

# pn nsw coal ea 2012

## members' information newsletter



### Important Update on Proceedings

Members as we reported in the last newsletter PN Coal are now in the process of conducting a ballot for their EA. Additionally we reported that on your behalf, the RTBU would lodge the necessary documentation with Fair Work Australia to conduct a protected action ballot to allow members the option of taking industrial action to pursue their claim.

#### Where Things Are Up To

We can now report that the necessary documents have been lodged and a hearing will take place with FWA's Commissioner Cambridge today 3/12/12 at 2pm. If approved a ballot will be conducted through the AEC with an anticipated closure date of the 19<sup>th</sup> December.

The proposed Industrial action for the ballot for members to vote on will be;

1. An indefinite number of stop work meetings of not less than 4 hours duration
2. An indefinite amount of 24 hour stoppages
3. An Indefinite Number of 48 hour stoppages
4. An indefinite number of rolling stoppages
5. To restrict all coal trains to 2 operating locomotives only

We also report that Pacific National have also lodged an application for conciliation with Fair Work Australia regarding the five matters they consider to be policy. This is listed for 2pm Wednesday 5<sup>th</sup> December.

#### What You Need to Do

You need to Vote on PN's EA and **VOTE NO!** Please don't assume the outcome of this important vote. We know from experience that when people are complacent and don't vote the outcome can be very different to what you expected. To have PN's EA proposal rejected 51% OF THOSE WHO VOTE must vote no.

PN are hoping that they can muster enough people to vote yes and that many won't vote at all. They only need 51% of the people that vote, to get their agreement in.

## It is very important to give PN a clear message!

#### Your EA Negotiating Team

Allan Nutley  
Wayne Pallant  
Greg Brooking  
Dale Walsham  
Greg Cameron  
Bob Hayden  
Steve Wright  
John Curley

**Are Your Details Up To Date**  
Members are reminded that it is vitally important that your mailing address, phone numbers & email address are up to date – Contact: Steve Wright at

**swright@rtbu-nsw.asn.au or phone: 0418 699 642 to ensure everything is correct**

Do you want to receive updates sent directly to you? Email your personal email address (no work addresses) to:

**swright@rtbu-nsw.asn.au**

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**For Information go to**  
**www.locoexpress.com.au**  
**click on PN EAs**

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## **Don't be Intimidated**

PN gave their one sided story to most of you at their recent employee briefings. They also wrote to the RTBU with their threats of withdrawing back pay and reassessing the whole ea if their document is rejected. This is a well known business tactic used by many companies including PN in the past. Although any increase in remuneration is welcome, on the scheme of things a small percentage back pay for a six month period and a one off taxed payment is not that great, compared to a decent percentage gain over three years.

PN no doubt tried their intimidatory tactics regarding the economy as well. Management have not been concerned about economic conditions when paying themselves salaries totalling millions, yet they expect employees to accept a very modest offer. The Group Director was paid 45% additional of his fixed annual income as a retainer payment. (Source Asciano Annual Report)

## **Why We Are Initiating Industrial Action on your behalf**

After over 20 meetings since December 2011 (most of two day duration) the parties have not come to agreement on a number of issues. These issues are important and members have indicated at recent depot meetings that they are not prepared to accept Pacific Nationals position. Pacific National have indicated they are not prepared to move on the outstanding items and as indicated are taking their agreement to the vote.

The Items that remain outstanding are

1. **Wage Claim** – PN's offer still stands at 4% x 3 years. Membership have indicated they wish to pursue 9% 7% and 7% increases.
2. **Train Crew Aggregate** – Train Crew are pursuing an all up rate to include base, aggregate allowance and APM payments.
3. **Train Crew Overtime Rates** – Train crew are pursuing changes to overtime rates dependent to agreement on the all up rate
4. It should be noted that the RTBU proposed an alternate arrangement for aggregate allowances and APM that would benefit most members however this was rejected by PN
5. **Support Staff APM increase** - Support staff are seeking an apm increase for weekday nightshift hours.
6. **The Live Run Team (Support Staff)** at Port Waratah are seeking their roster to be included in the EA.
7. **Maintainers** – Maintainers are seeking certainty surrounding training and appointment to level 4 roles
8. **PN's five Matters that they Consider Policy** - Health and Safety, Drug sand Alcohol, Communication Monitoring, Fatigue Management and Discipline process. At recent depot meetings members indicated they wanted clear and transparent processes outlined in their enterprise agreement as the RTBU proposed clauses provide

If members want these issues resolved then they need to vote No to PN's proposed EA and indicate their preparedness to participate in protected industrial action should the protected action ballot be approved by FWA.

# **VOTE NO**