

WE WON: FWC Rules No such thing as a Customer Service Guard or an Intercity Specialist Driver

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Today the Full Bench of the Fair Work Commission handed down its decision about the NIF classification dispute and we won.

In August last year when the original decision was handed down members and delegates were understandably gutted and felt betrayed by the Fair Work Commission.

Today the full bench sided with members and delegates and ruled that this decision was wrong.

The decision means that NSW Trains cannot proceed with their proposal that was dropped, without notice on members through the “*Your guide to the New Intercity Fleet*” booklet in November 2019.

The key takeaways from the decision are:

- The changes proposed by NSW Trains “*would change the classification, working arrangements and payments of employees... and their rate of pay*” and were therefore extra claims and not permissible during the life of the enterprise agreement.
- If NSW Trains wants to introduce these new classifications and working arrangement in principal agreement with the RTBU through clause 12.

Our Legal Team, Delegates and Officials are still working through the details about what this will mean for our ongoing campaign against the unsafe NIF operating model.

This is a massive win for members and the community, and it is only through our collective strength and determination that we have achieved this victory.

[You can find the full decision here.](#)