

# PWUA challenges Post's instruction to remove an item of underwear

For failing to comply with an order to remove a T-shirt being worn under his polarfleece a Wellington postie was issued with a written warning.

Doing the zip up to conceal his T-shirt was not good enough for the management - his T-shirt had "already been seen". (See photos opposite).

Because the T-shirt was his underwear and the most comfortable and suitable item for wearing under his uniform the postie did not believe it was reasonable that he should be ordered to remove it.

The PWUA believes that this is an important case for all employees:

- Post must comply with Collective Employment Agreement clauses A10, A11, A20 to A26 (pages 11 and 13) and consult with employees and the union on important issues that affect their work (including the introduction of new policies or rules).
- Because so many posties throughout the country wear T-shirts, or have items of clothing that may be able to be partially visible under their uniforms.

All of Post's current uniform range is made of synthetics - no cotton or natural fibres are used. The company does not supply suitable cotton T-shirts or singlets, and many posties have found the new base layer uncomfortable.

After taking up the Wellington postie's case in October last year to have his warning removed, the PWUA was astounded when the matter was not resolved in discussion with the management or in mediation provided by the Department of Labour.

Earlier this month when the case came

## Post says: Failure to wear uniform in correct manner



to the Employment Relations Authority, the ERA member also expressed his surprise that the matter had not been resolved in mediation.

Post's case is:

- The requirement that "... the uniform is worn in the correct manner at all times". (CEA clause N14 page 81).
- The requirement that "the uniform must not be modified in any way" includes not wearing T-shirts or singlets which may become visible.
- NZ Post image branding.
- That any part of any clothing not issued by Post must not be seen by the management or the public.
- That new posties sign off in training that they must not wear visible non-uniform items. (The company did not present evidence at the ERA to support this statement).
- Post does not believe that it should have consulted with the PWUA.

## Post says: Failure to remove underwear as instructed



Post conceded that it must revoke its eight-year old policy of "no medical exceptions" for wearing only NZ Post supplied clothing items. Some people are allergic to synthetics.

The union's case at the Employment Relations was that:

- Post is required to consult with the union on behalf of its members "on important issues that affect their work". This clearly includes any new policy or rules that could lead to the dismissal of an employee.
  - Post does not provide suitable underwear.
  - The postie's warning be revoked.
  - Two days annual leave be reinstated to the postie for his attendance at mediation and also at the ERA hearing. (Post had refused to grant paid leave).
- The decision of the Employment Relations Authority is not expected to be released for at least a month.

## Late filing by Post shows continuing disrespect to the Employment Relations Authority and to employees' rights

Post is not treating its employees fairly by repeated lateness in filing documents at the Employment Relations Authority.

This disrespect for the legal processes set out in Parliament's Statutes seriously disadvantages the company's employees. When the union takes a case on behalf of a union member, a timetable for the filing and exchange of documents is agreed between the Employment Relations Authority (ERA), the PWUA and the company.

When the company fails to exchange documents as agreed, employees who

are for example challenging warnings, do not get enough time to examine Post's arguments and prepare their own case with their union advocate.

Already this month there have been another two cases where Post has breached its duty to file with the ERA and has provided documents to the PWUA less than 48 hours before the hearings.

However Post appears to spare no expense in flying managers around the country to appear at these ERA hearings.

In one case Post flew managers from Christchurch and Auckland for a hearing

in Hamilton. ~~At least one manager appeared ill-informed and confused when presenting evidence.~~

Eight Post representatives including an Auckland manager turned up for the "T-shirt" ERA hearing in Wellington (above). Four were from Human Resources as part of their training.

Repeated delivery failures by a postie would inevitably lead to dismissal.

The PWUA expects NZ Post to dramatically improve its own document delivery performance and the fulfilling of its legal responsibilities as an employer.

## Important questionnaire on new uniforms

A discussion about problems with the new uniforms at a Wellington PWUA delegates meeting in May has led to the preparation of a questionnaire by the company. As the new uniform has now been available for a year, Post has decided to run the questionnaire nationwide.

The PWUA delegates at each Wellington delivery branch will coordinate the circulation, completion and return of the questionnaires. The completed questionnaires are to be returned to team leaders by Friday 2 July.

Post says the feedback from the

questionnaires will assist in overcoming any problems that may be identified.

The questionnaire asks about:

- Look and design
- Comfort
- Fit for purpose
- Ease of laundering

The PWUA encourages posties to take the opportunity for detailed feedback to the company about the uniform by filling out and returning the questionnaires.

Posties who do not want to put their names on the survey should at least include the name of their branch.

## 2.5% wage increase at Post from 1 August

PWUA members on the Collective Employment Agreement 2008 - 2011 will get the last of four pay increases on 1 August - 2.5% on all wages and allowances (CEA page 92 "Remuneration").

Previous increases in the current Collective Employment Agreement:

- 1 July 2008 ..... 4%
- 1 April 2009 ..... 2.5%
- 1 December 2009 .. 3%

The CEA expires on 31 March next year. Negotiations for a new CEA will be held early next year.

The PWUA continues to promote combined union negotiations with Post for the new CEA.

The lack of inter-union cooperation in previous CEA negotiations has allowed Post to more easily make "clawbacks" including the loss of the full 40 hours salary for all full-time permanent employees hired after 5 July 2000.

As a result Post now has two classes of employees:

1. Those who have maintained their basic 40 hours salary earnings with a weekly "roster make-up allowance".
2. Those paid only their standard weekly hours - mail centre and box lobby workers paid 37 hours 55 minutes (four-day full-timers are paid 38 hours) and posties paid 37 hours 40 minutes.

## More redundancies at Wellington Mail Centre

Further declines in mail volumes through the Wellington Mail Centre has led to the company planning for further redundancies.

The company has begun consulting the union and briefing staff and is required to follow the process set out in the Management of Change provisions of the Collective Employment Agreement (clauses 15 to 24 on pages 42 and 43).

In its briefings, Post says that for May 2010 compared with May 2009 at the Wellington Mail Centre:

- Clearance mail was down 24% (National change -9.2%)
- Business mail was down 19.6% (National change -1.7%)

Post is considering cutting up to 10 to 15 full time equivalent jobs.

The later arrival time of mail to the Mail Centre may see a further proposal to delay the start time of the PM shift.

## Jim Bolger voted for private mail competition

NZ Post board chair Jim Bolger was the prime minister when the Postal Services Act 1998 was written allowing private mail companies to compete with Post. The result has been the continuing loss of business mail to private companies.

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## Leather-upper shoes now available for posties

Posties have been getting wet feet while wearing company supplied shoes which have a woven upper.

The company now has a more suitable shoe available which has a leather upper. Posties are advised to ask their team leaders if they want to order the new shoe.

## Union following up for pregnant workers

The PWUA is following up on the employer's responsibility to provide appropriate alternative work duties for pregnant workers. (Further details in the next Redback.)

In the meantime the PWUA is interested to hear from any other pregnant workers who may be having difficulties in having suitable work made available to them.

## Street receivers on web-page

To provide a better service to Post customers, the PWUA has requested that the company list the location of all street receivers on the NZ Post web-page. At present only Post Shop locations are listed on the web-page.

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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:

\$4.39 per week when I am employed for 30 or more hours per week, or

\$2.20 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.