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AUCKLAND LOCAL

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1 June 2012

Ref: ALC/12-28

Mr Brian Butt
Fire Region Commander
Auckland Region
New Zealand Fire Service
P O Box 68 444
NEWTON 1145

Dear Brian

The Union writes to draw to your attention breaches of the Privacy Act as well as the bullying and intimidation of a number of our members by AM Cocker.

We have received complaints from members that AM Cocker has held meetings with crews and accused them of taking “more than the average” amount of sick leave.

The breaches of the Act occurred when he openly discussed individual members’ sick leave in front of others. This was compounded by the open display of sick leave totals for other members within the Counties-Manukau Fire Area. These were able to be viewed by all present. Our members were humiliated in front of their co-workers by AM Cocker questioning, based on their sick leave, whether they were medically suitable for the job.

AM Cocker produced a letter from “another District” which he gave to members showing them the sort of reaction they could expect if they applied for transfer or advancement and had “higher” levels of sick leave. This letter threatens the recipient with non-advancement despite there being no indication of illegality, misconduct, or breach of sick leave entitlement, including leave authorized by a registered and certified medical professional.

AM Cocker conceded that all of the sick leave he was openly discussing was taken within the entitlements of the staff and that he had no proof of abuse. The majority of the sick leave was taken in accordance with all contractual obligations.

The Union strongly objects to our members being openly counselled without a Union Official present. In these circumstances, there is no such thing as a “friendly chat” when a Fire Service manager is engaging in threatening and intimidating behaviour, while running rough-shod over the member’s right to privacy with regards to medical information. This is compounded by illegal threats of non-advancement and inference of possible medical boarding for legitimate use of legislated and contractual sick leave entitlements. This is bullying, harassment, intimidation and humiliation of members.

The Union seeks an investigation on Privacy Act breaches and on bullying and harassment allegations.

In view of the Fire Service's past aggressive stance on bullying and intimidation in the workplace, we trust that this matter will be thoroughly investigated.

The Local would be happy to be of any further assistance and we await your response.

Yours sincerely

J. W. Waldow
Vice President
Auckland Local