



# Kotahitanga

**SOLIDARITY**

JOURNAL OF THE MANUFACTURING & CONSTRUCTION WORKERS UNION

## Regional Council Chair says cheaper fares will result from changing bus companies



The Wellington Regional Council confirmed that all tendered work in the region will go to Tranzit and Uzabus. NZ Bus and Mana have been vir-

tually shut out. A significant industrial dispute is expected as the new operators pay on average \$200 a week less. (See report on pages 8 & 9)

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Salaried staff employed by Wellington City Transport have started industrial action in support of a collective agreement.

**Collective agreement negotiations... pages 5 - 7**

NZ Post bargaining produces a 6.64% offer for 3 years.

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Health and safety strike notice issued.

**International news... pages 14 - 15**

80 workers employed by Fletchers in Australia have been on strike for months. Representatives visited New Zealand seeking support.

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All union members are encouraged to register to vote in the September General Election.



## Salaried staff CEA negotiations at WCT head to mediation

**Salaried union members employed by Wellington City Transport on IEAs have sought a collective agreement.**

Bargaining was initiated after attempts to have them included in the current collective agreement were refused by the company in CEA bargaining.

Employees in supervisory and administrative roles in the NZ Bus workshops in the Wellington region have agreed to individual agreements to either get work, or to accept advancement in the company when already employed. The WCT IEA is markedly inferior to the collective agreement. It has less sick leave, less annual leave, zero payment for any overtime worked, and no redundancy compensation.

### ALREADY COVERED

All of the jobs in question are arguably covered by the collective agreement. The company has simply changed job titles to presume to remove collective agreement

coverage. When the individual has attempted to negotiate changes the company has refused. When the union tried to assist promises given by the employer to negotiate changes were subsequently broken.

A number of bargaining sessions for the CEA have occurred but have been unsuccessful. The employers stance is that the roles are "management" and that "management" only expect to be employed with the same employer for 5 years so CEA provisions are not needed.

### COBBLE TOGETHER

The company has offered to make a collective agreement by cobbling the IEAs together into a single CEA document without any other change. This position is unacceptable to the members.

The failure of bargaining to make progress has resulted in the union members voting to take industrial action. This action has started with a complete ban on overtime.

The issuing of notice of the overtime ban prompted the immediate response of the Ministry of Busi-

ness Innovation and Employment offering mediation.

The union has accepted mediation which is being held as *Kotahitanga* goes to print. There is no expectation on the union's part of any progress being achieved, it being expected that the issue will need to be progressed in other forums.

The union supports these members getting a redundancy agreement in particular as with the current Regional Council inspired transfer of work redundancies are certain.



## *From the work front...*

# Winning the living wage at Wellington City Council

**On 28 June Wellington City Council voted for an annual plan which includes big commitments to the Living Wage.**

The council will pay all directly employed workers and those employed in council controlled organisations the New Zealand official Living Wage rate of \$20.20 from 1 July.

Also included are around 60 cleaners and security guards, members of E Tū union. These workers are employed via contractors and have had their pay lifted in two steps since last year. Now they are going to \$20.20, along with the directly employed workers.

The annual plan includes the commitment to deliver the Living Wage for all council workers working for contractors who deliver services on behalf of council in a regular and ongoing way.

The rest of the cleaners and waste workers are the priority. When that happens, M&C members at WCC will be in for a big pay rise.

The council started delivering on its Living Wage commitment in 2014 and this has brought pay rises for low paid workers of up to 40% over three years.

### ALLIANCE

How has this been won? The campaign to win the Living Wage at Wellington City Council has been led by Living Wage Wellington, an alliance of unions working with faith groups and community organisations. M&C is part of this alliance and a member of the Living Wage Movement Aotearoa New Zealand.

Building power in the community by uniting with other groups has really worked. The people power of Living Wage Wellington has put pressure on Wellington City Council



*The living wage for WCC workers will be \$20.20 per hour*

cil leaders to commit the Living Wage and Living Wage Wellington has continually held the council accountable for this commitment. Now we need to make sure every low paid worker at WCC gets the Living Wage. M&C workers at Wellington City Council are employed via a subcontractor. The council has made a clear commitment to lift these members to the Living Wage. We will work together to make this happen.

Wellington City Council has committed to seeking accreditation as Living Wage employer in this council term, which ends in October 2019. In order to become accredited (official), WCC needs to have a plan in place to bring all workers to the current NZ Living Wage rate.

The work of the Living Wage movement at Wellington City Council has not finished. It's very important to get involved and turn out in big numbers at Living Wage events to demonstrate very clear community support for finishing the job and making sure every M&C member in the council workforce is on the Living Wage.



*Living wage campaigners hold up a banner in Lambton Quay, Wellington.*



# Union and NZ Bus in the Employment Relations Authority

**The Union's case regarding member Aziz Farah at NZ Bus and a claim by the Union against the company for breach of the collective employment agreement (CEA) was heard in the Employment Relations Authority (ERA).**

It has been a dispute that began back in November/December 2015. Member Aziz Farah realised he was no longer receiving his shift allowances and extra leave after accepting a transfer to another depot on what he thought was only a change in hours. After initially raising concerns with the company it created an allowance which did not fully compensate him for the lost allowances and which was not discussed with the union. The company also gave him overtime to make up the difference in money. However, all this meant was the he was now working many more hours.

## **NO COMPROMISE**

Despite his insistence that he was incorrectly paid, the company refused to give in. After the Union got involved the company revealed their reason. They said Aziz had agreed to work any span of hours selected by the company. The company had chosen hours that meant he was not entitled to any shift payments. The Union countered that the hours agreed to still entitled Aziz to shift payments. In addition, Aziz never agreed to give up these payments and the Union was not consulted about the deal, which was a breach of the CEA. The issue proceeded to mediation as it usually does. Despite the best



*NZ Bus (trading as a GO Wellington) refused to compromise*

efforts of the union to reach a deal that was in the best interests of everyone, the company refused. The union eventually filed proceedings in the Employment Relations Authority. Unusually the case had three different mediations. This was clearly the type of issue that should have been resolved between the parties.

Why it is usually preferable to resolve a problem at mediation or otherwise between the parties is because the outcome of an ERA case is uncertain. The ERA has wide powers to investigate any aspect of the employment relationship problem put before it. In this case the ERA member investigating the case choose to focus on what was said at the time of the transfer and what was Aziz's role currently.

The Union argued from this perspective Aziz never gave up his allowance and that the company's actions were a unilateral variation of the employment agreement. In addition, the Union said that the transfer could not have been done without the Union's consent and nor could an additional allowance be created without its consent.

The company still maintained that Aziz agreed to change his hours to whatever the company wanted within a certain span. It further maintained that it did not have to consult the Union when chang-

ing the hours of its members. It said that those were additional terms that it was free to agree with Aziz. It also said it did not have to consult the union when creating additional allowances even if it would disadvantage other members. This was because the CEA is a minimum rate agreement and the company was free to pay the member whatever it wanted. The Union disputed this because only the wage rates are minimum and allowances are a separate issue.

## **PRELIMINARY DECISION**

At the end of the investigating meeting the authority member gave a preliminary decision. It was clear that the company was in breach of the agreement by creating and paying an additional allowance. However, the issue of whether Aziz was entitled to his existing allowances was a complicated one. The member was clear that he had been hard done by the transfer.

So, Aziz and the Union must wait up to three months for a decision on the matter. The Union is confident that it put forth a good argument that Aziz must be entitled to his allowances.

This matter is a timely reminder that the Union is always willing to take members cases all the way if the member chooses.

## *Collective agreement negotiations...*

# Members at Axiam agree to multi-employer collective agreement

**Members at Axiam Metals and Axiam Plastics ratified their new Multi-Employer Collective Agreement (MECA).**

The separate businesses, locally owned and operated, have by agreement been moving towards this point over the past several years. The move required the aligning of terms and conditions which has largely occurred now. The last matter for alignment was the different pay structures. Metals had a start rate and 3 service related increases from that point, whereas Plastics has always had a skill and service pay structure.

A new skill and service pay structure for Metals has now been

agreed and is being implemented. Members at Metals will be assessed to see where they fit within the new pay matrix based on the work performed and the skill levels held for that work. Anyone who believes they have been incorrectly assessed or placed within the matrix can challenge that utilising the Union. No member will go backwards in their current pay rate due to where they may sit in the matrix, however some may receive a higher rate as a result.

### LEAVE COUNTS

New wording was also agreed that guarantees all paid leave or authorised unpaid leave will count towards the ordinary hours for overtime. The redundancy

cap increased from 8 weeks to 12 weeks and compensation accrual increased from plus 1 to 4 plus 1.5. Metals has been struggling over the last several years as previously reported and lower increase for metals members reflects that. Metals members receive an average increase on current paid rates of 1.8% and Plastics members 2.8% on average. Allowances at both sites increased by the agreed dollar amount for wage rates, giving an average allowance increase across both sites of 3.3%.

The new MECA has separate pay schedules in the back for each site due to the differing work performed at each, with all other terms and conditions being the same.

# Minimum rates at Converga rise by 6%

**The bargaining representatives for members of the Postal Workers Union of Aotearoa (PWUA) employed by Converga Group Limited (formerly owned by NZ Post, now owned by Canon Australia Pty Ltd) met with the employer and reached agreement on a proposed terms of settlement.**

The union advocates were David Thomson and Terri Ann Schaepfler.

The terms of settlement were ratified by union members in stop-work meetings held in early April, members being nearly unanimous in support of the new CEA.

The Term of the agreement is for one year expiring 31 March 2018. The bottom start rate SCR 1 was

overtaken by the new minimum wage of \$15.75 that applies from 1 April 2017. It was agreed to give this rate a margin of 2% over the minimum wage, increasing the SCR 1 rate to \$16.07 per hour. The minimum SCR 2 rate was increased to \$16.54 per hour, an increase of 6%. Other printed and non printed wage rates were increase by 2%.

### ALLOWANCES INCREASED

Allowance rates were also increased:

- Meal allowance to \$15.07,
- Higher Responsibility Allowance \$1.60 per hour,
- First Aid allowance \$6.58 per week.

The effective date of the agreement is 1 April 2017.

It was also agreed to change some



*Advocate David Thomson*

provisions including Excellence Pay and Health and Safety. For the latter it was agreed "The company will cover the surcharge cost payment over and above ACC support for the first GP / Accident and Emergency visit for any work related recorded injury that has been incurred during work hours at Converga."

# Post offer recommended for ratification

**After 8 days of combined union negotiations both the PWUA and E tu have reached a proposed settlement with NZ Post for a new Collective Agreement.**

Site meetings throughout the country will start in June with the outcome of the ratification ballot expected after “*Kotahitanga*” goes to print. The meetings will vote by secret ballot on the recommendation of the PWUA Advocate that the proposed settlement be agreed to.

## REPORT

A detailed report was provided by the Advocate, Graeme Clarke, that is to be given out at every meeting. The secret ballot followed discussion of the Report.

The proposed settlement to be voted on by PWUA members includes the following:

- A three year term with pay increases of 2% from 1 April 2017, another 2% on 1 April 2018, and
- another 2.5% on 1 April 2019. (A compound total of 6.64% over three years.)
- An additional 2% pay increase

from 1 April 2017 for PPM posties and Delivery Agents to buy out

- their BUIP after 2017.
- Back pay in July back to 1 April 2017. Back pay for processing is about \$200 gross. Back pay for PPM posties and IDA is about \$400 gross.
- Back pay will be for union members only, or for those who join the union.
- Examples of the new pay rates are:
- Grade 2 Step 4 moves up from \$18.70 to \$19.07 (\$15 for 40 hours).
- Starting rate for Delivery Agents and PPM posties moves up from \$17.78 to \$18.49 (\$26.79 a week).
- PPM and IDA Grade 2 Step 4 moves up from \$20.73 to \$21.55 (\$31 a week). This includes the BUIP buyout.
- BUIP in Delivery for 2016/2017 will be paid out as usual (expected to be in August).
- Increased mobile phone allowance for Delivery Agents to \$50.00 per year.
- Existing employees currently paid weekly can stay on weekly

pay.

Forklift annual allowance is increased for designated forklift drivers in Processing, ECL and Delivery to a range of \$2000 (four hours per day) to \$250 (one hour per day).

In the negotiations both unions supported a claim for the living wage (\$20.20 from 1 July) to be applied. This would have meant an 8% movement to Grade 2 step 4 and the same movement on the lower rates. While this was not achieved the addition of the BUIP buy out into Postie and IDA rates (a union claim) saw steps 3 and 4 of those rates equal or exceed the living wage.

## BARGAINING AGENTS FEE

Another issue that was endorsed by members at the last agreement was to seek a bargaining agent's fee. The purpose of such a fee is to increase the rate of union membership so as to strengthen the unions in bargaining. The company refused this claim but did agree to a three month stand down.

The Advocates urged members to continue to press the bargaining agent fee and related claims as this is needed to make significant improvements to the CEA in coming years. The company's restructuring plans will be completed during the term of this agreement. In the next agreement it is more than time for the “workers dividend”, the Advocates said, reminding meetings that all members have a role to play in encouraging those who do not belong to join a union.

Another objective in this bargaining was no clawbacks. The company had some claims that fell into this category, such as freezing the grandparented night rate. Clawback claims were opposed during bar-



**"Before we start our wage negotiation talks, the lads would like to congratulate the chairman on his 83% salary increase."**





2017 PWUA bargaining team

gaining and the company withdrew them.

For Integrated Delivery Agents a number of claims were put forward to increase penal rates, meal allowances, stop compulsory overtime and the like. The company was not receptive to these claims. Consultation over the work arrangements affecting IDA's has not produced any change to company plans and in some of the IDA locations the new system is failing to deliver mail and parcels efficiently and profitably. This fact saw an important provision agreed that has the potential to fix the many problems associated with IDA.

## ENGAGEMENT CHARTER

Immediately after, if the CEA is ratified, a Charter is to be negotiated for a process of engagement to deal with issues confronting union members and the company. It is different from consultation because in the engagement process all parties are to use their "best endeavours to reach a consensus" agreement. The term best endeavours has a clear legal meaning and goes way beyond consultation where the employer's only obligation is to listen to your opinions before they do what they always intended.

In the meantime there are a number of ways that the problems with IDA can be pursued by the unions and members. The avenues are

- Continuing with the case that both unions have before the Employment Relations Authority about the safety of the company's current roster arrangements;
- Members can, if they are concerned about the safety of proposed rosters, carry a resolution to refuse to perform unsafe work. Such an action is lawful under section 84 of the Employment Relations Act, if carried out through the union;

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- The Employment Relations Act provides that overtime cannot be compulsory without employees being paid for their availability.

One claim that the company would not withdraw during bargaining was to delete the four day variation in the PWUA agreement. This provided that in Operations an individual's consent was needed before they had to work a 4 day roster. This was something the PWUA had but E tu did not. Although no offer was made on this claim by the union the company insisted it be part of their settlement offer.

The unions responded to this claim to try to strengthen the rights of members to have personal circumstances taken into account so as to be able to refuse to a roster change. There were changes agreed to in this area. The advice of both unions to all members is that where the company seeks to create a four day roster for those currently working 5 days, or some other change to hours, members have clear rights to refuse, provided they have a personal circumstance that makes a proposed roster change untenable for them.

Members are encouraged to use their rights and have them backed up by their union.

## End of a dinosaur

*At the end of the Post CEA negotiations Graeme Clarke was thanked by Terri Ann Schlaepfer (Northern District Organiser) for his 20 years service as PWUA Advocate.*

*Graeme Clarke responded reminding both the company and union bargaining teams of the very first negotiations in 1996. In these negotiations he told the NZ Post's advocate, soon to be Chief Executive John Allen, that the union did not agree*

*with his comment that an offer should be accepted as it was consistent with the market.*

*"I said to him that a market drives down wages, unions were formed to be a monopoly of labour so that the market did not prevail. John Allen refused to continue talking to such a dinosaur and got in another dinosaur - longstanding employer advocate Patrick Green - in his place," said Graeme nodding to Green across the table.*

# Union's begin campaign to retain bus drivers wages and conditions

**As the Wellington bus route tender closes the Unions begin a fight to secure the same wages and conditions for members who have to transfer to the new operators.**

In the carving up of the Wellington regions public transport network, Greater Wellington Regional Council (GWRC) have signed off new contracts with new operators Tranzit and Uzabus. In doing so they have failed to take into account our request that member's terms and conditions be transferred and have instead relied on the failed market driven approach meaning a company with an alleged poor record in industrial relations has been awarded the bulk of the network.

## NO CONSIDERATION FOR WORKERS

For the past 18 months the Tramways Union has been meeting with both elected members of GWRC and officials of that organisation in an attempt to protect member's terms and conditions of employment. It is now clear there was no intention whatsoever for this to be permitted. In the words of Dominion Post columnist Dave

Armstrong it's "Screw You" driver loud and clear from G W R C . Picking up the pieces then and taking seriously the words of GWRC

Chair Chris Laidlaw who repeatedly told the Tramways Union it should not have to work for less than its current terms and conditions, it sought an agreement for a meeting of the parties affected by the awarding of the new tenders, the parties being the new providers, the existing providers and the unions. It recognises that all the parties want a smooth, efficient and effective transfer to the new regime and the sooner that arrangements and agreements are nailed down to do that the better for all concerned. Failure to do so is likely to end in disaster. Given GWRC's overall responsibility for overseeing and implementing the transition it is entirely appropriate that they play an important role in bringing the parties together.

## RELUCTANT TO DISCUSS

It was somewhat surprising therefore that there was initially some reluctance by GWRC to meet on these terms, instead favouring a meeting of employers but excluding the unions. The Tramways Union advised GWRC

**tranzit**  
coachlines

*Tranzit the largest tenderer has said it will not bend to union demands*

that removing the unions from these discussions was unacceptable as there is no party more affected than our members. GWRC has consistently kept the Tramways Union outside of the process, initially through a secretive tendering process, and now, when the union have asked to be involved in discussing the transfer of staff. This is alarming and reveals much of what has been wrong with the process from the start. The union has no confidence in employers being able to effectively represent the interests of drivers. Nor do we have any confidence in GWRC understanding and supporting bus driver's interests in this process. It is imperative that the unions are present.

It is abundantly clear that throughout this process GWRC Councilors have not been well advised by their officials. They have been lead to believe the new providers have a record of being good employers. Illegal zero hour employment agreements and anti union rhetoric is not evidence of being a good employer. They have been lead to believe that the tender process would ensure that bus driver's interests were properly taken into account when in fact conditions facing bus drivers and



**greater WELLINGTON**  
REGIONAL COUNCIL  
Te Pane Matua Taiao

*The GRWC has shown a lack of consideration for workers in tendering bus routes*



support staff had practically zero impact on the tender outcome.

## POOR PROCESS

In a report to council dated 27th September 2016 councillors were told by General Manager Public Transport Wayne Hastie that GWRC is committed to ensuring good conditions for bus drivers. Nothing could be further from the truth as the tender process provided no mechanism to do that and the limited evidence that has come to light shows the decision has not done so:

- The only assessment of tenderers good employer credentials is their own word
- Lowering cost is given much greater weight in the evaluation framework
- A presentation given to councillors behind closed doors in May 2016 specifically states there will be no transfer of staff on minimum rates and conditions



**Wellington Regional Council has changed its public bus provider.**

**But they didn't protect our jobs and pay rates.**

**Now drivers face losing an average of \$200 a week each**

**You can help stop this.  
Show your support at:  
[together.org.nz/thankyou-driver](http://together.org.nz/thankyou-driver)**

*GWRC's decisions will mean drivers lose an estimated \$200 week to subsidise lower council costs.*

- The entire tender process has been undertaken without public scrutiny
- The Tramways Union has been expressly indentified as a risk to the process because we may be critical, and this has been used as a justification not to make information public
- The document eventually released to us following a request under The Official Information Act shows the self assessed "evidence" put forward by tenderers is meaningless.

## EMPTY PLATITUDES

Despite this GWRC keeps making public statements that staff interests are being looked after. Council Chair Chris Laidlaw has said "Tranzit had given councillors a commitment to employ as many bus drivers as possible from the regions existing Metlink system." This statement was simply based on a comment made by Tranzit Group to the Council at its meeting on 4th May 2017. GWRC does not have any record of a written statement confirming this comment, so is meaningless and window dressing of the worst kind. It is high time we move past the platitudes and weak promises, so a statement was presented to the GWRC Council meeting on Thursday 28th June. Our proposal simply asked once again that GWRC facilitates discussion between all the parties, so we can ensure that existing staff, will, with certainty, transfer without loss of pay and conditions and maintain service continuity. It is of enormous importance to members staffing the existing bus network that they be included.

Finally some progress: At that GWRC Council meeting of 28th June Council Chair Chris Laidlaw committed to bring together bus drivers, their representatives, the new employers and existing employers. This is what we have

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*Thank  
You  
Driver*



To find out more and stay in touch, visit and like  
[facebook.com/thanksdriver](https://facebook.com/thanksdriver)

*The tank you driver campaign has been launched to support the bus drivers*

wanted to date, so it's good news that GWRC have committed to facilitating this meeting.

## "THANK YOU DRIVER" CAMPAIGN

Some of you will already know about the online campaign we have running at the moment on Facebook called "Thank You Driver". For those members who can it is important to visit the site [together.org.nz/thankyou-driver](http://together.org.nz/thankyou-driver) and sign the petition and get your friends and family to do so. The petition will go to GWRC – it will be difficult for them to ignore the mounting public criticism. For those members not on facebook there is a members only site to protect your privacy, and be part of a group of members. None of the material on it can be viewed outside of that page. It is a very good site which continues to raise our campaign in a public profile. Please continue to give the promotional cards available in the depots to your passengers. Updates on activities will follow via email.

## Health & safety...

### Union members vote on safety strike

Members of the Postal Workers Union at a branch have voted on a strike motion that was carried unanimously concerning health and safety.

The motion deals with health and safety issues arising from the introduction of the Paxter delivery vehicle. A strike notice was issued to the company.

#### MOTION

The motion carried on 24 May said

*"Any member who believes that their ability to work safely is impaired by fatigue, pain or environmental conditions will immediately cease deliveries and return to the branch."*

Problems experienced by the Delivery agents who use Paxters include fatigue caused by the long hours and current roster pattern, the weight of the helmet that must be worn during delivery and the



*The posture required for reading mail addresses has caused injuries because of the weight of the helmet*

posture required to access mail during delivery, and lack of light to complete deliveries during winter.

There is currently a dispute that has been filed in the Employment Relations Authority about whether the current roster complies with the CEA provision that requires the design to minimise the potential for harm.

The original Paxter users have complained about the helmet in relation to delivery duties from the outset. While a suitable replacement seems to have been found there is no date for when it will be made available to all delivery agents.

NZ Post agreed to attend urgent mediation to try and resolve the issues. *(Continued over the page)*

### Company and director fined for incident that left a man a tetraplegic

**Disregard for employee health and safety left a worker a tetraplegic, and resulted in a total of \$386,300 in fines and reparation for a horticultural company and its director in the Pukekohe District Court today.**

Wai Shing Ltd and its director Franklin Wai Shing were each charged under section 6 of the Health and Safety in Employment

Act (1992) for failing to take all practicable steps to ensure the safety of its employee while at work. This followed an incident that left an employee paralysed from the neck down and requiring 24-hour care.

#### INCIDENT

The victim lay undiscovered and unable to move for several hours after he was struck on the back of the neck by part of a harvester - used to collect pumpkin and

squash - while he unloaded it from a truck in a remote location.

#### LACK OF TRAINING AND PROCEDURES

"Wai Shing Ltd hadn't followed basic health and safety management practices such as understanding and managing risks associated with using the harvester, despite using it since 1996," said Work-

*continued over the page*

# PWUA calls for immediate suspension of Paxter roll out

The PWUA has written to NZ Post calling for and immediate suspension of the Paxter roll out until agreement is reached over the safe operating procedures, and in particular the supplying of a suitable helmet.

The Postal Workers Union Aotearoa believes that NZ Post's obligations under the Health and Safety at Work Act 2015 require that the roll out of the Integrated Delivery programme be halted.

## UNSAFE WORK SYSTEMS

The ergonomic hazards presented by the helmet in current use and subsequent reports of pain, discomfort and injury mean that NZ Post is not able to "provide and maintain safe systems of work" a requirement under the law.

NZ Post already has reports from physiotherapists, HSIs (injury reports), PWUA reports to meetings of the Integrated Delivery Working Group (IDWG) and anecdotal

reports from posties about the ongoing hazards associated with the

Paxter.

## SPECIALIST REPORT

A report last year from a New Plymouth physiotherapist about problems with the helmet referred to "multiple cervical injuries sustained since the release of the the Paxter in June 2015"

After almost two years of delays which appear to have been partly the responsibility of a previous health and safety manager, NZ Post has now tracked down what may be a suitable replacement. However there is no date for the supply of the lightweight helmets to arrive from the German manufacturer.

There is also a pattern emerging of strains, sprains and potential long term health and safety problems which appear to relate to the meth-



*The PWUA is opposing the introduction of Paxters on a number of grounds including unsafe helmets*

od of footpath delivery chosen by NZ Post.

The Union says that its members will continue to face a number of hazards associated with Paxsters until safe operating procedures are agreed

## OTHER CONCERNS

On top of the helmet issue, Experts that the PWUA has consulted in both Australia and New Zealand have expressed their concerns about long daily work hours and the total hours required to be worked over 7 day periods.

They have said the mental and physical demands of the job combined with the working hours create risks to the workers and the community that have potential to cause accidents, injury, illness and fatalities

## Incident leaves a worker a tetraplegic (continued)

Safe General Manager Operations and Specialist Services, Brett Murray.

"In addition, the victim was inadequately trained in its use or transport and the company had no emergency plan to cover when a person is injured while working alone," Mr Murray said.

## EMPLOYER INTERFERENCE

The company was also charged under sections 25 and 26 after it

failed in its duty to notify WorkSafe after the incident, disturbed the incident scene and continued using the harvester that injured the worker.

It also failed to mention the incident two weeks later when WorkSafe inspectors visited on an unrelated matter. WorkSafe was only alerted to the incident nearly six months later by the victim's wife.

## NOTES

Wai Shing Ltd was fined \$37,500,

Mr Franklin Wai Shing was fined \$12,500, and the total reparations ordered were \$336,300.

The incident occurred on 10 March 2016.





# Annual Conference report

**The annual national conference of the union was held in May over two days.**

Delegates looked at cost issues caused as a result of the Kawerau Pulp and Paper Workers leaving the M&C Union. While income is down as a result our expenses have also reduced over the period. However some costs had to be cut and among other things the Union journal now called Kotahitanga was reduced to three from four publications per year, disaffiliation to IndustriALL was confirmed given that our membership in their jurisdiction were pulp and paper workers who are no longer with us, and the contract with Westlaw will not be renewed.

## DISAPPOINTED

Delegates were dissatisfied to hear the circumstances around the pulp and paper workers exit and

voted to delete the Kawerau pulp and paper workers from membership.

Delegates also confirmed investment for the web site and authorised Andrew Hamilton and the General Secretary to look into the development of the website and employ the appropriate organisation or person to do the work needed.

The districts and affiliates reported that membership was largely steady, with the southern sector advising of concerns about the difficulty of bargaining in Christchurch given the high

number of competing companies and a high volume of migrant workers.

The Tramways Union reported on the strategy being employed by bus drivers and workshop members to counter the loss of the contract for public transport to a new provider that pays substantially less than the current contracting companies.



*George Larkins was returned as General Secretary*

## Kotahitanga new name

**Conference delegates voted to change the name of the Union journal from M&C Workers News to “Kotahitanga”.**

Prior to conference some sectors of the Union discussed the current name with a view to change that reflected the purpose of a Union. Kotahitanga was decided as most appropriate as it accurately reflects what we do as a Union and what we stand for.

The term kotahitanga is used by Māori to demonstrate unity and solidarity. A more literal translation from a Union perspective is “TOGETHER WE ARE ONE”.

## M&C Union Canterbury District AGM

*The AGM will be held at 1.30pm 25 August at 68 Langdons Road  
Agenda: Minutes, Secretary's report, Financial Statements, Elections of officers.*

*Phil Yarrall District Secretary*

## M&C Union Wellington District AGM

*The AGM will be held at 11.00am 22 August at Trades Hall, 126 Vivian Street.*

*Agenda: Minutes, Secretary's report, Financial Statements, Election of officers.*

*George Larkins District Secretary*

## Furniture Manufacturing & Associated Workers Union AGM

*The AGM will be held at 11.00am 22 August at Trades Hall, 126 Vivian Street.*

*Agenda: Minutes, Secretary's report, Financial Statements, Election of officers.*

*Monica Tukaki Secretary*

Delegates discussed and gave consideration to affiliation to the CTU. Following robust debate delegates reconfirmed the position of M&C Union which is that affiliation to the CTU is a matter for each M&C Union affiliate to determine for itself. Current M&C members who are affiliated to the CTU are the Furniture Union, Postal Workers Union and the Tramways Union.

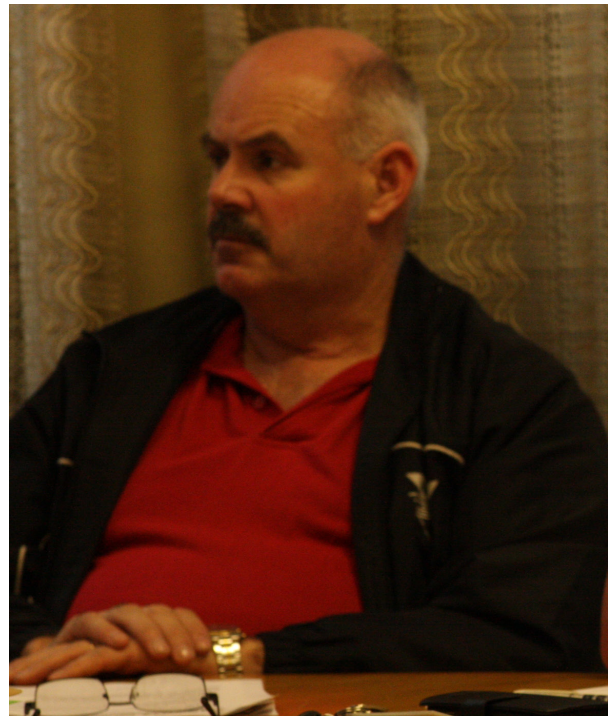
## DRUG TESTING CONCERN

Delegates highlighted a concern for all workers undertaking a drug test with TDDA. The form given to workers when undertaking a test authorises the sharing of the information gathered with future employers and client or customers of the employer. Delegates instructed that all sectors make

members aware of the need to look at such forms and to cross out/put a line through such authorisation or refuse to sign them if crossing out that information is challenged and to contact the Union.

The following were elected by delegates:

- President, G r e g Hopkins
- Vice President, Selwyn Cassidy
- General Secretary, George Larkins
- Accountant Andrew Hamilton
- Trustees, Monica Tukaki, Andrew Hamilton



*Greg Hopkins was returned as President*

# Union history project at Trades Hall

**Wellington Trades Hall Inc held its first AGM under its new rules that empower unions resident in the Hall to make all the major decisions about the building and its future.**

The AGM authorised borrowing up to \$300,000 to pay for earthquake strengthening at least up to the minimum required standard of NBS 34%. The building is currently assessed at 29%. If funds permit the AGM decided to strengthen up to the 67% standard as the next priority.

## UNION HISTORY

At the same time as the building is being strengthened it was decided to make the untenanted public parts of the building available for displays relating to union history. This project is to start with the naming of the rooms after trade unionists that used to work in the building. So far 14 rooms have

been named.

Once a room has been named eventually outside it will be a brief account of the person's role in the trade union movement and their contribution to establishing conditions of employment, many of which have been lost as a result of the Employment Contracts Act and subsequent legislation.

Displays of union memorabilia relating to international struggles, women's rights and Maori and Pasifika trade unionists will be put at the ends of corridors. On the ground floor it is proposed to establish a space for viewing union related films such as

"The Hatred Campaign" about the bombing of Trades Hall.

In the longer term, as resources permit, it is intended to restore the atrium in the centre of the building that used to allow natural light throughout the whole building, and establish a meeting venue that will be available for Wellington's unions to hold meetings.



*Toby Hill addresses a union demonstration in 1974 outside of the Employers Federation building - one of many union related photos that will be able to be put on display in Trades Hall with a narrative about the person and their contribution.*



# Fletcher's hardline provokes a long strike

**The strike at Fletcher Insulation Australia's Dandenong site in Victoria Australia had reached over 80 days in mid May when representatives of the workers came to seek support in New Zealand.**

On 17 February, 90 workers and members of the Australian Worker's Union (AWU) began an indefinite stoppage after negotiations with management failed.

## 4 YEAR WAGE FREEZE

The company's offer in negotiations included no pay rise for four years, the extension of the working week by three hours, and the removal of minimum staffing levels, which is a safety concern. The company intends to make unlimited use of casual workers and drastically reduce redundancy

provisions.

The last time the workers got a pay rise was more than a year ago and since then Fletcher's productivity has reached record levels, AWU secretary Ben Davis says.

## PRODUCTIVITY UP

"Production was up 20 per cent in the last quarter of last year, and yet only weeks later these workers are told they are not worth a pay rise for four years, and the conditions under which they have worked for so long will be done away with," he said.

"It is unfair, it is illogical, and it is impossible not to arrive at the conclusion this is an ideological battle."

Many of the 90 workers have been employed at the same site for more than 30 years, dating back to the days when it was ACI Glass. In the years since it was taken over

by New Zealand-based Fletcher, it was business as usual until the latest EA negotiations.

The glass industry standard is 35 hours of work a week. Fletchers is seeking to have this standard removed.

"There are other matters such as the unlimited use of casual workers, which raises concerns about job security, and drastically reduced provisions in the event of redundancy," says Davis.

## DEDICATED WORKERS

"This is an enterprise which has been successful because of the skill and commitment of workers who are now under attack by their employer. They had no alternative but to take a stand in the face of this attack on their rights and conditions."

The AWU had continued to attempt to negotiate in good faith on the issues but had met a brick wall.

"Negotiations are about give and take, but in this case Fletcher is only interesting in taking," Davis said.

The visit to New Zealand coincided with collective agreement negotiations with NZ Post. PWUA and E tu negotiators left their negotiations for a couple of hours to support a protest



*Members of the Australian Workers Union employed by Fletcher insulation picket the factory during the prolonged strike*



## Peaceful protest fined

**The Australian Federal Court ruled in May 2017 that the CFMEU should be fined for holding a peaceful protest on the Perth Children's Hospital construction site in 2013, four years after the event.**

One of the officials fined, CFMEU Construction Division Secretary, Dave Noonan said today that the fines should be a serious concern for every Australian worker.

"This case relies on laws that unions have been campaigning against for over a decade."

"We have a situation in Australia where a Chinese company engaged to build state Government

infrastructure can import asbestos laden building products and threaten to sack workers who want to leave when the alarm is raised."

"They can tighten the screws on subcontractors through predatory contracting arrangements to the point where they feel they have no way out but suicide."

"They can build "firewalls" that don't meet Australian standards and won't contain fires."

"The ceiling can collapse, the water pipes can be full of lead, all on a children's hospital, no less, but God forbid the workers have a peaceful protest!"

53 union members were also fined over a thousand dollars each for attending the peaceful protest.



*Graeme Clarke addresses the solidarity picket at Fletcher's HQ*

picket in front of Fletcher's head office where a delegate attempted to talk to senior management who were too busy to do so. The picket heard speeches from the striking workers and union officials from Australia and New Zealand and a rousing rendition of "**Solidarity Forever**" was sung.

IndustriALL the global union urged Fletcher Building to intervene at its subsidiary to guarantee the company's return to the negotiating table with AWU to achieve a fair outcome.

IndustriALL Global Union is ap-

palled by the uncompromising stance of Fletcher Insulation Australia, failing to engage in fair negotiations with the union, said IndustriALL General Secretary Valter Sanches, "they are pursuing an aggressive policy that will seriously undermine the workers' fundamental rights and benefits." The Executive Committee of IndustriALL Global Union adopted a resolution in May condemning the aggressive anti-worker behaviour of Fletcher Insulation, and pledging to launch a global solidarity campaign.

***"It's the same the whole world over..."***

Workers participating in a weekly protest were baton charged by Indonesian police. The workers have been holding this regular protest as part of a long dispute. In 2012, over 1,000 women workers were summarily dismissed by the Victory Chingluh Indonesia and Panarub Industry companies. These workers were producing for the sports companies Adidas and Mizuno. They were never paid the wages they were owed or any severance pay.

## STRIKE DECLARED ILLEGAL

In early April around 1,000 workers at Apollo, a major tyre producing company operating in India's Chennai, went on strike for the right to form a union and to improve wages and conditions. The local government quickly intervened to declare the auto sector as essential and the strike illegal. Such government attacks are becoming increasingly common.

## WORKERS THREATENED IN VOTE

Turkey voted in a national referendum to grant the President more power. The referendum was held in a tense climate with a state of emergency in place. In the last few days leading up to the vote officials from the ruling AKP party threatened workers with dismissal or the withdrawal of social services if they did not support the referendum.

## ***Union urges: Ensure you are enrolled to vote in the 23 September General Election***

If you are not on the electoral roll you can't vote in the 23 September General Election.

Getting on the electoral roll is simple. Google *Register to Vote NZ*. You will be able to choose *Enrol, Check or Update Now!* Electoral Commission -

*Elections NZ*.

At this site it is easy to check if you are currently on the electoral role. If you are on the roll and your details are correct nothing more is required - you will be able to vote. If your search reveals you

are not on the roll then you must fill in a registration form and return it by **FREEPOST**.

The registration form can be printed from the website. If you don't have access to a printer **ASK THE UNION TO PRINT THE FORM FOR YOU**.

## **Inequality the issue of this election**

**The most important issue in this election is putting an end to the growing inequality in New Zealand.**

Since 1987 inequality has grown. New Zealand now has the second greatest level of inequality amongst developed countries, behind only the USA.

### **IMPOSSIBLE DREAM**

New Zealand used to have a high level of social equality. Home ownership was not an impossible dream as it is today for young working people in the main centres. Our children did not need to be given handouts at school from charities - we used to give kids their own lunch to take to school. There weren't beggars in the

streets.

Inequality has grown as governments have increased competition in the economy, especially in the labour market. Union rights have been reduced and along with that so have the comparative living standards we used to enjoy.

No mainstream party yet has a comprehensive political platform directed at reducing inequality. But some have clearly identified themselves as happy with the way things are, or have policies to make it worse.

### **TAX CUTS MEANS MORE OF THE SAME**

Any political party proposal for tax cuts puts that party in the inequality supporters camp. While it

sounds attractive, keeping more of your pay, the big beneficiaries of tax cuts are always those on higher incomes. The cost of tax cuts is ongoing controls on social expenditure - education, health care, provision of state housing, and so on. The cost of those controls is met from household budgets paying more for health care, higher rents and education costs.

### **VOTE TO GET CHANGE**

The union urges members to vote. Even if the polls suggest a National victory and no change by not voting that is guaranteed. The more who vote, the more likely we are to achieve a result that does not leave working people out.

Issue number 1 of "Kotahitanga" was prepared by the National Office of the Manufacturing & Construction Workers Union.

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The articles published in *Kotahitanga* are not necessarily the same as the policies of the union