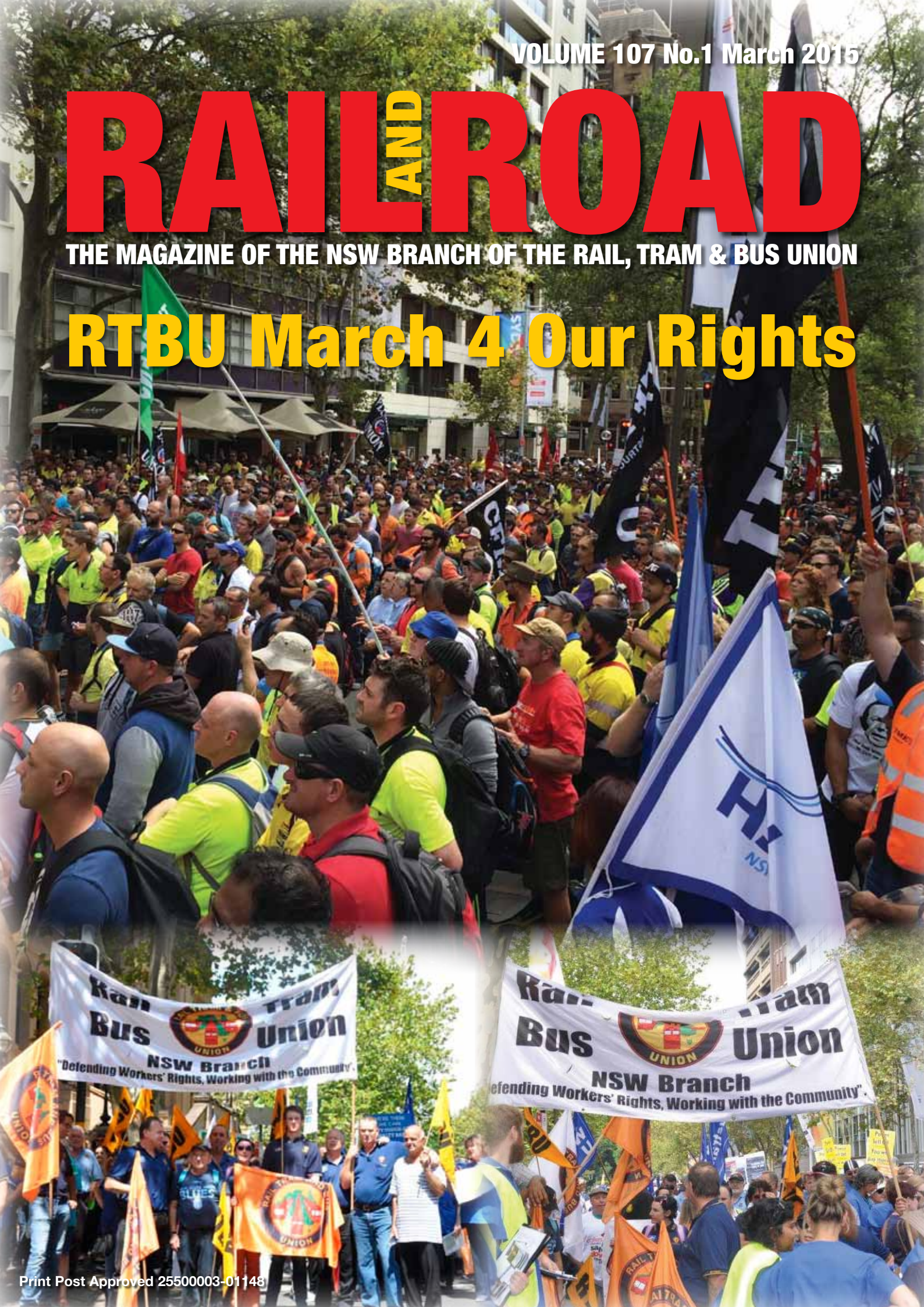


VOLUME 107 No.1 March 2015

# RAIL AND ROAD

THE MAGAZINE OF THE NSW BRANCH OF THE RAIL, TRAM & BUS UNION

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Locomotive Divisional Secretary

Robert Hayden

Tram and Bus Divisional Secretary

Chris Preston

Tram and Bus Divisional President

Gary Way

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# From the Branch Secretary



The so-called 'holiday' break has kept our union busy with a range of significant issues and disputes. The ongoing reforms within the public transport areas and the push by the NSW Government around cut backs to services and staff has continued unabated. A situation which has become the norm since the liberal government has been in power.

While we managed to successfully negotiate a number of major agreements last year with NSW Trains and Sydney Trains, the State Transit Authority, Aurizon, and Pacific National, among others, we are constantly monitoring the implementation of agreements in the workplace, and raising any issues or disputes as necessary.

As this issue of Rail & Road goes to press, the NSW elections on 28 March will be upon us and the outcome should be of enormous interest for workers and our families.

This election will predominantly be decided on whether the public agrees to the privatisation of our states assets by the NSW Baird Government or not. Our union and many of our activists have been participating in a number of the major campaigns leading up to the elections. Members in Local Union Community Councils around

the state have been involved in organising candidate forums, and inviting candidates to sign the Jobs, Rights, Services Pledge prior to the election. Other members have been doorknocking and taking the anti-privatisation message to the streets as part of the NSW Not For Sale campaign. An RTBU delegation also attended the massive rallies on March 4 in Sydney and regional centres, protesting against the policies of the Abbott and Baird Governments. These activities are reported in more detail in this issue of our journal. How we all vote on 28 March will have a large bearing on the future of our state, our industry and our jobs and families.

Over the December – January holiday period, the RTBU again ran a direct debit promotion to encourage existing and new members to pay their union dues by direct debit rather than payroll deduction. All members who signed up for direct debit of their union dues over this period went into a draw to win a new colour television. The lucky winner this year was Jodie Cantor from Museum Station and I was lucky enough to deliver the new TV to her personally. As always, I would encourage all members to organise their deductions by direct debit.

We also ran an online survey recently to gauge our members reactions to

changes in the industry and what their priorities and views were for our union in the immediate future.

At the time of Rail & Road going to print approximately 700 members had completed the survey. The member's survey has provided some great feedback across a range of areas, which we will report to all members as soon as they are available. Another encouraging aspect of the survey was the number of members who have put their hands up to participate in union activities. The strength and health of our union can be gauged by the depth of our activist's networks, and the extent of members actively engaging in union activity in their workplaces. The political circumstances at present require all of us to remain focussed and united, in supporting any members who are struggling or under attack.

Our union must continue to provide a united and strong voice for all members, and the long term viability of public and private transport services in this state. As long as we remain united and prepared to fight for our rights and our jobs and working conditions, then regardless of what governments come and go at the state and federal levels, we will be in a strong position to defend our members and their families.

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# How to choose the right lawyer for you...

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## Fair Work Rejects Aurizon Bid to Restrict Industrial Action

The Fair Work Commission has ruled that it has no jurisdiction to impose conditions on industrial action when it orders a protected action ballot, rejecting Aurizon's bid for it to require the rail union to guarantee it won't interfere with the transport of perishable or hazardous goods.

The RTBU sought a Protected Action Ballot Order to enable Queensland employees of Aurizon Operations Limited and Australia Eastern Railroad Pty Ltd to take action in support of their bargaining log of claims.

The union agreed that it would provide five days' notice of action, rather than the standard three. But Aurizon said the action might not be protected under s415 because it could destroy or damage property. The company also argued that the action could threaten safety and welfare under s424.

It told Commissioner Paula Spencer the action would affect the transport of hazardous or perishable goods, including acid, fuel, electrolytes, sodium cyanide, ammonium nitrate, sodium hydroxide, medical supplies, refrigerated product and groceries.

The RTBU countered that the point of industrial action is to cause inconvenience, and that, in any



event, the longer notice period would allow Aurizon to make arrangements to protect its goods.

Commissioner Spencer said s437 did not empower the FWC to impose a condition on the type of industrial action to be voted on (outside the approved questions) or the notice period, other than under s443.

The commissioner said imposing a condition to avoid the inconvenience

of industrial action was "not the aim of the statutory scheme".

*"The consent 5 day notice period affords [Aurizon] an opportunity to take defensive action to re-organise transport schedules, to accommodate the proposed industrial action and to reduce the impact of such".*

She made the ballot order sought by the RTBU.

“ The Fair Work Commission has ruled that it has no jurisdiction to impose conditions on industrial action when it orders a protected action ballot ”

# Union Wins Big Back Pay Claim from STA

## Excess travel time dispute

The Union is pleased to advise members that the dispute over Excess Travel Time whilst on loan to another depot has had a major victory although there is still more to go.

State Transit conceded that bus operators are entitled to be paid excess travel time payment whilst performing DOC's (Day Off Cancelled) at another depot. State Transit also conceded that the onus of processing this payment is up to the Depot Manager and roster clerk to work out if an operator is entitled to it to then pass on to payroll to be processed. The bus operators are not required to fill in or sign travel time forms.

State Transit don't concede that they are required to pay excess travel time for Sundays whilst performed at another depot. The Union still disputes this fact and this dispute will be escalated to Unions NSW as per the disputes settlement procedure.

## What does this mean for drivers?

State Transit are paying six years back pay for unpaid travel time for DOC's .

- In October 2014 drivers received 1 year back pay for DOC travel time.
- In November and December 2014 drivers received another 2 years on top of the 1 year already paid.
- State Transit are in the process of paying another 3 years of payments which will take in total 6 years back pay for excess travel time whilst performing a DOC at another depot other than your home depot.
- You will only receive these payments if you are entitled to travel time in the first instance.

This part of the Excess Travel Time dispute is completed and the Union will keep members informed of the progress on the Sunday Excess Travel time dispute.

---

# Bad planning leads to bus chaos in Sydney

Bus drivers and passengers alike were extremely frustrated during peak hour on a Monday morning with delays of almost two hours in some areas. For many commuters returning to work after the Christmas break it was a terrible start to the working year.

Roads were closed because of work on the new light rail line and bad planning meant that chaos ensued.

The delays caused a huge amount of stress for many of our members who bore the brunt of the bad planning and had to deal with the traffic chaos and upset passengers.

Speaking of the day in question, Roads Minister Duncan Gay said that it had been *"a pretty crappy morning"*. However the NSW government confirmed there is no plan in place yet to ensure it doesn't happen again.

This is a huge concern for our members. What will happen when the next stage of work on the light rail begins?



How will the government manage the massive disruptions that will take place in the coming 2-3 years as light rail construction continues?

Will the frustration and stress continue for drivers and passengers?



## PN Outsourced EA Approved

After many months of negotiations (14 months) the Pacific National Outsourced E.A has been finally agreed. The EA, which was endorsed with 96% of members voting in favour, expired on 30 June 2014, and came into force on 13 February. Some of the improvements in the EA include;

- 3% wage increase for each year of the 3 year Agreement
- Backpay to 1 July 2014
- \$500 sign on payment for the 1st year
- Reintroduction of level 12 driver classification
- Improvements in public holidays
- Relaxation of when a medical certificate is required
- Better conditions around the “Golden Weekend”
- Improved wording around Home base sign/off points
- Commitment to the way in which discipline is handled
- Better rostering around intervals between shifts

In other news, negotiations have commenced for the Pacific National Intermodal Terminal Operators E.A which expires on 30 June 2015 and also for the Asset Management E.A (Maintainers) which also expires 30 June 2015. Both areas have been subject to staff reductions of late.

## Removal of High Visibility Safety Vests Update

In late December the Group Manager Rules and Compliance, Sydney Trains issued Safe Notice 320 which stated that high-visibility vests will not be required to be worn whilst performing “right of way” procedures.

This Safe Notice was distributed without consultation and was in direct conflict with an on-going risk assessment process that was and is still currently being evaluated.

Management have been trying to have the high-visibility safety vest removed from the right of way process stating various reasons, including that the high-visibility safety vest does not add to safety and is not a safety control.

In regards to the on-going risk assessment process – A work group has been visiting the (40) listed Right of Way stations looking at the positioning/location on the platforms for “right of way” staff. This process is still currently underway.

Furthermore, as a result of safety concerns raised by members and the fact that the risk assessment process has not been concluded Sydney Trains management issued a Safe Notice Telegram 1085 cancelling and withdrawing the original Safe Notice 320.

Members will be kept up to date when the risk assessment process has been completed and if any more information becomes available.

Members should always ensure that they are safe and it is safe to perform their duties.

## No changes to bus routes until September

In January many Bus Operators had to bear the brunt of the NSW government’s bad planning.

When George Street closed to prepare for construction of the South East Light Rail Network, the lack of preparation by the NSW Government meant that many bus drivers were forced to wait for hours in chaotic traffic, stressed and dealing with the frustration of commuters.

The RTBU Bus Division raised the issue in the media and it now appears that the Transport Minister Gladys Berejiklian has taken note of our concerns. In a subsequent announcement about the light rail the Minister stressed that

as construction continued, “detailed changes to traffic and bus routes will be communicated well in advance.”

The Transport Minister also confirmed that major construction on George Street is not set to start until September or October and that there will be no changes to bus routes during this time. Construction on other parts of the line is due to start after Anzac Day.

We can only hope that the Minister keeps her word and that our Bus Operators know well in advance about any traffic disturbances or route changes.

# Opal Card Debacle on Buses

Commuters are paying millions of dollars worth of extra fares because of a glitch in the Opal card system, which means that users are often charged the maximum fare even when they tap off correctly.

According to media reports, customers were overcharged more than 1.2 million times in just three months last year.

This revelation comes as no surprise to Bus Operators in Sydney and Newcastle. The Opal system is unreliable at this stage, especially on buses. The reason is that if a customer taps on to the bus but the system then crashes meaning the

commuter is unable to tap off when they arrive at their destination. They then end up being charged the default amount, which is the maximum fare.

However, this is not the worst part of Opal. Due to the system crashing on a regular basis, the Union believes this is costing the Government millions of dollars each week.

In the 21st century and with the advancement of technologies, how can it be so hard to have this system running efficiently?

We are also starting to field complaints from the drivers over the safety aspect of the Opal system. When passengers are exiting

through the rear doors of the bus, they often tap off and walk out the doors only to realise that they didn't hear a beep from the Opal machine. The passenger then re-enters the rear doors to tap off a second time catching the drivers unaware which can lead to rear door entrapment which could result in injury.

As reported in the media, the delay in commuters tapping off the bus when the Opal system is working is adding to late running of buses, which is also causing frustration with commuters and bus operators.

The Opal system is meant

to speed up the network and make travelling on transport cheaper and easier whilst going from one transport mode to another.

Unfortunately, in reality the Opal system at this point is a disappointment and the Opal contractors need a good shakeup, otherwise this Opal system will become the Tcard of 2015. That was a very costly and wasteful experience and we would have hoped that all parties involved would have learnt from that experience.

Drivers are close to the end of their patience with the Opal system.

---

## Major Works Reform (MR 10)

The RTBU met with Sydney Trains on 12 February for initial discussions with regard to Major Works Reform.

Wes Heron, General Manager, Major Works, announced that four new depots have been proposed and would be located at Ourimbah, Strathfield Region (Central Hub), Wollongong and Emu Plains. They have no approval for these sites as yet. It was also announced that Major Works Reform has already met their (VS) target mainly through natural attrition of 89 positions.

No information was supplied regarding future teams/location/positions (as to who is moving where?).

The RTBU voiced strong concerns regarding the Major Works consultation process. The recent maintenance reform saw consultation carried out on all levels to address our members' concerns regarding change. The RTBU expects the same level of consultation with this reform.

The RTBU also reminded Sydney Trains that the changes proposed included items covered by the EA and previous industrial arrangements.

The RTBU does not support the relocation of Hamilton Depot to Ourimbah.

We will shortly conduct a tour of all current Renewals Depots to ensure all our members' concerns are presented to Sydney Trains prior to any relocation.

# Get on the BUS EXPRESS!



Bus Express is constantly updated with new information from around the depots – including workplace disputes, industry updates and news about RTBU Members.

Members who subscribe to the web site get a fortnightly email with links to all the latest scoops. Printed newsletters will also be distributed around depots.

[www.busexpress.com.au](http://www.busexpress.com.au)



## Abbott Scraps Parental Leave

Prime Minister Tony Abbott has under pressure from his Coalition colleagues, as expected, scrapped his signature paid parental leave scheme, five months before it was due to start. In his first address to the National Press Club since winning office in 2013, Abbott said his *"bigger parental leave scheme is off the table"*.

The Prime Minister last year committed to re-examining his paid parental leave policy in conjunction with the Productivity Commission's childcare report and in his address to the Press Club he said that *"the focus really does have to be on childcare if we want higher participation and a stronger economy."*

He said the Government planned to *"consult widely on a way to improve the system of multiple payments, keep costs down, and put more money into parents' pockets"*.

He did not make clear whether he would retain the 1.5% big business levy that was to fund his paid parental leave scheme for his new families package.

Abbott announced his paid parental leave scheme in 2010 when he was Opposition Leader acknowledging that it was a "captain's pick" (that is, he made the call, which proved unpopular with his colleagues) and he did so without consulting his colleagues.

The Prime Minister's paid parental leave scheme, already watered down and with further changes pending, was due to commence on July 1 this year. In Opposition, Abbott had promised working mothers

full replacement wages, plus super, up to an annual \$150,000 salary cap - that is, a maximum payout of \$75,000. Fathers were to be eligible for two of the 26 weeks as dedicated paternity leave, also at replacement wages plus super. Abbott planned to fund the policy through a 1.7% levy on companies with annual taxable incomes in excess of \$5 million, which he reduced to 1.5% ahead of the 2013 election.

Treasurer Joe Hockey, while in Opposition, costed that scheme at \$9.8 billion over its first two years. In Government, however, Abbott reduced the salary cap at which the payments would fully replace wages to \$100,000, meaning the maximum payout dropped from \$75,000 to \$50,000. Women earning more than \$100,000 were still eligible for the scheme, but at the lower rate.

Then in December last year, the Prime Minister said he would re-examine his policy, in conjunction with the Productivity Commission's childcare report, and "the savings that we make in parental leave will be invested in childcare because they're both important"

Warning that there would be *"intergenerational theft against our children and grandchildren"* if spending was not tightened, the PM flagged childcare focus for his new families package. .

*"We sought the advice of the Productivity Commission and I have listened to the feedback from my colleagues and from mums and dads around Australia and they have said that, with our current*

*budget constraints, the better focus now is on childcare if we want higher participation and a stronger economy,"* Mr Abbott told the National Press Club in Canberra.

*"More affordable and more available childcare means less pressure on the family budget. More parents in the workforce mean that more people will make a bigger economic contribution as well as a social contribution to our country"*.

One of the main problems with this argument is that it positions parental leave and childcare as either / or options, whereas a decent government policy would address the contemporary parental and childcare requirements as complementary, rather than exclusive.

*"Look, I don't break promises and this was a promise I took to two elections. The same people who are now saying, 'don't go ahead with the paid parental leave scheme', would be the first to say broken promise if the government was to change its position. And I do not break promises."*

Prime Minister, Tony Abbott, 7 News, July 31 2014

*"I accept, though, that what's desirable is not always doable, especially when times are tough and budgets are tight."*

**Prime Minister, Tony Abbott, National Press Club February 2015.**

# The Liberals' Privatisation Agenda

During their first four years in office the NSW Liberals have given more power to private companies than ever before.

With their National Party partners they have privatised key services in our **public hospitals**, including the operation of the entire Northern Beaches hospital.

They have contracted out the delivery of **TAFE courses**, pushing many courses outside the reach of many young people.

They have sold off the operations of **Sydney Ferries**, sold off **Sydney Ports** and refused to guarantee public ownership of **Sydney Water**.

And Premier Mike Baird has promised to privatise our **electricity network** if he wins the next State Election.

The Premier's vision for NSW is one where services are run for profits, private corporations decide public priorities and the only role of government is to get out of the way.

This is a vision out of step with the majority of working people, who want government to create jobs, protect rights and deliver services.

**That's why when you vote on 28 March it is vital you send Mike Baird and the Liberals the message: NSW is not for Sale.**

Mark Lennon,  
Secretary Unions NSW

**NSW  
NOT  
FOR SALE**

## What you can do

### SIGN-UP



If you care about the future of our electricity network, TAFE, hospitals and local councils get behind the NSW Not for Sale campaign.  
[www.unionsnsw.org.au/sign\\_up](http://www.unionsnsw.org.au/sign_up)

### SHARE



Spread the word about the privatisation risk with your workmates, family and friends.

### VOTE



If you don't want to see NSW sold off to the private sector you need to **put Mike Baird and his Liberal/National Coalition LAST** when you vote on 28 March.

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## Our TAFE system

**NOT  
FOR SALE**

Under the Liberal Government TAFE has been forced to compete for its funding with private providers which has led to skyrocketing course fees and cuts to teacher numbers resulting in:

- A Certificate III in Aged Care has increased from \$838 to \$1,440\*
- A 2 year Diploma in Electrical Engineering has increased from \$3,038 to \$8,190\*
- A Certificate III non-apprentice bricklayer has increased from up to \$1,676 to \$3,550\*
- Apprentices will pay \$2,000\* for a course, up from \$500 a year



\*Pearson, A. (2014) 'TAFE fees to increase next year', Daily Advertiser, 15 August

## Our Electricity Network

**NOT  
FOR SALE**

Premier Mike Baird has said this election is a referendum on privatisation of the NSW electricity network.

When power has been privatised in other states prices rose sharply while service levels deteriorated:

- South Australia power bills increased by 43%
- Victoria saw 8,000 jobs lost after privatisation
- NSW households are predicted to pay an extra \$100 per annum
- NSW will lose \$1.7 billion per year\* of annual public profits used to fund schools and hospitals?



\*Koukoulas, S & Devlin, T (2014) 'Nothing to gain, plenty to lose', The Mickel Institute, December

## Our Public Hospitals

**NOT  
FOR SALE**

The Liberals are driving the state towards an Americanised health system, where the wealthy pay for a premium service and ordinary working families are offered an inferior service.

Over the past four years, the Liberals have slashed \$3 billion from the health budget\* and pushed an aggressive agenda of privatising services within our public hospitals including:

- The x-ray unit at Kempsey District Hospital
  - The Forensic and Analytical Science Service Food Testing Laboratory at Lidcombe
  - Outsourcing medical warehousing to private firms
- The Baird Government has decreed the new hospitals on the Northern beaches, Maitland, and Byron Bay will be fully operated by the private sector, compromising nurse-patient ratios and the delivery of services.



\*Nicholls, S (2012) 'Health budget slashed by \$3 billion', Sydney Morning Herald, 14 September

## Our Local Councils

**NOT  
FOR SALE**

The Baird Government supports the forced amalgamation of councils in metropolitan Sydney.

The Government recommends merging 41 councils down to six and the adoption of corporate models of management.\*



This will lead to:

- outsourcing of profitable council services
- fewer council workers and consequently reduced services for residents
- reducing funding for community services like childcare, libraries, pools and galleries

\*Lehmann, J (2014) 'Super body to bring Sydney's 41 councils into line and streamline city planning', Daily Telegraph, 11 December

**NSW  
NOT  
FOR SALE**



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# RTBU welcomes Rengo Tokyo Delegation



**On Wednesday 18 February the RTBU welcomed a visit to the RTBU office from the Rengo Tokyo Delegation. The delegation was made up of Mr. Tetsuo Ando (Vice-President of Rengo Tokyo), Mr. Yasushi Kondo (Vice – General Secretary of Rengo Tokyo), Mr. Kazuaki Yumoto (Member of Executive Committee of Rengo Tokyo) and Ms. Hiroko Ishizuka (Member of Central Executive Committee Tokyo Electric Power Worker’s Union).**

Rengo is a national labor organisation in Japan which was established in 1989. Rengo ‘Tokyo; Japanese Trade Union

Confederation’, works together with its member organisations across a number of industrial fields to support local working members. Rengo has over one million members in which they aim to improvorkers Union, General Federation of Private Railway Workers Union of Japan, All Mint Labor Union of Japan and Electric Power Workers’ Union of Japan.

The agenda of the delegation was to introduce them to some of the members in the office and describe the structure of the RTBU and the positions that are held. This was followed by a tour of Central Station which included the Safety

Management Facility, central station customer service areas and TCAC.

The delegation was very interested in all aspects of the rail network inclusive to the ticketing process through to the train operations. This was of particular interest to Mr. Yasuhi Kondo who works on the railways in Japan.

The RTBU would like to thank all members who participated in this event, and spent the time to explain the intricate workings of our rail system to the delegation, as well as assisting with the tour of Central Station.



# Tracking the Damage – Transport Under the NSW Government

Unions NSW have been monitoring and documenting the record of the NSW Government since it came to office in March 2011. At the time of going to print, the list contained 171 issues, including those government members lost to corruption inquiries, which are reported in this Rail & Road. Below is a selection of 25 issues directly affecting transport, as a summary report card on the Government to date.

1. Regulation on wages policy to freeze public sector wages to increases of 2.5 per cent per year, regardless of increases in productivity. [20 June 2011]
2. O'Farrell Government's first budget cuts 5,000 jobs. [6 September 2011]
3. Introduced a Bill to increase fines for workers taking industrial action by 11 times the previous amount. [6 March, 2012]
4. 750 job cuts announced at RailCorp. [15 May, 2012]
5. Introduced new workers compensation laws that strip the rights of injured workers. [22 June 2012]
6. The NSW Government applied to the NSW Industrial Relations Commission to cut 98 public sector awards. The cuts included: slashing annual leave loading, cutting penalty rates for shift workers, removing sick leave entitlements and parental leave. [29 August, 2012]
7. Abolished the Transport Appeals Board. [31 August, 2012]
8. Announced another 690 jobs would be cut from RailCorp. This is in addition to the 750 job cuts already announced. [12 November 2012]
9. Privatised Port Kembla and Port Botany on a 99 year lease. [12 April, 2013]
10. The NSW Government backflipped and announced that the North-West rail link will use driver-less trains. [7 June, 2013]
11. Announced the privatisation of Newcastle Port. [19 June, 2013]
12. Commuters were left stranded after the new train timetable introduced services that skip key stations. [24 July, 2013]
13. The North West Rail Link tunnel will not be big enough for double decker trains. This raises significant concerns that the line will be privatised. [26 July, 2013]
14. Mike Baird formalised his plans to privatise the State's electricity network after securing cabinet approval. [11 June 2014]  
New Premier, Mike Baird, flags his intention to further privatise NSW hospitals [20 April 2014]
15. Cancelled high security "Guardian" Trains. These trains guaranteed security on board so passengers knew they were always near assistance should a situation arise. [10 July 2014]
16. The Government's new Opal Card will collect the travel history and home addresses of hundreds of thousands of commuters. These details can be passed onto the police, Centrelink, the Taxation Office and local councils with no need for a warrant. [15 July 2014]



17. Since the Government's removal of over 600 specialised transit officers from the train system, violence on trains has worsened. In the last month 65 train staff have reported being attacked. [20 July 2014]
18. The Liberal Government announced that Opal Cards will not be sold or topped up at train ticket windows. Instead, private retail stores will sell the cards, even though not all stations have a nearby retail store. [28 July 2014]
19. The Government's Opal Card, which is costing \$1.2 billion to implement, has been overcharging commuters because of malfunctions in its software and implementation. [08 August 2014]
20. The NSW Government will remove at least eight bus stops from Sydney's inner west by increasing the distance between stops to at least 400m. These changes will be expanded to other areas of the city, and will not take into account the needs of elderly or mobility impaired commuters. [11 August 2014]
21. Refused to reduce the overpriced airport train fares, despite a parliamentary inquiry finding that the charge adds to road congestion and unfairly penalises workers and families. [18 September 2014]
22. Transport Minister wants to cut the number of seats on the North West Rail link. Under the Minister's plans, 70% of commuters will be forced to stand for up to 37km. [29 September 2014]
23. The cost of the eastern suburbs light rail is expected to blow out by about \$600 million more than what was budgeted. [10 November 2014]
24. NSW Government closes Newcastle rail line [December 2015]
25. Parliamentary Inquiry recommends reinstatement of Newcastle Rail line [March 2015]

**For a full list, go to [unionsnsw.org.au](http://unionsnsw.org.au)**

## RTBU Activists on the beat for NSW



*Rail Operations Secretary, Craig Turner, has joined other unionists in taking the UnionsNSW campaign opposing privatisation to the streets, in the lead up to the NSW Election*



# Intern Adrian Rook Reflects on RTBU Summer

The union summer program is co-ordinated by Unions NSW in conjunction with a number of participating trade unions in NSW. It runs for three weeks in February and allows summer interns to go behind the scenes and get an in depth look at what unions do and how they operate. During the program I was placed with RTBU organiser Helen Bellette, to see the varied role that the union undertakes. The three key aspects of unions I have gained insight into include, the political aspect, the workplace aspect, and the industrial aspect.

I came to union summer from a political background, I studied politics at uni, and have been a volunteer for a number of community and political based campaigns. With the NSW State election taking place on March 28th, the time for the union movement to stand up and be heard is now. Like the current political debate currently being played out at the federal level, where voters have rejected the Abbott/Hockey agenda, the NSW election is fundamentally about fairness and equity.

Public sector staff, and the community, who rely on public

services like hospitals and TAFEs are facing a triple threat of privatisation, funding cuts and fee increases. Ultimately it is an agenda that will lead to the removal of job opportunities, and workplace conditions whilst also driving up the cost of living. It's been great to see the unions organising a coordinated grassroots campaign, getting members and the wider community involved, to stand up to the Liberal party agenda.

Of course the union movement is only as strong as its members, and through the union summer program I've had the opportunity to meet members and delegates from stations and signal boxes across the rail network. Everyone I have met has been friendly, optimistic, and totally committed to improving the safety and effectiveness of their workplaces. Meeting the members and delegates has been a truly positive experience.

Finally, looking at the industrial aspect, it has been great to see the operation of the industrial relations framework in Australia. In terms of understanding workplace relations in this country, there is simply no program which offers a greater



insight than Union Summer. During the program I have been able to sit in on arbitration sessions, mediation, meetings with management, and watch a dispute play out in front of the Fair Work Commission. This aspect has strengthened my desire to continue my education and gain legal qualifications.

The whole experience has been excellent, and I would like to thank members, delegates, Helen Bellette, Alex Claassens, Unions NSW, and the rest of the RTBU for their time and for affording me a great opportunity.



# Employers Expect Increase in Litigation Against Unions

Herbert Smith Freehills Lawyers, is predicting that unions will become more aggressive in their pursuit of wage and job security claims this year, and that employers will respond in kind by seeking to unilaterally end bargaining negotiations and turning to regulators like the ACCC.

In an article foreshadowing seven "key workplace relations issues" for 2015, Herbert Smith Freehills says union activity is likely to increase as Australia emerges from "recurrent election cycles", and that industrial disputation will be more prevalent.

The firm expects employers to respond by asking the FWC and the courts to intervene, and by stepping up their push for penalties and damages.

*"It is expected that more employers will bring negotiations to an end without union agreement. It is also expected that employers are likely*

*to explore ways to remove inflexible agreement content."*

They are also likely to engage with government agencies such as the ACCC "where appropriate", according to the article's authors.

The firm predicts an increase in "big ticket" litigation, and that the ACCC will be more active in monitoring anti-competitive conduct by unions in the wake of the draft recommendations released in September by the Harper review

The Harper review is due to provide its final report to the Abbott Government early in the year.

Other issues that the firm says will be prominent include drugs and alcohol in the workplace, bullying, employer responses to the mining and resources sector downturn, and the fall-out from the Heydon Royal Commission.

It says the FWC has shown a recent propensity to "support management

prerogative" in drug and alcohol related dismissal cases, but expects future litigation to focus on "consultation requirements, privacy obligations and the legitimacy of disciplinary action".

HSF agrees with the consensus that workplace bullying claims have been fewer than anticipated, and that there has been "an unexpectedly low number of orders" made.

But it warns that bullying claims remain "a strategic lever" for employees to push for workplace change or extract "advantageous exit packages".

*The article also anticipates that the Heydon Royal Commission will continue on its current trajectory, with its final report at the end of the year to "result in further findings of widespread corruption on the part of unions and others".*

## Join the RTBU Retired Members Association



For more information,  
contact Don McKechnie  
on 0409 813 643  
or the union office on (02) 9264 2511

## RTBU Express Website

[www.rtbuexpress.com.au](http://www.rtbuexpress.com.au)



# Number 13 – Unlucky for Some

The NSW Government, headed then by Premier Barry O’Farrell came to office in 2011, promising higher and impeccable standards from government members and Ministers. In its first term of squeaky clean government, the NSW Government has lost 13 of its members (including Premier Barry O’Farrell), under a dark cloud of corruption allegations.

## The Gallery of Disgrace

**Barry O’Farrell- Premier**

**Mike Callacher - Police Minister**

**Chris Hartcher – Energy Minister,**

**Chris Spence, Entrance**

**Darren Webber, Wyong**

**Marie Ficarra, MLC**

**Andrew Cornwell, Charlestown**

**Gary Edward, Swansea**

**Craig Baumann, Port Stephens**

**Robyn Parker, Maitland**

**Tim Owen - Newcastle.**

**Bart Bassett, Londonderry**

While the 12 MPs above all resigned in relation to the ICAC inquiry into illegal political donations. The NSW Government also lost its Deputy Leader, and Nationals Leader, Andrew Stoner, at the same time,

who resigned for ‘family reason’.

## Mike Baird Apologises Over Corruption Revelations

In a Newcastle Herald Report in August 2014, it was revealed that NSW Premier Mike Baird has apologized, in particular to Hunter voters in an open letter to the region, saying he will work to restore trust in his government.

In the wake of devastating revelations at a corruption inquiry into MPs taking cash and other illegal donations from property developers, Mr Baird vowed to make amends.

The apology letter came after a week of nightmare political developments for his government and Hunter voters alike, in which two of the region’s MPs were forced to quit and a third was exiled to the crossbench, Mr Baird said: “I’m sorry that the Liberal Party has let down the people of Newcastle.”

Tim Owen (Newcastle) and Andrew Cornwell (Charlestown) resigned from Parliament after Mr Cornwell’s admission he’d taken what he suspected was a \$10,120 attempted bribe from developer Hilton Grugeon and Mr Owen’s admission he’d lied about taking money from Jeff McCloy, then a developer and later Newcastle’s lord mayor. Both men

accepted envelopes stuffed with \$10,000 cash from Mr McCloy.

It only got worse when, two days later Cr McCloy (who also resigned as Lord Mayor shortly afterwards) told the inquiry he had given about \$1500 in cash to Garry Edwards’ Swansea campaign, sending him to the crossbench.

The region then saw the resignations of Craig Bauman, Port Stephens, and Robyn Parker, Maitland.

After apologising for the extent of regional corruption, Mr Baird again endorsed all the government’s decisions for inner-city Newcastle, despite calls from some quarters for a probity review of the decisions made, including to truncate the heavy rail and replace it with light rail.

*“I stand by every decision we’ve made. We’ve fully consulted across the urban renewal project.”*

The rail line had been debated for 20 years and the final stage of the Newcastle inner-city bypass road, also to be funded from the proceeds of the Port of Newcastle lease, was a “long-awaited project”.

*“We will deliver them and we will do it as quickly as we possibly can,”* he said.

## QLD Buses Saved From Privatisation

We’d like to congratulate our colleagues in Queensland who campaigned tirelessly in the lead up to their state election and saved their bus services from privatisation.

Bus drivers hit back at Campbell Newman’s plan to privatise buses in the state’s south east with their ‘Hands Off Our Buses’ campaign.

They made sure that voters knew that privatisation means less services, less often, and that ordinary people would pay more for their public transport.

The result – huge swings away from the Coalition and a surprise victory for Labor – means Queensland’s buses stay in public hands.



# FWC Rejects "Voluntary Overtime" Agreement

A senior member of the Fair Work Commission has knocked back an enterprise agreement containing a voluntary additional hours provision lodged by a labour hire company with a workforce of casuals on working holiday visas.

The company supplies labour to the meat processing industry in NSW, and its proposed agreement covers 94 workers working on subclass 417 visas.

The agreement says that employees can voluntarily agree to work overtime, in which case they will be paid at the equivalent of the ordinary time award rate.

The company accepted that the agreement did not pass the BOOT, conceding that there were no other provisions in it that they were more beneficial than the relevant modern awards. But the company argued that it should nevertheless be approved on public interest grounds under s189(2) of the Fair Work Act.

It relied on the peaks and troughs in workload caused by the seasonal nature of the meat industry, and also pointed to the enterprise agreement of its major competitor, which contained a similar voluntary overtime clause and which the FWC had approved in September 2013.

It also identified a number of other decisions approving other

agreements with voluntary hours provisions in them.

Senior Deputy President Anne Harrison said full bench decisions had made it clear that the application of the BOOT and its predecessors involved a comparison of the award and agreement terms, not with the actual work patterns of the employees.

She said that in one case cited, the award did not distinguish between hours worked on a voluntary basis and those directed by an employer. *"All such hours were to be paid for at the applicable overtime rates,"* she said.

The company argued that its workforce was generally short-term and topped up clients' extra labour requirements in seasonal peaks and busy weeks.

It said that providing its employees with an opportunity on a voluntary basis to improve their financial security would not be contrary to the public interest.

Senior Deputy President Harrison accepted that the hours available to casual employees fluctuated, but said this did not constitute *"an exceptional circumstance"*.

The senior deputy president said the single-member decisions relied on by the company could be distinguished from the current case.

She said the tribunal in one was prepared to approve the agreement to allow the parties to *"transition to the modern award" over a two year period.*

*The decisions do not suggest a further enterprise agreement with similar terms would be approved under the exceptional circumstances provision; in fact they suggest the contrary."*

Senior Deputy President Harrison also rejected the company's argument that the approval of the competitor's agreement was an *"exceptional circumstance"*.

The company's claim that that agreement threatened its viability lacked credibility, given it had elsewhere described itself as *"one of the largest labour hire companies"* providing imported labour in Australia, she said.

Senior Deputy President Harrison said she had other concerns with the agreement that would have stopped her approving it in any event.

Noting the company's expansionary ambitions, she said it would probably have been contrary to the public interest to allow it to *"extend its inferior provisions"* to future employees across the whole of Australia, as the agreement's coverage clause purported to do.



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The RTBU members' health plan gives you and your family great value for money health cover choices, plus you'll save 5% on any health cover you choose.

**RTBU members receive:**

- 5% discount off every one of our health cover choices
- An immediate waiver of all 2 and 3 month waiting periods
- \$150 petrol or grocery voucher (your choice), just to say thanks for coming on board!

Plus ... you'll receive a special RTBU health plan membership card that can be used for on-the-spot claims and fast assistance with a dedicated RTBU member helpline, email and website.

For a personal consultation, or to arrange a workplace visit for you and your team, contact Alison, your RTBU health plan consultant.

CALL ALISON ON  
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FOR A QUOTE OR  
COMPARISON WITH  
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\*IPSOS, 'Health care and insurance in Australia', 2013

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Email [rtbu@rthealthfund.com.au](mailto:rtbu@rthealthfund.com.au)

Visit [www.rthealthfund.com.au/rtbu.html](http://www.rthealthfund.com.au/rtbu.html)



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**RTBU Members can also take advantage of the United Services Union's Aquatic Resort at Port Macquarie**

The RTBU and USU have a reciprocal arrangement where members of each union can book holidays at the two locations, at member discounted rates.

The USU owns the Aquatic holiday resort, in a glorious location on the Hastings River at Port Macquarie on the north coast of New South Wales. The resort consists of a Motel and a Caravan Park.

Stay in comfort at the holiday resort and enjoy great discounts and great style while relaxing in what many say is the best climate in Australia.

No matter what type of holiday you are after your needs are covered. Lots to do any time of the year! There are a lot of attractions in the area for you and your family – have a great game of Putt-Putt golf or try Jet boating, Parra Sailing, Waterslides, Wave Bowling & Lawn Bowls which are all within walking distance. And don't forget the fishing! Please note – there are no tent sites at the Port Macquarie Caravan Park.

**You can contact the motel or caravan park by calling the Comfort Inn Aquatic Motel on 02 6583 7388 or the Aquatic Palms Caravan Park on 02 6584 9155 or check the website at [www.aquaticinport.com.au](http://www.aquaticinport.com.au)**

You can also call the United Services Union's Head Office on 02 9265 8211 for more information.

Members must provide proof of identity plus their RTBU membership card at the time of arrival at Jervis Bay or Port Macquarie or full rates will apply.



# RTBU Holiday Park at Jervis Bay

Located in the Booderee National Park, the RTBU Holiday Park at Jervis Bay, is just a 3 hour drive south from Sydney, but a world away...

Each of the 14 self-contained units sleep up to a maximum of 6 people and rates are based on a family of 2 adults and 4 children. Other rates are available, however all units only have the capacity to sleep 6 people.

Units have a double bed, two single beds and a set of double bunks. You will need to bring your own sheets as only mattress protectors, quilts and pillows are supplied.

The units contain a digital television, an oven, microwave, fridge, crockery, cutlery, glassware, pots and pans as well as basic cooking utensils. Make sure you come prepared as the closest grocery shop is in Vincentia, a 30 minute drive away.

The RTBU Holiday Park facilities available to all guests include a Boat Ramp, Undercover Bar-B-Q area with seating, Tennis Court and a Coin Operated Laundry.

There are various swimming spots to enjoy and natural areas to explore, suitable for all the family.

Kangaroos, possums, wallabies, kookaburras, bandicoots, echidnas and rosellas visit the grounds of the Holiday Park daily.

Enjoy fishing for whiting, flathead and bream from the calm shores or take a quick walk to experience beach fishing for tailor and salmon on the pristine Bherwerre Beach.

The boat ramp allows direct access via the Sussex Inlet Channel to St Georges Basin or outside into the famous fishing grounds of Jervis Bay.

Bookings can be made by telephoning the RTBU Office on (02) 9264 2511.



## Booderee National Park & Bherwerre Beach

In the Dhurga language, Booderee means "Bay of Plenty" and the area is the home to the people of Wreck Bay.

The Booderee National Park has the only Aboriginal owned Botanic Garden in Australia. The gardens are well known for providing a centre for interpreting plants used by the local aboriginal people.

The Park is also home to 200 species of birds, over 30 different native mammals including 10 species of bats, 37 reptiles, 17 amphibians and at least 180 species of fish.

The White-Bellied Sea Eagle is a special bird at Booderee as it is the guardian of the Koori people of Wreck Bay and features on the Booderee National Park logo.

This spectacular eagle has a white head, rump and underparts, dark or slate grey back and wings. It has an awe-inspiring wingspan of up to 2.2 metres.

Within the Booderee National Park you will find beautiful white sandy beaches at Green Patch, Murrays, Steamers, Caves and Bherwerre.

Bherwerre is home to some of the Booderee National Parks rarer seabirds. Pods of Bottle-nose dolphins are often spotted playing in the waves at the Sussex Inlet Entrance and Humpback whales have been known to enter the protected areas close to shore.



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# On the Campaign Trail

## Parliamentary Inquiry Examines Newcastle Rail Documents

A parliamentary inquiry has examined confidential cabinet documents that reveal that the NSW Government rejected advice from Transport for NSW about a light rail route into Newcastle in favour of one that may cost about \$100 million extra and give more opportunities to property developers. To add to the odour already attaching to the Newcastle rail decision, the Sydney Morning Herald reported in February that the confidential cabinet documents were found in the electorate office of disgraced former local Liberal MP Tim Owen.

The report revealed that Transport for NSW advised the cabinet infrastructure committee in December 2013 that its preferred light rail route was along the corridor for the heavy rail line that was to be ripped up as part of a Newcastle revitalisation plan. Yet, in May 2014 - following consultation with government property developer UrbanGrowth NSW - it was announced the new line would only use a small part of the corridor before diverting along the thoroughfare of Hunter Street.

This is despite Transport for NSW's advice to cabinet that running light rail down Hunter Street - as advocated for by local developers - would mean a slower service, disruption of traffic and higher construction and heavy rail corridor remediation costs.

The cost of the chosen route may also be almost \$100 million more than Transport for NSW's preferred option.

The parliamentary inquiry which will examine the cabinet documents, was established following last year's Independent Commission Against Corruption hearings into illegal

political donations.

The hearings saw then Newcastle MP Tim Owen resign from parliament in August after lying about taking \$10,000 cash before the 2011 election from developer and then lord mayor Jeff McCloy.

The confidential cabinet documents were found in Mr Owen's electorate office by Labor after it won the Newcastle byelection sparked by Mr Owen's resignation from parliament.

Labor's Transport spokesperson Penny Sharpe said there were *"serious questions why a backbencher, Tim Owen, had access to these cabinet documents"*.

*"Who else had access to these documents and was there collusion with developers to ensure that the transport advice was ignored?"* she asked.

The Inquiry will raise questions about how Mr Owen came to have the material and whether he had any influence in the final decision about the light rail route.

Premier Mike Baird's response to media questions when he visited the Hunter Valley in February, was that the claims were "conspiracies" that the route was selected to favour the interests of the developers.

However, Transport Minister Gladys Berejiklian would not say if she discussed the route with Mr McCloy. *"I'm not going to get into the ins and outs across government, all I want to say is that as a government we did what is in the best interests of the community,"* she said.

### STOP PRESS

**The Parliamentary Inquiry has since recommended to the NSW Government that it should reinstate the Newcastle rail line.**

### NEWCASTLE RAIL SAGA CONTINUES

Just prior to Christmas, local community groups had a huge win with the court ruling that the NSW Government couldn't rip up the rail line from Boxing Day because removing rail infrastructure requires legislation to be passed through parliament - which hasn't happened.

The Government had attempted to skirt around the law by selling the rail assets to another government agency, but the court ruled against the move.

While the court ruling was a huge win for the local community, it hasn't stopped the NSW Government from pushing ahead with its plans to destroy the line. Since the ruling, moves have been made to prevent the tracks from being used, even including tarring over sections of the line, and putting in pedestrian walkways across the track.

There are still legal challenges afoot, however the government seems determined to move ahead with its plans to tear up the track into the Newcastle CBD regardless of the law or community concerns.

The people of Newcastle deserve a modern, vibrant city and a world-class public transport system. Will you join the call to put community interests ahead of big business interests by sending an email to our politicians? Keep the Hunter on Track.





# RTBU March 4 Our Rights



RTBU activists joined thousands of people taking part the March 4 rally in Sydney and regional centres across NSW as part of a national day of action to send a clear message to the Federal and State Liberal Governments that anti-worker and anti-family policies will not be tolerated.

Workers, unions and community groups from all parts of the community, including rail and bus workers, nurses, teachers, disability and electrical workers turned out in scenes reminiscent of the Your Rights at Work Campaign that removed the Howard Government and its anti-worker 'WorkChoices' legislation. The March 4 rallies saw tens of thousands of people taking to the streets for fairness and highlighting the impact of the Federal and State Liberal Governments' attacks on our jobs, rights and services.

*"The Federal Liberal Government is using the Productivity Commission inquiry into rights at work in an attempt to cut penalty rates, abolish the minimum wage, bring back unfair individual contracts and swing even more power to the employers,"* Unions NSW Secretary Mark Lennon said.

*"Australians did not vote for cuts to Medicare, \$100,000 university degrees, slashing the public sector, and attacks on our rights at work."*

*"We will not stand by while Liberal Governments at a state and federal level take us in the wrong direction. Workers made their voices heard in Victoria and Queensland with one-term Coalition Governments and we can do it again here in NSW and federally."*

*"Tony Abbott's record on slashing workers' rights is well known but Mike Baird's track record is just as bad."*

*"The NSW Liberal Government has attacked wages, cut 15,000 public sector jobs, slashed the industrial rights of its workforce and cut workers' compensation for all workers in NSW."*

*"In addition, Premier Baird's plans to sell off the State's electricity assets if he wins the election will result in higher power prices for NSW households, and the loss of \$1.7 billion a year for our schools and hospitals."*

*"The NSW Liberal Government's privatisation agenda has already begun in hospitals and TAFEs across the state. Today's rally will call for a stop to any further sell offs of our public assets."*

Members all over NSW participated in rallies as part of a national day of industrial and community action to protest the Federal and State Liberal Governments' attacks on ordinary Australians.









# Pru Goward Addresses Southern Tablelands Rail Users

The NSW Minister for Planning, Minister for Women, and Member for Goulburn Pru Goward told a STRUG meeting in Goulburn, also attended by Branch Secretary Alex Claassens, in early March that the capacity of the Goulburn water supply limited population growth along the Goulburn rail corridor.

To incredulous looks on the faces of some in the room, many still paying a levy on their water rates for a high capacity water pipeline from the Wingecarribee area, Ms Goward said water availability was, in her view, one of the limiting factors that had to be considered when the conversation turned to electrifying the southern railway line.

She also added such growth also had to be balanced against the region's prime grazing and farming land.

*"If you electrify you have to straighten the route and given the overall cost of electrifying 200km of line, there would be other people in NSW saying they could better use the multiple of billions of dollars such a project would cost.*

*Ms Goward also challenged STRUG to find out what the contract between the State Government and the Australian Rail Track Corporation, [which took up a 60 year lease of the main interstate rail corridor in 2004], suggesting it may not accommodate electrification.*

*"I don't know what the current contractual arrangements are or would we need to build a separate line but STRUG needs to examine the ownership issues and the green economics of electrification."*

Ms Goward, said Goulburn was not supported by a regional population capable of justifying electrification. In praising STRUG for offering a



strong voice for rail, Ms Goward said she was constantly lobbying for better services, more trains and cleaner carriages.

*"Unlike many [election] candidates, I constantly travel by NSW Trainlink but I don't believe our line is any different to anywhere else."*

*"I am here tonight as your local member and I can not announce a vision other than I agree Goulburn does need more frequent and faster trains.*

*"But two car diesel train carriages cost some \$24 million while an engine [locomotive] costs \$200 million!"*

Speaking after the Goulburn Workers' Club meeting which was also attended by the Mayor Cr Geoff Kettle and representatives from all political parties, STRUG's retiring secretary Leon Oberg said he was "disappointed by the negativity and general indifference" of the rail debate.

*"Despite meetings with the Minister and key people, arguments for such simple things like lifting up the morning train and having it run a more convenient seven days a week timetable, this government has not offered Goulburn district people one*

*scrap despite the election year.*

*"I've got the stage where I am over it all for clearly another four years will pass and another election will come around and we will continue to spin our wheels and receive lip service," he said.*

*"People will say, in fact, people are saying, 'why bother arguing the case with anyone' for clearly no one in government seems to be interested in growing Goulburn, its transport links, or even providing government officials the correct information in many cases.*

*"For instance at Monday's meeting, Ms Goward touched on tilt trains, dismissing the 1995 trial as a Labor Government failure when in fact the train was imported for exhaustive three months' trials between Sydney-Goulburn-Canberra by none other than the then Liberal Premier, John Fahey.*

*"And I am sure Goulburn's Chicago Freight Car Leasing Workshops will be able to confirm diesel locomotives do not cost \$200 million a piece, but somewhere around \$5.5 million, depending on the quantity one purchases," Mr Oberg said.*



# PVCU Ask Candidates to Pledge to Protect Jobs, Rights and Services

The Penrith Valley Community Union hosted a Candidates Forum on Tuesday 17th February where the candidates in the NSW State Election for the seats of Penrith, Londonderry and Mulgoa were invited to answer questions relating to the Jobs, Rights and Services Campaign and issues in the local Penrith Valley community.

Seven of the candidates standing in the state election attended the public forum at Penrith RSL.

Greens candidates Mark O'Sullivan, Shane Gorman and Kingsley Liu, for Penrith, Londonderry and Mulgoa respectively, advocated for adequate public transport, protection of environmental assets and quality public services.

Emma Husar, Prue Car and Todd Carney, Labor candidates for Penrith, Londonderry and Mulgoa argued against electricity privatisation and capping contested TAFE funding at 30 per cent.

Independent candidate for Penrith Jackie Kelly said she was against the plans for Badgery's Creek airport and argued that the money would be better invested in other infrastructure.

The PVCU group presented information on each of the areas of the campaign: TAFE cuts, privatisation of health and disability services, cuts to emergency services and the privatisation of poles and wires. Questions relating to these issues were posed to the candidates before they were asked to commit to signing the Candidates Pledge. Each of the candidates was given time to provide opening statements before answering questions submitted ahead of the event.

With the exception of former Howard Government Minister, and Federal Liberal Member for Lindsay from 1996 – 2007, Jackie Kelly, all candidates at the forum signed the PVCU pledge to protect community jobs, rights and services. Ms Kelly unsuccessfully stood for Liberal pre-selection against sitting state member for Penrith Gary Ayers, before quitting the Liberal Party

late last year, then announcing that she would contest the election as an independent.

Candidates who sign the pledge have made a commitment to, if elected, work towards creating decent, local jobs, protecting and restoring rights at work, and keeping public services and infrastructure.

While discussing the privatisation of 49 per cent of the electricity network, Emma Husar pointed to a segment of eight or 10 shops on Stafford Street in Penrith that had to close for a day because the electricity company doesn't do repairs on the weekend or at night. She says the reason is so the power company doesn't have to pay overtime or weekend rates in preparation for sale.

A theme of the night was western Sydney being given the attention and support it deserved.

No Liberal candidates were present at the forum.

Local Union Community Councils around the state have been conducting similar forums in the lead up to the March NSW Election, and inviting candidates to sign the pledge opposite.

## Jobs Rights Services

*I support improved jobs, rights, and services for working people in NSW.*

*I will work for a fairer tax system and government purchasing policies that reward local businesses that provide jobs and invest in training young people.*

*I will fight for expanded and improved public services to deal with our growing population, and employing more people to deliver them.*

*I will support the construction of new roads, rail lines, schools, hospitals, and other public works.*

*I will fight to maintain our public holidays and weekends and the conditions that go with them.*

*I commit to restoring rights for sick and injured workers.*

*I believe public sector workers should have the same industrial rights as those in the private sector.*

*I believe housing is a right and will support reforms to make it more affordable and available.*

*I believe public services should remain in public hands.*



Photo courtesy of UnionsNSW

# Safety Matters

## Health And Safety Representative (HSR) Training Dispute

Sydney Trains Station has recently completed the election process for the (3) Salaried, Wages and Cleaner Work Group HSRs. The RTBU congratulates those members who have been elected to the HSR and Deputy HSR positions.

Just when we thought there was a genuine attempt by management to comply with the Work Health and Safety Act (WHS Act) we find ourselves faced with yet another example of their total disregard to

the requirements of the WHS Act. The latest issue is Sydney Trains refusal to comply with Section 72 of the WHS Act. Section 72 relates to the training of HSRs (including Deputy HSRs). The Section allows HSRs to "choose" who they receive their HSR training from. In other words it does not allow Sydney Trains to "dictate," as they have in the past.

As a consequence of this failure to comply with the WHS Act

WorkCover has been advised that a dispute exists.

As such WorkCover are required to intervene and ensure that Sydney Trains comply with Section 72 (WHS Act) and allow HSRs to attend the HSR training of their choice.

HSR Members are advised that "HOSTA" is a Union preferred Health and Safety Training Organisation.

## RTBU Member Wins Colour TV in Direct Debit Promotion

The RTBU is pleased to announce the lucky winner of the direct debit draw - congrats to Jodie Cantor, Museum Station who has won a new colour TV! All the best Jodie, from the RTBU team.

The draw was part of a promotion to encourage new and existing members to pay their union dues by direct debit over the holiday period.



## Swab testing trial to start in March

**The RTBU had a big win last year in the fight to replace urine samples with oral swab testing to detect drugs and alcohol.**

As part of the EA negotiations, Sydney Trains and NSW Trains agreed to trial swab testing and to establish an Oral Fluid Testing Working Group with union representatives.

The RTBU Womens Campaign Committee has been actively campaigning for a change to drug and alcohol testing for some time.

It has now been agreed that the oral swab testing trial

will take place from the 2nd of March and the 30th of April and 1500 staff will be tested. Staff will undergo both a swab test and a urine test during the trial period so the two methods of testing can be compared.

After the trial the Working Group will present a report and make recommendations on the results and next steps for Sydney and NSW trains.

The RTBU is confident that swab testing will prove to be just as effective as urine testing and much more comfortable for staff.

As the trial progresses we will keep members updated.



# Know Your Tram & Bus Reps and Executive Committee



**Gary Way**  
President



**Chris Preston**  
Secretary



**Brett Peters**  
Vice President



**David Woollams**  
Organiser



**Ash Sarker**  
Tempe



**Andy West**  
Willoughby



**Bruce Eddy**  
Randwick



**Leon Barnard**  
Leichhardt



**Ed Robinson**  
Brookvale



**Ian McPherson**  
Ryde



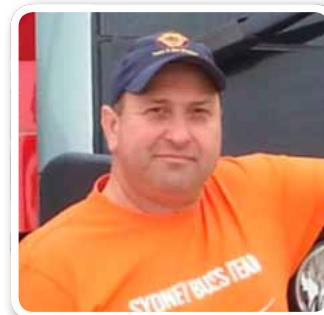
**Kelly Budden**  
Hamilton



**Mark Delohery**  
Burwood



**Matthew Crompton**  
Mona Vale



**Michael DeMeo**  
Port Botany



**Patrick Fielding**  
Pyrmont Light Rail



**David Grant**  
Belmont



**Peter Gretch**  
North Sydney



**Peter Tsapepas**  
Waverley



**William Lekkas**  
Kingsgrove

For more information on your representatives please contact the Union office on 029319 7277 or [busexpress.com.au](http://busexpress.com.au)



## Farewell and thanks to Ian Wyllie

The Loco Division is farewelling Loco Division Assistant Secretary Ian Wyllie, who after just short of 28 years in the industry is heading off to enjoy retirement. He is doing so with our blessings, and with Life Membership of the RTBU for his invaluable contributions to members and the union over many years.

Ian joined the railways in 1986 as a trainee driver at Port Kembla, and remained at Port Kembla right up until the time he gave up driving in 2011 to dedicate more time to the work of the loco Division.

Ian's interest in promoting the rights and conditions of Loco workers started in the mid 90s when he was elected sub-division President. From there, he went on to become the sub-division Secretary (now a depot organiser), before taking on the important role of Assistant Secretary in 2010.

Ian says he is glad to be leaving the Loco Division knowing that it is in great shape, saying that he believes it's the most efficient and accountable its ever been.

*"I think the greatest thing the Division has achieved so far is getting to the point where we are, in very good shape at the moment."*

*"What I've personally enjoyed most about working for the union is the responsibility. I like actually doing things that make a difference."*

*"What I'll miss most is all the people in the industry I've met over the years," Ian said. "But I think I'll handle retirement pretty well."*

As for what is in store for his retirement? *"I'm not one to make plans. I'll just do whatever comes along."*

Sounds pretty good to us.

The Loco Division would like to extend its sincere thanks to Ian who has been a driving force within the Loco Division for many years. A great workmate, a strong advocate for workers in the industry and a fantastic bloke to boot.



Branch Secretary, Alex Claassens and Loco Divisional Secretary Bob Hayden presenting Ian Wyllie with his RTBU Life Membership

Hi,  
Just want to give Kevin the manager from the holiday park a big thank you. I'm the owner of one of the caravans in the park. When traveling home from the park on Monday the 9/02 I had a major incident with my vehicle which needed to be taken to a local garage in Vincentia. Being stuck in Vincentia I called Kevin and he could not have been more helpful. He drove into town in his own vehicle and picked me up and took me back to my van where I was then able to organize things to get me back to Sydney. This is not the only time Kevin and Alison have gone out of their way to help myself and other residents/members of the park and I just wanted to let you know what an asset they are and how highly my wife and myself think of them. Please pass on my gratitude to them both

Thanks

Robert Hart



# Proctor Gets Life

The Locomotive Divisional Committee in December honoured one of its long time stalwarts and activists with Life Membership for his many and varied contributions to the Division and to the union. To the dismay of all present, Bob Proctor was lost for words when presented with his Life Membership. However, as is his way, Bob duly penned a few responses and reflections of his time with the industry and the union, in a letter to the March Divisional Committee. A selection from this letter is included here.

Bob joined the railways after leaving school, with the sole intention of becoming a Locomotive Engineman. He started as a Station Assistant, completed his six month probation, then duly applied to transfer to 'Loco', at Eveleigh. Bob joined the ARU when he commenced as a Station Assistant, then changed to the AFULE when he went to Eveleigh. At this time, by his account, he was still fairly naïve about unions, but knew he 'had to be in one'. Needless to say, he learned a little about it over the subsequent years, becoming increasingly active, and has left his indelible mark on the union that he is so proud of.

In 1985 Bob took his Driver's Appointment at Werris Creek. The rest, as the saying goes, is history. Werris Creek, the AFULE / RTBU, and Bob Proctor became synonymous and interchangeable around the union. Bob Proctor has been actively involved at all levels of the union over a long period of time, and has worked with a series of union officials during that time, and reserves a special place in his personal and industrial history for current Locomotive Division Secretary Bob Hayden.

*"In 2000 I left NRC to join CountryLink at Junee. The XPTs were in a terrible condition following years of neglect. Drivers*

*on the night run between Sydney and Melbourne used to sit with plastic garbage bags pulled over their legs to stave off the cold in winter. Cab Heaters were useless. At Junee the incoming Driver would hand the outgoing Driver the garbage bag as part of their changeover. I was appalled by this. As a new arrival (and being from NRC which was not politically correct at the time) I needed to keep a low profile for a while in my new job. I got Bob Hayden to put his name to letters I had drafted commencing the long process of industrial negotiation to have the cabs upgraded. With Bob's assistance we wore them down and I was then able to step forward with the Cab Committee to redesign the cabs from the ground up, including a lot of things we had learnt from the NR Project. It was a great success, but would have never have got traction without Bob's help."*

*It was very hard to resign from the RTBU after so many years. I still look upon it as being "almost" the AFULE. I have met many good people, both in the union movement and in management – particularly in the old railway. I have held positions at Sub Divisional, State and Federal levels. I have held positions as a DC representing the NorthWest of NSW, the Southwest of NSW and CountryLink. I have been involved in numerous cab upgrade projects and refurbishments with different operators, both in NSW and interstate.*



*No-one will understand how proud I am to have been awarded Life Membership by my peers. After all, it is an honour bestowed on those who really put in and I have always looked at what I have done as just doing my elected role*

*For the last 22 years I have had the pleasure of working with Bob Hayden as a Train Driver and a Trade Unionist. People with Bob's dedication, passion and commitment to the cause, his loyalty to his chosen profession, his loyalty to those around him, and his personal loyalty are rare indeed. It has been both an honour and a privilege to have served both alongside and under him in this organisation and its predecessors."*

Bob Proctor's enthusiasm, passion and sharp mind / tongue combination will be sorely missed, but not readily forgotten.



# Lithgow Farewells Geoffrey Hosking



Workmates friends and family recently gathered at Club Lithgow to farewell local legend Geoffrey Hosking after 50 years and nine months on the footplate. Geoffrey started his railway career as a Call Boy at Flemington car sheds on 06/04/1964, and retired as Lithgow's senior driver on 19/01/2015. Other than a stint at Enfield early on, Geoffrey spent most of his footplate career at Lithgow depot, during which time he was part of the transition from steam, to diesel and his beloved electric locomotives. Geoffrey was widely known and respected throughout the enginemen's ranks around the network, and was always a hot topic of conversation around many barracks meal room table, often enginemen from far off depots asking what Geoffrey was up to. Geoffrey will be fondly remembered for his "sectional running times", and his famous "Driver's" billy tea. Countless enginemen can thank Geoffrey for the skills and knowledge they have, as he was always willing to pass on his vast knowledge of all aspects of the rail system. The large crowd witnessed presentations of gifts from Geoffrey's workmates, including a print of his last trip home ex Broadmeadow barracks, and a model of his favourite

locomotive his beloved 46 class. Alex Claassens from the RTBU also presented Geoffrey with his Union membership plaque. We all wish Geoffrey a happy well earned retirement, and hope he enjoys his upcoming Cruising adventures.

*Jason McIntyre*





## Two Hard Nuts Go to Seed

As someone who has had the honour of working with both Ian Wyllie and Bob Proctor, I can confidently state that Loco has lost two of its very brightest and best. Its the feeling you have when two champions retire from your team at the end of season – you know the team will go on, but have trouble imagining it. For me, these two guys are exemplars of good unionists – they are sharp as tacks, passionate, and are up for the full twelve rounds. Between them they made a very substantial contribution to our union indeed. They were thorough, dedicated and dogged in their approach to workers rights. Anyone who went through a debate, argument or negotiation with either of these two, knew that

they had been in a fight. They were nobody's fools, and knew exactly how to ruffle feathers, kick arse and win an argument. They knew who and when to upset, and did not suffer fools from either side of the table lightly. It took me years to

win some of their trust (don't know whether I ever gained their respect), but I would want these guys in the trenches with me every time. God help the managers of any retirement village that either Bob or Ian ends up in. Happy future guys.



**Peter O'Connor addressing Loco Conference, Penrith 2009 - note the peer review panel of Steve Wright, Mark Supple, Bob Proctor, Ian Wyllie, Bob Hayden and Brett Rosser**

## Farewell to Jim Little One of Nature's Gentlemen

19th November 1953 – 29th December 2014

It is with a heavy heart that the RTBU bids farewell to Jim Little who passed away peacefully at his home on Monday 29th December 2014 whilst in the company of his wife, Dot (Dorothy) and family.

Jim was very respected by his work mates and managers and was often referred to by all who knew him as 'Nature's Gentleman'.

Jim commenced his railway career as a Shunter at Enfield yard in the mid 1970's at the age of 24 after running his own business as a roof tiler in Sydney.

Jim then transferred to the Newcastle district in the early 1980's working as a Safe Working Station Assistant

(SWSA), on the Electrification Wyong to Newcastle line.

After the Electrification was completed Jim moved onto signalling where he progressed through the grades and working at a number of locations including Dudley Junction, Broadmeadow South and Civic Signal Box.

In the mid 1980's Jim was appointed as a permanent Grade 2 Signaller at Wickham Box and progressed to Grade 3 Signaller at Woodville Junction. Jim remained at Woodville Junction until March 2014 where he concluded his career due to ill health.

The RTBU extends our deepest sympathies to Dot, Adam, Geoff, Kathryn and the remainder of Jim's family and friends.





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Gordon  
*Lawyers*



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\*Conditions apply.  
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May not include out of pocket expenses.

Call the RTBU on

 **(02) 9264 2511**

or contact an official or your organiser for a referral

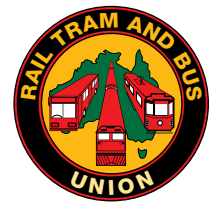


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# RTBU CHANGE OF DETAILS FORM

## CHANGE OF PERSONAL DETAILS

Surname		Given Name(s)		Gender <input type="radio"/> Male <input type="radio"/> Female
Street Address		Suburb		Post Code
Home Telephone Number	Work Telephone Number	Mobile Number		
Date Of Birth	Email (work)			
	Email (home)			
Employer	Employee Number	RTBU Member Number	Date Commenced	
Occupation: Eg Train Driver	Work Location/ Depot	Employment Status <input type="radio"/> Fulltime <input type="radio"/> Part time <input type="radio"/> Casual		

## CHANGE IN BANKING DETAILS

**IMPORTANT** Members need to specify the date of their next pay so that when the membership fee debit occurs on a **Friday** there is sufficient money in the account to ensure the transaction is not dishonoured which results in you then being charged an additional fee by your bank.

Next Pay Week
---------------

## DETAILS OF BANK ACCOUNT TO BE DEBITED

Name of Financial Institution (Bank)	Branch where account is held
Account in the name(s) of	
Bank/State Branch Number: (BSB Six Digits)	Account Number (Maximum of 9 digits)

## DETAILS OF CREDIT CARD TO BE DEBITED

Credit Card Type: Eg Visa, MasterCard, AMX	Credit card in the name of
Credit Card Number	
Expiry Date	

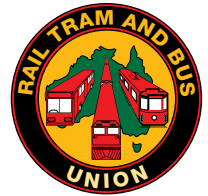
//We authorise and request the Rail Tram and Bus Union, until further notice in writing to arrange for my/our account described in this direct debit authority, to be debited with any amounts which the debit user may properly debit or charge me/us through the direct debit system.

//We authorise and request this direct debit authority to remain in force until cancelled, deferred or otherwise altered in accordance with this service agreement.

SIGNATURE	DATE
-----------	------

# RTBU MEMBERSHIP APPLICATION FORM

Membership Enquiries  
Telephone (02) 9264 2511



Surname		Given Name(s)		Gender <input type="radio"/> Male <input type="radio"/> Female
Street Address		Suburb		Post Code
Home Telephone Number	Work Telephone Number	Mobile Number		
Date Of Birth	Email (work)			
	Email (home)			
Employer	Employee Number	Date Commenced		
Occupation: Eg Train Driver	Work Location/Depot	Employment Status <input type="radio"/> Fulltime <input type="radio"/> Part time <input type="radio"/> Casual		

I, \_\_\_\_\_ the undersigned, hereby apply to become a member of the Australian Rail, Tram & Bus Industry Union, an Organisation of employees registered under the Fair Work (Registered Organisations) Act 2009 as amended, and hereby undertake to comply with the Rules & By-Laws for the time being of the Union.

Signature of Applicant \_\_\_\_\_ Dated \_\_\_\_\_

I, \_\_\_\_\_ the undersigned, hereby apply to become a member of the Australian Rail, Tram & Bus Union NSW, an Organisation registered under the Industrial Relations Act 1996 (NSW) as amended, and hereby undertake to comply with the Rules and By-Laws for the time being of the Union.

Signature of Applicant \_\_\_\_\_ Dated \_\_\_\_\_

1. I agree to pay \$ \_\_\_\_\_ via  DIRECT DEBIT fortnightly; OR  CREDIT CARD fortnightly

or any other amounts as may be determined from time to time in accordance with the Rules of the Union. I certify that I have received a copy of Rule 14, Notification of Resignation From Membership.

2. I/We authorise and request the Rail Tram & Bus Union, until further notice in writing to arrange for my/ our account described in this direct debit authority, to be debited with any amounts which the debit user may properly debit or charge me/us through the direct debit system.
3. I/We authorise my employer to notify the Rail, Tram & Bus Union of any change of address during my employment.
4. I/We authorise and request this direct debit authority to remain in force until cancelled, deferred or otherwise altered in accordance with this service agreement.

Signature of Applicant \_\_\_\_\_ Dated \_\_\_\_\_

## DETAILS OF THE ACCOUNT TO BE DEBITED

Account Name **OR** Name on Credit Card \_\_\_\_\_

Financial Institution \_\_\_\_\_ Branch \_\_\_\_\_

Date of next pay week \_\_\_\_\_

**IMPORTANT** Members need to specify the date of their next pay so that when the membership fee debit occurs on a Friday there is sufficient money in the account to ensure the transaction is not dishonoured which results in you then being charged an additional fee by your bank.

Bank/State Branch No. (BSB) \_\_\_\_\_ Account No./If Credit Union Membership No. \_\_\_\_\_

Card Type  MasterCard  Visa Expiry Date \_\_\_\_ / \_\_\_\_

Credit Card Number \_\_\_\_\_

Please submit this Form to the RTBU's Membership Officer by **email** [nswho@rtbu-nsw.asn.au](mailto:nswho@rtbu-nsw.asn.au) OR **Mail** to Level 4, 321 Pitt Street Sydney NSW 2000 OR **Fax** (02) 9261 1342



# IMPORTANT

PLEASE KEEP THE FOLLOWING  
FOR YOUR REFERENCE

## RESIGNATION FROM MEMBERSHIP OF THE RTBU

1. A member may resign from membership of the Union by written notice addressed and delivered to the Secretary of his/her Branch.
2. A notice of resignation from membership of the Union takes effect:–
  - (a) where the member ceases to be eligible to become or remain a member of the Union
    - (i) on the day on which the notice is received by the Union or
    - (ii) on the day specified in the notice, which is a day not earlier than the day when the member ceases to be eligible to become a member, whichever is later; or
  - (b) In any other case:–
    - (i) at the end of two weeks; or
    - (ii) on the day specified in the notice: whichever is later.
3. Any subscriptions, fees, fines and levies owing but not paid by a former member of the Union in relation to a period before the member's resignation took effect, may be sued for and recovered in the name of the Union in a Court of competent jurisdiction, as a debt due to the Union.

4. A notice delivered to the Branch Secretary shall be deemed to have been received by when it was delivered.
5. A notice of resignation that has been received by the Union is not invalid because it was not addressed and delivered to the Branch Secretary.
6. Resignation from membership of the Union is valid even if it is not affected in accordance with this Rule, if the member is informed in writing by or on behalf of the Union that the resignation has been accepted.

### What happens if I get pregnant, sick for an extended period or take leave without pay?

If you are on unpaid maternity leave, sick or are off work for a substantial period of time you can seek to have your membership fees suspended until you return to work by giving written notice addressed and delivered to the Secretary of his/her Branch under Clause 11 (8):

- (8) Notwithstanding the foregoing provisions of this Rule, should any member during any financial year be without pay owing to ill health or to other causes which a Branch Executive regards as warranting special consideration, then the Branch Executive may grant the member exemption from payment of all or any contributions imposed in accordance with the Rules for all or part of the period during which he/she is without pay. During the period of the exemption, the member shall be deemed to be financial.

**The Rail, Tram & Bus Union is bound by the Privacy Act and your information can only be used for RTBU processes and cannot be used for any other purposes.**

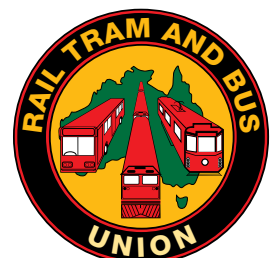
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Sydney NSW 2000

Tel (02) 9264 2511

Fax (02) 9264 1342

E-mail [nswwho@rtbu-nsw.asn.au](mailto:nswwho@rtbu-nsw.asn.au)

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