

THE ACTIVIST



Published Regularly - ISSN 1178-7392 (Print & Online) 8 May 2020

LEVEL 3 - NEW ZEALAND IS CURRENTLY AT COVID ALERT LEVEL 3. THE NZ CABINET WILL CONSIDER A TRANSITION TO COVID LEVEL 2 ON MONDAY 11 MAY.

Your Union staff and delegates continue to work from home on your behalf to ensure that all members are treated lawfully and fairly during these unusual and uncertain times we find ourselves in.



DUNEDIN RAILWAYS CAMPAIGN GATHERS MOMENTUM

The campaign to save Dunedin Railways has taken off with a huge surge in public support over the past week. At the time of writing

the Company has delayed its decision around a so-called proposal to 'mothball' the rolling stock and track and make all our members redundant.

We're bracing ourselves for the worst, because we have little faith in the current management or Board - in fact we're calling for their immediate dismissal and for management and governance of this iconic Dunedin City Council owned railway to be put under workers' control. By the time you read this the Employer may well have confirmed they are going ahead with their crackpot scheme however.

If that's the case the fight is just beginning. The RMTU is actively lobbying local councillors and members of parliament and we need public support if that is to be effective. We have been using social media to get our message across, given the challenges of organising in the COVID19 lockdown.

See our Facebook Page 'Keep Dunedin Rail Rolling' here:

https://www.facebook.com/dunedinrail/?eid=ARBKY3egu7aQ30ySb5uphQ8737X0XB3Bci dHhz6NwipTrtjYJMUvD1t5QK-b4e_HQkHDKSf8o01bhIyh

And we've had some very positive media coverage. See this video and article in the Otago Daily Times:

<https://www.odt.co.nz/news/dunedin/railway-workers-respond>

And this excellent op-ed piece by RMTU Otago Rail Branch Secretary Dave Kearns in the same newspaper:

<https://www.odt.co.nz/opinion/hasty-move-disservice-workers-community?fbclid=IwAR1AWahU6A9bz71WP q4KwSSst7GYzX3yPQa0LU4T53Ez24Y5W1aI GoXzLYk>

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

There are plenty of options to keep the staff, the rolling stock and the track and to use these productively. These include local tourism, suburban commuter and regional passenger services to name but a few.

The RMTU is calling on all members to back the campaign – start by checking out the links above and get active by helping our campaign team led by Dave Kearns and delegates Courtney Kilner and Julian Evans.

CLEANING SURFACES AGAINST COVID 19

Droplets containing the Covid 19 virus are too large to stay in the air for long, so they quickly settle on surrounding surfaces. The virus has been found 'live' on plastic and stainless steel surfaces for up to three days

Surfaces or objects that are frequently touched by others should be cleaned before and after a person touches them – clean it first (e.g. handles, levers, steering wheels in pool vehicles, door knobs, shared desks and phones).

Cleaning products

- Use a disinfectant that is antiviral.
- Surfaces need 10 seconds of soaking with the disinfectant for it to work.
- For phones, radios and other more delicate surfaces, soak a disposable towel or cloth and wipe the surfaces thoroughly.
- Use clean cloths or disposable towels to wipe surfaces.

The most effective antiviral sanitisers are:

- Products containing Hypochlorite
- Activated Hydrogen Peroxide
- Standard Bleach
- Products containing an alcohol i.e. ethanol or isopropyl
- Methylated spirits can also be used

Hand sanitiser should contain at least 60% isopropyl alcohol to be effective.

BARGAINING AT TOLL

The current Toll MECA expires on 30 June and we have initiated bargaining for it. We enter these negotiations with the background of uncertainty in both the where the company is going and what is happening throughout the country on both an industry basis and the wider economic concerns.

We have met with the delegates looked at a number of possibilities regarding claims for the negotiation table and we they are going asking them to go around to meet with members to discuss these and canvas for other remits.

We will be seeking to meet with members in groups once we move from level 3 to level 2 and this may need to use video technology for this to happen.

We will keep you informed.



GOLDEN RULES FOR BUSINESS AT ALERT LEVEL 2

Do everything you can to reduce the risk of COVID-19 transmission at work – we all have a part to play in keeping each other safe.

COVID-19 is still out there. Play it safe.

All businesses can operate if they can do so safely. Alternative ways of working are still encouraged where possible.

- Talk with your workers to identify risks and ways to manage them.
- Ask everyone, workers, contractors and customers, with cold or flu-like symptoms to stay away from your premises.
- Keep groups of customers 1 metre apart.
- Keep contact-tracing records of anyone who will have close interaction (workers, contractors or customers).

- Reduce the number of shared surfaces, and regularly disinfect them.
- Wash your hands. Wash your hands. Wash your hands.

ONLINE HEALTH AND SAFETY TRAINING AVAILABLE

Due to the inability to run face to face training during lockdown, Worksafe Reps are offering two of their training courses online for H&S Reps and Managers

Online Stage 1 (initial) Health and Safety Rep training

This online course equips HSRs with the skills to promote a safer and healthier place of work and also covers Unit Standard 29315. Successful completion of the unit standard (via the assessed quiz and fillable PIN) allows an HSR to exercise their powers to issue provisional improvement notices (PINs) and direct unsafe work to cease.

Team Leader/Manager /Supervisor H&S training

The aim of this course is to provide Team Leaders, Managers and Supervisors with skills knowledge and competency that will assist them to provide health and safety leadership and compliance with the Health and safety at Work legislation. This is a non-assessed online training course.

For more information go to

<https://worksafereps.co.nz/health-and-safety-courses-online/> or ring 0800 336 966

TROUBLE AT TOLL

After the bouquet for their behaviour around Covid-19, now the brickbats over the restructuring they have instigated. It's been a bad year for Toll starting off with a global cyber-hack, followed by Covid-19 and now a further global cyber-hack. They have dropped 30% to 50% in their volume of work during the Covid lockdown and are now looking to cut costs by shedding staff right

across the country. It is hoped that the numbers needed can be achieved by voluntary redundancies but we would caution restraint for those that view a pay-out. It isn't Lotto and the job market is looking very weak post-Covid as lay-offs and restructurings occur across many businesses and organisations throughout the country.

So far, so not so good. It gets worse. The restructuring process Toll have used has been very poor. They haven't kept the RMTU fully informed and have fed out information in drips and drabs without ever giving us the full picture. More than this, in some instances Toll hasn't even informed the membership that the restructures are happening. The Union has contacted the company to extend the period allowed for feedback. So far, they have agreed to a further three days which hardly seems adequate. It now has to be sent in by 5.00pm Monday the 11th of May. The delegates have been discussing issues with

members and we have been having regular Zoom meetings between the organisers and the delegates to keep abreast of things and give advice. The delegates are collecting feedback and sending it through to Rudd Hughes, our Northern Region organiser.

If you want to deliver feedback to the company you can send it through your delegate or send it directly to rhughes@rmtunion.org.nz, or directly to the company at hadmin@tollnz.nz

The Union would prefer that you send it to your delegates or to

the Union so that we can collate it and provide solid arguments for our members. If you are going to send your feedback to the Union, please make sure it is in by Sunday the 10th so we have time to collect it all and please state what site you are working on. The feedback should explain how you see the proposed changes affecting your job and the problems that may arise from such changes (especially around Health and Safety and understaffing for workloads).



GOVERNMENT CLEARING IMPEDIMENTS TO PROJECTS

The Government has announced a major element of its COVID-19 rebuild plan is a law change that will fast track eligible development and infrastructure projects under the Resource Management Act (RMA) to help get New Zealand moving again.

Rather than take months, and often years of appeals to the Environment Court and hearings that can add significantly to the costs of both landbased and maritime related projects, there will be a committee process.

Announcing the change, was Environment Minister David Parker, who put his emphasis on the sorts of environmental projects that would benefit from quicker consenting, rather than major infrastructure projects that the Government also wants to fast-track to save jobs from collapsing under the impact of the economic shock from the COVID-19 pandemic. He included roading, but went on to name walking and cycling, rail, housing, sediment removal from silted rivers and estuaries, new wetland construction, flood management works, and projects to prevent landfill erosion.

The fast-track process is designed as a short-term intervention to help with economic recovery from COVID-19 and the legislation will be repealed in two years, he said. Existing Treaty of Waitangi settlements will be upheld, as will sustainable management and existing RMA national direction, he adds.

The changes were approved by Cabinet last week and new legislation is expected to be passed in June. The new processes will get projects started sooner and people into jobs faster. Investment in infrastructure is central to the Government's economic plan to keep New Zealanders in jobs. Job-rich projects like core infrastructure, housing, and environmental restoration are crucial to the Government's plan to stimulate the economy and help us recover from the damage caused by the COVID-19 pandemic. Some large-scale government-led projects, including those in the NZTA's Land Transport programme, will be named in the legislation

to go through the fast-track consent process.

KIWI RAIL MECHANICAL COUNCIL MEETING APRIL 2020

Despite still being at level 4 the Mechanical Council met via the wonders of video conferencing for a truncated quarterly meeting. It was a very different experience using electronic communications as we usually meet face to face over two whole days.

Unsurprisingly a lot of the discussion was about the return to Level 2 and what that would mean for the company and our members. It is expected that 90% of the workforce will be back and there was a strong common ground between the RMTU and the Company in keeping people in their jobs.

Understandably, there were a number of actions committed to in February which hadn't been completed, but these have not gone into the ether. Rather, we are looking to complete them by the next MIC meeting in August when, hopefully, things will be back to normal and we can meet face to face. These actions include; simplifying the pay and progression document, the development of a diversity group to develop awareness of diversity in the RSAS group, the development of guidelines for team leader roles, and the organisation of a two day HPHE Workshops RSAS staff.

WILL PROJECTS BE FIT FOR FUTURE PURPOSE?

The national organisation for chartered accountants are calling on the Government to move on from the high trust model of universal support for Kiwi businesses in the wake of the COVID-19 pandemic. The next phase must take a more targeted evidence-based approach, they said. Sooner, rather than later, we have to move to a tighter and more evidence-based model, targeted carefully at areas of the economy which remain viable, but vulnerable.

Much of the COVID-19 support for businesses, and Kiwis, delivered to date has, by necessity, been delivered through a high-trust model. Getting billions of dollars out the door quickly, through programmes such as



the wage subsidy, was necessary and right for its time, but now we need more robust evidence based policy design that is carefully targeted and developed in conjunction with affected sectors.

The bill for all this spending is going to land on future taxpayers. We need to ensure that bill is no larger than it needs to be. The interest-free loans for viable small businesses is an example of both targeting and the Government moving quickly when it realised something wasn't working as well as planned.

THE TRANSPORT SECTOR

The transport sector is vital for New Zealand and contributes to around five percent of gross domestic product. Transport is critical for enabling and delivering on the Government's post-COVID economic recovery strategy. We need to ensure that transport investment supports productivity, trade, sustainability, and wellbeing. We've been working with other agencies and organisations to ensure that consistent and high quality advice supports transport decision-making, and we're keen to receive your input too.

The draft NZ Rail Plan was released at the end of last year, before our world was changed by COVID-19. As we continue to consider the effects of the coronavirus on the transport system, we remain keen to get your views on the rail priorities set out in draft Rail Plan. A reminder that the submissions period will close on Monday 11 May 5pm.

To view and listen to a presentation of the draft Rail Plan click [here](#).

To provide feedback on the draft Rail Plan click [here](#).

Further information is provided below about the draft GPS 2021, which is being consulted on alongside the draft Rail Plan.

To update you on the Land Transport (Rail) Legislation Bill, which sets out the new

planning and funding framework for the heavy rail network, owned by KiwiRail. Following consideration of public submissions, the Select Committee has now reported back to the House with its recommendations for the Bill to be passed with some amendments. The Select Committee's final report is now available on the parliamentary [website](#). The Rail Bill will now proceed to its second reading.

RMTU IGNORED ON THE RAIL BILL

Workers know about safety because it is their lives and limbs on the line. This is why the RMTU made the effort to make a submission to the Transport and Infrastructure Committee.

The Labour members of the Transport and Infrastructure Committee are Paul Eagle, Raymond Huo and Jamie Strange; the Greens are represented

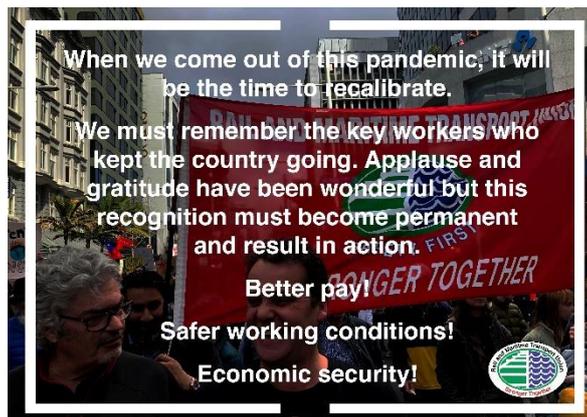
by Jan Logie; and NZ First by Chairperson Darroch Ball. The combination of NZ First, Labour and the Greens hold a majority over the 3 National members of the Committee.

Wayne Butson presented the RMTU submission and thought he had a fair hearing, but when the Bill (the Land Transport (Rail) Legislation Bill) was reported back to Parliament, it was a disappointment.

Where was the professed Government commitment to tripartism, giving the workers a voice, elevating safety of workers? Nowhere to be seen.

The RMTU submitted that the union should be consulted when KiwiRail prepares its network investment plan, but this was dismissed as an irrelevancy. Not even deserving a mention in the commentary.

The RMTU submitted that the NZTA should be required to consider any impact on the health and safety of the workers and the public when rail activities are to be funded, this submission was also ignored. However, the Land Transport (Rail) Legislation must take



into account energy efficiency and conservation but not the health and safety of workers or the public. Well done Coalition Team!

We already know the disastrous impact of the Public Transport Operating Model (PTOM) in Wellington on workers - the "bustastrophe". The Greater Wellington Regional Council decided to accept a bidder who had a flat rate payment structure with no penal rates. This led to entry level drivers being offered \$17 an hour and drivers having to work longer hours, and who had to work more split shifts with less breaks. It was a complete and utter shamble. This is what happens when you ignore the workers and their union. It became an election issue and a clean out of councillors resulted.

Surely, you would expect members of the parties of the left to understand that procurement procedures should protect employment conditions. No such luck it appears.

WAIROA TO GISBORNE – BACK IN THE NEWS

Saturday's pronouncement by KiwiRail's CEO, that "the figures don't stack up" for reinstating the Turanga ki Wairoa rail line, flies in the face of the fact that KiwiRail was party to the BERL report.

Kiwi Rail are now being publicly ridiculed for their hollow choice as to whether to operate rail on east coast regions and we support the public anger building as a result of Kiwi Rails lack of support for these isolated regions. <http://www.gisborneherald.co.nz/opinion/column/20200505/kiwirail-the-need-for-change/>

BOP REGION

PORT OF TAURANGA

The BOP Port branch president Kelven Martin has been working with the POTL and C3 crane drivers on a clearer method of crane allocation in line with the agreed allocation clause of the POTL Collective Agreement and hopes to finalise the allocation by the end of May 2020.

Another issue that is being worked on is the disparity of pay for the casuals during the lockdown, it looks as though this will end up as an employment dispute.

Apart from the above the RMTU members as essential workers are doing their bit to keep the Port of Tauranga open and in business.

C3

We are currently working through the first draft of the Collective Agreement 1 July 2019 to 30 June 2022, and we hope to

have the Collective finalised by the end of May 2020. Which means there will be about 9 months of back pay for our union members.

Steve Simpson has stood down as a Straddle delegate and has been replaced by Rata Sidwell. Steve has served on the BOP Port branch executive for a number of years and was on the recent RMTU bargaining team for the Collective Agreement. All the best Steve and thank you for your contributions as delegate.

As previously reported Walter Naera has retired as C3 General Manager - employee relations and been replaced by Delys Tansley.

KIWI RAIL IN THE BAY

Mostly quiet at the moment, but what is of concern will be the pending RMTU/ KiwiRail Collective Agreement negotiations especially as the branches have put together remits for the renewal of the Collective Agreement. It is



acknowledged by all that Covid-19 will affect the bargaining!

PORT OF NAPIER.

The RMTU has initiated bargaining for the Mobile Harbour Crane Operators Collective Agreement and the 18 crane drivers are finalising their claims. In preparation we are conducting a strike action ballot, as we believe these negotiations will be pretty hard.

Southern Region

BARGAINING INITIATED WITH QUALITY MARSHALLING TIMARU

The current collective agreement covering RMTU members at Quality Marshalling at Timaru port expires on 30 June so the RMTU has initiated bargaining for its renewal.

Of course, given the situation with COVID19 we do not yet know how we will progress the bargaining. Under s53 of the Employment Relations Act 2000 the current collective agreement 'lives on' for up to 12 months after expiry and government has modified that to exclude the period of the current COVID19 Epidemic Notice or up to a further three months after the Epidemic Notice expires or is revoked.

One piece of work that members and delegates can do is to turn their minds to what they want to achieve in this bargaining round. Our advice is generally that beginning bargaining with a few deeply and widely felt claims is far more powerful than starting with a 'shopping list' that includes

items that members don't feel strongly about.

The RMTU will seek to hold a meeting with members to discuss the above as soon as is practicable. We may have to be creative and use video technology, depending on the restrictions as we (hopefully) move from level 3 to 2. Watch this space.

LYTTELTON PORT AND FATIGUE: THE NEXT CHAPTER?

It's over two years since world renowned expert on fatigue Phillipa Gander began work with LPC and the port unions, including the RMTU, on the issue of fatigue. The process was stalled after the previous CEO put the draft fatigue standard on ice.

We are aware that LPC management have been doing some work by themselves on the standard but there has been no meaningful engagement with workers since 2018. The RMTU is aware that there are some very thorny issues we need to deal with if we are to tackle fatigue and these cut across terms and conditions in both our collective agreement and those of other port unions. Simply put, years ago the employer and unions agreed terms and conditions and patterns of work that modern science tells us are potentially unsafe. Rolling eights are

the most glaring example.

LPC are looking to re-open discussions with the RMTU after Queens Birthday weekend. We were due to do this a few weeks ago but disagreements over procedures relating to managing COVID19 undermined trust to the point it would have been counter-productive.

The RMTU sincerely hopes we can now make progress on this safety critical issue. A working group has been nominated that includes RMTU representatives from the plant maintenance workshop and container



terminal, with Branch officials and our South Island Regional organiser. We will keep members fully updated as events unfold.

HILLSIDE REVITALISATION PROJECT

It appears this project is back on track (pun intended) after discussions between KiwiRail, the RMTU and the consultants responsible for the design and management of the project resulted in a better understanding of how we would engage with one another to ensure proper consultation and co-operation.

The project is a complex one, involving as it does several areas of KiwiRail and funding from the Provincial Growth Fund provided by our Labour led coalition government. Once again, the fact that the RMTU organises across the whole rail industry and understands the political dimensions of what needs to be done has proved beneficial. RMTU elected officials and delegates provide an accountable mechanism for members' concerns to be heard and have access to expert advice from National Office.

We are now engaging using methods that were tried and tested at Hutt Workshops and thank RMTU Hutt Workshops Branch Chair Matt Cordell-Bain for his invaluable input in this regard.

Let's not forget that the revitalisation of Hillside is a good news story for RMTU members, KiwiRail, the rail industry and Dunedin. Much better news than the campaign we had to wage to try and keep the place open in the face of the previous National government's attempts to shut it down.

ASBESTOS MANAGEMENT AT HILLSIDE

Another benefit of RMTU support is our ability to access the expertise of a dedicated National Health and Safety Organiser. The importance of this was demonstrated when tests for asbestos returned positive results at Hillside Workshops.

To the credit of KiwiRail's Rolling Stock and Asset Services General Manager, he acted swiftly and drew on our National H&S Organiser's experience gained during a similar situation at Hutt Workshops. KiwiRail have now engaged the same company that was successfully used at Hutt Shops and are working with RMTU delegates and H&S representatives to manage the situation.

In the meantime, Hillside based staff have relocated to the Cumberland St Depot and continue to do the vital work of helping maintain the South Island rolling stock fleet.

UNIONS WELLINGTON VIDEO TO CELEBRATE MAY DAY

International Workers' Day, May Day, was celebrated with a difference around the world this year due to the various lockdowns or confinements occasioned by COVID19. Marches and demonstrations were not possible and so workers and their unions had to be creative.

Our French comrades made photo collages and videos which were widely shared on social media for example. A wonderful video can be seen here:

https://youtu.be/jmb67xV-_c4

Not to be outdone, the very creative folks at Unions Wellington posted this message from the convenors of Unions Wellington, Unions Auckland, Unions Manawatu, Unions Canterbury and Unions Otago:

Stay home if you're sick



<https://www.facebook.com/UnionsWellington/videos/647438379437527/UzpfSTEWMDAxMzA3MTYzNjUyOT05MTg5NjgzMzE4ODIyMTM/?id=100013071636529>

Readers are encouraged to take a few minutes to look at these short videos – they are sure to cheer you up in these challenging difficult times.

RAIL QUALIFICATIONS REVIEW

The New Zealand Qualifications Framework has a couple of specific rail related qualifications, these are:

New Zealand Certificate in Rail Operations (Train Driver) (Level 4) with strands in Electric Multiple Unit, and Locomotive and;

New Zealand Certificate in Rail Operations (Train Manager) (Level 3)

These are being reviewed by Competenz and KiwiRail and Transdev Auckland are participating in this together with the RMTU. The review is positive and is ensuring these qualifications are fit for purpose over the next five years. It was particularly encouraging to hear that TDAK supports the qualification for train managers for example and that they are also keen to develop other industry qualifications for controllers and platform staff. It would be even better if Transdev Wellington and other rail operators became involved in this process.

MAX RASHBROOKE - THE NEW AND FUTURE ROLE OF AN ACTIVE STATE IN A POST-COVID WORLD

Max Rashbrooke will discuss his ideas in a webinar at 12noon on Wednesday 13 May. Max's talk is presented in collaboration with the PSA, as part of their Ten possible Futures for Public and Community Services series.

Proposed other speakers include:

- Local Government and wellbeing - Peter McKinlay
- Tax, and funding for public services - Andrea Black

- What will Māori policy and delivery look like in the future? - Deb Te Kawa and Dr Amohia Boulton
- Should we revive the Ministry of Works? – Dr Geoff Bertram
- Social Marketing and the State – Tracey Bridges
- The future of health services – Professor Jackie Cumming
- A revised Manifesto for Better Government – Adrian Brown and Toby Snow
- Reinterpreting community and public services post COVID-19 – Janie Walker

Numbers are limited. If you would like to join the webinar, please RSVP [here](#)

BITS AND BOBS

- Worksafe NZ are planning on sending workplace inspectors to KiwiRail Worksites for Covid compliance. This will include visits in the field.
- Interislander are already at capacity loadings with spacing rules and are considering reintroducing the third (Kaitaki) ferry.
- A reminder to members who are working from home – if you have incurred additional costs as a result of working from home you should lodge claims with your employer. An example of a cost could be internet speed and data size upgrade to enable video conferencing etc.
- KiwiRail's wage subsidy application continues to be considered by Government.
- Members on suburban and regional passenger trains are reminded that physical spacing policing is NOT YOUR JOB. It is the passenger's responsibility to enforce spacing, not yours!

BE SAFE, BE HEALTHY AND BE KIND!

