



TFNSW Member Bulletin - Latest Workplace Presence Dispute Update

Since the Premiers' Circular in 2024 the RTBU along with other Transport and Rail Unions have been in dispute regarding the lack of consultation and a one size fits all approach to its Workplace Presence policy.

The current status of the dispute sits at Step 3. Importantly, under both industrial instruments, the *status quo* applies.

We've set out the timeline of the dispute below.

1. Both Transport and Sydney/NSW Trains members included workplace presence (workplace flexibility/WFH) in their respective logs of claims for bargaining.
2. These logs of claims were served more than a year ago on TfNSW and Trains. We subsequently bargained on these issues at both Trains and TfNSW.
3. Secretary of Transport for NSW, Josh Murray, provided a preliminary response to the unions in mid- 2024.
4. In August 2024, the Premier issued a Memorandum on workplace presence, requiring all public sector agencies to review their workplace presence policies, with a view to all public sector workers returning to the office full time.
5. The Combined Rail Unions and the Combined Transport Unions continued to bargain with their respective management teams and to seek a response from the Secretary, who said he wanted a consistent approach across both Trains and TfNSW.
6. TfNSW commenced a process of meetings with some groups of workers and then commenced a process of surveying all TfNSW (and Trains) employees on their views on workplace presence. TfNSW also held online presentations on the issue.
7. Unions wrote to Trains and TfNSW management and the Secretary seeking proper consultation on the issue which certainly did not happen.
8. Trains and TfNSW made applications to FWC and IRC respectively for assistance with bargaining, including on the issue of workplace presence.

9. In the case of TfNSW, workplace presence was included in a list of claims to be conciliated/discussed with management through the life of the new Award.
10. The Combined Rail Unions then lodged Step 1, 2 and 3 Disputes on WHS and consultation grounds. The Combined Transport Unions lodged Step 1 and 2 Disputes on WHS grounds.
11. In the case of Sydney & NSW Trains, Unions NSW Secretary Mark Morey has agreed to mediate the Step 3 Dispute. The mediation date will be set soon.
12. Unions have requested the Transport Secretary to participate in mediated discussions with CRU – this has now been agreed.

The Combined Unions believe that we have a better chance of a good decision from the Fair Work Commission so that is why we are prosecuting the dispute in the Fair Work Commission rather than the NSW Industrial Relations Commission.

As we all saw at the Federal Election on the weekend, working people value work/life balance and attacking a women's right to work fulltime and flexibly has no public support.

This update has been a long time coming and we understand members frustration with the slow progress of this dispute, but with an issue with this importance, its vital we get this right.

When the RTBU fights – we fight to win.

Stay tuned for further updates.

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