

THE ACTIVIST



Published Regularly - ISSN 1178-7392 (Print & Online) 16 June 2015

FIGHT TO SAVE HEALTH AND SAFETY REFORM

Following the Pike River tragedy the strengthening of the Health and Safety legislation is long overdue. However there is a rear guard action by aggressive employer Tally's to scrap H&S Reps altogether.

Tally's describe the election and participation of Health and Safety Rep as an "unwarranted intrusion into company matters"

The RMTU encourages members to send a strong message to the government that watering down the proposed H&S law is a broken promise to Pike River families and if the Australian legislation is good enough for Australians, why not us?

Please sign the petition and pass the link on to your friends, family and workmates.

<http://www.change.org/p/john-key-sign-our-petition-and-tell-john-key-that-you-support-better-health-and-safety-in-workplaces>

RESULT OF CALL FOR NOMINATIONS – RMTU NATIONAL MANAGEMENT COMMITTEE (NMC) – 2015/2017 TERM OF OFFICE.

The General Secretary was appointed by the NMC as Acting National Returning Officer for the NMC Ballot process as

conference appointed National Returning Officer, Howard Phillips, holds a contested position in this election cycle.

At the close of nominations (Friday 22 May 2015 at 1700hrs) there were four NMC positions that received only one nomination and therefore those five nominees are declared elected unopposed.

Congratulations to:

1. Central Rail Representative Howard Phillips
2. North Island Port Representative David 'Dave' Marden
3. South Island Port Representative Andrew 'Andy' Kelly and
4. Women's Representative Ruth Blakeley.



More than one nomination was received for the positions of General Representative - Ajai Pillai and William 'Bill' Sweeney, Northern Core Rail - Tim Kerwin, Steven Peacock, and Barry Simpkins, and Southern Core Rail - Mervyn 'Doug' Blakie and Mike Williams. A postal ballot of members within the voting constituency for each representative position will be conducted. The Preferential Voting System is used by the Union in any ballot with more than two (2) candidates. This will be the voting method for the Northern Core Rail position as there are three nominees for this position. The other positions will be voting first past the post ballot.

Postal Ballots will be issued from the National Office to the home address of those financial members in the General, Northern Core Rail, and Southern Core Rail regions on 1 June

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

2015 and must be received in the envelope provided at National Office **no later than 1700hrs on Friday 19 June 2015.**

If you have not updated your address to the RMTU National Office please call 04-4992066 urgently to ensure you receive your voting paper.

Congratulations to Howard, Dave, Andy & Ruth and good luck in the ballot process to all the aspiring nominees.

Wayne Butson

Acting National Returning Officer

WESTFIELD MECHANICAL

KiwiRail will announce their final decision document for the proposed changes for Mechanical members at Westfield on Friday June 19. These changes have come about because the passenger fleet in Auckland is transitioning from what is left of the current diesel fleet to the new EMU's. Since the proposal was announced many members have contributed to the feedback that has been submitted. This has been a very long process for our members to cope with as dates for the fleet transition have continually changed.

Many members wish to stay working for KiwiRail and are watching closely for mechanical or other vacancies that may arise not only in Auckland but further up and down the line.

TARANAKI LAUNCH MASTERS

Negotiations are continuing for the Port Taranaki LM's CA which expired 31 March this year. There have been several meetings to date and the next talks are on the 23rd June.

WEST COAST COAL TRAINS AFFECTED BY SOLID ENERGY DEBACLE

It was only a matter of time after Solid Energy announced it was slashing jobs and reducing coal production at Stockton before KiwiRail started looking at its train programme. Whichever way you look at it, the huge reduction in coal tonnage being mined is going to have an impact on the number of trains shifting that coal over the hill to Lyttelton Port. And that means KiwiRail don't need as many people as they once did.

Here we have a stark example of the impact of a Government that has washed its hands of the regions and a so-called management team at Solid Energy that failed to put measures in place to mitigate the risks of a reduction in

coal prices. Sure, no one predicted that the United States would declare economic war on Putin's Russia and encourage its middle eastern oil producing allies like Saudi Arabia to boost production in order to drive down Russian oil and gas prices, thereby leading to a drop in coal prices as well; but Solid Energy's lamentable

record of poor investments hasn't helped matters either. That and the fact that John Key and Steven Joyce's National led Government seem to think increasing minimum wage jobs in hospitality and tourism will offset the loss of highly paid, highly skilled jobs associated with coal production.

KiwiRail are saying 'around twelve' positions, mainly LEs, are under threat on the West Coast and the precise location of any job losses won't be known until train plans have been reviewed.

The RMTU will be working hard to do what we can to mitigate the impact on our members. Redeployment is something we always raise at times like this and members can be sure that delegates and officials will be running the microscope over what KiwiRail proposes.



SUCCESSFUL PORTS FORUM A TIMELY EVENT IN A CHANGING INDUSTRY

The Spring edition of The Transport Worker will carry a comprehensive report on the Ports Forum, held on 9-10 June last week. Suffice to say, we had an excellent turnout from delegates and observers from amongst our ports membership in Wellington and the discussions were lively.

Guests including 'Dirty Politics' author Nicky Hager; Opposition MPs Andrew Little and Julie Ann Genter; and CTU Secretary Sam Huggard. They certainly stimulated some good questions and debate around the broader issues of New Zealand politics. Closer to home our Health and Safety experts Hazel Armstrong and Karen Fletcher ran an excellent

couple of sessions on what's happening in the field of workplace safety as the National Party seems bent on diluting much needed reforms to the law. From the summary discussion at the end of the Forum this was the stand out topic that members are concerned about.

We also did a review of the recent Lyttelton Port dispute and examined the need for a pattern bargaining approach to the industry wide changes that are going on in the industry with plans for bigger ships and deals such as that between Port of Tauranga and Fonterra/Silver Fern Farms. The practice of multiple contractors competing for work is designed to reduce wages and conditions and create precarious employment on our waterfront. In the absence of a National Ports' Collective Agreement we need to coordinate our bargaining better.

Finally we looked at the forthcoming C3 negotiations in Tauranga and the wider implications of these across the industry. Delegates were left in no doubt that the struggles our members have faced in Lyttelton, and will most likely face in

Tauranga, are their struggles and that the power of the one transport union that covers workers from one end of the supply chain to the other is critical in protecting their jobs and their pay and conditions.

MOBILE CRANE DRIVERS CA - PORT OF NAPIER.

The Crane driver's delegates Tony Andrews and Phillip Taana, Dave Marden and Phil Spanswick met on Thursday 11th to finalise the Mobile Crane Drivers claims for the renewal of the Mobile Crane Drivers Collective Agreement.

TRANSDEV BARGAINING

The RMTU bargaining team is meeting with Transdev this week to continue wages and conditions bargaining.

We have had 2 productive days to date and we exchanged claims during the first meeting and sought clarification from Transdev about their claims at the second. Both parties remain committed to settling before the expiry of the current Collective Agreement on 30 June 2015.

TIMOTHY SPENCE – LIFE MEMBER

A small "do" is being held in Dunedin this Saturday at a venue of Tim's choosing so that the General Secretary can perform a long delayed formal presentation of his Life Membership as awarded by the National Delegates Conference in 2014. The arrangements have been fraught with diary clashes for all parties. The "do" will be covered in the next issue of The Transport Worker.

LOCOMOTIVE RUNNING REDUNDANCY SELECTION CRITERIA - KIWIRAIL

With the current economic climate within NZ and the way that KiwiRail is slashing jobs we



are observing a heightened anxiety within Rail workers in the industry around redundancy. In other words we are getting a lot of emails and phone calls on this topic so have decided to publish our view for the avoidance of any doubt about the RMTU's viewpoint on this topic.

Rail workers who are covered by the MECA have the selection criteria for redundancy expressed at clause 27.14 on page 26. In 27.14.2 the MECA states there is a selection criteria agreed between the parties for Locomotive Running employees.

This is the RMTU's viewpoint on the criteria and no formal discussions have been had with KiwiRail on this topic in current times as it has been a number of years since there has been any thought given to the possible application of this criteria.

The wording is - *The loco compulsory redundancy selection criteria is applied upwards from junior to senior person in each particular depot based on the date of promotion to 1st grade LE.* (Under the new methodology of passing out LE's the date of passing 1st grade is recognised as being the date that the trainee is signed off and certified - completes OJT) - This is reinforced by the fact that it is this criteria that determines admission into the LE SAD Fund. In our experience most modern era LE's are no longer signed off in blocks and so the need to go into the determination criteria below will be significantly diminished whereas it was the norm in the old days).

In the event of two or more staff members having the same promotion date seniority will be determined by;

- Total length of railway service;
- Locomotive running service;

- Date of birth;
- Alphabetical order of surname;
- Draw short straws.

Trainees are in our view part of the depot mix for redundancy selection consideration. (The apprentices in Hillside were part of the mix for redundancy consideration for example)

On your second question, if the person's service was deemed as being unbroken and continuous then the resignation will be null and void and in all likelihood the 4 weeks would have been dealt with as annual leave. In any event it will hinge on the paperwork and what was included in it before anyone can give a clear definitive answer.

Volunteers will in all cases be considered first. I would also hope that we could have a conversation with KiwiRail around people moving if there were volunteers in other locations willing to leave to prevent a compulsory and there was somebody in a compulsory redundancy action location willing to move to the

alternative location.

We trust this provides some clarity for the information of members.

C3 NAPIER

John Stok, Ritchie Brown and Phil Spanswick recently met C3's HR Manager Walter Naera at C3's new depot in Severn Street to discuss the future of the Napier branch and collective bargaining.

After lengthy discussions C3 have put on the table some ideas on restructuring the branch and how to move forward in the collective agreement negotiations.

Ritchie and John will report back to the RMTU members, and we anticipate resolving the issues between the parties before 30 July.



NZ BUS REVISED DRUG AND ALCOHOL POLICY

NZ Bus has been consulting since December 2014 on updating their current D&A policy with the unions that have Collective Agreements and members employed by NZ Bus.

The revised policy includes random D&A testing using saliva testing for drugs and onsite breathalyzers for alcohol testing. Post incident, reasonable cause and pre-employment testing methods remain unchanged. All testing is done in accordance with either the relevant Australia / NZ Standard or the Australian Standard where there is not yet an NZ Standard.

OFFICIAL CASH RATE

The Official Cash Rate decreased by 25 basis points or a quarter of one percent today (Thursday), taking the market by surprise. Most commentators had said that a rate cut was going to occur, but not until August or September.

The reason is that our economy is easing. Inflation is close to zero, and unemployment remains stubbornly at over 5%. Dairy prices remain weak and may do so for longer than expected. Our exchange rate has eased over the past six weeks and has fallen further since the rate cut, but it still remains at historically high levels. The fall in the OCR is good news for those with mortgages and will assist the exporting sector.

BAY OF PLENTY DELEGATES TRAINING REFRESHER

Last month we ran a successful two day seminar for delegates and activists in the Bay of Plenty. Next week on 17 June we have the follow up session to see if we've achieved the targets we set ourselves back in May.

Delegates will examine their communications plans, and engage in plenty of analysis to see what we can improve upon in our port and rail branches in the Bay.

A key aspect of this seminar is enabling members from the different entities they work for to come together and share ideas. General Secretary Wayne Butson and Bay of Plenty Organiser Phil Spanswick will work with delegates and activists and South Island Organiser John Kerr will help facilitate.

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.

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!**

IXOM IN MORRINSVILLE.

We are back in negotiations this week to continue working towards a renewed collective agreement.

CAPITAL GAINS ON PROPERTY

The new property tax, on residential investment properties that are sold within a two year period, is really a capital gains tax. It will affect all investors, whether they are New Zealand domiciled or foreign buyers. It will



enable the authorities to obtain far greater information on exactly who is buying and selling properties. Offshore buyers will have to obtain a New Zealand bank account, as well as an IRD number. There are a number of requirements that have to be met in order to obtain a local bank account. There are of course ways of getting around these new rules, such as using blind trusts and nominee companies, but it is getting more difficult. The two year time period can easily be extended to three or five years at the stroke of a pen. The new regulations take effect on 1 October this year.

KIWIRAIL – HAMILTON OPERATIONS

Local RMTU delegates are working through a large number of investigations and disciplinary meetings of late. They report that they are coming up against managers who have no understanding of how to investigate issues in good faith nor do they understand their own KiwiRail policies.

The delegates are compiling a list of all of the issues to present to KR CEO Peter Reidy, as they have lost trust and confidence in the local management.

SKILLS OF ORGANISING PART TWO CHRISTCHURCH

Delegates from our Canterbury Rail and Lyttelton Port Branches will re-unite with our brothers and sisters from the Primary Teachers', Firefighters', Engineers' Nurses', University staff and Service Workers' Unions on 15 and 16 June for the final two days of a five day course aimed at new full time organisers and experienced lay officials.

Christchurch Rail Branch President Graham Ealam,; Secretary Ian Walker; Lyttelton Port Branch Secretary Heiner Benecke; delegates Luke Lockton and Simon Gillard will be working on what makes good meetings and how to educate members and delegates. They will also be presenting on organising work they have been doing since

we did part one of the course in May. The course is facilitated by South Island Organiser John Kerr.

MIGRATION

There are currently two main factors driving our economy. Firstly it is the high rates of immigration which has gone mainly into Auckland over the past three years. This immigration consists of three types, New Zealanders returning from overseas, particularly from Australia, people moving from the rest of the country to Auckland and finally foreign migrants. This is further enlarged by a lesser number of people leaving for Australia. The other aspect driving the economy, although this is starting to ease, is the Christchurch rebuild. The economies in most other parts of the country can be described as flat. Any visit to these areas will confirm this. The Auckland situation is unlikely to change in the short term. Auckland is actually adding a Dunedin every two and half to three years. This is evidenced by a lot of the existing infrastructure, such as roading, not keeping pace with the growth, together with the continuing increase in the demand for housing.

QUALITY MARSHALLING AND PRIME PORT TIMARU NEGOTIATIONS

The RMTU has been in bargaining with both these companies since early May. We've reached a point with Prime Port where we are about to report back to members and seek a mandate on our next move. With Quality Marshalling we are making good progress but there is further work to be done. Some of that work needs to be done by our Port branch in the Bay of Plenty...

Members in Timaru should keep an eye out for the latest update on their negotiations. Thanks to Naylor Young, Timaru Port Branch Chair, Josh Meyer, Branch Secretary, and Murray Cadigan and Roy Hislop for your hard work on behalf of members.



NEW CREDIT LAWS

On 6 June the Credit Contracts and Consumer Finance Amendment Act became law. For brokers and lenders, it focuses on responsible lending for consumer credit contracts, including mortgages. This means, amongst other things, that it must be shown that a borrower can clearly service their proposed loan.

The Act discusses the role of guarantors in some detail. A guarantor cannot be simply added to make a loan work. Full financial information on the proposed guarantor must be obtained and assessed, disclosure is required and an assessment of potential substantial hardship made (as for the main borrower). The result of all this is that more information will have to be obtained, particularly a breakdown of the borrower's income and expenses, in order to ascertain whether they can fully service the proposed loan.

NZ BUS CO-ORDINATORS ARE ON THE MOVE

The NZ Bus Wellington Control Centre which is crammed into a small office near the Wellington Rail interchange is moving to a larger site in Kaiwharawhara, the new site which will also have a workshop and drivers is currently under development will plan to transition to the Control Centre in July.

MAORI CALLED TO USE ECONOMIC POWER

Council of Trade Unions called on successful Maori-owned companies to assist lower paid Maori workers. In a news media interview, CTU Vice-President Maori Syd Keepa said Maori-owned commercial enterprises, both private and iwi-lead, could use their economic clout to assist lower-paid Maori.

The financial position of those companies is

increasing along with their influence, he said. "If those iwi got involved in trying to make a better life, more wages and better communities, then yes, I would support that," he said. He suggested Maori-owned companies influence other companies into paying workers more by "flexing" their own purchasing power with those employers. "If they think about their own people and how their own people are living today, then I would say that they should be influencing those overseas corporates to pay their workers a lot better than they are paying them now," he said.

Keepa said low-paid workers, both Maori and Pakeha, are being exploited and cited zero-contracts as an example.

JOURNO JOB LOSSES

Dozens of journalists' jobs are at risk as a result of a major shakeup at Fairfax Media, New Zealand's biggest publisher of news.

The Engineering, Printing and Manufacturing Union's industrial officer for print and media Paul Tolich said 185 jobs may be axed but around 160 new positions were expected to be created. But many staff will have to re-apply for their existing jobs or the newly created ones.

"The changes proposed by Fairfax represent a significant shift in the way they operate, driven by technological change and the move to more online news," he said. "Specifically, editorial leadership roles and subediting roles will be going, and reporters will be expected to take on more oversight of their own work." He said the union's goal is to "ensure our members' terms and conditions of

employment are not eroded as they are moved from their current roles into new ones."

WORK LIFE BALANCE

Work-life balance is the most important factor in retaining workers while job seekers continue to view salary and employee benefits as their top priority, according to a survey published recently by human resources specialist Randstad. Nearly 8,000 work-aged New

- 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



Zealanders were polled this year in the survey and more than 53 per cent weighed work-life balance the most important on their decision to stay with the current employer. "As far as New Zealanders are concerned, there is more to a job than money," said Randstad New Zealand country manager Brien Keegan. But for the fifth consecutive year since the survey was started, money trumped conditions. Salary and benefits ranked at the top of five of the most important criteria for choosing an employer by 21 per cent of respondents. The survey also found that 20 per cent of respondents said they would change jobs in the next twelve months, citing lack of career opportunities, loss of interest in job content, and low compensation as the main concerns, which is consistent with the global trend.

FISHING SLAVES

New research by Auckland University found slave-like conditions, rape and violence in foreign chartered vessels in New Zealand waters. Work conditions on some fishing boats, owned mostly by Korean companies chartered by Kiwi firms, were so bad that they met international criteria for forced labour, the report said.

The findings were based on interviews with 300 fishermen. Researchers found that they were forced to work in long shifts ranging from 16 to 53 hours for wages as low as 49 cents an hour and many face debt entrapment. Local employment law covers the ships sailing in New Zealand waters, the report said, but none of the workers receive the minimum wage.

Crew members earn between \$6,700 and \$11,600 on average each a year. Auckland University researcher Glenn Simmons called the stories of the fishermen "gut wrenching." He said many were deeply traumatized and New Zealand firms chartering Korean fishing boats should be

aware of the conditions on board.

FREIGHT INFORMATION GATHERING SYSTEM

The Ministry of Transport has developed the Freight Information Gathering System to provide an overview of freight movements around New Zealand, including containerised freight, rail freight, and bulk coastal freight.

The Freight Information Gathering System builds on information currently provided by Statistics New Zealand (external link) while making valuable new information on freight movements available for the first time.

Reports are released four times each year, and follow a consistent collection methodology to allow for tracking movements and trends across time.

Reports contain data from New Zealand's ten largest container ports; Ports of Auckland (external link) , Port of Tauranga (external link) , Port Taranaki (external link) , Port of Napier (external link) , Port Nelson (external link) , CentrePort (external link) , Lyttelton Port of Christchurch (external link) , PrimePort Timaru (external link) , Port Otago (external link) and South Port (external link) .

Rail data has been provided by KiwiRail (external link), and shows nationwide freight movements by region and by commodity, in both tonnes and tonne-kilometres.

Oil carried by coastal shipping is also included in the quarterly reports, and movements since 2009 are displayed to allow for the following of trends.

Be Safe - Just Say NO!

