

# THE ACTIVIST



Published Regularly - ISSN 1178-7392 (Print & Online) 20 May 2016

## MORE ASBESTOS FOUND

As you all know the Chinese manufactured DL (Dog and Lemon) locomotive class was found to have chrysotile asbestos in a noise insulating compound sprayed onto the metal framing and body of the locomotive. A programme was developed and agreed for its removal and a full check was done on all facets of the locomotive for any residual asbestos. The Union was assured by KiwiRail that they were now aware of all the asbestos containing materials (ACM) in the locomotive classes (Gen 1, 2 and 2.2). The programme was initiated and when the locomotives came out of the ACM removal process at Hutt shops they had a green sticker proclaiming "Asbestos Free" affixed to the paintwork.

Well, since then we were advised (actually we knew BEFORE the CEO of KiwiRail) that more asbestos has been found in a gasket within the exciter on the Gen 1 and 2 locomotives. A programme has been put in place for the removal of the gasket. We are informed by KiwiRail that they were not informed of the presence of this gasket in the asbestos check even though the manufacturer obviously was aware as it was removed from the Gen 2.2's. The Union again sought reassurance from KiwiRail that all of the asbestos in the loco's was removed or we were aware of its location - answer YES!

Well, yesterday the Union was informed that it has been found that there is a blue

asbestos like material in a seal in the dynamic brake grids on the Gen 1 and 2 loco's.

The Union has demanded that KiwiRail remove immediately the asbestos free stickers and that their oft promised total disassembly of a gen 1 locomotive to assess wear and to fully identify parts be undertaken without any further delay.

**WE request all readers to email KiwiRail CEO Peter Reidy in support of the Union's immediate disassembly request on the DL locomotive's and for this work to occur at Hutt Workshops.** The email address is [Peter.Reidy@kiwirail.co.nz](mailto:Peter.Reidy@kiwirail.co.nz)

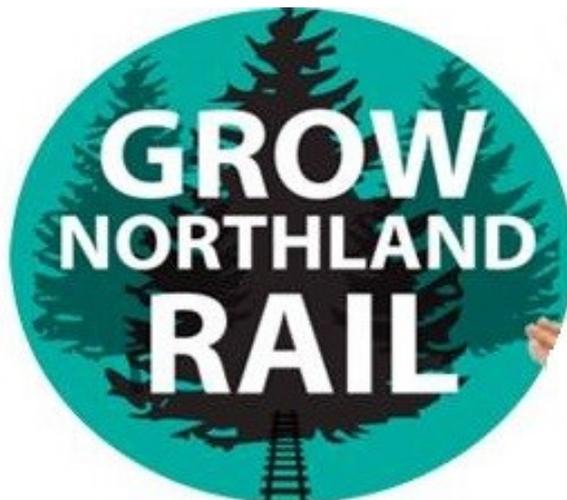
Will the issues around these dog and lemon locomotives never end? Current MDBF figures show that the DL's are at 28,385 vs Dx 33,342 and (the electric loco they want to scrap) EF 34,357. The latest maintenance cost per km being DL \$2.27, Dx \$1.46 and EF \$1.13.

The latest rumour is that KiwiRail plan to purchase more **Dogs and Lemons** - go figure. A decision that is more an indicator of incompetency rather than competency in our view and reflects very poorly on the National Government appointed

Board in our view.

## PREMATURELY DECAYED SLEEPERS (PDS) - SAFETY CONCERNS

A recent article in the media about a Wellington woman that is terminally ill due to a rare wood fungus infection specifically



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

mentioned KiwiRail importing sleepers from Peru with the fungus.

This prompted members that are due to do PDS removal jobs to make contact with the Union over their safety and the lack of safety procedures and equipment when working with these sleepers.

The decision to buy these sleepers is one that KiwiRail continues to pay for, with disruption to operations and planning and increased risks to health and safety, as well as in the purely financial impact.

We were told that originally when removing these sleepers there was a regime of individually wrapping each sleeper but of late this no longer occurs. We contacted KiwiRail on these issues. KiwiRail informed that they were expecting "...*advice from the KiwiRail Chief Medical Officer early this week. In the interim all jobs requiring the removal / replacement of PDS sleepers are to be put on hold. No PDS sleepers are to be sold while advice is being sought.*"

All members in Networks are encouraged to keep a close eye on this issue and to make sure they keep themselves informed. If in doubt speak with your delegate or Regional Organiser.

## LYTTELTON PORT BRANCH CALLS FOR RESIGNATION OF MARINE & SECURITY MANAGER

A full membership meeting of the Lyttelton Port Branch of the RMTU held on 11 May unanimously passed a resolution expressing no confidence in the current Marine & Security Manager and calling for his immediate resignation.

Members in the Marine Department have already filed a petition objecting to how this manager runs his department and whilst that was duly noted by port management

nothing material came of it. The wider membership were very firm in their support for our members in the Marine and Security Departments and have expressed their concern in no uncertain terms.

The membership are clear that in the event of nothing happening as a result of this resolution further action will be necessary.

## SAFEGUARD NATIONAL HEALTH AND SAFETY AWARDS – TWO OUT OF THREE FINALISTS RMTU

The National Health and Safety Awards held by Safeguard Magazine are being announced in Auckland next week and the RMTU has two out of three finalists in the 'Most Influential Employee' category. Christchurch KiwiRail LE Ian Dixon was nominated for the

work he did to ensure that locos operating in the Otira tunnel had fire detection and suppression equipment installed; and Lyttelton port Cargo handler Laurie Collins was nominated for the work he did to protect members by pulling the Red Card when the absence of maintenance cover during our overtime ban in late 2014 put members at risk of serious harm.

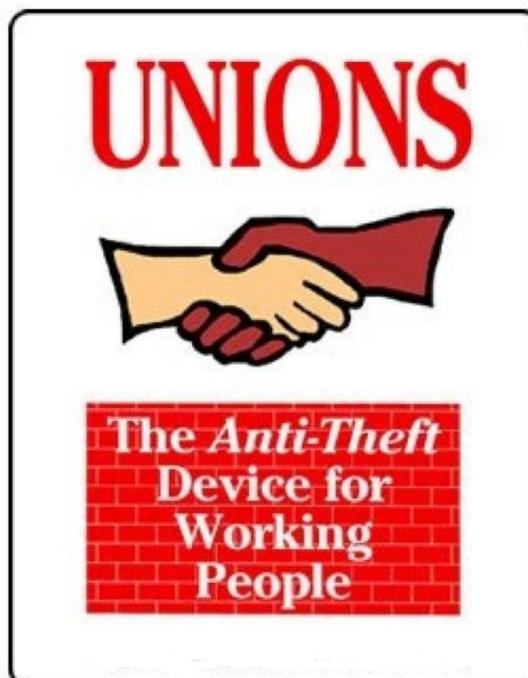
It's a big achievement for a relatively small union like the RMTU to have nominated two out of three of the finalists and demonstrates the commitment of this union

and our very capable and courageous H&S Representatives to members' safety and well-being.

We look forward to the results of this category!

## BUT WAIT - THERE'S MORE....

The Transdev Auckland SPAD project is also a category finalist in the "Impac best significant H&S initiative by a large organization" and it has significant



Union/worker participation as part of its success. We also look forward to the results of this category on the evening. There will be a strong RMTU presence at this year's awards dinner.

## KIWIS DON'T WANT IPADS FOR LAND DEALS

It is outrageous that schools are relying on money and iPads from foreign land investors to meet the learning needs of their students, says Labour's Education spokesperson Chris Hipkins.

"Several OIO land applications by offshore investors have claimed that without their charity, the schools involved won't be able to meet the learning needs of their students. That's an indictment on the National government.

"We have to do better for our schools and our sensitive land. These iPads for land deals won't wash with New Zealand families. They don't want to cut these sort of deals. They want the Government to fund schools properly.

"They don't want land sold off for iPads either.

"Hekia Parata was warned that a 'digital divide' is growing within schools, yet she has rejected recommendations to establish an equity scheme so that all kids have access to the electronic devices they need. It's no wonder schools are turning to charity.

"If the National Government were funding schools properly, they wouldn't need the offshore charity and the case for overseas investors snapping up Kiwi land would be further weakened.

"This looks like a clear case of the system being exploited. It's hard to see how small to modest donations to schools and universities can satisfy OIO requirements

for overseas land purchases. These donations are one-offs, the land ownership is forever," says Chris Hipkins.

## TOLL NETWORKS BARGAINING 2016 - KICK OFF, CALL FOR REMITS

Our collective agreement with Toll Networks expires 30 June, and under New Zealand law we can initiate bargaining for its renewal 60 days prior to expiry. Accordingly the RMTU initiated bargaining on 1 May.

Members will have an opportunity to discuss claims, or 'remits' for bargaining, in meetings we will hold, or are encouraged to communicate them to National Office via your delegate. Remember, for a claim to have any chance of success it has to be deeply and widely felt. Deeply felt means that members understand the claim and are prepared to support it if talks break down.

Widely felt means that a majority of members back the claim. So, if there is an issue you want addressed, do your homework and get members at your depot to back it and contact your regional organiser and get the contact details of other delegates around the country so you can work on getting those depots on board.

We already have dates pencilled in for talks with Toll and they are 22-23 June, so will need to have our log of claims prepared for then. Look

out for notice of a meeting at your depot before then. And remember – we're stronger together!

## RMTU BIENNIAL CONFERENCE - REMIT CALL

The Union calls for members and branches to tender any remits for National Conference 2016.



The mechanism to change or set union policy, rules and/or standing orders is by way of remit to Conference.

Remits must be moved and seconded by current financial members and passed by majority vote through properly constituted branch meetings before submission to the National Office and then onto the Conference.

Remits are called and will close on 30 June 2016.

Union policy is a broad topic and for example covers things like the TPPA to whether we support 26 weeks paid parental leave. Currently there is no policy on either of these topics.

### **KIWI RAIL – RMTU MECA RENEWAL 2016**

The parties have agreed to meet 24 May 2016 in Wellington. The RMTU will be represented by all paid organising staff and rank and file members of the Industrial Councils (KIC, KNIC, Interisland, Passenger and Mechanical). KiwiRail will be lead by the CEO Peter Reidy and other senior managers of the business.

It is anticipated that the Industrial Councils will caucus and decide KR's offer for the renewal of the MECA and assess whether this is worth tabling for the consideration by members or to reject the offer and continue with a regular bargaining approach.

We will update members further following the meeting next week.

### **PORT CHALMERS BRANCH MEETING TO VIEW 'RED CARD'**

The RMTU will be holding a membership meeting for our members at Port Otago on

Friday 27 May at midday in the Promotions Room at the port.

All members who are rostered on are being released with the exception of marine staff whose relief is subject to shipping.

We will be having a showing of the RMTU film of the recent dispute with Lyttelton Port, 'The Red Card', and our Lyttelton Port Branch Secretary Heiner Benecke will attend to explain the communications system he set up for members during that dispute.

We're looking forward to a positive and engaging meeting with our members with plenty of questions and discussion.

### **KIWI RAIL TRAVEL PRIVILEGES**

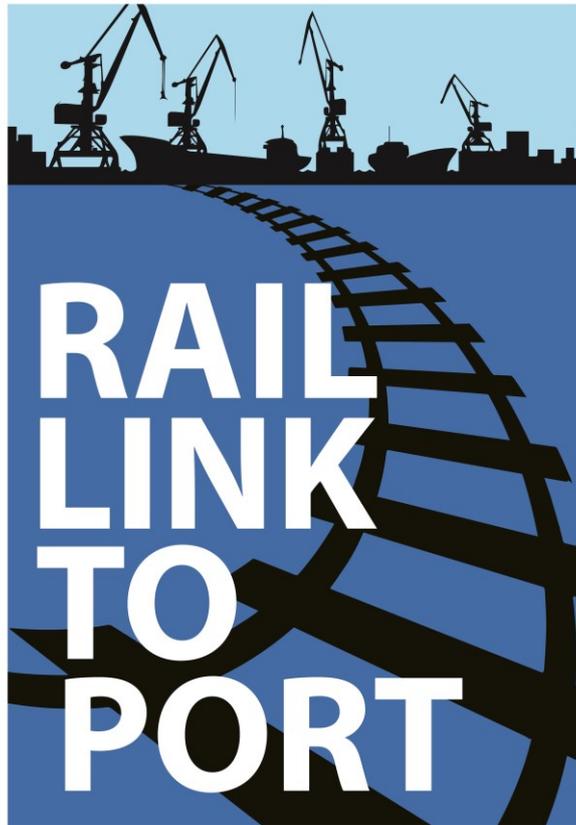
From 2.15am 3 July 2015 the operation of the Wellington Suburban Train operation moves to Transdev Wellington and

their partner Hyundai Rotem Company Limited (THR). This means that KiwiRail will no longer be operating the suburban trains. This alteration triggers the following MECA clauses;

- (i) Clause 33.19 (first para) – "As long as KiwiRail remains the operator for the services named in the travel benefits..."
- (ii) Clause 33.20 (final bullet point) – "KiwiRail employees are not entitled to Transdev services".

In our view the wording of clauses 33.19 and 33.20 of the 2014-2106 MECA is clear on a plain reading, that all KR employees will not, post 3 July 2016 when THR starts to operate Tranz Metro, be entitled to discounted travel on Wellington Suburban trains (all EMU Matangi and loco hauled Wairarapa trains).

All KR employees covered by the MECA will continue to receive travel privileges for



Interislander, Scenic Journeys and the Capital Connection on current terms.

The Union has checked its viewpoint with our legal advisors and they concur.

**NOTE:** KiwiRail staff employed within Wellington Metro and who are covered by MECA and are transferring to THR will retain travel privileges on the Wellington Suburban services and KiwiRail's Interislander, Scenic Journey and Capital Connection travel services. The mechanism for delivering this remains a discussion item between the parties.

## DELEGATE AND ACTIVIST TRAINING PLANNED FOR DUNEDIN & TIMARU MEMBERS

The RMTU is holding a days training in Dunedin on 26 May for both experienced and new delegates and active members. This will involve Otago Rail and Port and Timaru Rail and Port members and is in keeping with our drive to ensure better co-ordination between port and rail branches.

South Island Organiser John Kerr will facilitate the training on a range of organising techniques and Lyttelton port Branch Secretary Heiner Benecke will work with members to explain lessons from our dealings with LPC over the past 18 months as we moved from a major dispute to re-building the relationship between the union and the employer.

## REQUEST FOR ALL BRANCH AGM's

The Union Women's steering committee requests that all Union branches pledge to;

- Get more involved in the women's network.
- Attend your AGM and take an RMTU sister with me.

- As per union rules, ensure a woman is on the local executive.
- Ask your organiser to participate in delegate training.
- Join the RMTU Women's facebook.

Together we will make a difference. For more information please contact your RMTU Steering Committee.

Ruth Blakeley - NMC Women's Representative. (027) 460-0504

Jenny Griffin - Wellington (027) 490-5255

Lisa Davidson - Palmerston North (021) 210-7197

Allana Ranui - Kawerau (021) 103-7663

Rachel Barrett - Auckland (027) 487-1436

Pare-Ana Bysterveld - Christchurch (027) 045-50736

Rebecca Hauck - Dunedin (021) 256-6486



## TRADES RATES REVIEW GATHERS MOMENTUM AT LYTTTELTON PORT

One of the results of our settlement with LPC last year was the establishment of union-management consultative forums around the port. Whilst there have been some teething troubles these forums have been working well in most areas as the RMTU and management are now talking to one another where previously the only

engagement was when we were in dispute. This positive development has been a result of hard work by delegates and management who have committed to improving the relationship.

One initiative that is taking off is a 'trades rates review' that is being done by Susan Doughty of Ernst Young. Members in KiwiRail who were involved in the progression projects in the networks and mechanical areas will remember Susan from her days at her consultancy firm DSD. She was involved

in the last KiwiRail wage round and was very helpful in gathering and presenting information to both the RMTU and management around the costing of claims.

This week Susan is sitting down with managers and delegates in the LPC maintenance and civil maintenance department and is working on a review of trades rates with both parties. This is an exercise we agreed to do at the conclusion of bargaining during the last wage round and represents a real change in how the parties do business, working with a trusted and independent third party to gather information to inform discussions around wages and conditions.

## INTERISLAND ROAD BRIDGING

Whether we like it, support it or even understand the logic behind it, Road Bridging between the North and South Islands as opposed to using Rail Ferries is coming our way soon. The first big trial of full road bridging will occur when the only rail ferry, Aratere, goes to dry dock for 8 or so weeks from June 20th. Major construction or destruction

(depending on your point of view) is taking place in both the Wellington and Picton terminals to enable the road bridging to take place. Even a few (rail) roads in the Wellington yard will be covered in tar seal just for the period of the Aratere dry docking.

Teams of RMTU reps and management have been meeting over the last 6 months to try and make sure the road bridging operation works and works safely.

We have proposals from KiwiRail for some of the rail operators to be trained up to drive the heavy fork hoists and have dual roles. We have also made it very clear to KiwiRail that we see the moving of freight

to and from the ferries and terminals as KiwiRail /RMTU members work, we look forward to working on this after the dry dock period.

The main point we want to get across, especially during the road bridging operation, is that safety comes before service. Members need to be very vigilant on the need to maintain the required range of vision and lines of sight with multiple operations going on.

## LENDING RESTRICTIONS

There is currently considerable talk in the media that further mortgage restrictions will be implemented. This has become more urgent, as the Reserve Bank is likely, in the immediate future, to cut interest rates at least two more times. The likely restriction will be a debt to income cap.

Basically if you do not have a certain income in relation to your proposed debt, you do not qualify for the mortgage, even though you may be able to afford it. So far we have had loan to value restrictions or asset caps put in place. The next one is an income cap. This is a particularly blunt instrument, as it raises all sorts of questions, particularly as our employment

patterns are changing.

Do you include overtime as income (whether it is regular or occasional); how about casual work and seasonal work; how do you treat someone who lives on regular short term contracts. Where does flatmate, boarder income or rental income fit in. Changing work patterns make it harder to define just what an individual's full time employment income. In the past, the lenders concerned have used their discretion, but this may be harder if they are trying to carry out a Reserve Bank edict.



## RMTU MEMBERSHIP DATABASE UPDATES

The RMTU membership database is an important tool in contacting Union Members or ensuring members are kept up to date with the latest information. We are concerned at the number of "unknown" or "return to sender" envelopes returned to National Office as part of this year's officer elections. We remind members that if you wish to exercise their rights and participate in the decision making aspects of the Union they should ensure they inform National Office of any change of address or contact details as soon as possible. This includes any change of designation or employer.

Branch Secretaries hold "update of membership forms" that you can post or fax in or alternatively for immediate action members are reminded to utilise the update of membership details link on our website [www.rmtunion.org.nz](http://www.rmtunion.org.nz).

For example - All national Union elected positions are up for election this year and so there may be votes conducted by mail. If we have the incorrect address info you will not get a vote as you will never receive a voting paper. Update now!

## FIRST HOME BUYERS MUST HAVE A CHANCE

One of the groups that will be hit by any income to mortgage requirements imposed by the Reserve Bank, is the very group you want to get onto the property ladder - that is the first home buyers. On paper, many

in this group look as if they cannot afford their first mortgage, but as they tend to be younger and flexible, they can often find secondary work or take in flat mates etc.

As a country, we must encourage this group into home ownership, so logically first home buyers have to be excluded from any income to mortgage restrictions.



## BITS AND BOBS

- Karen Fletcher our H&S organizer and KR's Zero Harm Manager Aaron

Temperton are doing a joint presentation to the Safeguard Conference in Auckland next week on "worker Participation".

- KIC meeting will be held in Picton 25 and 26 May with a full agenda.
- Northland Rail is on Radio NZ this

Sunday am after the 0800hrs news. We urge all supporters of rail to listen to this programme and to join the facebook group Grow Northland Rail

<https://www.facebook.com/groups/1565622937084642/>

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

**LET'S BE SAFE OUT THERE & REMEMBER.....**

# SAFETY FIRST!

