

Membership Newsletter

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RTBU WA PTA BRANCH UPDATE

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Secretary's Address

In current times, Australia is slowing its climb to 7000 confirmed cases of COVID-19, by slowing its activities across all sectors. Stage-3 lockdown measures are in place. Millions are out of work. Our only job security lies in the fact that we perform essential services, including supporting the front-line responders by getting them to and from work.

In the past month I have been contacted by numerous members telling their story or experience of work within our industry through this pandemic. I have heard from members with significant workplace wins for safety, security, or clarity of procedures. I have also heard from those who have had hours cut or have been stood down.

Unfortunately, the Fair Work Act and our State Agreements and Awards allow employers to stand down employees without pay in certain circumstances. The RTBU has been working tirelessly to put members in the best possible position regardless of employer or region. We have achieved a number of victories, but our fight continues.

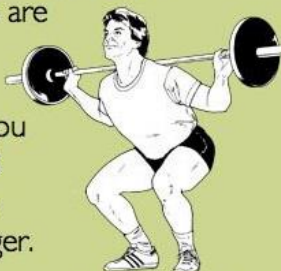
The RTBU maintains, given the critical nature of our public transport services, the government should seize this opportunity to regain control over outsourced and expensive public transport operations which are being run purely for the benefit of shareholders. However, our immediate priority is to try and ensure members are not financially disadvantaged throughout this crisis and that everyone has access to a safe workplace.

A Quote with Relevance

"What defines us is how well we rise after falling" - Zig Ziglar

UNION MEME!

Union membership is like a gym membership. Dues are necessary to operate. And, just like a gym, if you don't show up and participate, you do not become stronger.



Out on Track

By Joshua Dekuyer



Below are just some of the recent and current issues/matters attended to by our Union:

- Assisting numerous members in obtaining back payments related to incorrect payments when they were forced into isolation
- Attending PSLR's Special COVID-19 Taskforce every week to advocate for all members of the RTBU
- Actively recruiting new members to strengthen our Union including all of the 28 new Transit Officer Trainees
- Reaching agreements in-principle for the EBA negotiations of both N&I and Customer Relations members
- Analysing and providing feedback to progress and positively change PTA policies such as the current Workers Compensation Policy (new policy to be released soon)
- Attending management meetings and joint working group meetings (with and on behalf of members) for all divisions to address all matters COVID-19 related
- Pursuing minor grievances, clarifying queries, lodging disputes and ensuring EBA compliance
- Attending meetings with the Transport Minister's office and pushing for progress in the best interests of the membership
- Negotiating with tenants of Union owned properties regarding rent relief due to the impacts of COVID-19
- Supporting members throughout their discipline process by assisting in the formulation of responses, reviewing footage and attending interviews
- Conducting numerous site visits to talk face to face with members and assist address and clarify concerns and queries
- Corresponding with our various utilised lawyers to provide guidance to members individual disciplinary, criminal, family, workers compensation and criminal compensations matters
- Assisting members access COVID-19 leave when initially refused access by the Department
- Beginning preparation for upcoming negotiations with EDI Bombardier and TransWA

“Attending PSLR's Special COVID-19 Taskforce every week to advocate for all members of the RTBU”

THE POWER OF UNION

They've Got Your Back!

Our Central Monitoring Room (CMR) Operators primary role is to operate CCTV cameras and other CMR equipment to improve safety and security for Transperth workers, passengers, and services. I think the importance of this is easily forgotten, as it is carried out behind closed doors. A little recognition goes a long way so this Union would like to thank our CMR members for the work they do, on behalf of the Membership. It is a vital part they play, every day and night, in watching our backs. Safety is essential in a good workplace; CMR Operators improve the lot of all who work with the PTA.

Truth be told, every member's work in our community is vital and I am not convinced you hear this as clearly or as often as you should: thank you. You are the lifblood of Western Australia; you are the lifblood of this great Union of ours. Once the COVID-19 crisis is over, it will be you who the public depend on to assist in their lives returning to normality. As our very own Transport Minister said to me, *“I thank your members for their ongoing dedication to maintaining the essential service of public transport.”*



No Reasonable Prospects!

By Joshua Dekuyer

On the 17th of April, the Union received news that was a real cause for celebration. More than a year from the date of commencing our support process, one of our Transit Officer members had a criminal charge of Unlawful Assault Causing Bodily Harm, that had been laid against him resulting from a workplace incident, formally dropped by WA Police Legal Service - Prosecuting Services Division.

Transit Officers can naturally be exposed to certain risks in their role and the Union is often called upon to help with the process of investigation and accountability around interactions that may involve force being used on another person. However, the majority of these cases are in the workplace and never destined for a court of law. The events of the 31st of March, 2019, were called into question by the WA Police Force and our Member was placed under investigation and charged with "Unlawful Assault Causing Bodily Harm" in relation to his actions taken during the affecting of an arrest.

The Union supports all rights of the individual citizen, as well as the Members, so to support the rights of the alleged victim and justice in the community, we ensured that careful consideration was given to our actions in the matter. Luckily, preparations had already been made for situations such as this - the Transit Officer Benefit Fund was originally created as a Transit Officer Legal Fund to allow a decision-making and funding process to be followed.

After looking at the evidence presented to the Security Sub-Branch Committee, discussion and voting confirmed that, although we are not in the position to pass judgement, it was believed there were significant reasons to doubt the allegations against the Member and, as such, a need to provide him with organisation and funding for legal counsel. With the blessing of the Security Sub-Branch Executive, I researched legal options and contracted the services of Andrew Tehan, Barrister and Solicitor at Tehan Legal. Mr Tehan began the process of negotiation with WA Police, supporting the Member and advocating for a reasonable evidence-based discontinuance of the charge.

This was a torturous period of more than a year of legal limbo for the Member, with the prospect of facing court always looming on the horizon. Union negotiation with the PTA helped to ease his situation and all were grateful for good faith measures that avoided unnecessary stress being added to the situation. With every update from Mr Tehan, we became more hopeful that WA Police would agree that the Member did not need to be brought to trial, but prepared for the worst as we hoped for the best.

At long last, after diligent service by Mr Tehan, we were thrilled to receive formal notification that *"The Prosecution discontinues the charge of assault occasioning bodily harm because there are no reasonable prospects of conviction."* With this, the Union has successfully defended the rights of a Member, but also avoided an unnecessary burden on the heavily taxed justice system. The cost to the Member, in both lost opportunity and stress, has been high and the financial and moral support of the Union was critical.

We would also like to thank Mr Tehan for a very reasonable rate and package, supporting the Union's ability to assist all workers as needed!



Excellent Outcome!

THE POWER OF UNION

"The Prosecution discontinues the charge of assault occasioning bodily harm because there are no reasonable prospects of conviction."



Offer on the Table *By Joshua Dekuyer*

COVID-19 has caused unparalleled issues never seen in our lifetime. I and others became increasingly concerned that with the amount of money being spent by the Government, that at the end, there would not be any left.

Given the climate we are in, both with the State Wages Policy and the current issue with COVID-19, we held a position that the EBA negotiations for N&I and for the Customer Relations division should be expedited in an attempt to reach an in-principle agreement and therefore securing the \$1000 base wage rate increases and other improved conditions whilst they were still there to be offered.

We worked hard and fast and successfully reached an agreement in-principle with the PTA regarding both divisions agreements. Any final draft agreement document will still require ratification by the membership as a final safeguard.

We are pleased though, given the current economic climate and the applicable State Wages Policy that is in place, that the offers that were put on the table achieved significant improvements made for the membership in these areas. More importantly, we didn't lose anything we have worked hard to obtain in the previous rounds of bargaining.

Auditor's Reports

After every financial year (Jan 1 - Dec 31), the PTA Branch is required to prepare certain financial reports under the *Fair Work (Registered Organisations) Act 2009* (Cth), and the State Branch under WA's *Industrial Relations Act 1979*. These audits are now complete. The Auditor's Reports are available on our website at www.rtbuwa.asn.au/reports



Our 'books' are audited every year by an appointed and registered auditor to ensure compliance and transparency.

Workplace Delegates

Your Workplace Delegate is a dedicated voluntary role - they freely give their own time to help you. Your delegate should be your first port of call for all things Union. They are there to assist with matters at the workplace level. If the matter is more than they alone can deal with, then they can assist with getting you in touch with the Union Office. Some of the things your delegate can help with are:

- Keeping you and the Union aware of issues throughout your workplace;
- Elevating your matters/concerns/issues to the relevant department of your employer, or the Union Office; and
- Resolving workplace issues quickly and effectively



Your workplace delegates should be your first port of call!

Workplace Delegates for each Sub Branch are as follows:

Customer Relations - Joshua Ayanami, Helen Martin, Sean Hodgson, David Riley, Cedric Edmonds, Mark Counsel, Tracey Widginton, Eric Faranda and June Wiscombe.

Security - Jamie Reed, Piers McCarney, Michael Ioppolo, Matthias Schnisa, Ryan Sumner, Danny Delanty, Mark Byrne, Mark Parsons, Iain Moynihan and Chad Miles.

Transwa - Dean Harris, Gregory Brennan, John Pilkington, William Lovely, Peter Steele, David Busing, Paul Hopkins and Karl King.

N&I - Ben Nichols, Barry Irvine, Giorden Goodall, Harry King, Dwayne Knight-Hall, Marco Mitic and Aparangi Hemara.

Urban Rail - Kelley Jenkins, Terry Joy, Craig Dearth, Glen Glingin, Michael Falk, John Bray, Sanjeev Banga and Ron Tully.



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