



AC:DT

20th December 2013

Mr H Collins
Chief Executive
Sydney Trains
P.O. Box K349
HAYMARKET NSW 1238

Mr R Mason
Chief Executive
NSW Trains
P.O. Box K349
HAYMARKET NSW 1238

Dear Sir/s,

Re: Employees adversely impacted by move from RailCorp to Sydney/NSW Trains

It has recently been brought to our attention that there are a number of employees who have salary packaging (Novated Lease) arrangements with "Maxxia" as provided for in the RailCorp EA 2010, who have been adversely impacted as a result of the change from RailCorp to Sydney/NSW Trains.

It would seem that as part of the creation of Sydney/NSW Trains both organisations were issued with new ABN Numbers, thus creating the belief that they had changed employers, due to the change to their employment entity and thus would now be required to sign a new salary packaging contract with Maxxia for FBT purposes.

A number of our members have spoken to the Tax Office and they have been advised that it is not something the Tax Office has requested or requires.

It would seem to be an issue between Maxxia and Sydney/NSW Trains which has resulted in this adverse impact on employees, and which it would seem could be rectified by Sydney / NSW Trains.

I would also draw your attention to the NSW Trains Q&A which was issued to all employees prior to the change from RailCorp to NSW / Sydney Trains which states as follows:

"Following employee and union consultation, all staff will be advised prior to any transition to NSW Trains"

"Staff will be provided with information on the process to be undertaken, including detailed information about how and when the transition is proposed to occur"

"NSW Trains will be established as a public subsidiary of RailCorp"

"The Terms and Conditions of the RailCorp Enterprise Agreement 2010 will transition with you."

The above statements gave employees a belief that the move from RailCorp to NSW/Sydney Trains would not impact on them in a negative way, or from what I can find out was this matter raised with Unions during the consultation process.

I ask that should NSW/Sydney Trains have received written advice from the Taxation Office in regards to this matter that this be provided to the RTBU and that the matter be re looked at and a response provided.

Yours faithfully

ALEX CLAASSENS
BRANCH SECRETARY

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