

# New Zealand rail workers' deaths a result of privatisation and the drive for profit

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The grieving families of New Zealand rail workers killed in workplace accidents have recounted their anguish to an official inquiry over the last two weeks. The testimonies concluded with an emotional plea from a worker's widow for the commission not to ignore the tragedies.

Headed by Queen's Council Bill Wilson, the ministerial inquiry was established by the Labour-Alliance government to examine the health and safety operations of Tranz Rail, the privatised national rail carrier. Fifteen workers—14 rail workers and a seaman on the inter-island ferry—have been killed in accidents since 1993. Five workers have been killed in the past 12 months. Evidence presented against Tranz Rail also listed more than 60 serious injuries since 1995, including two shunters who had their legs amputated after accidents.

The families of dead rail workers, and injured workers speaking on their own behalf, were often moved to tears when giving evidence. Trish Higgison, whose husband Ron, a shunter, was killed when he fell under the wheels of a carriage, told the inquiry: "I believe every worker should be entitled to a safe working environment and every family should have their loved ones return home from work. The shock of seeing someone off to work never to return home is so indescribably painful".

The testimonies revealed that the workers were victims of an employer whose single-minded pursuit of profits meant excessively long hours, constant restructuring and cost cutting, reduced manning levels and dangerous equipment. Many families explained that those killed on the job had privately voiced their concerns about unsafe working conditions, but had been reluctant to speak publicly out of fear of being sacked by the company.

Colin Freeman, a signal technician, said that he felt anger and guilt over the death of Neville Bell, a co-worker, in North Canterbury in 1994. Freeman, who had been forced to work 19 days without a break, took a day off: "So Neville worked and Neville died". Bell's family told the inquiry that the railway worker had been concerned that workplace safety had been compromised by staff cutbacks. They said that a pole, which had collapsed under him, thus causing his death, had been declared unsafe six years earlier but had not been replaced or marked as unsafe.

Former shunter Iosa Iuni broke down and wept when he explained how he lost his right leg in a shunting accident in 1998. He fell onto the track and was run over when a handgrip on a wagon he was holding came loose. Iuni became a permanent staff member after being employed as a casual shunter on a flat pay rate and was often required to work excessive overtime. Once, after starting work at 2am and finishing 13 hours later, Iuni was persuaded by his supervisor to return to work for another eight hours. He was not paid any overtime.

Donna and Robbie Neha, widow and brother of Jack Neha who died in a shunting accident in Lower Hutt five years ago, slammed politicians for failing to force Tranz Rail to take responsibility for its safety failures. Robbie Neha said that political platitudes made at his brother's memorial service had not translated into any safety improvements. Politicians from various parties had attended the funeral where they had "stood up and expressed their concern," he said, but "nothing came of it".

Leaning on the arm of her mother for support, Mrs Neha told the inquiry that her husband had become a shunter after being made redundant as a locomotive engineer. She did not believe he had been properly trained for the dangers of his new job. Mrs Neha said that the company had showed her no sympathy after her husband's death. Tranz Rail was fined a paltry \$7,500 over the breaches in health and safety legislation that contributed to Neha's death.

A submission from a locomotive driver described how the reduction of train crews, which led to single manning for most locomotives, had been accompanied by promises by Tranz Rail management of shorter shifts and an "improved vigilance system". In fact, the opposite occurred. Tranz Rail drivers now work 10 hour and 45 minute shifts, with rosters requiring some staff to work up to 12 days without a day off.

Graham Ealam, a workshop engineer, said that understaffing meant that many locomotives were ill maintained and unsafe. He said many locomotives were badly rusted, repairs were improvised using duct tape and filling compound, and that some trains were sent out on loose wheels. "The engine drivers are careering around the countryside at speeds of up to 100kph in what we would consider to be rubbishy cabs. They are

absolutely diabolical,” he said.

Another worker told of a “reward scheme” for staff who did not use sick leave. At one rail yard, workers were encouraged not to use sick leave with a lotto system. Numbers were called out each day. Anyone not at work that day would not be eligible to mark off numbers on a chart. The first person to fill out all the numbers won a prize.

The worsening working conditions and sharp decline in rail safety is a direct outcome of the privatisation program pursued by Labour and National governments over the past two decades.

Tranz Rail's predecessor, the state-owned New Zealand Rail, was prepared for sale under “reforms” introduced by the 1984-90 Labour government, which transformed all government departments into so-called State-Owned Enterprises and demanded they return a profit. One of the chief architects of this program was the minister in charge of railways, Richard Prebble, who later joined the big-business party ACT (Association of Consumers and Taxpayers). Under Labour, 9,000 rail workers' jobs were axed and Tranz Rail's annual after-tax profits rose to over \$NZ150 million.

In 1993 the National government sold the rail company for \$328 million to a consortium of local and overseas companies led by the New Zealand merchant bank Fay Richwhite and the US-based rail operator Wisconsin Central Transportation Corporation. The drive for profits and relentless assault on jobs and working conditions intensified, with the company posting annual net profits from 1997 to 1999 of \$60.6 million, \$48.2 million and \$70.2 million.

The most recent boost to the company's annual profit margin was achieved, according to a recent shareholders' report, by a reduction of 325 jobs. According to the report, labour productivity was increased through “extra overtime and reduced leave”.

The owners and shareholders, whose interests are thriving at the expense of the lives and livelihoods of rail workers, are a privileged group of wealthy business figures. Tranz Rail's Board of Directors includes David Richwhite, one of New Zealand's wealthiest individuals, whose merchant bank has been a major beneficiary of the privatisation policies of the past period, and Ed Burkhardt, chairman of a string of rail and transportation companies around the globe. His proprietorial interests and directorships include Wisconsin Central Transportation (USA), English Welsh and Scottish Railway (UK), Wheeling and Lake Erie Railway (USA) and Australian Transport Network (Australia).

The financial interests of these powerful businessmen have been buttressed and protected by political decisions taken at the highest levels. New Zealand's workplace health and safety laws allow employers to kill, injure and maim their workers with virtual impunity. An average of one worker is killed in workplace accidents every week, yet the Labour Department prosecutes fewer and fewer employers for breaching health and

safety laws. In 1994-5 it undertook 517 prosecutions, but only 120 in 1996-7, and 172 in 1998-9. Critics believe the department is so under-resourced that it prosecutes only when it believes it has an 85 percent chance of winning.

Rail workers, however, are not even protected under the meagre provisions of the Health and Safety in Employment Act, which applies to most other workplaces. Tranz Rail operates under its own special legislation—the Transport Services Licensing Act and Transport Accident Investigation Commission Act—which specifically provides for safety “at reasonable cost” within the rail system. The company's cost-cutting program is thereby protected by the very legislation purportedly designed to guard workers' safety.

Not surprisingly, Tranz Rail went into the inquiry determined to defend its right to continue operating under this legislation, claiming it to be “more effective in increasing occupational safety” than the alternative act. The company made it quite clear that it considers that the workers are to blame for the company's horrendous health and safety record. While offering, for public relations purposes, a statement expressing “sorrow and regret” to the families of the dead and injured workers, company spokesmen went on to claim that its safety management system had been declared by an “independent” report to be “robust and well controlled”.

The inquiry, which is due to report on August 31, will be a damage limitation exercise on the part of the Labour-Alliance government. There may well be a slap on the wrist for Tranz Rail, and modifications recommended to the health and safety legislation. Given the thrust in Labour's new industrial legislation to involve unions in enforcing productivity increases and controlling worker expectations over wages and conditions, there could well be a requirement for Tranz Rail to establish “consultation” processes with the unions. However, the underlying causes of rail workers' deaths—the prolonged assault on the rights and conditions of the working class arising from the requirements of profit—will be left unchallenged.



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