



# RTBU

## RTBU WA PTA BRANCH UPDATE

### VOLUME 3 ISSUE 7

## SECRETARY'S ADDRESS

No one needs telling that 2021 was yet another year full of challenges, pain and adversity. For us, our families & our workmates, our community, our industry - for our Union. The pains, strains and hardships brought on by the Covid pandemic did not go away as we had hoped after 2020, and we have no assurances these hard times won't persist into 2022.

As we draw this year to a close, I want you to remember the one thing which has carried us through all this: your solidarity. It's your compassion, your resilience, your dignity, and that you've been strong enough to practice these values together as a proud collective of workers and trade unionists, which has carried us through every day, every week. Each and every one of you had each-other's backs at work, you trusted in your Union to represent you, you held each-other up against everything without fail. Your capacity to endure and come out the other end as workers, as Union, has been simply humbling. Your solidarity makes us strong enough to fight the battles still ahead of us.

The alarming rise during Covid of incidents of verbal abuse & even violent assaults on public transport, much of it directed at our workers, has persisted into this year.

After years of the Union hitting brick walls trying to bring this to the attention of the State Government & the PTA, we've started to bring the PTA to their senses and to take the issue seriously. We will look to launch the 'We Wear Your Words', & it's never okay to abuse transport staff' public campaigns in 2022. The responsibility of the PTA and other operators to ensure a respectful work environment for all PT workers, with zero tolerance for abuse will be non negotiable.

We remain vigilant in ensuring that all RTBU members' work environments are Covid safe and your exposure to risk, no matter how small or where you work in our network is minimised. Your right to go to work and come home safe and healthy is not negotiable.

I'd like to turn our attention to the year ahead in politics, where we have a Federal election to look forward to. Most RTBU members already know that Scott Morrison's Coalition Government is anti-worker and anti-fairness to its core. This conservative mob has stood back while secure jobs have been decimated in Australia, and a greater share than ever of our nation's wealth has been stolen and handed to the richest of the rich on a plate.

They have totally bungled Australia's response to Covid. We will repay them in kind for their attacks on workers' right to bargain. We and the wider trade union movement must close ranks next year and work to throw them out.

In saying this, we will have no fear or favour towards any future Labor Government. Labor has promised to legislate improved workplace & union rights and tackle inequality in our society, but we'll believe it when we see it. As we all know, actions speak much louder than words

Our Union's strength has always relied on our unity. You know it. To fight back at our foes, we must be able to count on this unity. What we should never have to deal with is splitting attacks from our own side. You know our records. I'm ready to fight for all members, across all areas without fear or favour, because our Union rises and falls as one. Those who are only interested in playing destructive politics and dividing our Union's ranks for their personal gain will be judged by you the members. The RTBU belongs to you, RTBU members have always found the courage and strength to fight together under our Union's banner - and they



Branch Secretary Joshua Dekuyer

see through those who seek to tear down our Union from the outside (and sometimes from within) for their own selfish and greedy ends.

I can't tell you how proud I am of each and every one of our members and how you have faced the challenges of this year and last. You have stood up and stood by one-another, and come what may I know you'll continue to fight for each-other, your families, our Union and your class of working men and women. You are the 'Power of Union'.

I wish all members and their families a safe and happy holiday season. I look forward to seeing you again in 2022.

United we stand, Divided we fall.

### A Piece of Advice

"Never let the fear of striking out keep you from playing the game." - Babe Ruth



## OUT ON TRACK

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

- Completed and submitted a 25 page RTBU Work Value submission to the Reviewer for the Urban Railcar Driver Base Award Classification Review. Attended numerous meeting with the PTA, DMIRS and the Reviewer on the Work Value Review and conducted a tunnel tour.
- Attended a UnionsWA run training session in order to prepare for the incoming Work Health and Safety Act.
- Supported numerous members through discipline investigations including drafting responses to allegations and findings, attending interviews, and viewing the CCTV of incidents and the like.
- Attended numerous UnionsWA Council meetings on behalf of all members of the RTBU.
- Attended workplace consultative meetings to raise, discuss, and address a number of localised workplace issues.
- Submitted a Workers Compensation draft bill submission to advocate for changes to the legislation prior to its finalisation.
- Created the RTBU WA PTA Facebook page to further engage and communicate with members and potential members of the RTBU.
- Reviewed the landmark Industrial Relations Bill that was passed through WA Parliament to understand its effects on the membership.
- Attended Trainee Transit Officer and Passenger Ticketing Assistant inductions and successfully signed up new members to the Union.
- Attended meetings with National Office, Slater & Gordon, and the WAIRC to progress the Amalgamation of the WA RTBU Branches.
- Met with Security Sub Branch EBA representatives to continue progression on their current EBA negotiations and Agreement drafting.
- Referred and managed members interactions with industrial, family, criminal, and workers/criminal compensation lawyers.
- Created and submitted the TTO Railway Employees Log of Claims. Attended the first EBA meeting to formally discuss the Log.
- Responded to emails, calls, and provided advice daily to countless members on a range of workplace topics and issues.
- Conducted numerous site visits including visits on the train lines, sheds & depots, maintenance facilities, and the like.
- Attended a national hook up with National Office and the RTBU's National Locomotive Division to advocate for further changes to the proposed mandatory in-cab surveillance initiative.
- Obtained legal advice on the vaccine mandates, on employer issued lawful directions and gave radio interviews on the topic.
- Attended, organised, and spoke at numerous Public Sector Alliance meetings and events. Successfully advocated for a new Wages Policy.
- Attended numerous government meeting including meetings on the Wages Policy and the Vaccine Mandate for public transport workers.
- Attended the first ever RTBU National Council virtual/online event where issues of National importance were debated and decided.
- Held Branch Executive meetings to pass resolutions on a number of RTBU WA PTA membership specific matters.
- Obtained additional tenants for our Stirling Street property and secured significant rental income backpayment owed to the RTBU.
- Attended a weekend long Labor Party State Conference and drafted numerous Transport policy commitments for consideration.

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"Created the RTBU WA PTA Facebook page to further engage with members and potential members of the RTBU."

## MAKING MOVEMENT

Safety of RTBU members is always a matter of concern for the RTBU. We have been advocating and lobbying the State Government for several years on a number of matters, and may of our recent efforts are beginning to bear the fruits of our labour.

For example, from February 2022 we have confirmation that Late Night Services will no longer be free. In addition, the Government has committed to the 2.5 million dollar upgrade of the Perth Station forecourt with a commitment to address anti-social behaviour in the surrounding area. You can see from the response letter to the right that the RTBU will continue to be an "important contributor" to safety improvements. We have been working with the PTA to address other safety concerns and have already seen significant improvement in areas of safety for our members on the Transwa services. We will continue to apply pressure for all members on matters of safety, and work in conjunction with your elected OHS reps to achieve the best outcome for all.

Importantly, we are soon to see implementation of the Australia's best Work, Health, and Safety legislation. The new Work Health and Safety Act 2020 (and accompanying regulations) will provide an improved framework to protect the health, safety, and welfare of workers in WA workplaces, and of other people who might be affected by the work. This is a major achievement by the union movement. To view an overview of Western Australia's new Work Health and Safety Act 2020 visit: [https://www.dmirs.wa.gov.au/.../overview\\_wa\\_whs\\_act\\_0\\_0.pdf](https://www.dmirs.wa.gov.au/.../overview_wa_whs_act_0_0.pdf)



## SERVICES DIRECTORY 2022

- DIRECT REPRESENTATION**  
The RTBU regards any issue of concern associated with your employment as a legitimate matter and will ensure that appropriate assistance is provided to you. Speak to your local RTBU Delegate or ring the RTBU office for help, guidance, or representation.
- WAGES & CONDITIONS**  
Members' terms and conditions of employment are covered by enterprise agreements negotiated by the RTBU or the relevant award. For all inquiries regarding wages, your current classification, higher duties, all leave entitlements including maternity, paternity, overtime penalties and other rights and entitlements, we're here to help.
- HEALTH, SAFETY & WELFARE**  
The RTBU is committed to ensure that no member is placed at risk in his or her work environment. Occupational Health and Safety Representatives (HSRs) have been elected in most workplaces to support and advocate for your safety at work. If you are concerned about any aspect of your health and safety at work, talk to your local HSR or RTBU Delegate or ring the RTBU. The RTBU will also provide advice and refer regarding welfare, drug, and alcohol assistance. If you are unsure who your HSR is, contact the RTBU.
- WORK INJURIES AND ILLNESS - COMPENSATION AND REHABILITATION**  
If you are injured at work or your work contributes to or causes an illness, report it immediately. Contact your Delegate or the RTBU to obtain advice about your rights and entitlements and to assist with any paperwork. The RTBU can refer you to our solicitors if necessary for any follow up action required. Members who are injured have a right to proper and effective rehabilitation (Freshstart). The RTBU can also assist in this area if you are concerned about the treatment you are receiving from an employer.
- UNFAIR TERMINATION**  
The RTBU will not tolerate the unfair dismissal of a member. Members who unfortunately suffer such treatment by their employer should contact the RTBU for immediate assistance. Legal rights exist to gain reinstatement and/or compensation, which the RTBU can provide advice and assistance about. Even forced transfer to a lower classification can amount to unfair dismissal. Members should report any threat of termination to their Delegate, Organiser or the RTBU Office.
- EQUAL OPPORTUNITY AND DISCRIMINATION**  
All workers have the right to be treated equally at work - the RTBU will not tolerate discrimination. If you feel you have been treated unfairly, contact your Delegate or Organiser.
- SEXUAL HARASSMENT**  
Sexual harassment is anti-worker and is a serious and illegal offence and NO WORKER HAS TO PUT UP WITH IT - contact the RTBU Office for confidential and effective advice.
- TRAINING AND CAREERS**  
Access to and opportunity for further training and advancement should be available for all members - ask your employer about your entitlements and let the RTBU know if the response is unsatisfactory. The RTBU will also arrange for members and RTBU delegates to gain effective occupational health and safety training and trade union training.
- CHANGES AT THE WORKPLACE**  
RTBU awards and agreements require employers to consult with the RTBU about most changes in the workplace which may impact employees. The RTBU will ensure changes are not implemented without members having had a say and their concerns addressed.
- HEALTH INSURANCE - UNION HEALTH**  
Make the Move to Union Health! Not-for-profit and member-owned, Union Health is the only health fund in Australia that exists to serve union members and their families. Because they're 100% owned by their members, their profits go straight back into providing better products, more services, and a wider choice of hospitals for their members. They work hard to keep average premium increases as low as possible. Call: 1300 661 283
- LEGAL SERVICES - FOGLIANI.LAWYER**  
Cory Fogliani from Fogliani.Lawyer is one of our officially endorsed legal representatives of the Rail, Tram and Bus Union. As part of his commitment to the industry, he extends worthwhile employment and industrial legal service benefits to RTBU members.
- LEGAL SERVICES - TURNER FREEMAN, WEST FAMILY LAWYERS & LAVAN**  
These law firms are the officially endorsed legal representative of the Rail, Tram and Bus Union. As part of their commitment to the industry, these law firms extend worthwhile legal services benefits to all RTBU members. These services include Workers Compensation, Criminal Compensation, Wills, and Family law services.
- INCOME PROTECTION**  
RTBU members have access to income protection through All Risk Protection Pty Ltd. For more info visit [www.allriskprotection.com.au](http://www.allriskprotection.com.au)
- RTBU MERCHANDISE**  
The RTBU offers a small range of merchandise for members to wear RTBU loud & proud. Look good and let everyone know what team you're on. Contact the RTBU for more details.
- OTHER BENEFITS**  
Long Service Leave, Annual Leave, Sick Leave, PDO's, Bereavement Leave, Maternity / Paternity Leave, RTBU Diaries, ShopRite discounts, Shift Penalties, Membership Newsletters, Union Health Fund, Policy Reviews, Legal Advice, Free Standard Will & Journey Cover etc. For further or additional information on the above, contact your Delegate, and the RTBU. view the Membership Booklet or visit the RTBU website or RTBU WA PTA Facebook page today.
- INQUIRIES & BOOKINGS**  
Contact: Rail, Tram & Bus Union WA PTA Branch. Phone: 08 9225 6722 or Email: [general@rtbuwa.asn.au](mailto:general@rtbuwa.asn.au) & don't forget we are now on Facebook @RTBUWAPTA or you can visit our website @ [www.rtbuwa.asn.au](http://www.rtbuwa.asn.au)



# NEWSFLASH: IN-CAB AUDIO AND VIDEO UPDATE

As members would be aware, the RTBU has been campaigning for protections regarding in-cab audio and video recordings with government and ONRSR.

Over the past three years we have continued to advocate a strong no campaign.

During the time however some operators such as Watco, Aurizon and The Bowen Rail Company have purchased locomotives with the technology in built and there are little or no legislative protections in place for members working in these companies.

The operators and manufacturers are attempting to roll out this technology across the industry without input or considerations on the impacts on Traincrew, with this all-in mind the RTBU has been engaged with ONRSR who were directed by the government ministerial council to consult with us on the proposed policy.

The RTBU has now won additional protections which have been included in the legislative policy which, although far from perfect, are likely maximum that can be achieved between the parties at this stage. These include:

- Limitations which only allow ONRSR, ATSB and the police access to historical recordings (rather than live feeds) after a notifiable occurrence
- Access to recordings can only be for rail safety reasons
- Limitations on the publication and disclosure of the recordings
- Access constraints for testing
- If an operator tries to access the devices as a live feed, that the employees affected need to be notified in advance
- The requirement of Operators to consult with Traincrew effected prior to introduction and use of recordings by the companies (including live feed)

For those protections which the RTBU was unable to successfully secure at this stage, which included an absolute ban on in-cab recording devices being used for live feeds by employers, the RTBU will continue to press for those protections during the legislative drafting stage which is likely to commence mid next year.

The RTBU will be involved in legislative drafting, and we will need to be satisfied that Traincrew are protected prior to in-cab recordings being mandated in any form.

## MEMBERSHIP PRIZE GIVEAWAY

Whilst we don't usually condone the 'tagging' of trains, or train graffiti of any kind, we have made an exception for these limited edition 'A' & 'B' series full size skate decks (deck only).

Having obtained a number of each, we had them individually customised (no two are the same), and will be giving them away to members as part of our numerous monthly membership giveaways in 2022. Other prizes will include RTBU shirts, key rings, and facemasks

We will have more information in the new year on how one may win one of these skate decks (and other prizes) but have no doubt they will be the prized piece of artwork in one's home or office!



**Make the Move to Union Health**  
The health fund with union values at its core

1300 661 283 | [unionhealth.com.au/partner-rtbu](http://unionhealth.com.au/partner-rtbu)

**Rail Tram and Bus Union**  
Unit 2/10 Nash Street, Perth WA 6000  
[www.rtbuwa.asn.au](http://www.rtbuwa.asn.au) | [general@rtbuwa.asn.au](mailto:general@rtbuwa.asn.au) | (08) 9225 6722