

# NIF Dispute - Train Crew Rostered to Travel Passenger

On Monday 10 May 2021, a NIF service was gazetted in a Special Train Notice (STN1652-2021) to run between Gosford and Sydney Terminal (*Passenger*). This was immediately placed into dispute at Step 1 (DSP) in accordance with the 2018 Enterprise Agreement as it placed person/s in inherent danger given the passenger boarding and alighting processes on the NIF.

NSW Trains responded to the DSP Step 1 stating: *"NSW Trains currently have no variation to our accreditation to operate the Maryung sets in revenue service and will not be doing so under STN 1652-2021"*

NSW Trains' response did not address the issue the dispute clearly stipulated. Your concerns related to people (including crew travelling as passengers or the public) being placed in danger while boarding or alighting.

The design of the NIF and NSW Trains proposed operating model, does not allow for current safe working procedures to be followed. The new and proposed working procedures are in dispute. No one should be boarding the NIF as a passenger until this dispute is resolved.

The RTBU has been advised that NSW Trains have rostered crew from Newcastle and Gosford depots to travel '*passenger*' on the NIF train as part of a rostered standby shift.

As a result, the RTBU has escalated the existing dispute to Step 2 of the DSP and will be strictly applying Status Quo provisions.

In light of the application of the Status Quo provisions, any direction to board as a passenger or operate the NIF with passengers, is not a lawful and reasonable direction.

Further such an arrangement presents an obvious safety risk at the PTI, as identified in the Clemens Safety Report.

Members should conduct a personal risk assessment in all instances and consider if there is an imminent risk to your safety if you are directed to board the NIF as a passenger.

**Members should advise NSW Trains if they are not boarding the NIF.**

After refusing to board, if Members are directed to perform duties that are safe, such as boarding another train in accordance with established operating procedures or remaining on stand-by, these duties should be performed.

**Authorised by:**  
Alex Claassens  
**Branch Secretary**