



Can we trust their word?

CHEATING ON AGREEMENTS

One of the problems of dealing with a company like SkyCity is that they often try to cheat on agreements after they have been done. We have had three examples of this recently.

1) Changing the rules half way through

One member wanted to do an AUT course and changed his RDOs with another worker to allow that to happen. The only support he needed from the company was to start his Sunday shift a bit earlier so he wasn't too tired to go to University on Monday. His manager agreed. Now half way through his course another manager is insisting he start at his normal time on the Sunday. All the facts were explained to him but he said he doesn't care. Luckily we have been able to get a copy of an email from scheduling conforming the roster change and the reason for it so we should be able to overturn this managers attempt to renege on the agreement. But what it emphasises is that every time you make any special arrangement make sure you have it in writing!

2) terminating annual leave on a roster change

The third incident relates to previously arranged annual leave approval being taken back because the staff had a roster change. These are unrelated matters and a roster change need not cancel existing arrangements.



3) Denying experienced housekeepers \$1 an hour

About 18 months ago the company came to us with a proposal to introduce an experienced housekeepers rate that was about \$1 an hour above the start rate. It was to be paid to any staff with at least 18 months experience at SkyCity or similar industry experience outside. At the time this was necessary as the company couldn't get or keep enough experienced staff. We had meetings with HR managers and the GM of the hotels at the time. The rate was introduced. It has been paid to housekeepers who qualified since. Now because there is no signed document they are renegeing on the agreement and won't pay staff who qualify after 18 months on the job. We have told HR the names of the people on their side who negotiated the agreement and how to contact them. They say that they don't care.

OVERPAYMENT? Unite director Mike Treen has been in an email exchange with the company over an alleged "overpayment" to one of our members that the company wants back. In this case the worker was overpaid \$3000 over a number of months as she was incorrectly put on a higher rate after the CEA negotiations. Then without warning the company took all \$375.88 from her pay. When she got her pay for the week (minus \$375) she was absolutely shocked and distressed. In fact she was so upset she ended up having an accident on the way home. Her car was damaged and cost \$3000 to repair. Our sympathetic management have been insisting our member pay back the money. When Mike Treen was contacted he assumed it could be fixed up easily with a little common sense. He pointed out to the company that the deduction of the \$375 was without legal authority and our member had a personal grievance on that basis for the stress and hurt that was caused (leaving aside the damage to the vehicle). Mike suggested it would be a fair and reasonable solution for the company simply to back off and not insist on repayment. The first email sent to Claire Walker was dated March 4. It was passed around and went back and forth for months. Finally they said that if our member refused to pay the money back it would be taken out of her final pay. At that point the union submitted a formal personal grievance. We will not only be claiming that our member not be required to repay the alleged "overpayment" we will also be claiming for the damage to the car, and compensation for the hurt and humiliation imposed.



SEA-UNITE

- I authorise Unite to be my representative under the Employment Relations Act 2000 or its successor.
- I authorise SkyCity to deduct my union fees from my wage and send to Unite.

Title: Mrs Mr Ms

Full Name:

PLEASE PRINT CLEARLY FIRST LAST

Address:

NUMBER STREET SUBURB

Phone:

HOME MOBILE

Email:

Employee #:

Department:

Shift:

Signature:

Date:

Fees are 1% of your weekly income with a minimum of \$2 up to a maximum of \$5.

Your weekly income	Membership fee
\$50	\$2
\$100	\$2
\$150	\$2
\$200	\$2
\$250	\$2.50
\$300	\$3
\$350	\$3.50
\$400	\$4
\$500	\$5
\$600	\$5
\$700	\$5

Recruited by:

Put your completed form into the drop-box by the SEA-Unite notice board.

Any queries? Ph 0800 2 UNITE
0 8 0 0 2 8 6 4 8 3

Give us a break!

We have been getting reports that workers in areas like housekeeping, and some of the bars and restaurants have not been getting their appropriate breaks. Under recent changes to NZ law everyone who works for 2 hours or more must have a rostered paid break. Under our Collective Agreement:

If you work between:

- 2-4 hours, you get one 15 min paid rest break
- 4-6 hours one 15 minute paid break and one 30 minute unpaid meal break
- 6-8 hours two 15 minute paid rest breaks and one 30 minute unpaid break

Timing:

You and your employer have to mutually agree over the timing of your breaks. If you can't agree, then the 30 minute break has to happen in the middle of your shift, and the rest breaks have to be spaced evenly either side.



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OFFICE HOURS

The SEA-Unite Office on the ground floor will be staffed by Candy Sherman, Thurs - Sun 12pm - 2pm, and by Tina Barnett from Thurs - Sun 2am - 4am

DELEGATES MEETINGS

Delegates meetings will be held fortnightly from Friday, July 31, at 10am and 6pm until further notice. Venue to be announced

SEA-UNITE Union
3636000 ext 6307
sea.unite@skycity.co.nz

Unite Union
6A Western Springs Rd.
Morningside

Ph 09-845-2132
Fax 09-846-9509
Mike Treen 029 5254744
or Candy Sherman 029 6951135

Dear union members, community activists, workplace delegates and campaign supporters,



As you will be aware the Unite Union launched the \$15 an hour **Campaign for a Living Wage** on June 11 2009.

The campaign aims to get an immediate rise in the minimum wage to \$15 an hour, and then to have it set at two-thirds of the average wage. The first part of the campaign is to collect over 300,000 signatures within the next 12 months on our Citizens Initiated Referendum Petition.

Currently 450,000 New Zealanders live on less than \$15 an hour and more than 100,000 live on minimum wage. That's not enough to live in. It's no wonder that the 30% of New Zealanders on the lowest incomes

in 2004 were worse off in real dollars than they were 20 years ago. Meanwhile corporate profits increased 11% a year from 2000-2004 and the wealthiest 10% of the population are 21% better off than they were 20 years ago.

Between 2006 and 2007 we ran a campaign that changed the face of low-paid work in New Zealand - SuperSizeMyPay.Com. We pressured the Government into raising the minimum wage to \$12 an hour and into getting rid of youth rates for most of the workforce. We also built a movement around worker's rights among young people and students for the first time in our generation.

This time round we want to get rid of poverty wages completely and to build a movement of young people committed to getting living wages for New Zealand lowest paid but hardest working workers. It's no wonder youth are flocking across the ditch when the Australian minimum wage is NZ\$17.50, \$5 more than it is here. This contributes to one in five New Zealand children being raised in poverty - a higher rate than in all but three of the world's 26 rich nations.



To win this campaign and build the movement we need your help. Nobody can do everything but everybody can do something...

Here are three easy things we need people to start doing today.

1. Get your friends, family and workmates to sign the attached petition form and send it back. If every union member in the country got 10 signatures than we'd get 3.5 million signatures!
2. Go to the Unite website, www.unite.org.nz and join the facebook group or become a campaign volunteer to get our email updates.
3. Once you've posted back your first 10 signatures get more petition forms from your union organiser or union office and step up to co-ordinate the campaign on your site, in your school or community.



This isn't just about a petition; it's about fairness & respect for every underpaid worker in New Zealand.

It's about building a movement against poverty wages and for social justice so if you've got some feedback, a good idea or want to get more involved then drop us a line.

Kind Regards,

A handwritten signature in black ink that reads 'Matt McCarten'.

Matt McCarten

General Secretary

APPLICATION TO EMPLOYMENT AUTHORITY OVER WARNING

The union was forced to make a formal application to the Employment Authority over a warning issued to a delegate after the company refused to participate in a scheduled mediation. We had asked for the mediation because we thought the written warning was unjustified. It had been issued for allegedly going to a delegates meeting without the company's permission. The new management team from Australia seemed to have some difficulty dealing with our delegates right to attend these meetings. The HR department had also regularly mucked up the process for delegate release and departmental managers seemed to think it was entirely at their discretion whether our delegates could go. So in the end there was a bit of confusion around one of the delegates meetings and the company decided to make it a formal disciplinary matter and accepted no responsibility for the problem coming about. We asked for the mediation because it was an important matter for the union. We had a paper trail of hundreds of emails documenting problems over delegate release. Because of this we had a full team at the mediation – our delegate, the two SEA co-presidents and another senior Table Games delegate. HR had Claire Walker, another HR manager, and the Table Games manager who had issued the warning. They refused to proceed with the mediation because they felt "intimidated" by the SEA-Unite team. The Employment Authority has now directed mediation. We will be attending with the same team.

INVESTIGATIONS & DISCIPLINARIES

Sometimes it is not clear when you are being asked in "for a chat" or an "investigation meeting" or a "disciplinary meeting" and if you need representation. If it is just for a chat (ie over being late a few times recently) then you should probably take a support person but you shouldn't need formal representation. If you are told that the meeting is an investigation into some alleged misconduct at SkyCity then you need to take care. If it is a genuine investigation about something that the company needs more information (ie someone dealing drugs on the premises) then we should cooperate. But we should always take a union representative. The meeting ceases to be just an investigation as soon as there is a specific allegation against a worker. When that happens the company should put the allegation in writing, explain the possible consequences, and your right to have representation and a support person at any meeting. We then have the right to see all the evidence the company wants to use against us. We also have the right to investigate the alleged misconduct ourselves and interview people if needed. A disciplinary meeting is still part of an investigation because the company should not have pre-judged the outcome. They must come with open minds and be ready to consider all explanations and carry out further investigation if needed.