



Passenger Industrial Council

Memorandum of Understanding

The parties to this agreement are;

KIWIRAIL Passenger (a division of KiwiRail Limited) and the

RAIL AND MARITIME TRANSPORT UNION (RMTU).

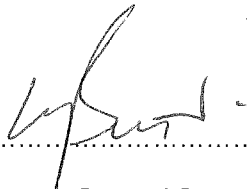
1. The purpose of the Passenger Consultative Council (PIC) is to promote and facilitate open and transparent discussion of and the development of potential solutions to matters that are of mutual interest/concern and have wide application. These may include (but are not limited to) issues such as: Operational rule changes; Organisational Structure, Introduction of new technologies, equipment and systems; introduction of new policies or significant alteration/amendment to existing policies; updates on major projects; employment related issues; updates on current performance of the business in key reporting areas of operation and division-wide health and safety issues.
2. The PIC will meet at least four (4) times each year, but it may be more regularly in the first 12 months following the signing of this agreement. The meetings will generally be held in Wellington.
3. It will not be a requirement that particular items are submitted to the PIC. Rather, it is intended that the PIC will facilitate full and open communication and understanding of the needs of the RMTU and of KiwiRail Passenger and to encourage efficient and harmonious operation of the business. The PIC will have no decision making authority, unless decisions on specific PIC related items are agreed between the parties. The PIC will in its normal course make recommendations through its meeting minutes to KiwiRail Management and the RMTU. Adoption of or resulting action on such recommendations will be at the discretion of KiwiRail Management and/or the RMTU respectively. The PIC is intended to be a forum for the escalation of localised industrial relations issues that have failed to be resolved at that local level and are now adversely affecting the local relationship between the parties, (the problem resolution process, as per the Collective Employment Agreement, must be used for local matters before any escalation occurs).
4. KiwiRail Passenger will arrange and fund all transport, accommodation and wages of the RMTU employee delegates to the PIC. KiwiRail Passenger will arrange for the paid release of delegates to attend all scheduled PIC meetings. The parties agree to plan travel in advance as much as possible so that it is cost effective. Delegates will communicate with their line managers regarding meeting related absences.
5. KiwiRail Passenger will arrange meeting facilities, meals and administrative support for the meetings to include agendas, papers, minute taking at the meetings and distribution of minutes and papers thereafter for confirmation by agreement. Minutes will, after agreement be circulated to Union members throughout the division.
6. While it is important to distribute and discuss with staff information presented at the meetings there may be aspects of information that will be agreed as being confidential or private and this must be respected by PIC members..

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7. Items to be discussed at the PIC should be submitted to the meeting co-coordinator sufficiently in advance so that they can be included for inclusion on the agenda at least seven full business days before the meeting but in exceptional circumstances matters may be raised on the day at meetings. New agenda items should also include sufficient explanation so that members can understand the issue and prepare for the meeting.
8. The PIC will consist of up to 6 members from KiwiRail Passenger management and up to six (6) RMTU members from KiwiRail Passenger employee representatives. It is envisaged that the divisional operating units will generally be represented. The General Secretary from the RMTU and the General Manager from KiwiRail Passenger may attend in addition to the agreed numbers. The PIC will review membership numbers from time to time and may change the composition of the PIC, by agreement.
9. The parties will actively participate and give life to the PIC by maintaining an open and transparent relationship with full and open communication in accordance with the principles of interest based bargaining previously established by KiwiRail and RMTU in association with the partnership relationship charter.
10. Meeting protocols will be observed in that all members will treat each other with mutual respect and courtesy. It is expected that the meeting chair shall ensure that all views will be listened to, one person speaks at a time, mobiles are to be on silent mode, and PIC members will behave in a professional manner.
11. The parties may develop and further refine specific terms of reference for the work of the council by agreement at meetings of the Council.
12. The subject matter of this MOU may be incorporated into the KiwiRail MECA ratification process when the current CEA is next settled.

SIGNED on behalf of
RAIL AND MARITIME TRANSPORT UNION
(RMTU)



Wayne Butson, General Secretary

Date

7 Sept 2010

SIGNED on behalf of
KIWIRAIL PASSENGER GROUP
(KIWIRAIL LIMITED)



Deborah Hume, General Manager

Date

7 Sept 2010