

pn nsw coal ea 2012

members' information newsletter



Meeting Number Eight

Over the Past two days negotiations have continued. Some progress was made on the following items;

- Long Service Leave - The RTBU proposal for LSL at half pay for a terminal illness was confirmed and agreed.
- Stand Down Clause – Pacific National have provided a revised clause that the RTBU is considering. Changes were made to fix the issue that caused a recent dispute at Bluescope.
- Higher Duties – An addition to current conditions has been agreed. An employee who acts in a role for more than three months shall now receive the higher rate of pay for leave during the acting period.
- Personal / Carers leave - The RTBU put an alternate, to PN's position, regarding the number of days off before requiring a medical certificate. PN have so far refused to accept our proposal for the ability for an employee, to donate leave to another employee, once their leave entitlements have expired. The RTBU advised it would be prepared to set a modest limit on the amount one could donate. Additionally the RTBU have sought no disadvantage for employees returning from illness and injury waiting on PN Doctors. – PN are going to have another look at it.
- Long service leave - PN have accepted our proposal for a 2 week limit on advising approval of LSL applications. Further wording is to be constructed and it is believed the parties are close to agreement on this clause.
- Part B – Drivers conditions. The parties discussed each others proposals surrounding conditions pertaining to this classification specific section. The RTBU also proposed a new classification level for Driver Trainers. A number of items were discussed and it was agreed that further discussion take place on this section next week.

The parties remain significantly apart on a number of issues. Including;

- Scope Clause – PN still are persisting with excluding many of the current support roles
- Public Holiday Clause – (Train Crew) PN have again changed their position with the latest proposal to cease the current 7.6 payment for being booked off on a public holiday and instead taking 7.6 hours off the duty cycle, and withdrawing the current 7.6 hour additional payment should you work an overtime shift on a public holiday.

Your EA Negotiating Team

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

Proposed Meetings

DATE	VENUE
29 th / 30 th May	Newcastle

[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

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- Discipline Clause – The RTBU has been pursuing a new discipline clause that provides a fair and just process. PN are refusing to budge from the current process.
- PN have advised they wish to include the following clauses in the new EA. “Previous Agreements Rescinded”, “Relationship to Award and National Employment Standards” The RTBU believe these are clauses written by lawyers so as to diminish coverage and conditions. The RTBU advised PN they believe, these clauses are not in their employees best interests and will not be supported by the RTBU.
- The RTBU have sought new clauses in the EA to provide protection to members on Fatigue Management, Drug and Alcohol Testing, Communication Recording on Locomotives, Driving call cars for excessive hours and an extension to the current Health and Safety Clause to include provisions surrounding Health and Safety Representatives. PN have refused to include any of these matters in the agreement and are saying they are policy matters that are to be dealt with outside the agreement.

At the close of the meeting it was agreed that the so called policy issues, the scope issue and document control would be elevated to senior management and the RTBU executive for discussion.

Most members would no doubt be aware of PN's recent employee briefings that have taken place in the North and are about to commence in the south. As the RTBU reported in the last newsletter, PN have refused to allow the RTBU to attend these briefings. The feedback received by the RTBU so far would indicate some inconsistencies in the information being advised to members. For the RTBU's position, members are urged to speak with their local delegate. For those who have not yet attended a briefing we urge you to voice your view strongly to management.

On the issue of Pay rises, PN took the liberty during the briefing sessions to advise our members that the RTBU wage claim was 7%, 7% & 7% for the next 3 years; however this information was not true. At the last meeting of the negotiating team, PN put forward a wage claim of 4% for each year over the next 3 years, as with the RTBU our position has always been, a minimum of a 3 year agreement with a possible 4th year if agreed during negotiations. This makes our claim 7% per year for possibly 4 years. It has also been tabled by the RTBU that during these coal negotiations we are seeking a further 2% in the first year to bring Coal employees back on a level playing field with other divisions, after being left high and dry following the Performance Improvement Program debacle of the current enterprise agreement.

Following our commitment to meet with the company again next week, Tuesday 29th & Wednesday 30th May 2012 your negotiating team will conduct a depot tour over the next couple of weeks. We will be requesting Pacific National allow us access to each depot so that we can cover as many members as possible, and do not see this as unreasonable request due to PN having an opportunity to speak with you over the last shutdown and denying us access to those meetings to provide a balanced view. If we are denied access we will consider our options and advise members accordingly.

The tour dates once confirmed they will be distributed to all depots via a newsflash. So please watch out for this.

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