



RTBU Salary Division Newsletter



"To Organise Workers In The Transport Industry To Protect And Build Their Rights At Work"

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Update - Bus Marshalls don't get shelters

STA drop to the standards on Safety in the workplace.



As last month's newsletter indicated, STA management have gone to a new level of cost cutting and as a result of this the health and safety of members' could be at risk.

At first Bus Marshalls were provided a large marquee to provide some shelter. This was replaced, without due consideration for proper consultation and the required risk assessments, with a shipping container. Now to address the "non-compliance" Bus Marshalls' safety issues STA have replaced the container with a "locker". It has been stated by STA management that if the Bus Marshalls are concerned about their safety or adverse weather issues they can board a bus or relocate to Hamilton Train Station.

Update - Transport NSW Reform

These reforms keep rolling on with reforms affecting every Division and most of the (14) sections within the (5) divisions. The first of this round of reforms affected the Passes and Schemes section which impacted on the passes and concessions members. After excellent representation by members they were able to ensure that ALL of the affected members would still have positions in the proposed new structure. Great work and this shows that if members get involved and can provide the necessary feedback that good outcomes can be delivered.

All members affected by these reforms should contact the RTBU office via email at NSWHO@rtbu-nsw.asn.au and let us know what's happening in your area.

Transport NSW - TSS

It would appear that the bedding down of the changed policies in regards to "Flex-Time and Flexible Working Arrangements" that there are still some issues. These issues relate to Management imposing restrictive practices that are not in line with the intent of the "flexibility" that these changes were to introduce. If this is the case Members need to raise a dispute with their management and if this does not resolve the dispute they should advise the union Office. There is another matter that has presented itself and that is the "forced" clearance of leave during the Christmas New Year shutdown. This matter has been raised with Transport NSW Industrial Relations with the response that the NSW Government – Transport Secretary's statement applies. If Members are in a position that they do not have sufficient leave to cover the shutdown or that their work commitment is such that requires them to continue to attend work, they should discuss this with their management to ensure that alternative arrangements are put in place.

ARTC - EA Negotiations Update

ARTC say 'NO UNION AGREEMENT FOR YOU'

There have been a number of discussions and two meetings with ARTC management since last month's newsletter. It is clear from those discussions and the 2 meetings that ARTC are not prepared to consider the Combined Unions' log of claims.

Since the last newsletter there has been a redrafting of the "Workplace Bargaining Policy" (WBP), which includes the increase of the "capped" pay increase that is now offered. During this time the combined Unions were seeking legal advice on the WBP as to whether this governs ARTC as well as clauses contained within the policy document.

At the latest meeting, held on 1st December, it is clear that ARTC have the intention to put their EA out for a vote.

The RTBU is advising members to vote NO.

NSW Trains' Travel Centre Reforms

NSW Trains announced their intention to hold Staff Reviews at Strathfield and Parramatta Travel Centres and presented their business cases to the Unions at a meeting in mid-November.

As a result of the proposed Staff Reviews a Staff Review Committee was nominated and site visits were conducted on the 26 November. During the site visit, discussions between Local Delegates, Union Staff Review Committee Members and NSW Trains Management representatives resulted in both locations being placed into dispute.

The dispute relates to NSW Trains Management refusing to consider the Unions' alternative proposal that would maintain customer service by reducing the operating hours and staffing levels rather than a total "closure" of the (2) locations. The disputes remain unresolved as meetings to discuss have been deferred by management.

Social Media – Think before hitting



Recent decisions in Fair Work Australia have focussed attention on the lines between the relationship

of what an employee does during work hours and out of work hours.

Fair Work has made it clear that employees cannot use social media to vent or express their dissatisfaction with their employer.

'What might previously have been a grumble about their employer over a coffee or drinks with friends has turned into a posting on a website that may be seen by an unlimited number of people.

Posting comments about an employer on a Website (e.g. FaceBook) that can be seen by an uncontrollable number of people is no longer a private matter but a public comment.

It is well accepted that behaviour outside working hours may have an impact on employment to the extent that it can breach an express term of an employee's contract of employment ... a FaceBook post by an employee may be sufficient to warrant dismissal.'

Employers in many public and private sector organisations attempt to extend employee obligations well beyond the workplace, and hold employees responsible for conduct that may be

considered to tarnish the reputation of the organisation.

From the available law it is probably reasonable to assume that a range of employee behaviour out of work hours may come within the scope of company policies and be the subject of disciplinary proceedings.

These could include:

- When an employee identifies themselves as an employee of the company in public forums, media comments or social media outlets
- This may extend to being identified when in company uniform or displaying company logo in some way
- Using work-related photos (of workplace or work colleagues) in emails, publications or social media sites
- Any behaviour that may be considered employment-related or affect the employment relationship. For example, a personal or intimate situation with a co-worker which then flows into the workplace as inappropriate or unacceptable behaviour
- Criminal proceedings or convictions that may directly affect ability to perform employment duties (E.g.: loss of driver's licence), or fitness for employment
- Behaviour which could damage the employer's business or public reputation.

The only sensible advice that can be given to members using FaceBook or other social media is to be extremely careful about what you say and who you say it to.

While you may feel secure communicating on your private computer in the privacy of your own home, you must remain aware that these communications are public and are capable of being scrutinized by other than the intended audience – including your employer.

If in doubt – don't post it!

It's not worth losing your job over.