



RTBU Transport Officer News

Transport Officer Sub Division Newsletter



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

RTBU Representatives

RTBU Delegates recently had a meeting with the purpose of strategising a improved way to assist members and address concerns in a structured and coordinated manner.

Out of these discussions the following outcomes were reached;

- David Young will be undertaking the roles and responsibilities of Acting Secretary whilst Terry Cameron is absent.
- Delegate responsibilities will be shared as followed:
- Andrew Skundric – Teams 1 and 2
- Joe Salama – Teams 3 and 5
- Nikki Lee – Teams 4,6 and 7

Please note that this does not preclude you from raising a matter with RTBU activist and/or any other RTBU representative. This is simply an outline of our formalised structure to assess and formulate our communication of the issue(s) raised with management in addition to improve communication to you all.

What the Unions Have Done For You!



1. Annual Leave – Paid Annual Leave was first won after a campaign by printing workers 1936 via The Arbitration Commission. This was then gained by other workers through via their unions. Annual Leave Loading of 17.5% was first won by

workers in the Metal Industry in 1973.

2. Awards – are legally binding documents that set out the minimum entitlements for workers in every industry. The 1st industrial award, Pastoral Workers Award was established by the Australian Workers Union in 1908 mainly covering shearers. This was brought on by the deterioration of shearers' wages and conditions during the 1897 Depression. To counter this, the Shearers decided to take action to protect working people. Since 1904 awards have underpinned the pay, terms and conditions of employment for millions of workers. Awards are unique to Australia and integral in ensuring workers get 'fair pay for a fair day's work'

3. Penalty Rates – Penalty rates were established in 1947 when unions argued in the Arbitration Commission that people needed extra money for working outside normal hours.
4. Maternity Leave – Australian Unions' intensive campaigning for paid parental leave ended in victory with the introduction of the Paid Parental leave scheme by the Gillard Labor Government. Under the scheme, working parents of children born or adopted after 1st January 2011 are entitled to a maximum of 18 weeks' pay on the National Minimum wage.
5. Superannuation – Prior to 1986 only a select group of workers were entitled to Superannuation. Superannuation was originally at 3% and this later increased to 9% and on 2nd November 2011 the ACTU and its unions' commenced the 'Stand Up for Super' campaign. This resulted in another win for working Australians when the Labor Government moved to increase the compulsory Superannuation Guarantee to 12% over 6 years from 1st July 2013 to 1st July 2019.
6. Equal Pay for Women – Although there were attempts to introduce equal pay going back as far as 1949, the principle of equal pay for women was finally adopted by Australian Conciliation and Arbitration Commission in 1969.
7. Health, Safety and Worker's Compensation – Workers compensation laws first came into existence in WA in 1902. For many years Unions agitated and campaigned for health and safety laws which compelled employers to provide a safe working environment. In Victoria, legislation was introduced in 1985 which saw the active role of workers in maintaining safety on the job. Building unions agitated for many years to ban the use of asbestos, finally succeeding in the 1980.
8. Sick Leave - Before sick leave, you turned up to work if you were sick or you went without pay. Sick leave provisions began to appear in awards in the 1920's and unions have campaigned hard for better sick leave conditions over the years, across all industries.
9. Long Service Leave – Coal workers went on strike in 1949 over a 35 hour week and long service leave. Long service leave was finally

introduced in NSW in 1951. Unions in other states followed.

10. Redundancy Pay – The Arbitration Commission introduced the first Termination, Change and Redundancy Clause into awards due to work by metal workers and their union. This entitled workers to redundancy pay.
11. Allowances - shift, uniform and many others allowances were won by unions across different industries over the years. Many workers, who are required to wear uniforms in their jobs, get an allowance for this rather than having to pay for uniforms themselves. A shift allowance is money that's paid for working at night or in the afternoon. Different industries have different allowances that were won by workers and their unions over the years.
12. Meal Breaks, Crib & rest breaks - Before unions agitated for meal breaks and rest breaks to be introduced, workers were required to work the whole day without a break. In 1973, workers at Ford in Melbourne engaged in industrial action over many issues, one of their demands being a proper break from the production line.
13. Collective Bargaining - Enterprise Bargaining was introduced in 1996 which allowed workers and their unions to negotiate directly with their employer over pay and conditions. Evidence from the Australian Bureau of Statistics shows that collective bargaining delivers better wages than individual agreements for ordinary workers.
14. Unfair Dismissal Protection came from the concept of a "fair go all round", after the Australian Workers Union took a case to the Conciliation and Arbitration Commission on behalf of a worker who had been unfairly sacked in 1971. Since then, unions have campaigned for laws that reflect that 'fair go' principle, which is about having a valid reason to sack someone and that the dismissal cannot be harsh, unjust or unreasonable".

The fact that none of these conditions and protections came from the good will of the employer is evidenced by their constant attack on these very same conditions and protections. Do not be fooled and do not allow anyone to tell you that the employer values you. The employer only values you so far as the laws and protections won by the unions force them to do so.

To the employer we are just a resource to be procured as cheaply as possible and even replaced with a cheaper alternative if possible. This is proven through the "Trans Pacific Partnership"

(TPP), 457 visas and the recent attack by Federal Government to water down Unfair Dismissal laws. It is worthy to remember the quote:

"Those who do not study the past are doomed to repeat it"

Please encourage all your colleagues to join the RTBU so that we can preserve the conditions we have and redirected some of the funds recently spent on a "refresh" towards something as simple as gloves in the freezing wind whilst patrolling buses at Martin Place in winter.

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.

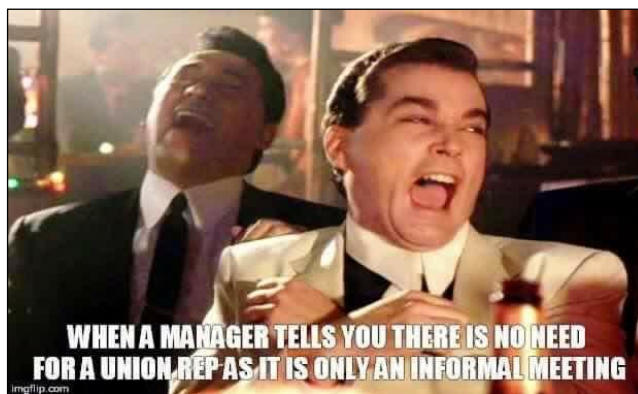
The only sensible advice that can be given to members using FaceBook or other social media is to be extremely careful about what you say and who you say it to.

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.

Chatting with the Boss – Know Your Rights



Members have advised that management are increasing their use of 'private chats' or 'informal interviews' within the workplace.

The RTBU advises members that they need to be aware that 'private chats' aren't usually private nor treated with confidentiality. At the very least, the manager will make a file note which could be used against you in the future.

In situations where members will be formally interviewed, the evidence produced and answers given can have a profound consequence for the person being interviewed or others involved in the investigation process.

As such, the RTBU advise that participation in any interview (formal or informal) be taken seriously with the appropriate amount of preparation. When notified about an interview the RTBU recommends the following:

Formal Interview:

1. Request written advice of what the interview is about, where and when the interview is to take place.
2. Contact your Union Delegate or Organiser.
3. Ensure that you understand the process. The RTBU has a fact sheet available to any Member, Activist or Delegate.
4. Take a support person, Delegate or Organiser with you to the interview. Ensure that you Support Person, Delegate or Organiser take notes during the interview. This will free you up to focus on your answers.

Informal Interview:

1. Ensure you have a copy of the RTBU fact sheet and understand your rights.
2. Inform the manager that you want a support person. If this is refused, contact your Union Delegate or Organiser.
3. Ensure that your support person takes notes during the interview.

Never forget, your job could depend on it!