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July 08 Newsletter - Southland Members

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### **Flexible Work Arrangements**

An amendment to the Employment Relations Act (Flexible Working Arrangements, July 1 2008) allows workers who care for others to ask for flexibility in their hours, days or place of work – arrangements such as flexi-time, home-working, career breaks, term-time working, altered hours or job sharing. Provided that you have responsibilities of care for any person, you have worked for your employer for at least six months and there is nothing in your employment agreement that clashes with your request, you may write to your employer requesting flexible work arrangements.

Your employer has to consider your request. If your request is turned down you may try to reach a compromise with the employer – Awunz can help you if you think your employer has not complied with the Act. Remember the web site?

[www.ers.dol.govt.nz](http://www.ers.dol.govt.nz)

### **ACC**

More than 400,000 workers in casual and seasonal employment stand to gain improved compensation cover if they are injured under a Bill that was expected to have its second reading 17 June. The improvement in cover for casual and seasonal workers comes about by basing long term weekly compensation on 'earning periods' rather than on the 52 weeks before the injury occurred.

Under current law most workers are not eligible for weekly compensation if they are between jobs or are otherwise on unpaid leave and are injured more than 14 days after stopping work. It is intended to extend eligibility for weekly compensation to 28 days after stopping work.

### **Politics**

National if it becomes Government intends to 'privatise' ACC, as it did in 1999. Big insurance companies and their shareholders will demand fat profits at the expense of workers whose claims will likely become even harder to achieve. Worker people in the seventies NZ wide agreed not to accept a general wage increase to enable ACC to be established. Some companies currently operate ACC 'in house' through private providers, an overhang from the last National Government, and we often hear from workers who have been put through the 'claims ringer' on matters which would have been less demanding through ACC.

## **Collective bargaining**

The March quarter CPI (consumer price index) was 3.4% and it is predicted that the June quarter will be 4.7%. A rise of 1.3% in 3 months! Wage claims need to reflect at least the CPI increase, anything less means workers are losing wage and living cost relativity. An annualised CPI 'average' wage adjustment mechanism needs to be included in collective agreements for employees who bargain when the CPI is lower than the annualised CPI average.

### Bargaining in progress (current)

- Family Works (bargaining nearing completion)
- AG Hoffman
- Allied Concrete
- Andrews Trans
- Firth Certified (bargaining concluded)
- Fulton Hogan Southland
- Ingill Passenger Trans
- Northern Southland Trans
- Southern Trans

This years bargaining round is characterised by employers genuinely arguing that rising operating costs have limited their ability to increase wages. While members factor this into their wage claims employers are reminded that employees, unlike employers cannot 'pass on' increased operating (living) costs.

### Integrity of collective bargaining

It's true! Employees on individual agreements where a collective agreement also operates rely on those bargaining the collective for their wage increase. Union members set the benchmark and employers pass this onto non union members.

I'm talking to members about this problem and have developed a strategy to limit free loading 'workmates' ability to gain the benefits of the collective without any form of contribution. This may mean removing the very thing free loaders rely on, the collective, and demanding employers negotiate individually with each of our members. This isn't what we want and places huge demand and workloads on the union but if that's what it takes; so be it. There's an alternative and I'm talking to members, employers and employees on individual agreements about this; what is proposed is a 'common good' collective for all employees to achieve at least the annualised CPI while enabling second tier bargaining on individual terms and conditions.

## **Personal grievances**

Cases currently include; constructive unjustified dismissal, unjustified dismissal, failure to pay wages and holiday pay on termination, bullying, unsafe working conditions and failure to follow lawful instructions. Cheers Owen J.