a Sunday was a great idea - with all the attendant impact on the family life of our members - has done a U-turn and announced the modified train plan will operate on a Tuesday. This is welcome as it means we can get on the track to do much needed work but not at the expense of family time at the weekends. It also, in light of the modified rules for track workers working the midland line, brings a big push to work longer hours on the Tuesday and take time off on Friday which sort of defeats the purpose members are starting to dig and this looks like being a widely felt issue.

The strong push we had on the issue of contractors seems to be yielding fruit at long last. A number of former contractors' employees have been directly employed by

KiwiRail on fixed term agreements, meaning those workers get better terms and conditions and don't undercut our permanent workforce. We're also making sure that the contractors who are working on the track are sticking to the safety rules and pulling them up if they transgress.

Greymouth Port has taken on a new worker as Marty left for the Gold Coast, so it looks like Ian Hausemann will be able to keep the RMTU flag flying.

In Westport the branch was quick off the blocks and held its AGM before July was out and Paul Atkinson remains our chair with Kevin Gubb is secretary while John Valvoi is delegate.

In closing it would be strongly advised that all members read their collective, it's yours, you own it. Make it work for you, not the boss, as this makes it very difficult when representing you. 

## CANTERBURY RAIL BRANCH

**A**T the time of writing we're working hard to mobilise the branch behind the campaign against the anti-union laws the National Government are bringing in with their so-called 'amendments' to the Employment Relations Act. On 29 August we'll be joining our brothers and sisters in the EPMU, SFWU, NZEI, MUNZ, TEU, NZNO and other CTU-affiliated unions at a rally at Wigram. Hopefully by the time you're reading this the campaign will have built up momentum after rallies in the main centres and we'll be taking a leaf out of the European's book and organising a national stoppage.


In readiness for the rally we had Helen Kelly visit in early August. Our members are acutely aware of the threat the National

Government changes pose to their ability to successfully bargain collectively and were clear that they expect Helen and the CTU to demonstrate some leadership. We lost one opportunity to stop the Nats in 1991 - let's not squander this one. Whilst union density across the economy is low by international standards we do run all the strategic industries and services so we're not completely powerless.

On more local matters we are trialling the new 'Energy Miser' technology in the cab. Mike Williams has been working hard at getting people to provide a response to this initiative. Whatever you think about the project don't just sound off to your mates in the smoko room - make your voice heard via your delegates.

The decision to implement a modified train plan on a Tuesday on the Midland Line has been welcomed. It seems that management really did listen when we told them that implementing this on a weekend would be another blow to the already fragile morale in I & E.

The new service facility at Middleton is up and running and aside from the usual teething problems it has created some much needed space in mechanical services. Only three years plus since the earthquakes but at least its progress.

Now we just have to sort out the self-inflicted wounds or own goals like rotting sleepers. KiwiRail has actually invented an acronym for this - PDS or Prematurely Rotting Sleepers. You really couldn't make this stuff up. 

## TIMARU PORT BRANCH


**O**NCE again, we're pleased to report that the branch is still alive and kicking. Our former branch secretary Mike Nijssen has moved on from the port and the RMTU - a sad loss for us as Mike did some sterling work over the last couple of years in very challenging circumstances.

We sent Josh Meyer and Brian Rodger

to the ports forum in June. Both got a great deal out of the experience, Brian especially as it was his first time. As a smaller port, we're very interested in the concept of a national ports strategy and we like to think our actions in response to Maersk-Hamburg Sud pulling the plug on us has helped to keep the issue in the public eye.

Our other focus is preparing for the

renegotiation of our collective agreement which expires on January 21 next year. Our next job is to hold our AGM (which should have been done by the time you read this), make sure all our officials are elected and then start the process of identifying claims and also who we want to represent us at the table.

All in all a busy time ahead for the branch but one that we know we can manage. 



OTAGO RAIL BRANCH

THE networks staff in Dunedin were accused of being the ‘Drug capital of New Zealand’ after one of its members failed a drug test after a motor vehicle misadventure. KiwiRail, in it’s short-sighted, ill considered and poorly informed wisdom, decided that there was an epidemic of drug users in the south and that local management were knowing, if not complicit, of the alleged pot heads. So they decided to cast their net far and wide and test just about every track worker they could lay their hands on. The result: NOT ONE POSITIVE RESULT, or as the spin doctors so eloquently like to put it, non-negative. Sounds like horse shit to me. Not only did they test a whole lot of people (the local manager to his credit led by example and went first) but they also enraged some members to the extent that they voluntarily took part in the charade to add further proof to the case that there is indeed no drug problem in Dunedin and that there never has been. Our members were incensed, outraged and somewhat perplexed by the ill-considered, knee-jerk reaction of some over-zealous individual armed with an attitude and keen to try and make an impression. The only winner out of this was NZDDA who no doubt charge very handsomely for the privilege of pissing in their van. This exercise in futility has done absolutely nothing to persuade the membership at large that the agreed D&A policy, which was negotiated in good faith, is being applied in the manner and spirit that it was intended. The networks

staff as a whole have suffered enough in recent times with the cost reduction plan (CRP) – also known as getting rid of highly trained and skilled staff and leaving the organisation short-handed and poorly-resourced and dependent on contractors like Downers and Fulton and Hogan. Morale has not recovered from the slash and burn mentality of the CRP and little has been done to improve matters with this type of accusatory behaviour. The new H&S advisor for this area has also, in our view, shown his hand and his rabid dislike of the RMTU and its members and so we will be wary of him from now on. Hopefully by now our brothers and



Jock Parish, kneeling, Callum Rea watching and Ray Scott at the truck.

sisters at Taieri Gorge Railway will have successfully negotiated their collective agreement and be reaping the rewards and sharing in the prosperity of the second biggest rail company in the country. This year is shaping up to be another boomer for the cruise ships and should help to swell the coffers of Taieri Gorge. The milk season will by now be upon us again and so long as Fonterra don’t have any more issues with botulism we will all benefit from the extra traffic. Until next time keep smiling - it confuses the hell out of them. 🇳🇿

Dunedin.  
Drug capital of  
New Zealand.

Yeah right.



SOUTHLAND RAIL BRANCH

WE are working with our brothers and sisters in other CTU-affiliated unions on a Workers’ Memorial in the city. We have had a positive response from our mayor, Tim Shadbolt, and have moved to the next stage of identifying a possible location. We have three preferences in and around our splendid Queens Park, and have a meeting on August 13 so hopefully something will be decided. Time is marching on if we are to have the memorial in place for next year’s ceremony. The fuelling of locos generated a few hiccups with some not having tags fixed to them and it seems that no matter how many times these are reported, along with all the

attendant paper work, said locos are still coming back our way tagless. As the depot charged to do this work and given all the fuss involved to get things put in place, one would think someone would take ownership of this problem and get it fixed. In addition, the fuelling of the DSG locos has not been a simple exercise. At least one of our members has had to go home and have a shower. The shed is still awaiting the installation of a hose for radiators and to wash the odd window, the area on both sides of the shed where people walk needs some attention as well, and there is no sign at all

of the run around road we were promised. This has generated a level of cynicism amongst the troops and some are saying this is another case of over promising and under delivering by management. With no coal trains running and Fonterra having their annual off season, tonnage has been light on the main line with crews being booked ARSH, however the local Bluff shunt has not slowed down at all. Congratulations to Matt Moynihan on being ticked off as a LE and to Alan Shearer on his appointment as the new ops team leader. 🇳🇿

# Personal trainer employed for workers at Napier Port

**N**APIER PORT currently operates an onsite staff gym as part of its commitment to staff wellness.

In September 2008 the Port purchased all the fitness equipment from a Bay of Plenty commercial gym which had been in operation for less than 12 months. Originally, the equipment was set up in an unused building – it has since been moved to a dedicated building.

The equipment has been chosen to focus on cardio exercising with suitable lighter weights and machinery including a rower, treadmill, spin bikes, free weights, Bosu ball, Swiss balls, Rip 60, free standing punching bag, and seven weight machines for controlled exercises.

The gym was set up following consultation with DOL and ACC and is structured to ensure staff safety. Any injuries sustained there are recordable as work place injuries.



To date there have been none.

All new staff members receive a gym application form on their first day prior to meeting with the personal trainer to complete an induction session.

Staff have three choices: they can complete their own fitness programme and exercise whenever they wish; the personal trainer can complete a programme for


them; or they can work with the trainer twice a week.

The only cost for staff is their own time and sweat.

The gym is the only area in the Port where you can find staff and managers working alongside each other.

Swipe cards allow 24-7 access for the 100 members currently enrolled.

The facility is also used by physiotherapists for completing return-to-work fitness programmes thus helping staff rebuild their strength and fitness close to their work place.

Sam Ngarimu, who uses this facility regularly, says: "My general well-being has increased and it enables me to control my weight and keep me fit enough to handle the physical content of my every day work. It also helps to maintain my flexibility and strength with the added bonus of toning my body. I'm really grateful to be able to use this facility." 

## Safety message getting through – to management

**T**HE Transport Worker's 'Clock campaign' can claim a small victory with KiwiRail management now officially recognising that timekeeping should never be stressed at the expense of safety.

In a letter to workers at the beginning of July, KiwiRail's general manager of freight, Aaron Temperton, in a bid to further reduce yard collisions, made specific reference to management's misguided 'encourage-



*Centreport clock - on time and on message*

ment' for staff to take shortcuts and break rules in an effort to get trains out on time.

He stressed that this was "absolutely" not the case.

He wrote: "Yes, timekeeping is a vital and absolutely necessary element of our business – but never at

the expense of safety and rules/procedural compliance."

RMTU general secretary, Wayne Butson,

who began the campaign by publishing photos in this magazine of workplace clocks displaying contrary messages, said: "I'm delighted that KiwiRail management have acknowledged our concern for members potentially putting themselves in danger to meet deadlines.

"The RMTU is a safety-conscious organisation which cares for the health and welfare of its members and is ever vigilant to track down – and highlight – unsafe practices.

"I hope one of the first things local managers do now is check the messages displayed on their clocks, notice boards and in their publications to ensure they encourage safety over speed." 