



# MARITIME ALERT

Ports of Auckland dispute 7 September 2012

## Update to MUNZ members at Ports Of Auckland Limited

## YARD FOREMAN POSITIONS



MUNZ was advised by POAL on 31 August 2012, that POAL intends to proceed with their proposal to do away with yard foreman, and the "as required foreman" position. We were initially advised that POAL intended to implement this decision from Monday 10 September 2012.

MUNZ made submissions during the consultation process that the yard foreman and "as required" foreman positions are necessary for the safe operation of the port, and that the removal of these positions undermines the current bargaining for a new Collective Agreement. The union has submitted strongly that work covered by the Collective Agreement should be completed by stevedores who are members of the union. The union will not leave the POAL decision unchallenged, and will be seeking an urgent Court hearing so that this issue can be addressed.

The union, as it is required to under the Employment Relations Act, invited POAL to attend mediation as soon as possible. A mediation took place on Friday 7 September 2012. The matter was not resolved at mediation. However POAL representatives agreed to delay implementation of the change to enable MUNZ to file proceedings. The delay is until at least Monday 17 September 2012.

I am aware that many of you are wondering what is happening with the dispute and are concerned at ongoing problems at the Port.

As you will be aware your collective agreement remains unsettled despite our desire and best efforts in negotiations in Facilitation.

The process of bargaining in Facilitation is confidential to the parties which is why there hasn't been much said publicly and why some people think the dispute is over. We have met in Facilitation numerous times

I know you have continued working professionally on the port against a backdrop of tension on the port and a strong sense that you as union members are being treated differently than non-union workers. This newsletter is to let you know where we are with a number of elements of the campaign to settle your collective agreement.

Rest assured there is a lot happening and we will continue using all of the avenues available to get POAL to settle a fair collective agreement that provides you with job security and enables the Port of Auckland to continue to operate successfully for the people of Auckland.

With your continued support the Executive and I will do whatever is necessary to achieve such a settlement. If you have any questions or comments do not hesitate to let us know.

In solidarity,

**Garry Parsloe**  
President Local 13  
Maritime Union of New Zealand

# P32s

MUNZ is awaiting a date to be allocated for the P32 case by the Employment Court. A date has been sought by POAL and MUNZ. We expect a date to be allocated by the Court within the next few days. We will confirm as soon as this matter has been set down by the Court.

## Casuals and additional shifts for permanent stevedores

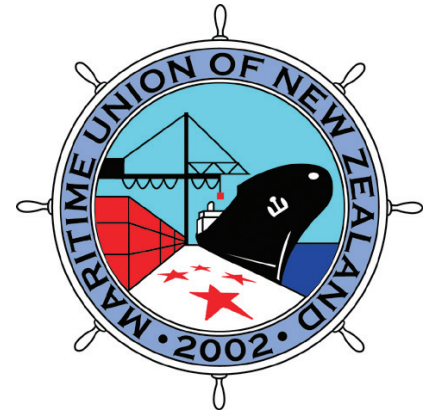
The union is also being approached continually by permanent stevedores, who are complaining that they are not being provided additional shifts, and by union casuals who say they are being provided with very few shifts, and on some occasions, no shifts in a week. The union met with casual members on Tuesday 4 September 2012, to discuss these issues, and met with POAL to discuss on Wednesday 5 September 2012. MUNZ will file legal proceedings on an urgent basis, in relation to the rostering of casuals. Please provide to your delegates, any examples of failure to allocate shifts. The union is aware that members have many legitimate concerns about the actions of the company at this time. The union is addressing those concerns, and will come back to you as soon as there is further information to report. In the meantime, please feel free to discuss these issues with your delegate, or approach the union office to discuss this with the full time union officials.

## STATUS OF CEA AFTER END OF SEPTEMBER

You may be aware that the Collective Agreement finally expires on 30 September 2012, which is now only a few weeks away. The effect of the Collective Agreement expiring is that all members will continue to be engaged on terms and conditions of employment that are based on the Collective Agreement. The only change will be that POAL would not be obliged to offer the Collective Agreement to new members. The expiry of the Collective Agreement need not be the cause of any concern by members. However, obviously it is best for all parties to conclude a new Collective Agreement as soon as possible.

## FACILITATION

The union is committed to the facilitation process through the Employment Relations Authority. We will provide you as members with more detail in a confidential newsletter after 12 September.



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## HOLDING POAL TO ACCOUNT

While the process of Facilitation is confidential it does not mean we cannot talk to the public and the Auckland Council about the ongoing dispute. We have been working to ensure that the full story of this dispute is told and in particular that there is greater accountability and transparency. Ports of Auckland is a publicly owned port. It is owned and managed on behalf of Auckland Council (on behalf of Aucklanders) by the Council Controlled Organisation – Auckland Council Investments Ltd (ACIL). The costs of the dispute and the legal and reputational risks of the dispute are very high and yet there has been little apparent scrutiny of these matters.

We have written to ACIL and will be ensuring the Council knows what is happening with the dispute. We are also pushing for a public apology and appropriate action for the privacy breaches that took place earlier this year. Over the next few days hundreds of individuals and groups will receive a copy of the booklet 'The Wharfies Story' which outlines events around this long standing dispute. We will be asking for their continued support. If necessary we will find other ways to get your story out to the wider public. You will also get a copy of 'The Wharfies Story' If you have any concerns about any of these issues please feel free to discuss them with your delegate.