

# pn nsw coal ea 2012

## members' information newsletter



## They just do not get it!

PN Coal NSW today advised your Union of its latest position in regards to EA negotiations.

We note that PN also distributed an Employee update today outlining their position which mirrored the letter sent to the RTBU.

Instead of any compromise to achieve an outcome, PN's letter and update was full of threats and Bullyboy tactics.

In simple terms, PN Coal NSW's position is to not negotiate with your Union directly, but to have the outstanding matters arbitrated by Fair Work Australia and to threaten reductions in offered wage increases if we do not agree with their position within their set timeframes.

They have also threatened back pay will be "*Immediately and permanently retracted*" if any protected industrial action is taken.

Members were well aware when rejecting the Companies EA offer of what the Company may do, so this latest attempt by the Company to reduce the wage offer if members don't agree with them, is just another example of their arrogance.

You will note that throughout Mr Mayo's correspondence he refers to "*The future market in which Pacific National Coal NSW and its customers will be operating and the need for any wage increase to be sustainable and viable within current economic conditions*" yet makes threats to reduce their pay offer should employees not agree to his timeframe. One has to ask, what market condition is this decision based on?

Were the same "market conditions" used when senior Managers received their bonuses and increases. We doubt it!

You will have noted in PN's update their reference to the Unions View as opposed to your position. They just don't get that their employees voted their EA down, – Not the RTBU. They have not got their way, and are now desperately trying to avoid direct negotiation with your union and are suggesting outstanding matters go to arbitration for resolution. This takes away the spirit of negotiations and makes a mockery of the last 13 months of hard work and time consuming discussions. The whole fundamental rationale of Enterprise Agreement Negotiations would be railroaded.

### 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**

---

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

It is amazing that PN Coal NSW's view of arbitration has suddenly done a back flip as many times in the past your Union has attempted to get arbitration on dispute resolution and PN have continually denied this and have stated that they do not want a third party telling them how to conduct their business.

While the RTBU believes arbitration has its rightful place, on this occasion we do not believe arbitration is in members best interests. We are willing to continue negotiations however will not be intimidated into an arbitration situation when we believe there is room for a negotiated settlement.

**For those of you who have not yet completed your protected industrial action ballot, we urge you to do so ASAP as voting closes on 18<sup>th</sup> January 2013. We recommend you vote YES for all items listed on the ballot.**