



FOOTPLATE

NEW SOUTH WALES BRANCH / LOCOMOTIVE DIVISION

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Update: Southern Shorthaul Railway (SSR) Enterprise Agreement Negotiations

After the last bargaining meeting with SSR, the RTBU Locomotive Division was informed that SSR were to take the Enterprise Agreement out to SSR employees for a vote. As members would recall, this was despite the fact that the parties had not reached agreement on what constituted a reasonable pay increase and were still awaiting the redrafted EA.

Following this meeting, the RTBU were provided with a final draft version of the Enterprise Agreement. SSR were advised that the RTBU would view this document (the 'drafting' process) in order to ensure that the document accurately reflected that which had been agreed between the parties. Ordinarily, this stage of the bargaining process is simply to double-check the document, and does not usually pose many issues. However, the RTBU, upon going through the document, found that there were numerous changes to the Enterprise Agreement – including the insertion of several new clauses that had not been discussed between the parties. The RTBU, in good faith, was under the impression that no changes were going to be made to the document other than to those clauses which were subject to negotiation through the bargaining process. Disappointingly, however, it was discovered that this was not the case.

Several of the changes to the document, that the RTBU were **not informed of** and that were **not subject to negotiations**, include:

- The insertion of five new clauses without discussion with the RTBU;
- The rewriting of clause 8.6;
- The addition of words to clause 12.1.5;
- The addition of words that allow SSR to waive the 2 hours' notice for lift-up, despite only having just agreed to insert this clause into the document; and
- The deletion of words from clause 24 without discussion or agreement.

Consequently, the RTBU Locomotive Division have contacted SSR and insisted upon another meeting in order to discuss the above. We are waiting confirmation from SSR in relation to this requested meeting. In the interim, the RTBU have advised SSR, in no uncertain terms, of the requirements of good faith bargaining pursuant to s 228 of the *Fair Work Act 2009* (Cth). We will advise members when another meeting has been arranged and the outcomes of this meeting. In the interim, if you have any questions concerning the above, please do not hesitate to contact the RTBU directly.

Not a member? Join today! If you have any questions, please contact the RTBU Head Office on (02) 9264 3400.