

“Multi-run Delivery Partners” — the PWUA joins the dots

The PWUA has been given a document - not by NZ Post - setting out the company's plan for contract couriers to be organised into groups of up to six couriers working as employees for a new class of super contractors - Multi-run Delivery Partners.

The PWUA has joined the dots with NZ Post's plan to 'test' the use of courier vans to gather data on the delivery of mail and parcels in February next year. The senior management had not discussed with the PWUA the management's intention to use contract couriers to deliver the mail.

Like all courier companies, and the union movement, NZ Post is aware of the outcome of the court case *Leota vs Parcel Express Ltd* where a contract courier was declared by the Employment Court to be an employee and not a contractor.

The Employment Court determined that the "nature of the relationship" outweighed the contractual description of the employment status. (The contractor was effectively an employee without the rights set out in labour law.)

NZ Post's new "Multi-run Delivery Partners" are 'super contractors' being selected by NZ Post to be the employers of up to six other couriers.

Unlike the case where the Parcel Express contract courier was declared

to be an employee of Parcel Express and not a contractor, NZ Post appears to be trying to prevent most of its contract couriers from similarly being reclassified as employees of NZ Post.

While NZ Post likes to call the current individual Courier Post contract couriers its "partners", the PWUA believes that because of the dominant control NZ Post has over the couriers and their contracts, the nature of the relationship as experienced by many of the couriers is less one of a partnership and more one of master and servant.

Many of the current contract couriers may find that when their rolling three year contracts are not necessarily renewed by NZ Post, that they will have no alternative but to become the employee of a super contractor if they want to remain in the industry.

Instead of NZ Post couriers becoming employees and protected by the PWUA Collective Agreement, the employees of super contractors can expect to be lucky if they receive more than the legal minimum wage, \$4 to \$5 an hour less than Delivery Agents.

The PWUA will be vigorously opposing any attempts by NZ Post to replace company employees with contractors' employees to effectively deunionise its delivery network.

PWUA petitions Parliament to inquire into NZ Post's mail service

The PWUA has been invited by Parliament's Petition Committee to write a submission about the Union's concerns about NZ Post's mail service.

The Petitions Committee has asked the PWUA to give the Committee background information about the petition and the details about what the PWUA members want to achieve by the petition and why.

This follows the PWUA petition signed by union members being formally introduced to the House of Representatives at 2.00pm on Tuesday 18 October.

The PWUA petition calls on the House of Representatives at Parliament to inquire into the mail service:

- to review the reliability of NZ Post's mail service, and
- whether the service needs more funding

The petition sets out the PWUA's reason for the petition:

- the continuing deterioration of the quality and reliability of NZ Post's mail service
- the persistent understaffing
- the frequent inability of NZ Post to meet its obligations to provide mail deliveries at least three times a week to 99.88% of all delivery points
- the public's loss of faith in the reliability of NZ Post's mail service.

Written submissions are usually published on Parliament's website after they have been released by the Petitions Committee.

The closing date for the PWUA submission to Parliament is 11 November.

\$50.00 grocery vouchers for union members before Christmas

PWUA members who joined the union before 12 August 2022 (the ratification date for the 2022-2025 Collective Agreement) will receive a \$50 grocery voucher from the PWUA in November this year.

The PWUA intends that, if the \$2.00 per member remittance funds are not required in future to protect the rights of union members, then grocery vouchers will be distributed to PWUA members at 6-monthly intervals, provided the employees have been PWUA members for at least 6 months.

The vouchers will be funded from the 'union member remittance' of \$2.00 per PWUA member per week which is paid to the PWUA by NZ Post. This amount was agreed between the company and the Union at this year's negotiations for the current Collective Agreement.

PWUA successful in Living Wage campaign

From the date of the ratification of the new 2022-2025 Collective Agreement (12 August) all pay rates at NZ Post are above the current Living Wage rate which is \$23.65 from 1 September.

The lowest rate in the Collective Agreement is now \$24 an hour.

The PWUA had set the attainment of the Living Wage as a priority for this year's wage negotiations.

While the Living Wage is reached by agreement between the parties in negotiations, it is not a pay rate set by the Government - the legal Minimum Wage since 1 April this year is only \$21.20.

The Living Wage is set by a research project set up by representatives from three sectors in society - community groups, faith based groups (churches etc) and unions.

The cost of the annual Living Wage research is around \$40,000 a year.

The PWUA will be making a donation of \$1,000 to Living Wage Aotearoa in recognition of the invaluable assistance the Living Wage Movement plays in helping unions, and the PWUA, to get the Living Wage for their members.

Union and senior management misled about mail carryovers in delivery branches

Mail Performance Delivery Branch Carryover figures presented by senior management to a GM/Unions Forum at the end of each month are not accurate.

For more than two years the PWUA has been trying to get NZ Post to ensure the accurate recording of the significant volumes of mail which becomes "carryover".

Carryover mail is:

- 1 Mail taken out for delivery but returned to the branch because the postie was assigned too much mail
- 2 Mail returned undelivered following instruction to the postie to stop delivering mail to ensure finishing the delivery of courier items instead
- 3 Whole or part mail rounds which remained in the branch on the due day for delivery because of a lack of staff.

However the PWUA discovered last year that for a significant period of time some delivery branches have not

being counting the third category of carryover - whole or part mail rounds left behind in the branch.

The PWUA has made numerous requests for senior management to ensure that all carryover mail is counted, recorded and lodged for central data collection.

Whenever a branch records carryover as only mail returned undelivered by posties, the branch carryover figures may be wrong by a factor of 10 times or more.

Failure at branch level to provide accurate carryover counts leads senior management to incorrectly claim there are enough staff at delivery branches which are in fact understaffed.

The result of short staffing and regular mail carryover from undelivered rounds is low morale among posties, loss of public confidence in the postal service, undermining of job security, loss of mail to private sector competitors, and an acceleration in mail volume decline.

CEO says "no" to encouraging union membership

NZ Post has confirmed its decision to continue to financially disadvantage employees who are union members.

Despite repeatedly referring to the PWUA as its "union partner" and taking full advantage of union members' willingness to provide feedback and improvements to the company's business plans, NZ Post has refused once again to recognise union members' contributions in a tangible way.

During this year's Collective Agreement negotiations NZ Post refused to continue its traditional practice of providing a "union member benefit".

In previous years the company recognised the value of having its employees organised into a union with a union member benefit - by delaying for three months the paying of the wage increases won by the union to non union employees.

In the latest refusal the CEO claimed that the union had an opportunity to bargain on a union member benefit at the Collective Agreement negotiations.

In fact, after the PWUA had raised the matter a number of times in bargaining the company's advocate made it clear that there would be no union member benefit - end of subject.

The PWUA has advised NZ Post that the matter of a financial disadvantage to union members remains unresolved.

NZ Post fails to front foot postal voting

While the public debate raged on about postal voting for the recent Local Authority elections being unreliable, inaccessible and a relic of the past, NZ Post failed to go on the front foot in the news media to defend postal voting.

Although NZ Post did respond to specific requests for comment from individual news organisations, the PWUA has told NZ Post that it "failed to fight its corner".

The public perception of the debate became one of how postal voting was no longer of any use.

However the PWUA expected NZ Post to be stating:

- its concern for the democratic

process

- that it had a responsibility to have a robust postal voting infrastructure
- that it would conduct an investigation into any weaknesses in the postal voting process and infrastructure.

The PWUA made submissions to Parliamentary Select Committees in 2017 and 2018 calling for an improved postal voting infrastructure. NZ Post ignored the PWUA invitation to attend the Select Committees in support.

The PWUA will be making a submission again next year into Parliament's three yearly review of the Local Authority election process.

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



POSTAL WORKERS UNION OF AOTEAROA (NORTHERN)

6A Western Springs Road, Kingsland, Auckland, 1021

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.