



# RTBU NSW LOCO DIVISION NEWSFLASH

Friday, June 24, 2016

## **Aurizon Coal, Mayfield Depot – Update on Local Issues**

Further to our last Newsflash, the RTBU have met with management to discuss the issues of concern as raised by Members.

The following points provide an update on each of the issues discussed, including what is being done, and or guidelines on how future concerns should be dealt with.

### **HSR Representation.**

After representing Members request to have one HSR allocated per roster team, Aurizon declined this request and proposed the following work Groups.

- Driver Trainer HSR (Current 1 HSR to remain)
- Train Crew (6 HSR's – one current to remain, and 5 to be voted on)
- Abolition of MSB work Group & HSR)

Argument was put to management that this does not reflect the current work environment as there are issues with contractibility, direct access, and representation which only hinder matters being resolved. Additionally it does not take into account the Hexham site or the support staff who work on site at head office (office workers). It was put to management that the work environment has changed since initial agreement to work groups and that a whole new structure needs to be put in place that reflects the environment and that new election's should be called for all HSR / Committee positions. Aurizon is to consider and respond.

### **Personal Carers Leave – rolling calendar year, how is this accumulated, debited and recorded?**

The company advised personal carers leave accumulates on a daily basis and is allocated as such on your pay docket. (you should see it build each fortnight) The start / rollover date is your initial employment date.

### **Sick Days – How is it Deducted?**

Under the EA you receive 104 hours a year sick leave. This equates to 13 days at 8 hours. The company has advised it deducts leave at 8 hours per shift. Or 40 hours per week. If you have had more than this deducted (eg 10 hours as some have claimed) then you need to contact this office so the matter can be represented.



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## Forced taking of Holidays.

This matter was discussed at length with the management team. Clause 37.5.4 stipulates no more than 10 weeks annual leave can be accrued unless by agreement.

Clause 37.4. (iii) allows management to roster annual leave at a time determined by the company if agreement cannot be reached on when you are to take leave.

Management advised that not all employees are applying for leave and are accumulating it instead. They advised they are only targeting people with high amounts of accumulated leave and only if no agreement can be reached first.

Your unions' position is that we encourage members to take their leave each year unless you are intending on accruing the leave for a special event such as an overseas extended holiday. It helps everyone including your workmates if you plan and apply for your leave well in advance.

Anyone who believes they are being treated unreasonably and being rostered without discussion or notice should contact this office.

## Barracks Working – Changes to rostered job / return time.

The issue of being asked at the window to lift up or lay back outside the allowable EA time frame was raised. Of particular concern was the issue of being asked to and agreeing to lift up and then while resting, you are laid back from the original return sign on time.

The company stated this type of request was only a courtesy request to see if crew will do it or not and is never confirmed until after resting. They advised that the coordinators had been advised of a scripted requested that is to be used. The argument was put to the company this was unacceptable as it was not family friendly and placed more pressure on employees and their family when the expected return home times changed dramatically.

The practice of the company re advising employees upon sign off at barracks of a return job, then treating that time as the time the person / crew can be lifted or layed back from – Not the original rostered time on their forecast roster is unacceptable. The two hour lift up lay back provision applies to the original rostered time as per clause 23 of the agreement.

The company advised they would take concerns into consideration and may consider not asking or advising any return journey until after rest at the barracks location.

From a union perspective, Lifting up or laying back outside the EA provisions is breaching the enterprise agreement and should be discouraged. Your Fatigue management is important and should not be compromised. The penalty allowances in the agreement are there to discourage the company from doing this, not an encouragement to earn extra money by breaching a condition.



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## **Non provision of meal breaks.**

This issue was raised with the management team. It is a generic issue across all coal train operators. At the last Locomotive Division Council meeting it was resolved for the executive to write to the HVCCC to consider scheduling breaks into train paths. In the interim members should request their breaks as per the EA remembering and reminding management it is an entitlement and a fatigue measure that should be honoured.

## **Medical Certificates.**

You need to provide medical certificates or a statutory declaration for most occasions off work. The exceptions are where you take less than three days or are in hospital or are off as a result of an examination by the company Doctor.

You can't take more than five days off in a year without a certificate or statutory declaration. Your year starts / ends from your initial employment date.

Under the enterprise agreement either a Medical Certificate or a statutory declaration is an acceptable form of evidence.

## **Accommodation Standards – Quirindi Guest House unacceptable.**

The issue of Smell, General Noise, Function Noise, Plumbing Noise and rooms not being dark enough was raised along with room allocation. The company advised they had again recently reviewed the accommodation and as a result were having additional tint placed on the windows. They advised they had questioned the management on allocation of rooms and were advised only the allocated wing was being used. Anyone who is allocated elsewhere should speak to their supervisor and advise this office.

A request was made to have an inspection of the facility with workplace delegates and the Union Organiser. You will be advised once this has been arranged.

It should also be noted the facility is contracted as short term accommodation (Barracks Working) not an on loan facility.

## **Locomotive Microwaves.**

The company advised a programme will start towards the end of the year and run for 18 months where all 5000 class locos receive an overhaul. As this occurs convection Microwaves will be fitted.

## **Continual Infringements into book off days.**

Company has advised this has been monitored and in an eight week period to date there have only been two incidents. Members are urged to advise your delegate or this office of any incidents.

## **14.5 hour shifts / car driving – Notice from company.**

It was raised as to why the company has recently been handing out notices implying it is ok for someone to drive a motor vehicle up to 14 .5 hours on duty and contrary to the EA. Members are advised shift limits as per your ea are enforceable and should be adhered to. The company has been requested to remove the notice and put in place proper risk based processes that comply with the EA.



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## **Refusal to pay expenses for enroute barracks cancelations.**

The company has agreed to review this decision and will advise an outcome.

## **Enterprise Agreement Consultation Committee.**

Under Part 5 of your enterprise agreement, Clause 49 allows for the establishment of a Consultative Committee. The RTBU has formally written to Aurizon to request the establishment of this committee.

We expect a response from the company on proposed establishment details by end of next week.

## **Reporting and Dispute Resolution.**

As discussed at our recent meeting, Items of contention need to be formally raised with your employer as they occur. First you raise an issue with your supervisor – if its safety related you follow your safety reporting procedures which includes submitting it in writing on the proper form.

If the matter is related to an EA issue and you have been unable to resolve it with your supervisor, you need to fill out and lodge a dispute notice. A matter is not in dispute nor can it be formally represented until you have lodged the relevant form/s.

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[locoexpress.com.au](http://locoexpress.com.au)