



SEA-UNITE NEWS

SkyCity Employees Association (SEA)

Issue #10 – April 2010

Open letter from Matt to Nigel



Nigel Morrison SkyCity CEO



Matt McCarten, Unite Union

Dear Nigel,

Open Letter on Failure of Management

SEA Unite members have asked me to write to you raising the status of the SkyCity/Sea-Unite relationship and the conduct of your senior management. Given that the matters are important to our members I have been asked to copy it to them.

Your Promise to Staff

When you first took over as Chief Executive in December 2007 you commissioned an independent survey of how employees viewed SkyCity. You were disturbed at the findings that showed a deep distrust of SkyCity leadership and a negative view of SkyCity management culture.

At the time you called a series of gatherings of staff to discuss the findings. You also promised large 'State of Play' meetings to show that you were committed to rebuilding employee trust and raising morale. You pledged to do your best to make employees once again proud to represent SkyCity in the community.

Some of the staff were cynical. However most were enthusiastic about your vision. SEA-Unite, as a union, will inevitably have conflicts of interest with you over money and work conditions, but we endeavored within those realities to work positively with you.

Unfortunately I have observed in recent months the deterioration of SkyCity management culture. Many times it seems there is almost a cynical pettiness by management in punishing or humiliating individual staff. More worrisome is that there appears to be a conscious agenda by your senior colleagues to thwart employees' rights and remuneration even when they know it's dishonest and wrong.

We have tried to maintain a collegial and professional relationship, but I have reluctantly come to point where I don't believe that SkyCity acts in good faith in its relationship with individual employees or with them collectively.

I suspect that if a similar staff survey was held today the measure of employee morale and trust would be lower than it was when you took on the leadership role at SkyCity.

Union Meetings

The incident that has caused me to write specifically to you was your refusal to



**WED
APRIL 14**

1000-1200

1200-1400

1800-2000

2000-2200

VENUE TBA

Check today with your manager to see what meeting time they have you scheduled to attend, and then register your meeting time at the S.E.A table in 24/7 Thursday 8th, Friday 9th and Tuesday the 13th of April. All S.E.A Members who are on shift and attend will be paid at their normal rate of pay. Those who are not on shift are able to attend voluntarily.

provide a space for our union meetings as has been the arrangement for nearly a decade. In itself it's not the end of the world, but it's a symptom of your disrespect of your staff.

The right to have union meetings is included in an Act of Parliament. Every employer accepts their obligation to provide a space for such meetings. Your recent decision to refuse a room speaks volumes and can't go unchallenged.

Your HR manager disingenuously claims that I had previously agreed not to hold union meetings on site. She knows this is not true. The reason I conceded to the last series of union meetings being held offsite was because the dates had been publicly notified and your HR manager claimed there were no rooms available. It was an act of goodwill on our part to accommodate her. I am disappointed that our earlier gesture is seen as acceptance by me that there would be no more union meetings at SkyCity. In many years dealing with employers I've never seen this dishonest tactic tried. This action is deliberately intended to provoke a confrontation, with or without your consent.

I am advising you that we will adhere to the previous agreement between SkyCity and SEA-Unite to hold our union meetings on site where our members' work. We expect nothing less from you.

Specific Examples

But the above matter is only the last in a long line of incidences that reflect the disturbing behaviour exhibited by your leadership team. The examples below are only the tip of the iceberg. They are clear attempts by your senior management to seemingly condone, if not encourage, the deliberate undermining of employees' legal and contractual rights and undermine the role of SEA-Unite to serve and protect its members from such abuse.

1. Rest Breaks - SkyCity knowingly breaks the law by refusing a third rest break for employees rostered on a 10-hour shift. Your HR accepted the breach of law on your part. But it seems once you realised the cost implications you deliberately flaunted the law. Outrageously you tried to discipline a union member exercising her legal right to a break. She was forced to take the company to mediation as a result. Your people know full well SkyCity is breaking the law. But trying to discipline someone to cover up your legal breaches is disgraceful.

2. Discrimination - SEA-Unite had to file with the Human Rights Commission to stop SkyCity forcing a member with a disability onto a night shift. This was even though she had medical certificates showing she would suffer serious health consequences if she worked those shifts. We won. However the result was never in doubt and should never have happened. It was an outrageous discrimination of someone with a disability. Your team should hang their heads in shame.

3. Breach of CEA - You unilaterally extended a blackout on lieu days from one day on Chinese New Year to a month long period last year and two weeks this year. In the negotiations your bargaining team asked for one day. We agreed. But it seems we agree to concede an inch and you use it to take a mile. It proves to us your people don't keep their word.

4. Housekeepers' Rate - You unilaterally removed the housekeepers' experienced rate despite evidence from HR that this had been agreed. It was also acknowledged between SkyCity and SEA-Unite at wage negotiations last year with me. To pretend the rate never existed is just plain dishonest.

5. Two years to fix a wrong - The Gaming Technicians had an annual leave entitlement taken from them. Despite promises to resolve the dispute for more than two years, it finally required legal action to get your management to face up to their responsibility to resolve it. Your senior management knew it was wrong but deliberately delayed the matter in the hope the technicians would give up.

6. Legal action to make you treat your dealers fairly - Sorting out the recent dealer Higher Duty restructure required the initiation of court action and a mandated mediation to resolve it fairly. Why was this necessary? It's either bad faith behaviour or incompetence, but both excuses are worrying.

7. Part-timers rorted - Despite acceptance by SkyCity that possibly hundreds of staff are on casual contracts when by law they should be classified as part time, this matter has dragged on for six months without resolution. HR had even agreed to a timetable and action plan in writing to fix the problem which has been ignored. I can only assume they were overruled by your senior management. These employees have missed out on their rights to shift based leave, annual leave and other entitlements. Frankly it's theft from your most vulnerable staff.

8. Non Payment of Shifts - Convention staff were sent home as punishment for being late. This is accepted by HR as illegal yet these workers have still not been compensated despite agreement.

9. Reneging on Qualifications - Qualified Security Officers promoted once they gained their certificate have been refused their 5% increase. The old rates were never to apply to experienced or qualified roles and your management knows it. It's a blatant case of thievery

10. Thwarting Consultation - Even simple matters such as the recent Car Park restructure was done without any advance notice to the union as required in the union employment agreement. Information has had to be dragged out of the company. What is this? Screwing staff before their union knows about it?

11. Appalling treatment of Leave Application - A long time employee who suffered an assault needed an extra two weeks unpaid leave to get treatment in China to fix his severely damaged teeth at much cheaper rate. He was refused and told to resign. After the union got involved the resignation demand was withdrawn. But despite his managers being fully informed of his medical condition he wasn't granted the leave until he got "proof" he was booked in for treatment in China. When he returned he had to provide the receipts to show the operation had been done. It was a completely degrading and humiliating process being shown by SkyCity to a loyal staff member. Where do you get these bullies?

Conclusion

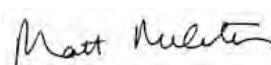
There are other examples, but you get the gist. I'm sure your management responsible would have their "version" and justify their behaviour in these matters. But any outsider could only conclude some senior management steal; bully; are incompetent; are liars and if they are caught they drag matters out as long as they can hoping we will go away. Frankly I haven't seen this pattern of behaviour anywhere else and it's shameful it happens at SkyCity.

It's clear that our attempt to maintain a cooperative relationship with you is a challenge. My strong request is that you intervene before the relationship deteriorates any further.


As a first step of rebuilding trust we ask that you rescind the earlier decision not to provide a space for our members' meeting. After that, we should agree on what further steps we need to make.

Yours sincerely

Matt McCarten,



Unite General Secretary, On behalf of the SEA Unite committee



This is a membership (tick one):

Application Renewal

Mr. Mrs. Ms

First Name:

Family Name:

Date of Birth: / / 19

E-mail:

Postal Address:

Suburb/Town:

City:

Phone Mobile: -

Home: -

- I authorise Unite to be my representative under the Employment Relations Act 2000 or its successor.
- I authorise my employer to deduct my fees from my wages and send them to Unite.
- I agree to the terms and conditions on the attached card.

Signature:

Date: / / 20

Employer: **SkyCity Auckland Ltd**

Department:

Job Title:

Shift Start: Sunrise Day Swing

Employee #:

Tick to be part of the activist network:

Tick to be notified about any union seminars:

Place form in the SEA-Unite drop-box, opposite Wardrobe on Level 1

Office use only
Place card number sticker here

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