



January 17, 2017

PN Coal - UNCONSCIONABLE

Continuing Grinch like behavior, Pacific National Management last week returned from their summer vacation with what would seem an increased vigor to continue attacking their workforce.

Twelve hardworking employees from Port Waratah were called aside to be told they had been selected to be made redundant as of 4th February 2017 - the day the company intend to introduce their new roster. They then told them they could come back as casuals straight away but they couldn't guarantee how many hours they would be able to give them.

These employees were told they were selected under the KSA process outlined in the enterprise agreement but were told they would need to wait until the company was ready in a couple of weeks time to set up a meeting and hear how they were culled.

We believe its Greta Depots turn this week.

Limited Swaps between Jobs

Our enterprise agreements require Pacific National to advertise for expressions of interest for VR in such situations so as to allow employees from other areas to consider taking VR and limiting forced retrenchments. On this occasion Pacific National have only done this at limited locations and has mounted a technical argument over what "Pacific National Coal NSW" considers to be a "related entity" so as to deprive its own employees of the opportunity to swap and save a redundancy.

Reprehensible

Over past months Pacific National have used every trick in the book to erode its employee's conditions and attack its work force. The most recent being where the company argued in the fair work commission that the Union cannot lodge a dispute on behalf of its members and that an employee is the only one that can. The FWC agreed with their argument resulting in the dispute being unable to be heard. What are they hiding?

HBT Rosters

As part of the redundancy notification PN advised they would consult to change rosters. It now appears the only consulting the company intended was to notify employees of a roster change and invite the roster committee along to a meeting to tell them about it. They didn't even recognise the elected members of the committee. Those persons attending the meetings have pointed out a number of serious discrepancies within the companies proposal and have indicated that it would appear the proposal will cause more undertime not less yet the company seem intent on bringing their roster in on the 4th February even though there has been no agreement and the roster not meeting EA requirements.

Disputes and Legal Avenues

Your union is currently investigating a number of legal options to stem the impact and enforce compliance of the agreement and will advise you once these options have been initiated.

AUTHORISED: R Hayden Locomotive Divisional Secretary

Level 4, 321 Pitt St Sydney.NSW 2000