

June 2023 News for SEA-Unite members at SkyCity

PAID TWO-HOUR STOP- WORK MEETINGS FRIDAY, JUNE 16 IN AUCKLAND

The stop-work meetings are a chance to discuss problems and plans for bargaining next year.

We will report on the ongoing work around implementing the new collective agreement.

This includes making sure new staff get an email offering them Sea-Unite membership. This is happening now and we get a steady number of new members each week that way. We are also making the company use the government "employee choice form" properly for new staff which also results in new members each week.

The "mandatory choice" process after 30 days agreed to in bargaining is also under discussion. When that happens it will assist the union to grow automatically rather than force us to do it all by individual recruitment.



New delegates needed

The stop-work meeting will also be a place where we can recruit new delegates to be trained to represent and support your fellow workers. There are new departments where we have members and need delegates to keep an eye on things.

All new delegates will be put through a one-day paid delegate training programme to help them do this job.

Start times 08:00, 10:00, 12:00, 20:00, 22:00

Venue: BAR TWENTYONE

Free meal tickets if you attend

SALARIED STAFF COVERED BY THE COLLECTIVE AGREEMENT

Currently, the following Salaried staff are covered by the Collective Agreement and should have got the \$125 payment:

Cage Count Supervisor
Chef de Partie
Cleaning Services Supervisor
Concierge, Grand
Duty Manager
Logistics Shift Supervisor
Premier Shift Supervisor
Sales and Events Coordinator
Scheduling Administrator
Supply Chain Customer Services Coordinator
Team Leader, F&B
VIP Host, Gaming Machines
VIP Host, Table Games
Wardrobe Supervisor

Other salaried staff not covered by the CA did not get the \$125 payment. We will be trying to expand the salaried staff covered by the CA next year. Some salaried staff may want to shift to being waged staff and we will support them doing that also.

We will also be trying to get the salaried pay rates included in the agreement and improve pay levels above what is currently being paid. We also need to ensure that salaried staff get at least the cost-of-living adjustments that equal or better the high inflation rate.

Watchout for the following situation. A salaried staff member is asked to work extra hours for a short period. If the salaried rate is \$30 an hour this means a workweek of 53 hours without extra pay would breach the minimum wage law.

The Collective agreement includes the following clause on hours of work. We want suggestions on how to make it stronger to ensure all hours worked are paid.

1. HOURS OF WORK

1.1 Employees will work a minimum of 80 hours each fortnight (being Monday to Sunday), unless they are employed in a part time position, in which case the hours stipulated in their letter of agreement will apply. In order to fulfil the requirements of the Employee's position they may be required to work additional hours, subject to clauses of this Schedule C.

1.2 Employees may be required to work ordinary daily hours of 11 per day, excluding breaks. If this is the case the Employee's ordinary hours of work will not be less than 88 per 16-day period.

1.3 Subject to clause 17.3 in the body of this Agreement an Employee's salary is payment for the overall performance of the position and all the hours worked.

1.4 To suit the operational needs of the Company an Employee's hours of work and their usual place of work may be altered. Employees will be given reasonable notice of any changes.

1.5 Additional hours may only be worked on a rostered day off by agreement between an individual Employee and SkyCity. However, SkyCity may request Employees to work additional hours during the Christmas and New Year period, Chinese New Year and on the occurrence of other exceptional events as determined by SkyCity (taking into account the considerations set out in clause 11.4).

1.6 Every effort shall be made to avoid excessive additional hours of work and to ensure that additional hours of work are reasonable. This is a joint responsibility between SkyCity and the Employee.

1.7 "Reasonable hours" of work will vary from Employee to Employee depending on circumstances such as:

- Work intensity
- The Employee's community and family responsibilities
- The total number of hours worked each day
- The total number of hours worked each week
- Industry norms
- Time of year/special events

1.8 If an Employee is required to work at least one half of one full shift (i.e., half one day's ordinary hours of consecutive additional hours) they will be entitled to time off in lieu equivalent to the time worked. Such time in lieu is to be taken at a time convenient to SkyCity with due regard being taken of the Employee's wishes.

1.9 If an Employee considers their hours of work to be unreasonable, they are encouraged to discuss their concerns with their manager, the Employee Advocate or Human Resources.

There are too many examples of people working excessive hours without any proper compensation. There are too many salaried staff missing breaks – which are required by law not just the contract.

Mike Treen will be leading bargaining next year for a new CA. He wants to hear more from salaried staff about their problems so they can be included in the union claims for bargaining next year. He also wants delegates from the salaried staff to step forward and help fix problems for your coworkers. If you want to be a salaried delegate or help in bargaining email mike@unite.org.nz

CREATING AS SAFE A ROSTERING SYSTEM AS POSSIBLE

Anyone who works a 24-7 roster is damaging their health and well-being. Employers and workers have a right, in fact, a duty to make those rosters as safe as possible if they have to work those unhealthy hours.

That is what Sea-Unite is trying to do with a roster working group for Table Games we are taking part in with the company. The union believes that table games have the unsafest roster at the casino because they combine three elements that contribute to unsafe outcomes. We have a “rotating” roster that forces staff to change every six months. We have “variable start times” which allows the company to vary the start times for up to six hours on any particular day. We also have “variable shift length” which allows the company to vary the shift length from 6-10 hours.

Sometimes shift patterns in places other than SkyCity, have one of these negative elements. Rarely do they have all three like SkyCity has for its table game dealers. Their combination is creating unsafe working patterns for staff. Our goal is to negotiate an end to this system through the working group or in bargaining next year.

The problems with the system have been exacerbated by two-thirds of table games staff being part-time and only one-third full-time reversing the situation from only a few years ago. When there is high unemployment this allows the company to control the hours of the part-timers and make them work when the company wants. But when there is low unemployment the part-timers can dictate to the



company which hours they want to work and force full-time staff to do the unpopular shifts.

The company has said it is committed to going back to two-thirds full time. Let us hope that happens soon.

But an easy fix would also be to pay more for the unpopular night and weekend shifts like the union suggested a couple of years ago.

Problems with the payment of the April \$125 union bonus

We grew by about 100 members during the weeks leading up to the payment. However, the company did not process half of these members on time. It seems payroll is as short-staffed as the rest of the company. It also meant that the fee deduction was late starting for this group and we plan to bill the company for the lost fees.

A few new members who had left Etu recently also couldn't get the payment because they had already got one earlier. I apologise for not making that clear before the changeover but we weren't sure of the legal situation so thought it best to stay silent.



FLEXIBLE WORKING ARRANGEMENTS AMENDMENT ACT 2007

Sometimes SkyCity workers think that laws that apply for other workers don't apply to them because they are working 24-7 rotating rosters. But one law that does apply can make the company take you off that roster if it interferes badly with your family life. Employees have a statutory right to request a variation to their hours of work, days of work, or place of work under Part 6AA of the Employment Relations Act.

An amendment to the law took effect in early 2015, acknowledging the importance of flexible working arrangements to optimise the labour market participation of groups that would otherwise be unable to participate by extending the right to request flexible working arrangements to all employees (not just those with caring responsibilities) from the beginning of their employment.

It makes it easier for employees to request a variation of conditions by removing the limit on the number of requests an employee may make for flexible working arrangements over a 12-month period, and by reducing the time for an employer to consider requests for a flexible working arrangement to 1 month (from 3 months).

The Act requires employers to consider the request for flexible working arrangements and provides the only grounds upon which they can refuse a request. The Act provides a process for how requests are to be made and responded to and also provides a process for resolving disagreements relating to a request for flexible working arrangements which may arise from time to time

Where can I get more information? Detailed guidelines on how the Act works can be viewed here: www.employment.govt.nz/er/bestpractice/worklife/flexibleworkguide/index.asp

These guidelines are designed for both employees and employers and explain the process of requesting flexible working arrangements under the Act from start to finish. A range of factsheets, templates, checklists and frequently asked questions can also be downloaded from the panel on the

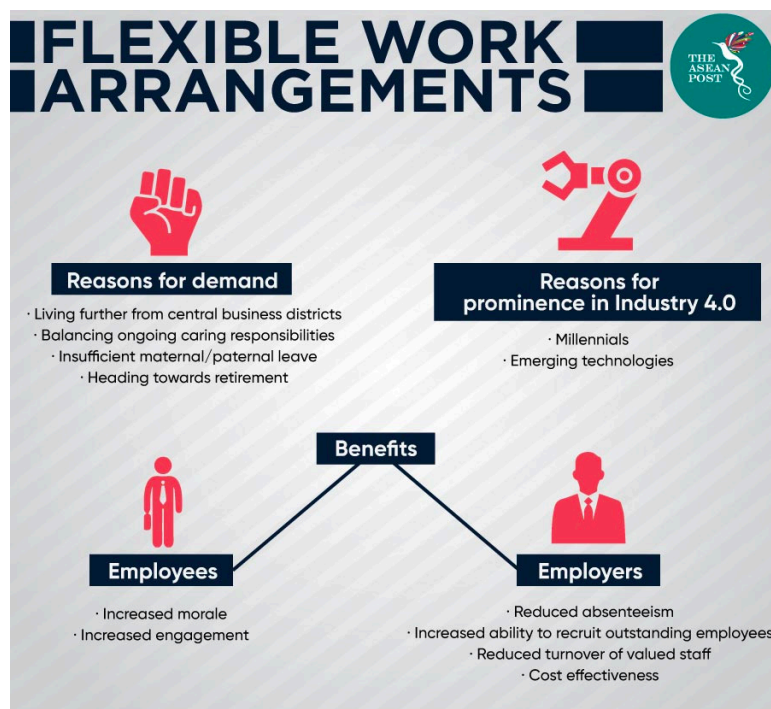
left. These resources are useful references for employees and employers and should help make the process of making and considering a request for flexible work easier.

If you have a question about the Act which isn't answered in these resources you can contact the Ministry of Business, Innovation & Employment 0800 20 90 2.

So far this year the disciplinarys of Sea- Unite members haven't resulted in any terminations. I hope, in part, it's the result of our good work representing them. But I suspect that the staff shortages are helping and terminations will be a last resort. Either way, it has been a good result so far.



Unite's Hospitality Fair Pay Agreement application was approved by MBIE at the end of May. The coverage is massive - around 160,000 workers and 24,000 employers - including casinos. The next step is to notify employers and other unions and form bargaining sides to negotiate a better deal for all hospo workers. A Fair Pay Agreement will have the same legal status as minimum standards, such as the minimum wage. That will allow unions to make sure some employers don't undercut wages and conditions that unionised workers have fought for and achieved at their workplaces.



FLEXIBLE WORK ARRANGEMENTS

REASONS FOR DEMAND

- Living further from central business districts
- Balancing ongoing caring responsibilities
- Insufficient maternal/paternal leave
- Heading towards retirement

REASONS FOR PROMINENCE IN INDUSTRY 4.0

- Millennials
- Emerging technologies

BENEFITS

EMPLOYEES

- Increased morale
- Increased engagement

EMPLOYERS

- Reduced absenteeism
- Increased ability to recruit outstanding employees
- Reduced turnover of valued staff
- Cost effectiveness