



FOOTPLATE

NEW SOUTH WALES BRANCH / LOCOMOTIVE DIVISION

ISSUE 01: JANUARY 2018

TCAC DISPUTE UPDATE

Following the Locomotive Division's Dispute regarding Members being unreasonably pressured to breach or ignore conditions of employment a meeting was held with Sydney Trains to attempt to reach a resolution. Sydney Trains committed to respond in writing.

The Locomotive Division has yet to receive any response or alternate view on our position and has compiled the following for information of Members:

- Drivers have a maximum rostered shift length of 8'33". Drivers can, by mutual agreement, extend to 9 hours. Any shifts in excess of 9 hours not performed in "Emergency" situations are considered known breaches of the Rail Safety Act and are reported to the Rail Regulator as such.

The **Rail Safety National Law National Regulations 2012** defines an emergency as;

***Emergency** means an emergency arising out of an actual or imminent event, such as fire, flood, storm, earthquake or explosion that—*

(a) endangers, or may endanger, the safety of persons; or

(b) destroys or damages, or may destroy or damage, property.

- Drivers have a maximum kilometrage limit of 217 in a shift. There is no provision to extend past the 217km limit outside of "unavoidable necessity or accident"; this provision again relates specifically to emergency situations.
- If a Drivers' rostered diagram has not been cancelled, the Driver is entitled to stay with that days issued diagram working. Drivers may accept late advice of alteration by mutual agreement. Alternatively, if a Drivers' rostered diagram is cancelled they may work to their rostered times at the direction of the TCAC Supervisor.
- Drivers are entitled to sign on and off at their home Depot. In instances where a Driver elects to perform Foreign Depot work a claim can be made in one of two ways. Drivers may elect to sign on and off at the Foreign Depot and claim excess travel, or complete as much of the job as possible while signing on and off at their home Depot within 8'33", or by mutual agreement, 9 hours. In instances where drivers elect to claim excess travel it must be claimed at both the beginning and end of the Foreign Depot job, any request to claim excess travel one way is a breach of the Sydney Trains Enterprise Agreement 2014.
- All Shed and Wash work is to be performed by Drivers appointed to that Depot only.
- Drivers are entitled to a Crib break of at least 20 minutes (excluding walk time) in an approved meal room. The greater portion of this break is to fall between the third and fifth hour of the shift.

Any Member feeling pressured to breach conditions of employment should report all instances to their Local RTBU Delegate and or the Locomotive Division Office.

Members will continue to be advised as this Dispute progresses.

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