



# FOOTPLATE

## NEW SOUTH WALES BRANCH / LOCOMOTIVE DIVISION

ISSUE 12: APRIL 2018

### Sydney and NSW Trains EA's

As members are aware, the results of the Sydney and NSW Trains Enterprise Agreement were as follows:

<b>SYDNEY TRAINS</b>	<b>NSW TRAINS</b>
<b>BALLOT PAPERS ISSUED:</b> 9707	<b>BALLOT PAPERS ISSUED:</b> 2007
<b>VOTES COUNTED:</b> 6525	<b>VOTES COUNTED:</b> 1379
<b>YES VOTES (PERCENTAGE):</b> 52.8%	<b>YES VOTES (PERCENTAGE):</b> 50.8%
<b>NO VOTES (PERCENTAGE):</b> 47.2%	<b>NO VOTES (PERCENTAGE):</b> 49.2%

What this means is that both Enterprise Agreements (and the deed) - as they were taken out on tour by the boss without the approval of the RTBU - will become the governing industrial agreements for the next 3 years for all employees covered by the documents. This will occur by the Enterprise Agreements being submitted to the Fair Work Commission (FWC) by the employers, within 14 days of the ballot declaration. At time of writing it is expected that the documents will be approved within 12 weeks, although this will depend on the backlog of Enterprise Agreements currently waiting to be approved by the Fair Work Commission. The pay increase negotiated throughout the negotiations (3% per year) will be paid upon approval, with back-pay being calculated based on the period spanning the date of the ballot until the date of approval.

The RTBU Locomotive Division is aware that the vote on the Enterprise Agreements for both Sydney and NSW Trains was very close. It is clearly indicative of there being mixed feelings over the conditions and wage offer, which was arguably exacerbated by the fact that a lot of people who were eligible to vote simply didn't return their ballot papers. Whilst the outcome of the vote cannot be reversed (or changed), what we do have are Enterprise Agreements which RTBU/Locomotive Division members can unite under over the next three years in order to do what we do best: take the fight up to the boss in order to enforce and protect our conditions and entitlements and take up the Clause 12 challenge.

As commented upon in Footplate – Issue 6 March 2018 issued prior to the vote commencing, the RTBU Locomotive Division is aware that there is a heightened push for either an RTBU-only industrial document, or a train crew/driver-only industrial document as a result of a number of issues.

There will of course be differing views within and across the membership on the advantages and disadvantages of having a separate industrial document for the RTBU, train crew or drivers and we must make sure that all these views are heard and received.

As advised in Footplate – Issue 6, now that the vote has been concluded the RTBU Locomotive Division will commence discussions regarding the process that we will use as a way of engaging membership participation around this issue, with a view of having a final decision made at least 12 months prior to the nominal expiry date of the new agreement.

The process of setting up a separate document for a particular classification or classifications is complicated: besides having internal discussion (and debate) regarding this issue, there is absolutely no guarantee that Sydney and NSW Trains will agree to a revised scope for the next round of bargaining. The RTBU would need to make an application to the FWC prior to the next round of EA Negotiations commencing, which both Sydney and NSW Trains and the NSW Government have the right to oppose.

The Locomotive Division is committed to a process which:

- Gives members the opportunity to express their view without pressure and/or intimidation;
- Subject to whatever decision is made, provide information to members of the FWC process that would need to be followed prior to the next EA negotiation commencing,
- Make sure that any decision is based on the view of the majority of those members affected;
- Provide ongoing communication to members on the process and where it is up to;
- Provided regular reports to the ETDC (Electric Train Drivers Committee), ICDC (Intercity Train Drivers Committee), CDC (CountryLink Drivers Committee) and DC – (Divisional Council).

Members should not hesitate to contact your delegate or the RTBU on (02) 9264 3400 if you have any questions, opinions or concerns regarding the above.

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**RAIL, TRAM & BUS UNION – NEW SOUTH WALES BRANCH**

**LOCOMOTIVE DIVISION**

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**Authorised by ROBERT HAYDEN Divisional Secretary**