



FOOTPLATE

NEW SOUTH WALES BRANCH / LOCOMOTIVE DIVISION

ISSUE 13: OCTOBER 2014

FREIGHTLINER COAL EA

In the last few days the Company has advised its employees that it is going to conduct a vote of its employees in relation to the Company's proposed Enterprise Agreement.

The Company has chosen to cut YOUR Negotiating Committee from the process.

The Division has been contacted by numerous members concerned at what the Company is doing especially in regards to the voting process and what members feel is an attempt to influence the vote outcome as follows:

- Conduct the ballot in-house,
- Force employees to identify themselves when voting by way of sending an email to an internal company email address,
- Force employees to identify to the Company how they vote,
- Conduct the vote without any independent oversight,
- Withdraw the offer of back pay if employees vote no.

Members have expressed concern that anyone voting No will be targeted by the Company and if an employee chooses not to vote due to the concern about the voting process then it will limit the number of ballots returned and thus making it more likely that the 50% + 1 votes required will be obtained from a very small percentage of the workforce.

Whilst YOUR UNION cannot stop the Company from putting their EA out for a vote, we certainly will do everything in our power to make sure the voting process is independent, secret and scrutineered so as to allow members / employees to have faith in the process and not feel intimidated into voting yes and or not voting at all.

In this regard we are seeking legal advice on what options (if any) are available to us to act to protect member's expectations of a voting process that is transparent and has integrity.

Members are advised that YOUR Negotiation Committee cannot support the Company proposed Agreement as it does NOT meet members' expectations as sought by members at the numerous member meetings conducted and feedback received.

Members will be advised of any developments as they occur and we would encourage any member who has a concern with the process being forced on them by the Company to contact our Newcastle Office by way of email or telephone.

Should the Vote go ahead Members must Vote as to not vote is the same as voting yes.

PROTECTED ACTION BALLOT UPDATE

Further to the above, members are advised that the Protected Action Ballot is still proceeding and that the Union forwarded a list of members covered by the Agreement to the independent Australian Electoral Commission (AEC) yesterday – 9th October 2014, prior to the 4pm deadline.

Members will soon receive their Protected Action Ballot papers in the post and are encouraged to vote as for the vote to be successful we will require 50% + 1 of all eligible members to vote in favour of the types of action they are prepared to participate in if required.

YOUR Negotiating Team encourages members to vote YES to all industrial action options as contained on the ballot papers.

Unlike the EA Vote which only requires a 50% + 1 vote of those who vote, the Protected Action Ballot requires a return of 50% + 1 of all those who are eligible to vote which is a higher threshold to jump and as such in both votes, members are encouraged to VOTE.

RAIL, TRAM & BUS UNION – NEW SOUTH WALES BRANCH

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