



RTBU Infrastructure Division News

To organise workers in the transport industry to protect and build their rights at work

Welcome to Infrastructure News

The RTBU Infrastructure Division Newsletter is your frequent source of communication that we have implemented to keep members informed of the ongoing issues, not only in Sydney Trains, but the Industry as a whole.

Update on the RTBU Infrastructure Divisional Plan

The Infrastructure Division will be looking at a more ambitious organising plan to implement throughout 2018 and over the following 24 months.

As well as organising around workplace issues, our goals are to;

- Build up current and new delegate and active member structures within your workplaces so they become self-sustaining
- Create a succession and mentoring plan to be carried out by experienced workplace delegates
- Fully map RTBU Infrastructure membership and concentrate on getting an even higher density, starting first with Sydney Trains
- Strategise and formulate a plan to unionise the Protection Officer industry which is made up primarily of contract labour
- Empower and mentor more members and activists to take a more active role in their workplace and communities

- Creation of more innovative and focussed training ideas for RTBU Infrastructure workplace leaders
- Build more political awareness across the division by facilitating conversations that get members involved in more critical thinking regarding what is happening within the industrial climate to do with their employment and their local communities
- Create RTBU member kits for delegates and activists to identify potential members in building more collective power

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Enterprise Agreement Negotiations

To improve on the 2.5% offered by the state government, it was decided by the membership that



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they would fight for it through industrial action, including wearing Union material, bans on overtime and a 24 hour stoppage on the 29th January 2018.

Unfortunately the state government filed in the Fair Work Commission to cease our actions and ultimately won.

Our frequent delegate conference phone hook ups have discussed what this decision means for our members – that many of our basic rights at work have been lost and the system has to change.

The Commissioner has made it extremely clear to Infrastructure how badly the rules are broken.

However, the actions that members took prior to the cessation of our actions by the government, resulted in Sydney Trains offering a 3.0% a year increase with a \$1000 sign on bonus, the best offer in the entire public sector of NSW.

This offer was accepted by the majority of union members within Sydney Trains.

Infrastructure's big items throughout these negotiations had been,

- Improving training and development;
- Winning comparative wage rates for our Work Group Leaders (WGL) and Team Leaders (T/L) in the civil discipline;
- Securing a meal expense allowance for civil discipline workers;
- Improving the process for disciplinary and safety investigations; and
- Introducing a dedicated and direct-hire Protection Officer stream.

There were a number of successes to come out of this campaign. These included,

- Sydney Trains committing to a steering committee and trial of dedicated protection officers in Sydney Trains,
- A commitment to review the wage rates for WGL and TL in the civil discipline;
- Agreement to apply the meal allowance to all Infrastructure Workers in the civil discipline rather than applying the current disability allowance; and
- A commitment to negotiate improvements to the process of investigations.

The replacement of the disability allowance for the meal allowance is a big win for our division as members will now receive approximately \$20.00 a day rather than \$16.00 a week. The meal allowance entitlement within the civil discipline will see, on average, approximately \$5000 extra a year in the pockets of our infrastructure wages members.

Dedicated Protection Officer Working Group

Discussions began in early 2018 with Sydney Trains about the introduction of a dedicated Protection Officer stream.

For years the RTBU has been raising the idea that full-time protection officers employed by Sydney Trains is a must, not only to improve compliance and safety, but to also recognise the role as a professional standalone classification and not a simple competency.

We want this position recognised for its importance.

Protection Officers have one of, if not the most important role in Infrastructure, ensuring the worksite is safe and their work mates are protected.



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Sydney Trains and union representatives have formed a 'Protection Officer Working Group' in an effort to one day achieve the above mentioned goals.

The working group has met a few times so far this year with the latest meeting held on the 10th April 2018. Some of the items that are being negotiated in the working group are;

- Protection Officer position descriptions;
- Protection Officer qualifications;
- Protection Officer pay rates; and
- Psychometric Testing (which assesses reaction times, stress recovery, coordination, speed and trajectory judgement)

A trial for the dedicated Protection Officers is set to kick off at Hornsby Network Base in June/July 2018 and expected to be completed later this year.

Infrastructure Apprentice Inductions

Sydney Trains have recently kicked off on new apprentice inductions for the network engineering and maintenance directorate, bringing scores of new Infrastructure workers into the railways.

This has provided the RTBU Infrastructure Division with an amazing recruitment opportunity.

The first induction was held on Friday, 2nd February 2018 with approximately 50 new apprentices from the electrical stream. New inductions for the civil disciplines will begin in approximately 6 months time for another round of 50 new starters.

The RTBU Infrastructure Division has received an agreement with Sydney Trains that RTBU organisers will be invited to kick off the meeting with a briefing

about the importance and power of being a part of the union movement.



Enterprise Agreement Negotiations

Enterprise agreement negotiations with John Holland for the NSW Rail agreement have been ongoing for the last 6 months.

We have currently managed to bring the company to a 3% per annum wage increase offer (up from a previous 2%), improvements to the rostering provisions, improvements to clothing and equipment being supplied by John Holland, improvements on expenses for travel and new classifications added in the electrical stream to incorporate qualifications with 5 years experience.

It has been made clear by the members in John Holland that they are seeking an increase of 4% per annum to their wages and conditions and they remain firm on this position.

A meeting with members from all depots was held at the John Holland Seven Hills depot on Monday, 12th March 2018 to discuss the current status of the negotiations, the challenges arising from achieving a 4% increase and what the members are willing to do to achieve this outcome.

The next meeting is scheduled for Friday, 4th May 2018 where a new offer is expected to be presented.

Country Regional Network (CRN)

A meeting was held in February 2018 to discuss the upcoming restructure of the re-sleeping division of



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John Holland CRN. The re-sleeping work on the John Holland CRN network has almost run out, therefore John Holland CRN provided various proposals to TFNSW in an effort to redistribute the employees in the re-sleeping division to elsewhere within CRN.

TFNSW rejected these proposals which resulted in a cut to John Holland CRN's budget, meaning a restructure and redundancies are more than likely to occur this year with a view that 60 Infrastructure positions would be lost.

However, a further meeting was held on Monday, 30th April 2018 with John Holland management and RTBU members to discuss changes in the projected job losses. John Holland presented a business case with various proposals to TFNSW which included bringing Vegetation Control back in house in an effort to save jobs.

TFNSW accepted this proposal and restored some of the funding that was cut from John Holland CRN's budget. This new development has decreased the projected job losses in Infrastructure from 60 down to 36.

Further consultation around this restructure will continue as new information comes to light and we will continue to support RTBU members through this difficult process.

ARTC

The Ongoing Battle for a Fair Deal at ARTC

We have been in negotiations with ARTC since October 2016 to renew the NSW Infrastructure Maintenance agreement.

Through industrial action such as bans on on-call, living away from home, workplace documentation and overtime, as well as overwhelmingly voting down two offers forced out by management as a means to cease bargaining, we have dragged management to an offer of;

- 2% per annum to all wages and allowances (no back pay)
- Level 4 progression within 4 years
- National recognised competency structure
- The ability to achieve a National Qualification in Rail Infrastructure
- Annualised training plans and schedules

The 2% pay rise is a kick in the face to our members, who have delivered over a \$150 million dollars in profit in the last financial year alone for the company.

The following is also proposed by management;

- Removal of the trade union training clause
- Removal of recognition of union delegates
- Removal of union membership deductions from weekly pays
- Removal of union delegates rights to attend divisional/executive union meetings

Any attempts to protect union rights at ARTC were stonewalled and passed off with excuses that union rights are inconsistent with the Government Wages Policy.

Shockingly, in February 2018 the RTBU were contacted by ARTC management stating that out of the blue, the Policy had now changed, particularly how it applies to Government Business Enterprises (GBE's – to which ARTC is one).



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ARTC informed the RTBU that due to the changes within the Policy, they need time to understand the full extent of their obligations under it. Specifically if these changes allow ARTC to approach the EA negotiation with a new direction, which members around the state are hoping is a revised offer that improves on what has previously been presented by ARTC management.

We believe that this new policy allows ARTC to offer above and beyond what the policy allows. Despite this, ARTC has continually delayed meeting with your bargaining team for further discussions.

After 6 weeks of stall tactics, members have filed in the Fair Work Commission (FWC) to reignite their industrial action campaign with the focus on going on Strike.

The FWC approved a ballot for RTBU members in ARTC to vote on whether or not they would like to take this action. The vote is currently being conducted and the outcome will be determined on the 1st June 2018.

Once the RTBU filed in the FWC, ARTC management were contacted in an attempt to once again lock in another date for the EA negotiations to continue. After numerous attempts ARTC agreed to a meeting to be held on Friday, 11th May 2018.

LAING O'ROURKE

Productivity and Site Allowance – Step 3 Dispute

Conciliation was held in the Fair Work Commission late last year to deal with Laing O'Rourke not paying

the Productivity and Site Allowance to employees who were working on the North Shore Project.

This allowance applies when a project blows out to over \$30 million dollars.

Laing O'Rourke was awarded a portion of this contract in 2016 which totalled \$21 million dollars. Since then, Laing O'Rourke has received more portions of the North Shore Project through contract variations, this portion was designated 'Portion 7' which brought the total cost of the contract to over \$100 million dollars.

Laing O'Rourke stated they did not have to pay the allowance to employees once achieving portion 7 as the allowance is only payable based on the original contract value and not on variations.

The RTBU disputed this as we believed that irrespective of how Laing O'Rourke is awarded \$100 million dollars worth of work, the allowance applies.

The commissioner agreed with the union and provided a recommendation to Laing O'Rourke that they pay the allowance to all employees on the North Shore Project from the date the project exceeded \$30 million dollars.

Laing O'Rourke wrote to the RTBU after the hearing stating they agreed with the commissioner and would pay all employees who worked on portion 7 of the North Shore Project the allowance from the date it exceeded \$30 million dollars.

We wrote to Laing O'Rourke again stating that their interpretation of the commissioner's recommendation was completely incorrect as the allowance applies to all employees who work on the North Shore Project, not just portion 7.



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We immediately filed in the commission again asking for the matter to be relisted and a determination to be made by the commissioner. The hearing has been scheduled for the 15th May 2018.



National Enterprise Agreement Negotiations

Rhomberg Rail EA negotiations began in February 2018 for the renewal of the national enterprise agreement.

The RTBU has conducted the last few enterprise agreement negotiations with Rhomberg Rail. This time around, Rhomberg attempted to quietly start the negotiations without notifying the RTBU.

Rhomberg Rail also tried to stop the RTBU being involved in the enterprise agreement by stating that due to no members nominating us on the 'Notice of Representational Rights' form, they could not recognise us as a representative.

The Fair Work Act states that members of a union are by default represented in any industrial matters such as enterprise bargaining negotiations.

Rhomberg Rail has quit their silly games and is now negotiating a new EA with your RTBU bargaining team. Further meetings are scheduled throughout May 2018.



Enterprise Agreement Negotiations & Protected Industrial Action

A protected action ballot conducted in December 2017 was voted up by 100% by members at Bathurst workshops.

Members began action at the beginning of the year with an overtime ban.

This one action saw an improved offer placed on the table by management.

The new offer is;

- 3 year agreement
- 2.25% wage increase the first year; 2% per annum for the second and third year
- NES Provisions with an increase from 12 weeks to 16 weeks, capped for employees over 10 years of service
- Compliance with the ABCC
- A new Loyalty Bonus for service to VAE (starting from 6 years service)
- Superannuation as per legislation
- Removal of Shower Time
- Removal of Laundry Time
- Removal of Blood Donor's Leave
- Medical evidence of sick leave to be provided after 2 days down from 3
- Personal Leave to be paid on termination (subject to provisions)
- Cashing out of Personal Leave (subject to provisions)
- Book Off Day to remain; subject to individual and/or collective agreement to vary due to production requirements
- A Lump sum payment of \$1000 gross per person for a "Yes" vote



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Members rejected this offer. A further offer was presented in April 2018 which included a pay rise of 3.0% per annum alongside introducing various provisions within the National Employment Standards (NES); this new offer did not address concerns or provide protections members have with various working conditions at Bathurst Workshops.

Regardless of the bargaining team disagreeing with the new offer, the company put the offer out for a vote and it was overwhelmingly rejected.

The fight continues.



infracworks

A Call to Arms – It's time to Unite!

On 16th March 2018, an anonymous Protection Officer (who works for a safeworking provider) made it clear how they and many other Protection Officer's feel in the safeworking labour hire workforce.

In response to an MCR manager's email which branded MCR as 'one big happy family', they sent out a 'Call to Arms' to other protection officers working at ;

- Multi Civil & Rail;
- SWETHA International; and
- InfraWorks.

This email was received by hundreds of Protection Officers across the industry. We have already received feedback about how uplifting the words from this

Protection Officer were and how their frustrations hit home with many.

The RTBU applauds the courage of this Protection Officer and we wish to quote some of his/her key messages in their email;

- "To put simply protection officers are not unskilled labour. They have an extremely important skill set that is a critical part of the planning and execution of all maintenance and construction projects in the network."
- "MCR pays the least, charges the least to its clients, negotiates 4hrs minimums into its contracts and denies us of our allowances to help further drive down costs to their clients at the expense of our safety."
- "They have held the other companies down for so long they now also have the numbers when it comes to protection officers, so they can full fill the big contracts. IF WE STAND TOGETHER WHERE EVER WE GO, THE WORK WILL GO TO, FROM COMPANY TO COMPANY."
- "Not only are our pay rates the lowest but working for the only company on the Sydney Trains safe working panel that does not have an Enterprise Bargaining Agreement ensures that we continually are denied of the same allowances that our peers in other companies receive be it travel, lafha, power out permit allowance, meal allowance, toilet allowance (no toilet on site)."



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- “Management at MCR are so seriously out of touch with what is going on in the field and the general feeling. The tactics of fear, guilt and threats are not working the way they used to and due to the amount of work available they cannot control us the way they used to.”
- “Without us there would be no protection officers to fill contracts, ultimately there would be no MCR.”
- “WE MUST STAND TOGETHER TO FIGHT FOR WHAT WE DESERVE AND ARE ENTITLED TO. BETTER PAY, BETTER AND SAFER WORK CONDITIONS, ALLOWANCES SUCH AS TRAVEL AND LAFHA.”
- “Do not buy into this idea that we are one big family looking out for each other because if that was the case our concerns regarding allowances would be addressed instead of massive smoke screens being deployed to confuse us, if we were family they would not try to manipulate and control us at every opportunity.”
- “I know our future will be stronger and brighter if we stand together. We need to organise ourselves.”
- “I think we need to join the union RTBU for the cost of approximately \$14 a fortnight (which can be claimed on tax) they should be able to at least get us in the right direction to

getting a fair Enterprise Bargaining Agreement.”

- “Once we pop our heads up they might also be able to provide us job security and a course of action if we were to be treated unfairly for speaking out about our rights as workers. Talk to your peers about what’s going on educate each other, stand together. We all saw how the RTBU backed the drivers and guards in their pay dispute. We just need to give them the numbers. One in all in.”

This Protection Officer is 100% correct. A unionised workforce is unstoppable, you saw what happened with the CUB dispute in Victoria, you saw what happened with the members in Sydney & NSW Trains and the countless other battles and wins by union members around the industry explained throughout this newsletter.

They all stood as one, joined their union, fought and WON.

You can too!

Join the RTBU now by contacting us on (02) 9264 2511 or emailing nswwho@rbtu-nsw.asn.au

Catch AirportLink
Sydney's
Airport Train

Huge Win for Union Members



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The Airport Link Company Enterprise Agreement was completed in February 2018 when the members overwhelmingly endorsed the new EA by a 98% YES vote.

The negotiations began with management offering a pay rise of 2% with a rollover of conditions, it was rejected and a clear message sent to the company that their offer was nowhere near the mark.

Members refused to sit back down at the table if the company was going to continue to press a ridiculous figure considering the rates of pay they were on compared to the industry standard. Members also argued that the cost of living in NSW and the patronage numbers throughout the city has sky rocketed over the past 4 years especially around the airport areas, meaning a steep increase in revenue for ALC.

The fight was also to recognise that ALC is a company with a female dominated workforce which we wanted protected, respected and acknowledged. The saddening and terrible statistics of domestic violence in this country, which shows that the majority of domestic violence victims are female, is something to everyone needs to play their part in addressing. Domestic Violence Leave was a claim pushed from the outset and no one wavered until it was achieved.

From 4 months of negotiations and amazing solidarity, the following proposal is what was achieved by the union through these negotiations;

- 4 Year agreement, expiring in 2021
- 3.75% Per annum, back dated to the 1st July 2017 (14% over 4 years)

- Introduction of 1 Week Paid Domestic Violence Leave and 1 Week Unpaid Domestic Violence Leave (2 Weeks total)
- Introduction of an Early Morning Shift Allowance Penalty of 115% (Effectively giving the 04:00am-06:00am starters an extra 1 hour pay per day)
- Introduction of the MOR Station Controllers into the agreement, receiving a 7% pay rise in 2017 and 3.75% every year following (18.25% over 4 years)
- A review of the structure that was conducted during negotiations that identified 2 permanent positions that could be added – these new positions have already been advertised by the company
- A commitment in writing from ALC to adopt a committee with the union to discuss Employee Paid Journey Cover and whether or not employees want to opt in

This is an amazing outcome for all involved and should be a beacon of hope as to what is achievable by a strong union workplace.



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Change THE RULES

RTBU INFRASTRUCTURE MEMBERS ARE ON-BOARD TO CHANGE THE RULES, ARE YOU?

Join us on the 6th May @ 10:30am at 321 Pitt St for the May Day Rally & Fun Day.
RSVP: nswwho@rtbu-nsw.asn.au

RTBU

RTBU Infrastructure Members are ready to Change the Rules – Are You?!

Over the last 30 years we have been repeatedly told that if we give money to big business then it will trickle down to workers and for 30 years we have been lied to.

The current industrial climate in Australia has seen the following arise;

- Big Business and the Government are actively dismantling our job security
- 1/3 of Big Businesses do not pay any Tax
- The top 1% own more wealth than the bottom 70% of Australians combined
- 4 million Australian workers are in insecure work (such as Casual and Labour Hire)
- Wage growth is at record lows

We need to Change the Rules so people can have **MORE SECURE JOBS!**

We need to Change the Rules so **WORKERS RIGHTS CAN BE ENFORCED!**

We need to Change the Rules so **WORKERS CAN WIN FAIR PAY RISES!**

We need to Change the Rules so **WORKING PEOPLE ARE PUT FIRST, NOT BIG BUSINESS!**

The system is broken, it's time to Change the Rules!

If you would like to find out more about how you can get involved to Change the Rules and to swing the pendulum of power back to the workers, please visit; <https://changetherules.org.au/>

“The only effective answer to organised greed, is organised labour!” – *Thomas Donahue, the Secretary of the American Federation of Labour and Congress of Industrial Organisations*



JOIN YOUR UNION.

TIP 4# - UPDATE YOUR RTBU MEMBERSHIP

Through various conversations with our members, it has been made clear that when members change work location, home address and their contact information many are of the belief that their company will update their new details with the union.

However, this is not the case.



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To update your details now, please contact the RTBU membership team on any of the below details;

Phone: (02) 9264 2511

Email: membership@rtbu-nsw.asn.au