

# IT'S GAME TIME!

SEA-Unite and SFWU negotiations for a new Collective Agreement

## SkyCity 2010-11 Negotiations Update

Joint SkyCity newsletter of SEA-Unite and the Service & Food Workers Union

December 2010 - Number 1

SkyCity employees have started negotiations over a new Collective Agreement. The current agreement expires December 31. A central claim is for a \$15 an hour minimum wage with proportionate increases for all staff. To meet this demand wage rates would need to increase by 6-7% on current printed rates. A minimum 5% increase is claimed for paid rates and salaried staff.

We want to ensure no worker employed by SkyCity is subject to the 90-day fire at will law and they retain the right to nominate a lieu day with two-weeks' notice. Other claims include increasing the security of hours for part time staff, protections for casual staff, coverage of salaried staff, increased redundancy compensation, 5 weeks leave after 10 years service, 10 days paid sick leave, service payment increased to \$500/\$1000/\$1500 net after 5/10/15 years service, freezing charges for the carpark and 24/7 charges for the duration of the agreement, a \$250 per year (net) pass on payment for union members and elimination of the very low start rates.

Initial responses from the company are not very hopeful despite huge profits being made and big expansion plans for facilities on their Auckland site.

The company's offer so far is for a 2.5% and 3%

increase over the next two years (or 3%/3%/3% if we agree to a three year deal); a \$300 and \$600 net service payment to 5 and 10 years respectively; a "productivity payment" of between \$8 and \$10 per shift for the 6-week world cup period; looking at a higher "market rate" for experienced waiters and bartenders; freezing carpark charges for one year; a one-off \$300 net "gift" for those with 15 years' service; freezing the \$15 three year rate a further three years.

The company won't make an offer on any of the other union claims. They want to "roll over" the rest of the agreement without even clarifying any of the disputed interpretations or putting in additional legal entitlements (like flexible working hours). The only exception is they want us to agree to the inclusion of a new "On Call" status for casual staff in Conventions so they aren't legally exposed to making them part time with the current obligation to offer at least

8 hours work each week. This is because the company has been caught out imposing illegal requirements on the current casual staff.

The two unions on site (SEA-Unite and the SFWU) are negotiating together and have 800 and 300 members respectively. This is a majority of front line staff.

If the attitude of the company does not change then we will have a meeting of all union members to vote on their offer. If the offer from the company is rejected we need to elect a strike committee and vote to authorise the committee to call actions that have the most impact on the company. The actions we take will build up over time in length and intensity. At all times we seek to maximise the public impact of whatever we do. At all times we seek to maximise costs on the company with the least cost to members.



**SEA-UNITE**  
SkyCity Employees Association



# Unions deliver at SkyCity

## Gains for SKYCITY worker as a result of union negotiated Collective Agreements

*(very partial list drawn from the most recent agreements)*

- An average of 5% a year pay rises for the last 5 years.
- Special payment to union members only of \$700 over term of 2008-2010 agreement
- Introduction of annual service payment of \$200 after 5 years and \$500 after 10 years service
- \$15 minimum wage after 3 years service
- Shift-based leave payments
- Coverage for Table Games Supervisors in the Agreement
- Elimination of unpaid meetings for Table games Staff
- COA License Reimbursed after two years
- Enforcing right to nominate lieu day with two-weeks notice
- Significant back pay claims in Hotel Housekeeping
- Special rate for NZQA qualified security guards after 1 year
- One off extra week's leave after 5 years
- Enforcement of additional break for 10 hour shift workers
- \$150 knife allowance for apprentice chefs
- \$60 shoe allowance for particular areas
- \$150 unpleasant duties allowance for cleaning, housekeeping, groundspeople and trades assistants.
- Moving some staff from casual to part time staff
- Enforcement of consultation process during restructures and making the outcome fairer
- Drycleaning for Table Games and Finance supervisors
- Sick Leave accumulation up to 40 days
- Protecting dozens of members during disciplinary processes against unfair warnings or dismissals
- Freezing 24/7 and carpark charges during the last agreement
- Successfully taken cases to the Human Rights Commission to stop discrimination, including when a worker with a medical disability was forced to work night shifts.
- Ensured that Sky complies with its legal obligations to parents and caregivers to allow them flexible working hours.

## WHAT ACTION CAN THE COMPANY TAKE AGAINST US?

If the company believes you are taking industrial action it can issue a "suspension notice" to you until you resume normal duties. This resumption of normal duties can be immediate by the worker with action resumed later.

A company can decide to "lock out" all union members until they agree to accept the terms on offer from the company. This tactic is rarely used as it has the same impact as an all out strike by members and will have a dramatic economic impact on the company. It also usually dramatically escalates the dispute and the broader union movement can be asked for support to shut down the casino's operations.

## TELL US THE NAMES OF MANAGERS WHO ASK YOU TO LEAVE THE UNION

It is illegal for managers to interfere in any way with your right to join the union.

This includes any statements encouraging you to resign from the union. Penalties in the Employment Relations Act include fines of up to \$10,000 for an individual and \$20,000 for a company. We have ignored some of these breaches in the past but this newsletter is notice that we will not do so in the future.

# IF WE ARE FORCED TO TAKE INDUSTRIAL ACTION WHAT ARE OUR RIGHTS?

Many members have asked what rights they have if we decide to take industrial action to put pressure on the company in support of our claims.

Industrial action can be by all union members at the same time or action by two or more. While workers are free to take action as they see fit it is important that collectively decided on action is followed by all members. No one should work overtime or extra shifts during the period of industrial dispute.

Here are a few starting points on our legal rights:

- Union members have a legal right to take industrial action at any time after the Collective Agreement expires at midnight on December 31.
- No one can be disciplined for taking industrial action. Coming in late can be

an industrial action and no reason needs to be given other than saying you were on strike.

- We do not have to give the company any notice before taking action.
- We can take action either as a whole union with every member involved or we can decide to take action in smaller groups by department or shifts.
- Any action we take will be designed to cause maximum discomfort to SkyCity and its operations with the least effect on members.
- Action could involve a total stoppage of work or a partial refusal to do normal duties. This can include an "overtime ban" or a "work to rule" for example.
- A "go slow" is also legal. This involves

members not working as fast as the company wants.

- Union members who are salaried staff members can also legally take action.
- Only union members can legally take action. If non union staff want to help get a better deal they need to join the union to be protected.
- The company CANNOT use contractors or other non-SkyCity employees to do the work of striking workers.
- The company CANNOT force other SkyCity employees to do the work of striking members. They can ask but each employee has the legal right to say NO! We request all staff members not to do our work during a strike..



# Minimum, Current and Proposed Rates

Position	Minimum Start Rate	Rate from 01/01/2010 if employed prior to 1 October 2008	Proposed rates for the job with a \$15 minimum & fewer rates by rounding up from a 5% rise to the nearest 50c	Position	Minimum Start Rate	Rate from 01/01/2010 if employed prior to 1 October 2008	Proposed rates for the job with a \$15 minimum & fewer rates by rounding up from a 5% rise to the nearest 50c
Action Host	\$16.02	\$17.49	\$18.50	Apprentice Chef	\$12.00	\$13.10	\$15.00
Ambassador	\$19.58	\$21.38	\$22.50	Barista	\$12.90	\$14.09	\$15.00
Apprentice Chef	\$12.00	\$13.10	\$15.00	Busser	\$12.81	\$13.99	\$15.00
Apprentice Electrician	\$14.06	\$15.35	\$16.50	Car Park Attendant	\$12.90	\$14.09	\$15.00
Barista	\$12.90	\$14.09	\$15.00	Cleaning Services Attendant	\$12.84	\$14.02	\$15.00
Bartender	\$14.05	\$15.34	\$16.50	Coat Check	\$12.90	\$14.09	\$15.00
Bartender, Senior	\$16.00	\$17.47	\$18.50	Cocktail Server	\$12.81	\$13.99	\$15.00
Busser	\$12.81	\$13.99	\$15.00	F&B Apprentice	\$12.90	\$14.09	\$15.00
Call Centre/Reservations Coordinator	\$16.26	\$17.76	\$19.00	F&B Casual	\$12.81	\$13.99	\$15.00
Car Park Attendant	\$12.90	\$14.09	\$15.00	F&B Gaming Attendant	\$12.81	\$13.99	\$15.00
Carpenter	\$19.73	\$21.55	\$23.00	Grounds Attendant	\$12.81	\$13.99	\$15.00
Cashier	\$16.04	\$17.52	\$18.50	Host Cashier	\$12.81	\$13.99	\$15.00
Cleaning Services Attendant	\$12.84	\$14.02	\$15.00	Housekeeping Attendant	\$12.84	\$14.02	\$15.00
Coat Check	\$12.90	\$14.09	\$15.00	Mall Administrator	\$12.81	\$13.99	\$15.00
Cocktail Server	\$12.81	\$13.99	\$15.00	Mini Bar Attendant	\$12.90	\$14.09	\$15.00
Commi Chef	\$14.01	\$15.30	\$16.50	Pantry Hand	\$12.90	\$14.09	\$15.00
Commissionnaire	\$15.10	\$16.49	\$17.50	Room Service Attendant	\$12.90	\$14.09	\$15.00
Count Team Member	\$14.71	\$16.06	\$17.00	Steward	\$12.81	\$13.99	\$15.00
Dealer (1 Major Game)	\$16.73	\$18.27	\$19.50	Trainee Dealer	\$12.81	\$13.99	\$15.00
Dealer (2 Major Games)	\$17.28	\$18.87	\$20.00	Waiter	\$12.90	\$14.09	\$15.00
Dealer (3 Major Games)	\$17.82	\$19.46	\$20.50	Wardrobe Attendant	\$12.81	\$13.99	\$15.00
Dealer (4 Major Games)	\$18.37	\$20.06	\$21.50	Front Service Representative	\$13.37	\$14.60	\$16.00
Dealer Higher Duties (2 Major Games)	\$20.33	\$22.20	\$23.50	Lobby Attendant, Grand	\$13.35	\$14.58	\$16.00
Dealer Higher Duties (3 Major Games)	\$20.61	\$22.51	\$24.00	Apprentice Electrician	\$14.06	\$15.35	\$16.50
Dealer Higher Duties (4 Major Games)	\$20.88	\$22.80	\$24.50	Bartender	\$14.05	\$15.34	\$16.50
Demi Chef	\$16.26	\$17.76	\$19.00	Commi Chef	\$14.01	\$15.30	\$16.50
Dual Rate Cashier	\$18.78	\$20.51	\$22.00	Sky Tower Host	\$14.29	\$15.60	\$16.50
Dual Rate Dealer Host	\$17.82	\$19.46	\$20.50	Waiter, Senior	\$13.50	\$14.74	\$17.00
Dual Rate Gaming Attendant (Host)	\$18.74	\$20.46	\$22.00	Count Team Member	\$14.71	\$16.06	\$17.00
Dual Rate Gaming Attendant (Supervisor)	\$19.31	\$21.09	\$22.50	Theatre Usher	\$14.53	\$15.87	\$17.00
Dual Rate Gaming Technician	\$24.59	\$26.85	\$28.50	Commissionnaire	\$15.10	\$16.49	\$17.50
Electrical Service Person	\$19.73	\$21.55	\$23.00	Guest Service Representative	\$15.10	\$16.49	\$17.50
Electrician	\$24.37	\$26.61	\$28.00	Machinist (Wardrobe)	\$15.10	\$16.49	\$17.50
Entertainment Technician	\$20.90	\$22.82	\$24.00	Reservations Coordinator	\$15.10	\$16.49	\$17.50
Entertainment Technician, Senior	\$21.90	\$23.91	\$25.50	Reservations Coordinator, Tower	\$15.10	\$16.49	\$17.50

F&B Apprentice	\$12.90	\$14.09	\$15.00	Steward Team Leader	\$15.10	\$16.49	\$17.50
F&B Casual	\$12.81	\$13.99	\$15.00	VIP Receptionist	\$15.10	\$16.49	\$17.50
F&B Gaming Attendant	\$12.81	\$13.99	\$15.00	F&B Stock Controller	\$15.56	\$16.99	\$18.00
F&B Stock Controller	\$15.56	\$16.99	\$18.00	Security Officer - Entry Rate	\$15.60	\$17.04	\$18.00
Fitter HVAC	\$25.00	\$27.30	\$29.00	Trades Assistant	\$15.34	\$16.75	\$18.00
Front Service Representative	\$13.37	\$14.60	\$16.00	Warehouse Assistant	\$15.29	\$16.70	\$18.00
Gaming Equipment Service Person	\$17.88	\$19.52	\$20.50	Action Host	\$16.02	\$17.49	\$18.50
Gaming Machine Attendant	\$16.02	\$17.49	\$18.50	Bartender, Senior	\$16.00	\$17.47	\$18.50
Gaming Machine Host	\$20.10	\$21.95	\$23.50	Cashier	\$16.04	\$17.52	\$18.50
Gaming Machine Technician	\$19.31	\$21.09	\$22.50	Gaming Machine Attendant	\$16.02	\$17.49	\$18.50
Gaming Supervisor	\$23.39	\$25.54	\$27.00	Call Centre/Reservations Coordinator	\$16.26	\$17.76	\$19.00
Grounds Attendant	\$12.81	\$13.99	\$15.00	Demi Chef	\$16.26	\$17.76	\$19.00
Guest Service Representative	\$15.10	\$16.49	\$17.50	Dealer (1 Major Game)	\$16.73	\$18.27	\$19.50
Host Cashier	\$12.81	\$13.99	\$15.00	Dealer (2 Major Games)	\$17.28	\$18.87	\$20.00
Housekeeping Attendant	\$12.84	\$14.02	\$15.00	Stage Hand	\$17.25	\$18.84	\$20.00
Lobby Attendant, Grand	\$13.35	\$14.58	\$16.00	Dealer (3 Major Games)	\$17.82	\$19.46	\$20.50
Machinist (Wardrobe)	\$15.10	\$16.49	\$17.50	Dual Rate Dealer Host	\$17.82	\$19.46	\$20.50
Mail Administrator	\$12.81	\$13.99	\$15.00	Gaming Equipment Service Person	\$17.88	\$19.52	\$20.50
Mini Bar Attendant	\$12.90	\$14.09	\$15.00	Security Officer - Grade 1*	\$17.70	\$19.33	\$20.50
Painter	\$19.73	\$21.55	\$23.00	Dealer (4 Major Games)	\$18.37	\$20.06	\$21.50
Pantry Hand	\$12.90	\$14.09	\$15.00	Dual Rate Cashier	\$18.78	\$20.51	\$22.00
Plumber	\$19.73	\$21.55	\$23.00	Dual Rate Gaming Attendant (Host)	\$18.74	\$20.46	\$22.00
Reservations Coordinator	\$15.10	\$16.49	\$17.50	Security Medic	\$18.75	\$20.48	\$22.00
Reservations Coordinator, Tower	\$15.10	\$16.49	\$17.50	Ambassador	\$19.58	\$21.38	\$22.50
Room Service Attendant	\$12.90	\$14.09	\$15.00	Dual Rate Gaming Attendant (Supervisor)	\$19.31	\$21.09	\$22.50
Security Medic	\$18.75	\$20.48	\$22.00	Gaming Machine Technician	\$19.31	\$21.09	\$22.50
Security Officer - Entry Rate	\$15.60	\$17.04	\$18.00	Carpenter	\$19.73	\$21.55	\$23.00
Security Officer - Grade 1*	\$17.70	\$19.33	\$20.50	Electrical Service Person	\$19.73	\$21.55	\$23.00
Sky Tower Host	\$14.29	\$15.60	\$16.50	Painter	\$19.73	\$21.55	\$23.00
Stage Hand	\$17.25	\$18.84	\$20.00	Plumber	\$19.73	\$21.55	\$23.00
Steward	\$12.81	\$13.99	\$15.00	Trade Assistant Plant	\$19.73	\$21.55	\$23.00
Steward Team Leader	\$15.10	\$16.49	\$17.50	Upholsterer	\$19.73	\$21.55	\$23.00
Theatre Usher	\$14.53	\$15.87	\$17.00	Dealer Higher Duties (2 Major Games)	\$20.33	\$22.20	\$23.50
Trade Assistant Plant	\$19.73	\$21.55	\$23.00	Gaming Machine Host	\$20.10	\$21.95	\$23.50
Trades Assistant	\$15.34	\$16.75	\$18.00	Dealer Higher Duties (3 Major Games)	\$20.61	\$22.51	\$24.00
Trainee Dealer	\$12.81	\$13.99	\$15.00	Entertainment Technician	\$20.90	\$22.82	\$24.00
Upholsterer	\$19.73	\$21.55	\$23.00	Dealer Higher Duties (4 Major Games)	\$20.88	\$22.80	\$24.50
VIP Receptionist	\$15.10	\$16.49	\$17.50	Entertainment Technician, Senior	\$21.90	\$23.91	\$25.50
Waiter	\$12.90	\$14.09	\$15.00	Gaming Supervisor	\$23.39	\$25.54	\$27.00
Waiter, Senior	\$13.50	\$14.74	\$17.00	Electrician	\$24.37	\$26.61	\$28.00
Wardrobe Attendant	\$12.81	\$13.99	\$15.00	Dual Rate Gaming Technician	\$24.59	\$26.85	\$28.50
Warehouse Assistant	\$15.29	\$16.70	\$18.00	Fitter HVAC	\$25.00	\$27.30	\$29.00

Senior Waiter (and fine dine restaurant waiters) have an additional claim for \$1 an hour above the formula used for other rates.

# YOUR NEGOTIATING TEAM



*From Left: Pam Lanumata, Olivia Cruz, Len Richards, Lynette Slade, Michael Withers, Tina Barnett, Chris Tatton-Brown, Pat Killalea, Henry Stanley, Mike Treen, Candy Sherman, Ashok Dutta, Rishi Sharma*

## SEA-UNITE/SFWU INFORMATION DESKS OVER THE NEXT THREE WEEKS

### Sunrise

Wednesday 8am-12noon - Mina Chiswell  
Thursdays 8am-12noon – Michael Withers  
Fridays 8am-12noon – Rishi Sharma  
(and Saturday 18th December)

### Day

Thursday 3pm-7pm – Ashok Dutta  
Saturday 12noon-4pm – Olivia Cruz

### Swing

Tuesday 7pm-11 pm – Chris Tatton Brown  
Thursday 7pm-11pm – Pam Lanumata

### ADVOCATES

**Unite:** Mike Treen

**SFWU:** Len Richards, Lynette Slade

### DELEGATES

Tina Barnett – Table Games Supervisor (SEA-Unite)  
Olivia Cruz – Table Games Supervisor (SEA-Unite)  
Ashok Dutta – Finance (SFWU)  
Volker Grajewski – Table Games Supervisor (SEA-Unite)  
Pat Killalea – Property Services (SFWU)  
Pam Lanumata – Dealer Higher Duties (SFWU)  
Rishi Sharma – Gaming Technician (SEA-Unite)  
Candy Sherman – Table Games Supervisor (SEA-Unite)  
Henry Stanley – Security (SEA-Unite Co-President)  
Chris Tatton-Brown – Table Games Supervisor (SEA-Unite)  
Michael Withers – Table Games dealer (SEA-Unite)

**Next negotiation dates are December 17, 20 and 29.**

**A paid one-hour consultation meeting will be held before Christmas to update members on the negotiation progress.**

# CLAIMS FOR SKYCITY NEGOTIATIONS 2010

1. A minimum increase of 5% on paid rates for 2011 (including the salaried staff to be included in the agreement).
2. A \$15 minimum wage and all rates adjusted to maintain (but simplify) margins. For most printed rates this would mean an increase of 6-7% overall. The impact would be less than that as the company claims 75% of staff are paid above the printed rates.
3. Removal of the lower start rates – one rate for the job.
4. Remove excessive number and variety of rates where possible.
5. 4 & 2 redundancy agreement with no limit (currently it is “4&2” – 4 weeks pay for the first year of service a two weeks for each subsequent year with a 12 week limit).
6. Agreed process for restructures – including two week’s notice to union, and timed schedule to allow genuine feedback. (See the draft template prepared by the SFWU). Changes to shift patterns be treated as a major change making workers eligible for redundancy if they can’t work the new pattern.
7. Protection of hours for part time staff (letter of appointment to specify hours worked and regular patterns protected).
8. Ability of part time staff to move to full time if averaging 32 plus hours a week.
9. Casual staff roles limited to genuinely casual roles (with possibility of on call status for some Convention staff)
10. 8-hour shift for majority of Housekeeping staff (full time or part time). Restoration of experienced rate. 12 room limit per day.
11. Discuss broader profit sharing arrangement for World Cup. 10% of room hire increase during world cup to be paid as an allowance for hotel staff.
12. Trainee dealers to be paid in training room. No training rate whilst dealing on the floor.
13. Protection of ability to nominate alternative days with two-week’s notice. Restriction for Chinese New Year limited to one day.
14. Protection of employment rights during first 90-days of employment
15. Freeze carpark and 24/7 charges for duration of the agreement.
16. Inclusion of salaried groups in the agreement – Gaming Technicians; Surveillance; VIP Hosts; and supervisors in Housekeeping, Hotel front of House (Concierge); Food and Beverage; Sky Tower and other comparable departments, Area Managers and others directly controlling front line staff.
17. Pass On Payment of \$250 net for each year of the contract
18. Net service payment after 5 years and 10 years increased to \$500 and \$1000. Introduce a 15 year payment of \$1500.
19. Tradespersons unsupervised allowance to be included in the document and extended to gaming technicians
20. A minimum rate of \$16.50 after two

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# CLAIMS FOR SKYCITY NEGOTIATIONS 2010 *continued*

years with no performance restrictions.

21. Increased margins for senior waiters, stewards and fine dining restaurants
22. 15 minute paid breaks protected from law change (ie second break applies for 6-8 hour shifts and a third paid break for 10-12 hour shifts. Second paid break applies to restaurant staff who get paid lunch breaks.
23. Table Games: Renegotiate Schedule D. Issue of VIP specialist to discuss. New game training each 12 months. Stop the practice of docking scheduled break when taking early out. Employees to have right to refuse any change to start and finish times. 8 hour shift span for part time staff.
24. Allowances: \$300 net for unpleasant duties for Cleaners and Housekeepers, Trades assistants, upholsterer, grounds staff; Kitchen Tool allowance (not restricted to apprentices); Unpleasant workplace allowance for flea infestations.
25. \$100 annual shoe allowance for staff who require special footwear in wet areas.
26. Additional clause to explain flexible work hours rights in Collective Agreement
27. Clarification of Parental leave rights in Collective Agreement
28. Extra week's annual leave every year after 10 years service
29. 11 public holidays recognized for lieu day entitlement (two lieu if two public holidays are on the same day – this year Easter Monday and Anzac Day are the same day)
30. Split shift payment for restaurant staff of \$20 daily



31. Increase of the matching Kiwisaver contribution to 4%.
32. Time and a half for overtime (including after a regular shift of 8/10/12 hours)
33. Changes in job descriptions to be discussed and agreed between parties
34. Increase sick leave to 10 days
35. Cannot ask for a medical certificate during the paid leave unless they have reasonable grounds.
36. Union rights:
  - Maintain unions' right of access to site without notice. Reasonable access rights can't be refused
  - Union offices near 24/7 with telephone, faxing, voice mail and email. Noticeboard near Wardrobe or outside office by 24/7
  - 10 hours union leave per 100 members per week. No restriction on usage.
  - All staff to receive a printed CEA and membership forms for both unions.
  - An agreed induction document shall be signed by each new staff member that allows them to join one of the two unions and have the appropriate fees deducted or ask for additional information as part

of the enrollment process.

- Union representatives shall have the right to speak to all inductions for up to 30 minutes.
- A Union cellphone able to be held on shift by one delegate for each union to deal with urgent matters.
- One week's notice for leave will be appropriate for delegates meetings or conferences of the union involving two or more members at the same time. Individual union leave applications will only require 24 hour's notice.
- There shall be a monthly joint meeting of union and company representatives to address issues of common concern. This process may be repeated at a departmental level.
- The union shall have the right to consult their members on an individual or collective basis during the year. Consultation will increase during periods of agreement negotiations and restructure proposals.
- There shall be 4 quarterly 2 hour paid stop work meetings. A suitable venue at Sky-City will be provided. These are separate from Section 26 meetings which are for citywide union activities.

## JOIN TODAY



**SEA-UNITE**  
SkyCity Employees Association

