

Collective Agreement expires 31 March next year

The PWUA calling for claims for the next Collective Agreement

Claims forms being sent out with this issue of Redback can be used by union members to advise the union officials of improvements or changes that members would like to see in the next Collective Agreement (CA).

Union members are encouraged to discuss their ideas for claims with their colleagues and have any claims sent to the union offices by Friday 7 February. The union will do another call for claims in mid to late January.

The current Collective Agreement which ran from 1 April 2017 expires on 31 March next year. Negotiations for the next CA will begin in late February and run into March.

A Collective Agreement Working Group made up of representatives of NZ Post, the PWUA and E tu has been working through how the changes to

the Employment Relations Act (including changes to rest break entitlements) and the Holidays Act may require changes to the CA to keep them in line with any changes to the law. The union is working to ensure that there is no loss of entitlements by any proposed changes to the CA.

The PWUA has found the work of the Collective Agreement Working Group to have been a constructive forum for identifying issues which may otherwise have caused unnecessary and frustrating delays during the negotiation process.

The new CA will not be agreed to by the union negotiating team until a proposal for a settlement is taken out to union members on their work sites to vote on in a process called ratification.

Toilet breaks are not rest breaks

A few Delivery Agents on Paxsters have been told by their management that any time taken interrupting their delivery when it has been necessary to travel to a toilet and back is to be taken out of their break time.

Under the now rundown Work Measurement System a specific time was allocated for toilet breaks, filling water bottles and other tasks.

Nothing has changed about the rights of postal workers to take toilet breaks or travel to find toilets during their working day. The instruction to deduct this from DAs' rest time may be isolated to just a few cases, but DAs who may have been given such an instruction are asked to alert their local union organiser.

Some DAs have said that they don't believe that the same management would deduct toilet or smoking breaks from their own rest breaks.

PWUA tracks down bank account details of Malaysian scammers - union's complaint forwarded by NZ Police to Interpol

Last month TV3's 6.00pm NewsHub ran a PWUA story warning people of the on-going Malaysian mail scam.

After the programme the PWUA got a phone call from a person who was about to pay almost \$2,000 into a foreign bank account as a first instalment to have his US\$220,000 "2nd prize" "released" to him. The TV news report showed the white C5 envelope with its colourful Malaysian stamps and the letter's contents which included a scratchie "2nd prize" of US\$220,000.

The NZ Police is aware of the same scam defrauding New Zealand residents of at least \$1.7 million in 2013 and an example of further scamming in 2016 with one case of a person paying three instalments totalling \$18,000 before realising she was being scammed.

A PWUA organiser on annual leave in Malaysia last year decided to try to track down the office of the scammers to "collect" his own US\$150,000 prize and, finding the address on the ticket

to be nonexistent, proved it was a scam operation.

The person alerted by the TV3 news report sent the PWUA the documents he had received from the scammers assuring him that his prize money was now being held for him in a Malaysian trust account awaiting his payments to the scammer's bank account before his prize would be "released" to him.

The name, address and account number of the scammer's bank has been forward by the PWUA to the NZ Police Fraud Squad which has in turn forwarded the scammer's details to Interpol. The PWUA had already made a formal complaint to the Commissioner of Police which is being followed up by the Fraud Squad.

Interpol will be forwarding the PWUA complaint and accompanying documents to the Malaysian Police for them to investigate.

The PWUA had made its formal complaint to the Commissioner of Police because NZ Post was continuing to instruct posties that the

scam mail was to be "delivered as addressed".

In a further effort to protect residents from being scammed the PWUA met with representatives of the High Commission of Malaysia which agreed to follow up at the Malaysia end once the PWUA showed evidence of having made a complaint to the NZ Police.

Not happy about NZ Post's failure to take any action to alert residents to the scam some posties have used their own initiative and spoken to rest home managers to alert them to the scam.

The PWUA has already spoken with Grey Power, the Retirement Village Residents' Association, the Retirement Villages Association and the NZ Aged Care Association. The PWUA has sent them all information for their newsletters including colour pictures of the scam letters and contents.

The PWUA will continue its campaign to protect customers of NZ Post from being defrauded of large amounts of money which may by now have totalled millions of dollars.

PWUA wants paid meal breaks reinstated for inside Delivery staff “transferred” to Operations

As a result of vigorous discussions during this year NZ Post has agreed to reinstate the paid 30 minute meal breaks to grandparented employees who have been continuously employed in Operations since 2016.

However the company is refusing to do the same for grandparented employees whose inside jobs have been moved from Delivery to Operations. Union members believe that these employees should also receive the benefit of the grandparenting of the paid break. The clause is P16 on page 84 of the 2017-2020 Collective Employment Agreement (CEA).

Clause P16 first appeared in the PWUA Collective Employment Agreement in 2016. However between the union members’ ratification of the 2016 CEA and the company organising the printing of the CEA, NZ Post changed

the wording of clause P16 in the CEA. The rewording of the clause is not what was agreed to in the bargaining between the union and the company in 2016, and is not the wording that was ratified by union members during the ratification voting in 2016.

The incorrect wording was then passed into the current 2017-2020 CEA without any further discussion.

Since late 2017 increasing numbers of PWUA members who work in Delivery have been disadvantaged by the current wording when the company has renamed their jobs as “Operations” even though they work in Delivery branches, and has denied them a daily paid 30 minute meal break.

The union is seeking legal advice as to how to secure the rights to the paid meal break that these inside members thought they had ratified in 2016.

Overtime back pay for Delivery Agents

All current Delivery Agents should have received backpay owing to them on 11 December following the Determination of the Employment Court of 11 September this year.

The Court determined that DAs do have daily rostered start and finish times - they must be paid for all their rostered hours each day and their overtime must be calculated on a daily basis.

Overtime is paid at normal hourly rates until rostered hours plus additional hours total 40 in any one week, and overtime beyond 40 hours in a week is paid at time and a half.

NZ Post has recalculated the pay for every DA since they first became DAs. The amount owed varied considerably between individuals, with some DAs

receiving little or nothing while others received a substantial sum.

Any DA who wishes to check how their payment was calculated can ask their team leader or manager to request a print-out from Paysite to be sent to the DA.

The PWUA appreciates that NZ Post has calculated and processed these payments promptly, enabling DAs to receive the money owed before Christmas.

It appears that some DAs who are not PWUA members are unaware that they have received this backpay because of the work of the PWUA. It was the PWUA which filed legal proceedings against the company and was successful in arguing its case.

**Postal Workers Union
of Aotearoa**
Website: www.pwua.org.nz
(Northern)
(pwua.northern@gmail.com)
Freephone 0800 224 611
Organiser 021 798 244
(Southern)
(pwu@tradeshall.org.nz)
Wellington: (04) 385 8264
Freephone: 0800 469 798
Central North Island: (06) 952 3738
Nelson: 0800 469 798
Canterbury: 021 679 673
Otago: 022 353 0408
Southland: 022 353 0408

DAs can be released early from work

The company has agreed that it must comply with clause C37 of the Collective Agreement (page 21) by allowing employees “an early release from work when local business and delivery requirements have been met.”

Any DAs who are still being required to remain at the branch without any specific business or delivery duties can contact the union office for assistance to resolve the matter.

PWUA organising DX Mail employees

DX Mail posties and administration workers are now working under their second Collective Agreement which expires in April next year.

The PWUA began organising DX Mail employees in 2016 to provide them with the protection of a Collective Agreement and to stop employers competing with each other by providing lower wages for postal workers.

REDBACK is published by the Postal Workers Union of Aotearoa ♦ Trades Hall, 126 Vivian St, Wellington 6011 ♦ pwu@tradeshall.org.nz



I hereby appoint the Postal Workers Union of Aotearoa incorporated to be my authorised representative under Sections 18 and 236 of the Employment Relations Act 2000. For the purpose of this authority any duly appointed representative of the PWUA is empowered to act on my behalf in any matters related to or arising out of the negotiation and application of any Employment Agreement or any other matter relating to my employment at my request. This authority shall continue in force until revoked by myself, giving two weeks notice.

Name (PLEASE PRINT).....
Signed..... Date...../...../..... Appointment No.....
Employer..... Site.....
Department..... Position.....

Home Address.....
Suburb..... City..... Post code.....
Phone..... Email.....

**Deduction Authority for
Postal Workers Union of Aotearoa (Northern)**
I authorise my employer to deduct:
 \$5.95 per week when I am employed for 30 or more hours per week, or
 \$2.95 per week when I am on-call, or employed for less than 30 hours per week from my pay and credit the Postal Workers Union of Aotearoa Northern District.
 Please stop any other deductions from my pay to any other union.