

THE ACTIVIST



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MERRY CHRISTMAS AND A HAPPY, JOYOUS AND SAFE 2015!

It has been a very busy and productive year for RMTU members. For all of our members who are having a break over the Christmas and New Year, we hope you have a restful time off, and for those members who have to work – take care and above all think safe and be safe.

LYTTELTON PORT MEDIATION UNSUCCESSFUL

The RMTU LPC Branch met with the Company's negotiation team in mediated talks on Thursday 18 December, but the discussions didn't result in a deal.

The pressure is starting to mount from the overtime ban that started on Wednesday 17 December, as it becomes apparent there will be a significant impact in safety critical areas such as civil and plant maintenance; marine services and security.

The Company has agreed to meet with the RMTU an independent third party to discuss information around market rates for trades, although this is on a 'no commitment' basis. Other than that they haven't amended the position they adopted in

previous discussions so we see no reason to change our approach.

The ban has already affected the dry dock and has resulted in two local companies losing a contract for work on a vessel that was due in at the weekend. This gives us no pleasure but it does demonstrate that the intransigence of LPC hurts those who are not directly involved in our talks.

Members remain committed to our key claims around the establishment of an industrial council; the inequity of the situation faced by the Woolston Inland Port workers who are on much lower pay rates than those on the waterfront; and a decent pay increase.

At a joint meeting of the Port and Rail branches this week the RMTU Canterbury Rail members voted unanimously to support their brothers and sisters at LPC in any way they can.

Watch this space!

UNION OFFICE CLOSURE

The Union's National and regional offices will close at 1700hrs on 19 December 2014. The National Wellington Office reopens on 12 January 2015 @ 0830hrs.

On behalf of the Union's President, National Management Committee and Staff we wish all members and their families a happy and joyous Christmas. We also wish you a healthy, safe and prosperous (the only way with collective bargaining) 2015.

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

The **Emergency** "on call" roster for Union Industrial matters during the closedown period is;

- Wayne Butson 20 – 25 December 2014 inclusive on 0274962461
- Todd Valster 26 to 30 December 2014 inclusive 0274454691
- Phil Spanswick 31 December to 5 January 2015 inclusive 027 2188126
- John Kerr 6 - 9 January 2015 inclusive 0272464941
- Stu Johnstone 9 January to 12 January 2015 inclusive 0272464961

BRITOMART VIOLENCE RAISES QUESTIONS OVER RAIL STAFF SAFETY

The Rail and Maritime Transport Union is raising serious questions over the safety of the staff on Auckland's train network after violent incidents on Saturday night stopped services at Britomart Station and frightened staff and passengers at other stations.

The violence followed the annual 'Christmas in the Park' event. At around 10pm dozens of brawling youths brought Auckland's Britomart station to a standstill, throwing rocks and other objects at each other and clambering across turnstiles as security guards and Maori wardens struggled to get control of the situation. Even police were shocked at the intensity of the situation, and passengers were left stunned.

Once trains were moving again another fight broke out at Glen Innes Station, when youths held train doors open and threw rocks at the train, breaking nine windows. The Train Manager ordered that the train be evacuated, moving passengers to a safe point.

Another train manager was assaulted from a fight that broke out inside a train on the Western line.

The Rail and Maritime Transport Union is appalled that staff on the rail network and members of the public were left exposed to

such violence, according to General Secretary Wayne Butson.

"There is no excuse for this kind of a situation, and the offenders must be held to account."

"However the larger concern is with Auckland Transport, whose biggest concern was getting trains moving rather than the safety of staff and passengers. This is not the first time we have brought up the issue of safety on the rail network, but this is the worst incident yet."

"Under no circumstances should rail staff or passengers have to face such security risks in their workplace, and it raises serious questions about the preparedness of security and police to deal with these risks after major events."

"Members have also expressed concerns that those involved in the Britomart violence were then put on to different trains to separate them. Putting potentially violent individuals and groups onto the trains puts both staff and passengers at risk and is an extremely inappropriate course of action.

Wayne Butson added that the actions of the Glen Innes Train Manager ought to garner high

praise and respect.

"Train Managers normally go unnoticed, but his clear instructions to passengers and his willingness to put passengers' safety ahead of his own should be well noted."

JOINT CHRISTCHURCH RAIL AND LYTTTELTON PORT BRANCH MEETING A POSITIVE AFFAIR

It's become a tradition these branches get together at the end of the year and we try and keep the occasion up beat.

General Secretary Wayne Butson and National Health and Safety Organiser Karen Fletcher were our guests and Karen kicked the meeting off by launching the RMTU Red Card. This is something members can keep in their wallets and pull out for reference if they have safety concerns about the job. It walks you through what to take into account



if you don't feel something is okay and when and how to 'Just Say No.' Great stuff Karen, and thanks for your presentation.

We also recognised the work of a select group of delegates who have made an immense contribution to organising in the two branches this year. Wayne Butson presented certificates of appreciation to Malcolm Walker, Mark Brown, Simon Gillard, Tony Dreaver and Ian Stewart. All of them have done tremendous work – thank you brothers!

Rail Branch members listened with incredulity to the report on negotiations with Lyttelton Port where the management are rejecting the notion of an industrial council. The rail members immediately and unanimously voted to support their brothers and sisters at LPC in their struggle for a just and fair settlement to their negotiations.

All told it was a very positive meeting that reminded us of the comradeship and strength that the two arms of our union provide. We even had a photo of the meeting published on the Stuff website:
<http://www.stuff.co.nz/the-press/business/64251211/Lyttelton-port-workers-begin-overtime-ban>



PORT NAPIER SALUTES THE DEPARTURE OF 80 YEARS EXPERIENCE

Bill William's (local RMTU life member) and his long suffering colleague/comrade Godfrey Te Uki ended their employment on 12 December 2014 with Port O Napier. They were the ports long standing garbiologists (quarantine specialists) and together had around 80 year's service with the port!

A well attended morning tea send off was held and many words of praise, sadness and best wishes were said by several speakers. There wasn't a dry eye in the house so the reports say.

All of Team RMTU wish Bung and Godfrey the bestest of best wishes in your future endeavours. Stay busy, stay active and

above all else stay Union principled! You lad's will be missed.

VANDALISM IS SERIOUS MISCONDUCT

In the last 12 months since the Driver Advisory System (DAS) units have been fitted in the locomotive cabs, 22 of the DAS units have been vandalised, most of the damage has been to the screens with some control unit damage on others. Six months ago the damage was being done in the South Island but that has now ceased and now it is damage to units in North Island cabs.

If any LE notices the DAS unit has been vandalised, we advise that they book it up in the 54d and tell their manager. KiwiRail have said the company will not tolerate intentional vandalism which they view as serious misconduct – code speak for very hazardous to any individuals employment if they are found to be responsible for the vandalism.

CLOSURE OF THE NEW ZEALAND HARBOURS

KIWISAVER SCHEME

The following is the text in letters recently sent to all NZ Harbours KiwiSaver Scheme Members;

"At their recent meeting in November 2014 the Trustees reviewed the viability of the New Zealand Harbours KiwiSaver Scheme (the "Scheme"). This was prompted by the increasing level of compliance costs and the slow growth in membership numbers and asset values.

The Trustees also recognise that external retail KiwiSaver offerings have accumulated critical mass in terms of assets and member numbers and are, therefore, able to operate with more competitive fee structures. In addition the retail schemes are able to offer member investment choice options that are not available under the Scheme.

In view of all this the Trustees agreed to recommend to the RMTU (the Plan's promoter) that:

- the Scheme should be closed to new members; and
- Scheme members (and their balances) should then be transferred, subject to prior Financial Markets Authority (FMA) approval, to a retail KiwiSaver scheme provider to be selected by the Trustees.

The Chairman subsequently met with the National Management Committee of the RMTU and discussed with it the reasons for recommending the closure of the Scheme to new members and an FMA-approved transfer of members and balances to a replacement retail KiwiSaver scheme. The National Management Committee resolved to endorse and approve the Trustees' recommendations.

The Trustees have written to Inland Revenue advising that the Scheme has closed to new members from 8 December 2014.

Closure of the Scheme to new members does not affect the on-going daily operation of the Scheme, with existing members' and employers' contributions and benefit payments continuing to be processed in the usual manner. The Scheme also continues to accrue investment earnings at Scheme earning rates and continues being charged with its share of the fees and expenses relating to the New Zealand Harbours Superannuation Plan.

The Trustees have started planning the transfer to a replacement scheme (which has yet to be chosen). The transfer is expected to be completed by 31 July 2015, following the receipt of member tax credits from Inland Revenue for the year ended 30 June 2015.

You will be kept updated with developments as they occur during 2015.

These changes will not affect the operation of the New Zealand Harbours Superannuation Scheme."

RAIL SAFETY CAMPAIGN

Rail charity TrackSAFE NZ and KiwiRail (supported by Transdev Auckland and Auckland Transport) have this week launched a new summer rail safety campaign reminding motorists to stay focused at level crossings.

The campaign involves extensive print and radio advertising throughout the country and online and social media promotion.

Manager Megan Drayton says the tagline "Switch off here. Not here" was developed partly as a result of the feedback received from the charity's recent survey which asked locomotive engineers throughout the country what crossings they thought were the worst.



"Overwhelmingly, LEs told us that motorists' complacency and impatience were the reasons they thought particular crossings were bad," says Megan. "So it makes sense for our holiday campaign to focus on reminding the public to stay alert at level crossings and to

always remember to look for trains."

There were also a few crossings where vegetation was raised as a concern, and TrackSAFE has spoken to KiwiRail about making some checks at those crossings.

Megan says she'd like to thank all the LEs who participated in the survey. "We're grateful for the effort the guys made as it really helps us direct awareness raising initiatives to the areas where there are problems.

"For anyone who wishes to hear more about our rail safety programme, our Facebook page is a really good way to keep in touch – Facebook/TrackSAFENZ"

To get a full copy of the Worst Level Crossing survey report, please email megan.drayton@tracksafe.co.nz

TAKE ADVANTAGE OF RMTU'S ACCOMMODATION & CAR RENTAL RATES

If you're making online bookings with either Budget Rental Cars or Millennium Hotels (includes some Kingsgate Hotels and overseas destinations), RMTU members can take advantage of the RMTU Corporates Rates by entering the RMTU Promo Code. You will need to have your own valid Credit Card at the time you make the booking on-line it will not be charged back to our account. Overseas bookings are also available (conditions may apply so please check the terms and conditions before finalising your bookings).

Budget Rental Cars www.budget.co.nz
Promo Code: E721200

Millennium Hotels Chains (includes some Kingsgate Hotels & also Overseas destinations) www.millenniumhotels.co.nz
Promo Code: **RMTU**

DRIVER ADVISORY SYSTEM (DAS)

This week RMTU KIC LE reps and KiwiRail met in Wellington for DAS discussions. At this meeting Karl Bridges, a human factors expert, presented his Human Factors Review report on the risks and benefits associated with DAS following a study that was undertaken on DAS theory training, OJT, the use of DAS in the cab in operating environments and the placement of the DAS screens in cabs. There was extensive in cab data captured which was then assessed by experts to quantify the risk of distraction with DAS. This report will be made available to all LE's in the near future. The second part of the meeting was to review the risk assessment taking into account the Human Factors report.

What must come through very clear is the DAS is an advisory system not an authority as opposed to signals and track warrants etc.

The next steps include the KIC LE reps getting real exposure to the equipment. The first effort earlier in the year of giving these reps exposure to the DAS was premature due to DAS not being correctly

set up. Roadshows are being planned for the first week of February for each depot for KiwiRail to present on DAS and for LE's to question the RMTU Reps involved.

Part of the DAS discussions have been focussed on the strong concerns that LE's have with existing equipment that needs to be resolved prior to any progress on DAS, these concerns include cab radio (tait) issues, the radio infrastructure beyond the cabs with blind spots and parts of the network not fit for purpose and reception issues with the FM radios.

ENOUGH IS ENOUGH: INTERNATIONAL UNIONS WELCOME ACTION AGAINST AUSTERITY

Global and European bodies representing transport workers have hailed strong union and community action in defence of workers in Belgium.

The European Transport Workers' Federation (ETF) and the International Transport Workers' Federation (ITF) have supported Belgian union protest action, which culminates in a general strike this Monday, 15 December.

Unions are objecting to government plans to implement austerity measures - raising the pension age, freezing wages and making public service cuts. The public sector movement began early last month with 100,000 people taking part in a march in Brussels. The demonstration was followed by provincial actions in November and December, halting underground trains, buses and trams throughout Belgium. High-speed trains to France, the Netherlands and Germany were suspended, along with Eurostar services to London.

ETF President Lars Lindgren said:

"The Belgian government is using EU austerity targets to penalise families, employed and unemployed, students and the poorest of society rather than targeting the big capital that remains almost untouched by the government's austerity measures. Unions, together with the community, are taking a clear stand to defend them; we welcome this strong stance. Last month saw



one of Belgium's biggest labour demonstrations since World War Two. Unions and workers are saying enough is enough.

ITF President Paddy Crumlin added:

"A sick economy is like any illness. Deprivation is not the key to a return to full health, intervention support and extra nourishment is. Austerity budgets are the refuge of the politically inept and negligent and must be confronted in the public interest particularly by those working women and men and their communities that will bear the brunt of the harm caused".

RMTU URGES MEMBERS TO USE THE 'RED CARD'

The RMTU 'red card' will be launched at the Rail/Port Canterbury Branch meeting on 17th December 2014.

The red card reminds members of the steps to follow when refusing work likely to cause serious harm.

Steps

1. If it doesn't feel right, step back.
2. What is the hazard or risk?
3. If you continue, could you or someone else be seriously harmed?
4. If the answer is yes, then stop, inform you manager, H&S Rep and/or Delegate
5. Or call the RMTU on 04 499 2066

Don't go back to the task until you're 100% sure that the risk has been dealt with.

NEW FILM SHAMES 'DIRE' BLACK SEA CONDITIONS

Unions from states surrounding the Black Sea are promoting a new film exposing the dire and disgraceful conditions under which many seafarers live – and die – there.

The powerful new film, Dark Side of the Black Sea, has been made by ITF

(International Transport Workers' Federation) member the Marine Employees Solidarity Association (DAD-DER) to expose the number of lives being put at risk by the use of substandard ships. Available in English, Turkish and Russian, it can be seen here.

Unions in the region have used a week of action as a tool to promote the film to transport workers and to bring the trade union and human rights issues to the attention of a wider audience. Among activities have been ship visits, distribution of DVDs, seafarers' calendars and magazines, information sessions with seafarers, film screenings, press conferences and visits to maritime institutions to educate future seafarers on the Black Sea project and distribute copies of the film.

A 2012 report uncovered poor standards of living and working conditions, low wages and unseaworthy vessels in use in the Black Sea. A subsequent 2014 report found these issues to be ongoing.

The ITF is working with unions in the region to try and improve the situation for seafarers. Captain Ural Cagirici from DAD-DER said: "We want to promote this film and its core message to transport workers worldwide, but also to a wider audience beyond the trade union movement. The fact that seafarers are risking their lives to make a

living isn't just a trade union issue, it's a human rights issue too. At the moment seafarers in this region aren't getting the protection they need and that's something we want to change."

The project is focused on three main areas; education, primarily through action weeks; ratification of the Maritime Labour Convention by Black Sea states; and organising the region's seafarers.

More information – Access the story <https://www.youtube.com/watch?v=Tk440t7IIh8>



HILLSIDE NOT FORGOTTEN

20 December marks 2 years since Hillside Workshops were effectively closed. There is still a KiwiRail heavy lift maintenance facility operating on the site and the foundry is being operated by another Company, although the latter doesn't appear to be doing much, if any, rail related work.

Hillside survived two world wars and the Great Depression, but it could not survive the National Government's failure to support New Zealand manufacturing. Fewer than 200 jobs were lost at Hillside, but the downstream impact on Dunedin has been much greater as sub-contractors and servicing businesses have suffered as a result of the closure. As well as this, because of the campaign the RMTU led against the closure, those job losses at Hillside have come to stand for the thousands of manufacturing jobs that have been lost under the 3 terms of the John Key lead Government.

NEW GAS MONITORING EQUIPMENT FOR WORKING IN TUNNELS

KiwiRail and the RMTU are working together to select and implement new gas detection monitoring equipment for working in tunnels and confined space. Early in the New Year a joint working group of RMTU and KRG will meet to consider and shortlist the preferred providers.



IF YOU HAVE AN A&D PROBLEM ASK FOR HELP!!

The RMTU is concerned that members are testing positive for alcohol and/or drugs post incident or reasonable cause within our industries. Our advice is if you think you might have a problem with alcohol or drugs then ask for help. Help is available through Employee Assistance Programmes or by contacting the Union.

Members in the rail industry can enter into voluntary rehabilitation, which is not

disciplinary, but rather aimed at helping people sort out their problem with A&D. Some Port employers operate similar systems.

For further details contact your Union delegate or organiser.

CONSULTATION ON NEW APPROVED CODE OF PRACTICE FOR EMPLOYEE PARTICIPATION

In February next year WorkSafe NZ have invited RMTU representatives to consult on the new Approved Code of Practice on Worker Engagement Representation and Participation. The code of practice is part of a suite of new regulation which underpins the new health and safety legislation due to be introduced mid- way thru 2015.

DRIVER ADVISORY SYSTEM (DAS) UPDATE

A meeting of the KIC LE reps and KR will be held on December 16th in Wellington. An independent Human Factors expert, Karl Bridges, will present his findings following a study he has been doing on DAS training and the practical use of DAS on the track. The reps will again review the risk assessment that currently has 'LE distraction' classified as high risk with the introduction of DAS. KiwiRail has indicated that they do not believe there are any 'show stoppers' but that remains to be seen.

DISPUTE – PAYMENT FOR SICK LEAVE ON A PUBLIC HOLIDAY

Recently a good keen RMTU member had to take sick leave on a Public Holiday. He was paid as he would have been if it were not a Public Holiday (e.g. no double time). This member did some research, he correctly believed the MECA outlined his entitlements when needing to use sick leave and that he should have received double time. He raised this with KiwiRail and got no success. He then asked the RMTU to assist.

A letter raising a dispute was sent to KiwiRail and the matter quickly resolved. Our good



keen RMTU member received his double time and KiwiRail committed to review what has been paid for others when sick on a public holiday in the last year and provide the RMTU with the results of that review. **Check your pay docket to see if you have been paid correctly!**

CHANGES TO EMPLOYMENT LAW

Major changes to employment law in New Zealand come into effect on 6 March 2015. Employees and employers will need to know what the changes are and how those changes will affect them.

The key changes include:

- Extending the right to request flexible working arrangements to all employees
- How employers and employees should agree on rest and meal breaks
- Establishing a process for the transfer of employees in some industries if there is a restructure in the business or a change in business owner
- Clarifying the confidential information that employers are obliged to give to affected employees in dismissal or redundancy situations
- Changes to collective bargaining:
 - reaching new collective agreements,
 - opting out of multi-employer bargaining,
 - removing the 30 day rule for new, non-union employees
 - and allowing pay deductions of employees who take part in partial strikes
- Setting time frames for the Employment Relations Authority to make determinations in an employment dispute.

Visit the [MOBIE website](#) for further information.

NZTA SPECIAL ASSESSMENT ON TRAIN CONTROL 2015

NZ Transport Agency (NZTA) with assistance of the Australasian Transport Risk Solutions Pty Limited (ATRS) will be undertaking a special assessment of Train Control in the New Year. Terms of reference for this assessment have finalised and the assessment which is planned to take a week will start on January 20th. The RMTU is in the process of arranging for our reps to participate in this assessment with union office support as required.

A CHRISTMAS CAROL – THE GHOSTS OF HILLSIDE PAST?

One of our organisers received this from a friend this week:

I travelled on the Friday 12 December between Christchurch and Kaikoura in Coach A (ref AK2072 or AK2076?). The coach was one of the Kiwi Rails new fleet of AK coaches which I have previously travelled on and thought were marvellous.

The design and manufacture of these coaches within New Zealand was something that I thought I could be truly proud of offering industry leading levels of comfort, visibility and refinement.

But oh! What a disaster! The coach creaked and groaned like a tortured whale as it rounded every curve and adjusted to each undulation in the permanent way and completely ruined my enjoyment of the journey to which I had been looking forward to with such expectation. The agonised wailing may also have been the anguished cries of the time served craftsmen who after having built these marvellous coaches with focussed skill and attention in Hillside Workshops learnt that their jobs and livelihoods were being callously dispensed with and the unique capabilities of the South Island last remaining heavy engineering railway workshop closed down.

Whilst Kiwi Rail appears to made a whole host of inept management decisions in its sourcing and operational policies, I would suggest that it honours and respects the craftsman that built these magnificent AK coaches and apply a meaningful



maintenance schedule around this stupendous fleet of coaches before they fall into a similar state of disrepair as the poorly design and inadequately constructed Chinese wagons that are filling wagon depots awaiting repair.

GOVERNMENT CUTTING BACK AT HEALTH SERVICES TO DANGLE TAX CUTS

The health service is already too stretched, and cutting further into New Zealanders' health services to fund tax cuts is irresponsible, the CTU said today.

Leaked cabinet committee papers have revealed District Health Boards need an additional \$440 million next year but Treasury has recommended cutting this back by \$190 million.

"During the election, National cut the operating allowance for new spending back from \$1.5billion to \$1billion to allow them to dangle tax cuts in 2017," CTU Secretary, Sam Huggard said.

"It is simply irresponsible to expect the health system to meet patient need and community expectations when the funding is so significantly cut, on top of years of underfunding, simply to cut taxes for the well off."

"The thousands of cleaners, nurses, doctors, kitchen staff, physiotherapists and other workers who power our public hospitals, are already voicing their concerns about what funding cuts mean in terms of the work they do. Further funding reductions are unmanageable without major consequences."

"Tax cuts for people already well off are irresponsible when it comes with the consequence of preventable deaths, prolonged illness and chronic staff shortages."

Earlier this year the CTU estimated the Health Vote in Budget 2014 was \$232 million behind what was needed to cover announced new services, increasing costs, population growth and the effects of an ageing population.

BITS AND BOBS

- Transdev Auckland has proposed a move to Random D&A testing. A working party of RMTU members has been established to proactively participate in this discussion. Regular updates will be made available after each meeting.
- A delegate training day was held in Palmerston North on Tuesday 9th December. A range of new delegates attended from CT, Mechanical and Freight. Good feedback was received on the training and these delegates are looking forward to working on a plan for this branch in 2015.

**"We're
Stronger
Together"!**

**PLEASE TAKE CARE
OF EACH OTHER AND
ABOVE ALL ELSE –
HAVE A MERRY, SAFE
AND JOYOUS FESTIVE
SEASON!**



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19/12/14

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IMPORTANT RMTU DATES 2015

International Women's Day	8 March 2015
Workers Memorial Day	28 April 2015
Pink Shirt Day: Speak Up / Stand Together / STOP BULLYING!	23 May 2015
RMTU BRANCH AGM's (Election of Officers & Conference Delegates)	To be held in the month of AUGUST 2015 as per our RMTU Rules & Standing Orders. (Please liaise with your Industrial Organiser and other local branches to ensure General Secretary and / or Presidents attendance at your AGM).
Labour Day	26 October 2015
White Ribbon Day: Saying No To Violence Against Women	25 November 2015
Executive Nominations Called	National President 01 March 2015 General Secretary 01 April 2015 <i>(or 1 May 2015 if Presidents Ballot Required)</i> NMC 01 May 2015 <i>(or 1 June 2015 or 1 July if Pres or/and Gen Sec Ballot Required)</i> Rail Industrial Councils 01 June 2015 <i>(1 July or 1 Aug or 1 Sep if Pres &/or Gen Sec &/or NMC Ballots Required)</i>
Women's Forum	4 & 5 March 2015
Ports Forum	10 & 11 June 2015
NMC Meetings National Management Committee Board Meetings	1st NMC Meeting: 03 March 2015 2nd NMC Meeting: 09 June 2015 3rd NMC Meeting: 16 September 2015 4th NMC/Staff Meeting: 11 & 12 December 2015
NZCTU Quarterly Meetings & Conferences	Biennial Conference: 14-15 October 2015 NAC's: 19/02, 07/05, 27/08, 26/11 Wellington Runanga's: 20/02, 08/05, 29/08 & 27/11 Wellington Women's, Youth, KP, Out@Work to be advised.
THE TRANSPORT WORKER: Branch Contribution Deadlines for printing	Issue 1: 09 February 2015 Issue 2: 11 May 2015 Issue 3: 10 August 2015 Issue 4: 02 November 2015
School Holidays	Term 1: Between 26 Jan - 05 Feb to 02 April 2015 Term 2: 20 April to 3 July 2015 Term 3: 20 July to 25 September 2015 Term 4: 12 October to 18 December 2015