



Public Notice of Approval of Application to Initiate Bargaining for a Proposed Fair Pay Agreement

Section 37 of the Fair Pay Agreements Act 2022

Proposed Fair Pay Agreement:	Bus Transport Industry
Initiating Union:	First Union Incorporated
Application Number:	FPA01-003-2022
Decision:	APPROVED

I, the Chief Executive of the Ministry of Business, Innovation and Employment (MBIE), give notice that I have approved an application from the Initiating Union to initiate bargaining for a proposed fair pay agreement (FPA) under section 33 of the Fair Pay Agreements Act 2022 (the Act), for the Bus Transport Industry, as described below in Part 2 of this Public Notice.

Part 1: Initiation test relied on

The Initiating Union's application relied on the 1,000 employees representation test for initiating bargaining under section 28(1)(a) of the Act. This test is met if at least 1,000 employees who would be within the coverage of the proposed FPA support the application to initiate bargaining.

The Initiating Union claimed support from 1,132 employees and provided contact information of those employees as required to support the application under section 31 of the Act. Using this information, MBIE selected a random sample for the purpose of verifying the information provided by the Initiating Union.

Based on that sample verification, I was satisfied that the representation test under section 28(1)(a) of the Act had been met in that at least 1,000 employees within the proposed coverage support the application to initiate bargaining for a proposed FPA.

Part 2: Coverage of the proposed FPA for the Bus Transport Industry

The proposed FPA is an industry-based agreement and covers only the occupations within the industry as described below.

Industry description

The industry covered by the proposed FPA is the Bus Transport Industry. It is mainly carrying passengers on public roads by means of a passenger service vehicle across interurban, rural, and urban regular routes and regular schedules, including to and from schools.

Interurban and rural regular routes and regular schedules are provided mainly outside metropolitan areas or over long distances, such as:

- Long distance bus and passenger transport
- Bus and passenger transport charter and long distance
- Inter urban bus and passenger transport operation
- Inter urban rail bus transport operation
- Rural school bus and passenger transport service
- Rural bus and passenger transport service

Urban regular routes and regular schedules are provided mainly in metropolitan areas, such as:

- Urban bus and passenger transport operations
- School bus and passenger transport services
- Airport bus and passenger transport operations
- Chartered bus and passenger transport operation short distance
- Suburban bus and passenger transport operation
- Trolley bus transport operation

Relevant ANZSIC codes: Interurban and Rural Bus Transport (ANZSIC code I462100), Urban Bus Transport (ANZSIC code I462200).

Industry exclusions

- Scenic and Sightseeing Transport (ANZSIC code/class I501000): This industry class consists of units mainly engaged in operating transportation equipment for scenic and sightseeing activities. This form of transport is distinguished from transit passenger services, as the emphasis is not on the efficiency or speed of the transport service but rather on providing recreation and entertainment. The service provided is usually local in nature and generally includes tour commentary, highlighting features of the scenery and/or the vehicle. Specifically excluded from this industry are units that provide recreational services that involve direct participation by the customer such as white-water rafting.
- Other Transport Support Services n.e.c. (ANZSIC code/class I529900): this class consists of units mainly engaged in providing transport support services not elsewhere classified.
- Urban light rail network transportation (tramway).

Occupation descriptions

Description of work or type of work (main tasks or activities)	Label of occupation (from ANZSCO register)	ANZSCO code (or closest ANZSCO code if no code available and how it differs from closest code)
<p>An employee who drives a bus or a minibus (a vehicle that is designed or adapted to carry more than 12 passengers) on scheduled intra-city services over established routes.</p> <p>May perform associated duties including:</p> <ul style="list-style-type: none"> - stopping at set locations to pick up and set down passengers; - opening and closing doors before and after passengers board or alight; - controlling lighting, heating and ventilation on buses; - collecting fares and giving change and tickets, and monitoring electronic entry; - advising passengers on destinations; - maintaining conduct of passengers; - providing information and commentaries for passengers; - assisting passengers with baggage; - maintaining, servicing and cleaning buses. <p>Requirement: Registration or licensing.</p>	<p>Bus Driver/Bus Operator</p>	<p>731211</p>
<p>Any employee (regardless of vehicle passenger capacity) employed to drive passenger transport vehicles for schools and other educational services including providing Specialised School Transport Assistance.</p> <p>May perform associated duties including:</p> <ul style="list-style-type: none"> - stopping at set locations to pick up and set down passengers; - opening and closing doors before and after passengers board or alight; - controlling lighting, heating and ventilation on buses; - collecting fares and giving change and tickets, and monitoring electronic entry; - advising passengers on destinations; - maintaining conduct of passengers; - assisting passengers (including providing Specialised School Transport Assistance, as approved by the Ministry of Education) - assisting passengers with baggage; - maintaining, servicing and cleaning coaches. <p>Requirement: Registration or licensing.</p>	<p>School Bus Driver</p>	<p>Specialisation under 731211</p>

Description of work or type of work (main tasks or activities)	Label of occupation (from ANZSCO register)	ANZSCO code (or closest ANZSCO code if no code available and how it differs from closest code)
<p>An employee who drives a charter coach or charter bus transporting passengers.</p> <p>May perform associated duties including:</p> <ul style="list-style-type: none"> - Stopping at set locations to pick up and set down passengers; - opening and closing doors before and after passengers board or alight; - controlling lighting, heating and ventilation on buses; - checking passenger list and confirmation of booking; - maintaining conduct of passengers; - providing information and commentaries for passengers; - may assist passengers with baggage; - collecting fares and give change and tickets, and monitor electronic entry; - maintain, service and clean coaches. <p>Requirement: Registration or licensing.</p> <p>Exclusion: this occupation excludes tour coach, or charter bus drivers who exclusively work in the Scenic and sightseeing transport industry (ANZSIC 1501000).</p>	Charter Bus Driver	731212 (as amended) See exclusion listed in the description of work.
<p>An employee who drives a coach to transport long distances on scheduled intercity services over established routes.</p> <p>May perform associated duties including:</p> <ul style="list-style-type: none"> - stopping at set locations to pick up and set down passengers; - opening and closing doors before and after passengers board or alight; - controlling lighting, heating and ventilation on buses; - collecting fares and giving change and tickets, and monitoring electronic entry; - advising passengers on destinations; - maintaining conduct of passengers; - may provide information and commentaries for passengers; - may assist coach passengers with baggage; - may maintain, service and clean coaches. <p>Requirement: Registration or licensing.</p>	Passenger Coach Driver	731213

Description of work or type of work (main tasks or activities)	Label of occupation (from ANZSCO register)	ANZSCO code (or closest ANZSCO code if no code available and how it differs from closest code)
<p>An employee who cleans and/or performs service work on buses and other passenger transport vehicles.</p> <p>Duties may include:</p> <ul style="list-style-type: none"> - Using powder, liquid or steam cleaning methods - Applying chemicals and deodorants - Cleaning interior and exterior surfaces and windows - Vacuuming - Waxing and polishing - Removing refuse and recyclable materials - Emptying containers, bins and trays - Refuelling of buses - Parking of buses. 	<p>Bus Cleaner / Bus Service Worker / Bus Refueller</p>	<p>No ANZSCO code is available for Bus Cleaner/Bus Service Worker/Bus Refueller.</p> <p>The closest code is ANZSCO 811111 (car detailer), which includes cleaning vehicles but for the purposes of preparing them for sale or rent, which is not within coverage of this proposed FPA.</p>

Occupation exclusions

- Tour Bus Drivers (ANZSCO 731212) who work in the Scenic and Sightseeing Transport industry (ANZSIC I501000).

Part 3: General information

- i. Unless the coverage of the proposed FPA changes during bargaining, the FPA will apply to:
 - a. each employee who, in relation to the FPA, will be a covered employee; and
 - b. each employer who, in relation to the FPA, will be a covered employer (i.e. because it employs at least one covered employee).
- ii. Each covered employee and each covered employer (as at the date on which the application to initiate bargaining was approved) may be represented in the bargaining for the proposed FPA
- iii. A plain language explanation of next steps for bargaining can be viewed on Employment New Zealand webpage and in [The Fair Pay Agreements System: a guide for participants](#)



Carolyn Tremain

Te Tumu Wharekarae mō Hikina Whakatutuki,

Secretary for Business, Innovation & Employment and Chief Executive

Date: 27 / 03 / 2023