



**RTBU**

# FOOTPLATE

**NEW SOUTH WALES BRANCH / LOCOMOTIVE  
DIVISION**

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## **NSW TRAINS – NEW INTERCITY FLEET (NIF) MEMORANDUM OF UNDERSTANDING NON-DISCLOSURE AGREEMENTS**

Members will be aware of the ongoing discussions between NSW Trains management and RTBU Locomotive and Operations Division representatives about the introduction of the New InterCity Fleet (NIF). This process has been conducted in keeping with the agreed Memorandum of Understanding (MoU) by the RTBU, which outlines the intentions, commitments and obligations of both parties. This MoU was signed after the endorsement of members.

Early on in this process, some RTBU officials and delegates were required to sign 'Non-Disclosure Agreements' (NDA). The reason given for this request was that RailConnect had contractual commitments with Transport for NSW that were subject to commercial-in-confidence protection because of the technology used.

Signing these NDAs was not intended to circumvent the consultation provisions in the Enterprise Agreement (EA). The reality has been that these NDAs has prevented the RTBU from communicating with its members. This is a right under the consultative clauses in the 2014 and 2018 Enterprise Agreements. This is why both Divisions have recently lodged a dispute to begin consultation under the Enterprise Agreement.

All matters related to the NIF discussions will have significant ramifications for the future of RTBU members: (Drivers, Guards, Station Staff have been identified to date), however other members of the RTBU will be affected at some point.

The dispute about consultation is now at Step 2 and the RTBU will escalate the Dispute Settlement Procedure if required. The RTBU has always supported its members' rights to be informed of workplace changes.

To be clear, the consultative provisions of the EA cannot be circumvented.

The future of members and their families is at the heart of the RTBU's actions.

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