But how did it come to Many members closely observed the Sydney Trains lockout that took this?

SECRETARY'S ADDRESS

place late last month. Sadly, the

acrimonious attack from government is no foreign concept to transport workers today.

On 23 February NSW Transport minister David Elliot shutdown trains services at a moment's notice and blamed the workforce and with help from the media sought to frame it as a strike. This was all set against the backdrop of the RTBU's campaign for a new enterprise agreement.

the Minister to keep public transport services running, the decision proved to be a spineless tactic that not only impacted both commuters and our members but also showed the true colours of the NSW Liberal Government. Meanwhile, RTBU members

Despite the core responsibility of

clocked on and ready to perform their duties and operate services. Upon news of the lockout, the RTBU worked quickly and sprung into gear and got signs out at

remained in their workplaces,

barriers and platforms informing commuters of who was truly responsible for the mess. The work began to set the record straight and hold the government to account.

Essentially the RTBU notified of planned industrial action on 9 February to advance bargaining

claims. The NSW Governemnt then dragged the union to the Fair Work Commission to attack and stop workers from taking low-level industrial actions. When they failed to get their way in the commission, they pulled the lever on the network wide shutdown that we saw so members turned up to work on Monday and weren't allowed to do anything.

The originally planned industrial

approved by the FWC) included a

series of bans on altered working

action (that had also been

arrangements, in effect work-to-rule type actions. These were targeted to uphold services for the travelling public while causing rostering difficulties for NSW Trains by being unable to cut corners on rostering. NSW Trains had 2 weeks notice to implement these changes. Sticking points in the negotiations

included claims for: A Piece of Advice

focused the future of services and

safety for the network, they

• a guarantee that any changes to services will leave them as safe or safer

event of privatisation

• a commitment to maintaining the existing level of hygiene using

a commitment that no train

good, full time jobs • a quota for local train

manufacturing to revitalise the

industry • a commitment to keeping guards on trains

How has the situation developed since the lockout?

Unfortunately for the government,

it has become evident that this was a premeditated industrial and political strategy that has really backfired on the NSW Government.

The central plan of the

Government's excuse to for

shutting down the network was that it had conducted a risk assessment of the union's planned industrial actions and found that theyrepresented an unacceptable safety risk, and therefore shutdown was the only option they had. "Better to starve fighting than to starve working." - Bread and Roses Strike Slogan

services or lines will be lost in the **Branch Secretary Joshua Dekuyer**

When the RTBU requested a copy of the risk assessment nothing

was provided. We took the step of

issuing a subpoena to get it when

miraculously the NSW

Government responded

by dropping all of its claims against the union in the Fair Work Commission. Since the debacle it is clear that the government took a real hit in the negotiations and have refused to issue an apology for their failed and disingenuous attack. The Transport Minister has reached out to the union to try

smooth things over and progress negotiations. The union used this opportunity to reiterate their claims and double down on their position knowing they now have public support and momentum behind them. Joshua Dekuyer **State Secretary**



Identified and pursued an approx. \$10,000 (total) underpayment for Transit Officers who did not receive a payment for public holidays

thereof) of the Circular.

whilst on Annual Leave."

will cease to exist.

date.

which fell on an RDO whilst on Annual Leave. Back payments to effected Officers (29) to be actioned week commencing 11 April 2022. Engaged a consultancy company to complete a safety audit at the union office to ensure compliance with the new WHS legislation.

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

- Actioned the recommendations and ongoing work occuring to update and introduce several policies to improved work, health, and safety. Supported numerous members through discipline investigations including drafting responses to allegations and findings, attending interviews, and viewing the CCTV of incidents and the like.
- Completed the Operating Report for the union's 2021 FY audit and assisted with additional audit preparation to ensure ROC compliance.
- Attended workplace consultative meetings to raise, discuss, and address a number of localised workplace issues.
- Prepared and drafted a 'Log of Claim' in preparation of bargaining for Network & Infrastructure members as well as MSS Security members.
- RTBU. Supplying current and up to date information on a range of member matters.
- Attended numerous Government Sector Labour Relations meetings to assist address public sector workforce matters.

Attended Trainee Railcar, Overhead Linesperson and Passenger Ticketing Assistant inductions and successfully signed up new members.

Continued updates on the RTBU WA PTA Facebook page to assist with quick communication with members and potential members of the

Slowed down the introduction of numerous new proposed rosters including rosters for EDI Bombardier and Transit Officers by ensuring

Attended a work-related disciplinary hearing in Melbourne & discussed national RTBU matters with members of National Executive.

- appropriate consultation processes were followed. Referred and managed members interactions with industrial, family, criminal, and workers/criminal compensation lawyers.
- Advocated and achieved improved safety measures for onboard Passenger Assistants on the Australind and Prospector services.
- Responded to emails, calls, and provided advice every day of the week to countless members on a range of workplace matters and issues. Conducted numerous site visits including visits on the train lines, sheds & depots, maintenance facilities, offices and the like.
- applied and paid. Ensuring that the PTA will now conduct an audit to correct employees not directly identified to them by our Union. Met with numerous employers including EDI Bombardier, Spotless, and the PTA to discuss Omicron Safety Measures.
- Attended meetings with the Transport Minister and her advisors to discuss rail (and coach) industry matters including plans for the future. Assisted members with understanding how and when COVID-19 Leave applies and oversaw the overturning of incorrect application (or lack

Achieved numerous back payments for members due to incorrect payments for COVID-19 leave in where penalties were not being

"Achieved numerous back payments for members due "Identified and pursued an approx . \$10,000 (total) to incorrect payments for COVID-19 leave in where underpayment for Transit Officers who did not receive

AMALGAMATION FINALISED The Fair Work Commission (FWC) has approved the changes to the federal rules which will create the amalgamated Western Australia Branch... It's done! On 1 January 2023, the new Western Australia Branch will come into existence and the two existing branches, being the WA Branch (Freight) & the WA PTA Branch (Passenger),

a payment for public holidays which fell on an RDO

going through a process to amend the state union rules to match the rules of the new amalgamated branch so that when everyone votes for the new officials of the new federal branch, those people will become officials of both the federal branch and the state union. We expect this to go smoothly, but we will keep you updated!

SERVICES DIRECTORY 2022

local RTBU Delegate or ring the RTBU office for help, guidance, or representation.

For us in the WA PTA Branch, as you may be aware, there is a state union registered in

HEALTH, SAFETY & WELFARE

Union Segretary writes to Executive Executive must then: nosity at members of proposal for ule change and reasons for The Executive meets to resolve to proposed rule change and provide: carry (or not) the proposed rule I specifying time and place of the popy of the proposed rule change Executive meeting that is to consid the proposed rule change – the meeting must be hold within 1 month of the date of the notice; i. notify all members they may objeto the proposed rule change by writing an objection within 25 days of the notification to WARC Registrar

Application is made to WAIRC Registrar or Full Bench / Comissio

in Court Session

changes, Registrar Issues a Certificate to the Union that the alteration has been registered.

Registrar consults with Chief

The Registrar will need to be

satisfied less than 5% of the

members has objected to propo

rule change or a majority of member

marker approved by the Registrar

has authorised or approved the

or be desermined on papers.

sposed rule change.

been followed.

Commissioner of the WAIRC to

penalties were not being applied and paid"

Application lodged together with one Union's required rules Toward the end of this year the RTBU will hold its General Election and when you vote, Application to distinctive characters, each alteration of the rules of which Registrar you will be voting for the officials who will take over the new Western Australia Branch registration is sought. each alteration A stagueory declaration of the Union Secretary is from 1 January 2023. Existing officials will continue in the separate branches until that statement as to how such notice

KEY DATES:

Schedule A This chart it is guide on

(not legal or rules Union's registered rules incorporating and showing in desiretive characters, each alteration of the rules of which Application to Full Bench / Commission Western Australia in addition to the federal branches mentioned above. We are currently in Court Session registration is sought; each alteration; the notice given to members plus a statement as to how such notice was disseminated to members.

record explaining

how the rules

process and logislative requirements have been met.

Approx. Sept/Nov 2022 RTBU General Election 1 January 2023 Start of newly amalgamated Western Australia Branch and officials successful at the General Election to take office in new branch.

printed copies of,

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 referral regarding welfare, drug, and alcohol assistance. If you are unsure who your HSR is, contact the RTBU.

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

WORK INJURIES AND ILLNESS - COMPENSATION AND REHABILITATION

TRAINING AND CAREERS

Organiser.

DIRECT REPRESENTATION

WAGES & CONDITIONS

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

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.

LEGAL SERVICES - FOGLIANI.LAWYER & FRANCIS BURT CHAMBERS

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

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

Cory Fogliani from Fogliani.Lawyer & Varun Ghosh are two of our officially endorsed legal representatives of the Rail, Tram and Bus Union. As part of their commitment to the

INCOME PROTECTION

OTHER BENEFITS

INQUIRIES & BOOKINGS

Communicating with critical workers

b. they must be asymptomatic;

to a group of critical workers, and should include:

RTBU members have access to income protection through All Risk Protection Pty Ltd. For more info visit 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.

Long Service Leave, Annual Leave, Sick Leave, PDO's, Bereavement Leave, Maternity / Paternity Leave, RTBU Diaries, ShopRite discounts, Shift Penalties, Membership Newsletters, RTBU Home Loans, Policy Reviews, Legal Advice, Free Standard Will & Journey Cover etc. For further or additional information on the above, contact your

Delegate, the RTBU office, view the Membership Booklet or visit the RTBU website or RTBU WA PTA Facebook page today.

CONFUSION OVER CRITICAL WORKER Western Australia moved to very high COVID-19 caseload settings from 12.01am on Thursday 10 March 2022 to ensure continuity of operations for

cannot direct a critical worker to attend work in this situation.

c. they must provide a daily negative RAT result; d. they must wear a mask at all times and any other personal protective equipment that their employer requires;

a. they must be fully vaccinated, including a third dose if eligible (noting the employee may already be subject to vaccination requirements under

i. they must give consent, which is voluntary and can be withdrawn at any time. 2. Why the employee meets the requirements of a critical worker, including: a. they cannot undertake their work from home if isolating; and

try, or provide specialist skills in an essential industry. **COLLECTIVE STRENGTH**

Public Health Act 2016 or Emergency Management Act 2005 directions);

members. We know that the new Wages Policy is still just not good enough. After much discussion with our Alliance comrades we have decided our fight is far from over and therefore we have committed to a public sector union alliance which will use its collective strength to:

\$1000 per annum Wages Policy, a shift that only came about because of the

collective strength of the Public Sector Alliance, we have listened to you, the

1. end the current restrictive, fixed public sector wages policy; 2. effect a return to genuine enterprise bargaining in the public sector; and 3. secure outcomes that represent a meaningful investment in public sector workers. As members of the alliance, we commit to working collectively to secure

investment in the public sector by: 1. using our available resources, whether political, industrial or

organisational, to secure a successful outcome for all workers covered by the public sector union alliance; 2. communicating any offer made to our union with all other parties to the

alliance prior to the balloting of membership; and 3. not endorsing any offer which does not secure significant, recurring investment in Western Australian public services; and

4. not endorsing any offer below the wage component of the government wages framework (2.75% or 2.5% +\$1000).

This agreement reflects the commitment of members of the alliance to collective action to secure investment in the public sector. It does not

override the democratic right of any group of members to accept or reject a government offer. In this fight we speak with one voice!

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. 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.

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

RTBU awards and agreements require employers to consult with affected employees and their representatives about most changes in the workplace which may have a significant impact on employees. The RTBU will hold employers responsible if changes are implemented without members having had a say and their concerns considered. **HEALTH INSURANCE -UNION HEALTH**

industry, they extend 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.

Contact: Rail, Tram & Bus Union WA PTA Branch. Phone: 08 9225 6722 or Email: general@rtbuwa.asn.au & don't forget we are now on Facebook @RTBUWAPTA or you can visit our website @ www.rtbuwa.asn.au

contacts to attend work during their isolation period when necessary to safely continue essential operations. Allowing asymptomatic close contacts to attend work should be a last resort. Employers should make all reasonable efforts to plan alternative strategies and explore all avenues for replacement prior to implementing the critical worker furloughing arrangements. It is always up to you as a critical worker, with your employer's agreement, whether or not to attend work while you are isolating because of being a close contact. An employer

1. Information about the obligations of critical workers during furlough arrangements under the Directions, including that, to attend work:

critical industries. Employers that have registered their critical workforce now have the option of allowing critical workers who are asymptomatic close

Employers should notify employees in writing who have been identified as critical workers. This notification can be provided individually or collectively

e. they must travel alone or only with members of their household and avoid public transport where possible; f. they must self-isolate when outside of work; g. they must use reasonable endeavours to maintain physical distancing;

h. if they develop symptoms at any point or return a positive RAT, they are no longer permitted to attend work and must follow symptomatic close

contact rules or positive contact rules depending on the situation; and

b. they perform a role that is either critical to the COVID-19 response or critical to the continuation of critical services that prevent significant harm (including loss of life, catastrophic impacts to safety or welfare or lack of access to essential goods) to any person or the community; or c. they fall within one of the identified critical worker categories and they are necessary for the safe continuation of services in an essential indus

BARGAINING BATTLES One of the main roles of our Union is to advocate for better pay and Despite the significant shift in the Government's position on the previous

> four separate Agreements: Public Transport Authority/ARTBIU (Transit Officers) Industrial Agreement Public Transport Authority Railway Employees (Transperth Train

> > MSS Security PTA Enterprise Agreement Whilst the Transit Officer bargaining battle is approaching a conclusion, the other 3 are only just beginning. Later this year we will be going in to

conditions for our members. We do this by sitting at the bargaining

As it stands today, we are currently bargaining for the replacement of

Public Transport Authority/ARTBIU Railway Employees (Network

table, demanding fairness, and not begging for favours.

Operations) Industrial Agreement

delegate or contact the union office.

and Infrastructure) Industrial Agreement

battle at the bargaining table for the Urban Railcar Driver's Group & the Transwa (Railcar, Road Coach, Passenger Assistants, and the like) membership.

Despite the climate in which we have operated under, we can take pride in the success that has been achieved for members in recent rounds of bargaining. We expect this success to continue. We ask that you keep an eye out for more specific updates on bargaining though our targeted email updates. If you have any questions you can ask a



UNITED WE BARGAIN DIVIDED WE BEG

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