



# MARITIME ALERT

Ports of Auckland dispute 4 December 2012

## Dispute Update

This is an important week in terms of the Facilitation process. POAL and MUNZ will both meet with the Facilitator who is intending to make recommendations, possibly as early as this Friday 7th December.

We have indicated our willingness to continue working constructively and making every effort to achieve a fair and balanced collective agreement. This includes considering and responding in a positive way to recommendations from the Facilitator.

We have worked hard to settle a collective agreement that provides greater flexibility on the Port while providing you with security of employment, time off with family, predictability and a safe roster. Our goal is to reach such a settlement and avert the possibility of industrial action. What is clear is that the dispute could be resolved if there was a willingness by POAL to do.

So far there has been little willingness to address your fundamental issues like certainty of start times and time off, which are vitally



important to a safe working environment and the ability to have time with family, and committing to not contracting out your work.

### Mayor makes strong statement

Late last week Len Brown wrote to me and Tony Gibson expressing his strong expectation that the dispute be solved through the Facilitation process. He said "The dispute has dragged on far too long and in doing so, has not been good for the port workers, their union, the port company or, in fact, Auckland as a whole."

The Mayor went on to express his support for a collective agreement to be settled between MUNZ and POAL and stated his expectation that the recommendation from the facilitation process be used as ... "a vehicle for ending the

dispute and moving forward". I have publicly responded to the Mayor's letter by welcoming his intervention and assured the Mayor that we wish to settle a collective agreement without the need for industrial action. I concluded my response by saying "Our members are part of this community and they have the right to be employed on a fair and balanced collective agreement and we welcome the Mayor's strong statement about the urgent need for a collective agreement to be settled between MUNZ and POAL".

**Garry Parsloe**  
National President

## Solidarity for our cause

Over recent days we have briefed the ITF at a global meeting attended by MUNZ National Secretary Joe Fleetwood.

The New Zealand ITF affiliates and the NZCTU affiliates were briefed by National President Garry Parsloe.

We outlined the current status of the dispute and the huge costs it has had to you, to businesses and the broader community.

We have received strong messages of solidarity and support from these union groups and we know that they will do what they can to support us in our cause to achieve a fair and balanced collective agreement.

The CTU issued the following press release on the day of the National Affiliates Council meeting which coincided with receipt of the letter from Auckland Mayor Len Brown.

## Mayor's intervention in Port of Auckland dispute welcome

CTU welcomes Len Brown's intervention on the Ports of Auckland dispute stating his strong expectation that recommendations from the facilitation process are to be used as a vehicle for ending the dispute.

Helen Kelly says "we want to see this dispute settled, and welcome the Mayors intervention."

"Affiliates today showed strong support for MUNZ and the wharfies, and like the Maritime union, we want to see this dispute settled without recourse to industrial action."

"This dispute has gone on too long – the workers at the Port need certainty around their collective agreement. A fair and balanced agreement is achievable, and necessary to continue a successful, safe and productive world class Port in Auckland."

"CTU and affiliates will continue to support the Maritime union and will continue to support the campaign for a fair collective agreement."

### Online

[www.munz.org.nz](http://www.munz.org.nz)

[www.saveourport.com](http://www.saveourport.com)

[www.facebook.com/maritimeunion](http://www.facebook.com/maritimeunion)

[www.facebook.com/saveourport](http://www.facebook.com/saveourport)

## Legal Update

On the 12th November we attended a mediation regarding our challenge to the establishment of Portpro.

Essentially we are arguing that Portpro has not been established to represent the collective interests of their members which is the purpose of real unions like MUNZ.

This matter is now the subject of a separate legal challenge.

All issues regarding the P32's and the undermining of the Collective Agreement including the negotiation of the Port Pro Collective by POAL will be heard in the Employment Court in February 2013.

Last Thursday, 29 November we presented evidence on our case about a breach of s97 of the Employment Relations Act, the replacement of striking workers at Engineering.

Our view is that POAL acted illegally in employing the Noell technician and Port Star Engineering to carry out straddle repairs and fuelling while we were on strike and locked out. We hope a decision on this will be delivered before the end of December 2012.

## Other activities

We have recently held a briefing for Auckland Council Local Board members to ensure they are aware of the critical point we have reached in this dispute.

We have received significant support from many Board members over the course of the last year.

This week we will be holding a training session for a number of delegates and executive members to ensure that they are fully briefed and able to answer your questions.

We will be checking to make sure all your contact details are up to date so we can communicate quickly and effectively with you. This is important as things develop over the next week or two.

## Stop work meeting

Next Monday 10 December 7 – 9am there will be a stop work meeting at the Maritime Club. Among the reports to the meeting there will be a full and comprehensive report on the dispute. Please note this is not a paid meeting.