

Postie branches found paying lesser hours to some on-calls

Rotorua and Tokoroa on-calls were not being paid the full rostered hours for the rounds on which they worked. They also did not have their hours of work specified before they started work on any particular engagement. On occasions where on-calls were called in and completed all the duties of the absent workers, they were paid fewer hours than the full-time permanent postie they replaced.

The PWUA took a case against Post's failure to pay on-calls correctly to the Employment Relations Authority (ERA).

During the ERA hearing the Rotorua Mail Centre Leader stated on oath that Rotorua on-calls were never called in to cover absent permanent posties. This statement is not correct - on-call posties in Rotorua have been used to fill in

for permanent full-time posties.

The PWUA is insisting on the rights of on-call posties set out in the Collective Employment Agreement. Important clauses include:

- M8 - the definition of an on-call.
- N2 - the standard daily hours.
- N7 - the requirement to work reasonable overtime.
- N16 to N20 - the requirement that all posties, including on-calls, must complete their delivery for the day (provided that this does not incur unreasonable overtime).
- I3 - conduct and performance expectations.

While the PWUA awaits the ruling of the ERA, other on-call posties who may not have been paid the correct number of hours can contact their nearest PWUA office.

Sports physiotherapist reports on problems with postie bikes

A report by a Christchurch Sports Physiotherapist has identified a number of problems with the configuration of the postie bike he examined.

The PWUA commissioned report has been sent on to Post for comment before further discussion between Post, PWUA and the posties concerned.

Two years ago three Aranui posties raised their concerns about the configuration of the new geared bikes with Post. Their concerns at that time included:

- Heavier bikes which were less manoeuvrable and more difficult to load on and off car bike racks.
- Lack of leg extension and problems with knees from the higher cranks.
- Any higher seat arrangement to allow for fuller leg extension when pedalling causes instability when the rider stops with one foot on the ground.
- More weight on the front wheel.
- A half circuit of pedalling slack on 5 speed bikes.
- Lack of flexibility in bike configuration to allow for various body sizes.

- Riding with the torso leaning too far forward.
- Tilting back of the neck to gather mail from the front pannier.

In his report the Sports Physiotherapist made the following points:

- Rider sitting too far forward adversely affecting quadriceps, hamstrings and gluteal muscles.
- Seat height set too low so rider could remain seated while foot touched the ground when stopped. However legs bent when pedalling added pressure to the kneecaps.
- A lower bottom bracket would allow the rider to be closer to the ground at a reasonable bike seat height.
- Riding technique could include not pedalling through corners - the outside pedal should be down to better balance the bike and minimise the risk of clipping the inside pedal on the ground.

Biking posties are invited to send any comments or suggestions to the Wellington PWUA office at pwu@tradeshall.org.nz or contact their local PWUA office.

Postie Grade 3 rejection decision to be reviewed

In February last year the PWUA lodged an application to the Job Evaluation Committee (JEC) for posties to move from Grade 2 to Grade 3. Posties already had 260 of the 280 points needed to move to a higher grade. Grade 3 is paid 13% higher than Grade 2.

The JEC decision made on 18 April 2008 moved the posties up to 270 points, but still not enough to get to the 280 points needed for Grade 3.

Of the ten factors being considered by the JEC there was some disagreement among the JEC members about the scoring of two of the factors measured to establish the grading of jobs. The PWUA request to appear before the JEC in support of its submission had been ignored by the JEC.

Supported by a petition of more than 800 posties, the PWUA then wrote to Post seeking a review of the JEC decision under clause L70 of the Collective Employment Agreement.

However Post refused to conduct the clause L70 review. The PWUA then filed a case in the Employment Relations Authority alleging Post had breached the CEA.

Following mediation at the Department of Labour agreement was reached between Post and the PWUA to develop a process by which Post would review the JEC decision.

Post says this is the first time that a decision by the JEC about the grading of a job has ever been challenged.

The agreed process for review that will now be followed is:

- The PWUA's written submission will be sent to the chair of the JEC and the EPMU national postal coordinator for comment.
- The Reviewer will be the Employee Relations Manager Patrick Greene. He will invite both the PWUA and EPMU to be represented when the PWUA submission is presented.
- If the Reviewer decides there has been a sufficient breach of due process; or that all relevant information was not taken into account; or the decision is unable to be justified on the facts; the matter will be referred back to the JEC to undertake a new evaluation as a fresh application.

Know your CEA

Keep your (t)shirt on!

The PWUA has received reports of posties being told to take their t-shirts off at work. Their team leader claimed that they were not wearing their uniforms "in the correct manner, at all times".

However these were t-shirts being worn *under* the uniform, with perhaps one or two centimetres of the top of the t-shirt showing above the uniform top.

The posties were issued with letters calling them to disciplinary meetings.

Clause N14 of the Collective Employment Agreement requires that "Those issued with a uniform are required to ensure that the uniform is worn in the correct manner, at all required times". The company does not provide underwear.

On one occasion a postie was ordered to take off what the team leader thought was underwear but which was a company issue patterned thermal.

The PWUA is puzzled as to why posties are being ordered to remove items of underwear while working in the office when team leaders are not required to wear any uniform - even when team leaders have dealings with customers who come to the office door.

The PWUA encourages posties who are ordered to remove t-shirts to refuse to do so. An order to remove items of underwear is not a lawful instruction.

The PWUA is interested to know of any examples where disciplinary letters and threats of discipline appear to be being used to bully and intimidate workers.

Same job — but paid \$100 a week less

A full-time postie was recently found to be working at Post for about \$100 a week less than other posties directly employed by NZ Post. One delivery round in a small delivery branch had been contracted out to a company called Customised Deliveries Ltd - which already provided overflow bag delivery for Post in some areas.

The postie concerned had no guaranteed hours of work even though her round was measured at 37 hours 40 minutes. She did not get the sixth shift allowance. Because she was not directly employed by Post, she was not covered by the NZ Post Collective Employment Agreement (CEA).

The postie concerned wore a Post uniform, worked at a sorting case alongside other Post employees and worked in exactly the same way as the other posties. She was trained by Post's own posties who also helped to replace her when she was off work.

Until she joined the PWUA she was not a member of a union.

The PWUA is also talking to DX posties about joining the union. Some DX posties are starting on the minimum wage - \$12.50 an hour - and without a guaranteed number of hours of work.

The low wages and inferior conditions of work for DX posties will add to pressure on NZ Post to compete by holding wages down.

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Post appeals ERA ruling on union access to Mail Centre

The decision of the Employment Relations Authority in August in favour of the PWUA on union access to the Wellington Mail Centre has been appealed by Post.

The appeal is expected to be heard in the Employment Court in Wellington in the early part of next year.

The main issues heard in the Employment Relations Authority included the right of union organisers to have lawful access to members on the job, and the rights of union organisers and delegates to distribute copies of Redback.

(For further information see Redback issue August 2009).

PWUA donations for EPMU members at Telecom

An expression of appreciation has come from the EPMU for those groups of PWUA members who took up collections for the EPMU telephone engineers in dispute with their employer in Auckland and Northland.

(See Redback issue 77 August 2009).

The EPMU is in continuing talks to allow those employees who do not want to be forced into 'dependent contractor' status to be kept in employment as salaried workers.

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POSTAL WORKERS UNION OF AOTEAROA (NORTHERN)

14 Ahiriri Ave, Avondale, Auckland 0600

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

Branch

Home Address

Home Phone

Deduction Authority for Postal Workers Union of Aotearoa (Northern)

I authorise my employer to deduct

\$4.26 per week when I am employed for 30 or more hours per week, or

\$2.13 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.