



January 20, 2017

## PN COAL – MASTER ROSTER DISPUTE

As advised to members in our last newsletter, Pacific National have been pushing on with employee redundancies while attempting to force their roster proposal on employees without proper consultation. Recently one of your HBT delegates raised a formal dispute with General Manager Mr Stephen Cowan. Rather than discuss the dispute locally, Mr Cowan saw fit to have the company Law Firm lodge the matter with the Fair Work Commission for conciliation.

After hearing the parties arguments, the FWC Senior Deputy President who conciliated the case made a formal recommendation as allowed for under the enterprise agreement. The recommendation is as follows;

*Application to deal with a dispute under the Pacific National Coal, NSW Enterprise Agreement, 2013 – posting rosters at Port Waratah.*

[1] The proposed new Master Roster should proceed to implementation (on a trial basis) in accordance with the timetable previously outlined by Asciano Services Pty Ltd T/A Pacific National (Asciano).

[2] Asciano should provide the rostering committee and the Australian Rail, Tram and Bus Industry Union with the following information (where the information is available, and subject to any commercial-in-confidence restrictions):

- A copy of the Roster Transformation review findings, as referred to in the notification provided to employees on 27 October 2016, including any statistical information that supports the new Master Roster;
- Statistical information on how many shifts per cycle Train Crew work more than 7.6 hours in their shift;
- The effect the new roster will have on APM payments for employees; and
- The actual hours worked by employees over the last four weeks of the old Master Roster when available (in as much detail as reasonably practicable, but without identifying individual employees).

[3] The rostering committee should meet on a fortnightly basis to monitor the implementation of the new Master Roster.

[4] The parties should report back to the Commission during the second four-week cycle of the new Master Roster. (A separate notice of listing will be issued.)

Your delegates and officials have consistently pointed out concerns and EA compliance issues with PN's roster.

Today's recommendation is a positive step and will provide members the opportunity to raise concerns and have them addressed through a proper consultative process that has the ability to identify real concerns and have them addressed. Members should raise any concerns with the roster committee and or their Union delegate.