



Reference: 11/C42/RH:DT

22nd July 2011

C I R C U L A R

To: All RTBU Locomotive RailCorp Members

Re: RailCorp Train Crew Reform – Update 2

As members would be aware from the recently issued Divisional Circular dated 5th July 2011 on the above subject, RailCorp have advised the Division that they intend to pursue and seek to implement a number of items, which would impact Locomotive Division Members employed by RailCorp.

Not long after the recent Circular was issued, we were contacted by RailCorp to commence consultation on the following initial 3 items from the list, these being:

1. Sectorisation
2. Sign On / Sign Off
3. Travel / Excess Travel (Foreign Depot Working)

The Division advised RailCorp that we did not see this first meeting as a consultative meeting, but as a briefing to the division and its nominated Delegates to be given a more detailed presentation on what RailCorp is attempting to introduce and the reasoning / rational behind such.

Following RailCorp's briefing the Division and its Delegates will require sufficient time to go through and consider the information given before being in a position to respond.

Further RailCorp were advised that in no way does the Division accept RailCorp's view that remuneration has already been incorporated into Clause 12, Wage / Salary and Allowance Adjustments of the 2010 EA, nor do we agree with the inferred view of RailCorp that there has been or is agreement between the parties to implement any of the proposed changes.

The EA is clear in the way change can be introduced through consultation, this being as follows:

1. Those items listed in Clause 13, or any other item they may wish to introduce under Clause 14.1 (a), which do not impact on rates of pay and or conditions of employment, are covered by the provisions of Clause 13. – ***In short Agreement is not required.***

2. Those items listed in Clause 13, which do impact on rates of pay and or conditions of employment are covered by Clause 14, and specifically 14.1 (c). – ***In short Agreement is required.***
3. Any item which RailCorp seeks to introduce under Clause 14.1 (a), which do impact on rates of pay and or conditions of employment are covered by all the provisions of Clause 14, specifically 14.3 and 14.4. – ***In short the approval of a majority of affected employees.***

The initial meeting occurred on Tuesday 19th July 2011 with RailCorp giving a brief presentation on each of the above items, and advised that they were pursuing these items as managerial prerogative under Clause 8 and Clause 14 (specifically 14.1 (a)) of the 2010 EA.

They do not believe that any of the items change any conditions of employment and or rates of, and as such, are not covered by the full provisions of Clause 14 of the 2010 EA.

The Division did not agree with this position and requested that before we could properly comment and or give feedback on their proposals we would require that RailCorp also provide further information listing all current work practices which would be impacted on by each of their proposals, so we could get a truer picture on what was being proposed.

RailCorp said they would seek to get the requested information to us with 2 weeks and a further meeting arranged after that once Delegates had been given time to properly consider and review all the information.

Members can be assured that they will be kept informed of the situation as information is available, via regular Division Newsletters, LocoExpress and Delegates phone hook ups etc.

Feedback from members is encouraged and the Division will be guided by the reaction and response from members.

Yours fraternally

per Donna Thompson

ROBERT HAYDEN
DIVISIONAL SECRETARY