



RTBU

FAILTRAIN VOLUNTARY UPSKILLING UNDERPAYMENT CLAIM UPDATE

19 DECEMBER 2018

In October, the RTBU commenced legal action in the Federal Court against rail labour hire company, Railtrain Pty Ltd, over the company's systematic underpayment of Locomotive Driver Assistant employees.

True to form, Railtrain is using a notorious, big end of town union-busting law firm to try and stall the matter as much as possible. **We will not let them get away with these tactics - members can be assured that we will continue to pursue this matter.**

This action has only been possible because of the courage and strength of our members who have stood up for their rights, despite countless attempts by the company to bully, threaten and intimidate anyone who takes part.

Taking the fight to Railtrain is the only way to stop their aggressive and underhanded antics. Earlier this week, a small number of workers at one of Railtrain's subsidiary companies, RMC Track and Civil, stood together to stop management ramming through an unfair enterprise agreement. These members have forced Railtrain back to the negotiating table. This is proof that we can stand up to Railtrain's bullying.

We know we have a long way to go to pull a corporate bully like Railtrain in to line - but we will continue to fight because you deserve better! What we have achieved so far has only been possible because of the courage and commitment of members, so thank you for standing together and we look forward to continuing to take the fight to Railtrain in 2019!

RTBU members around the country stand in solidarity with you.

FREQUENTLY ASKED QUESTIONS:

When will we know the decision?

The matter is still in very preliminary stages. The court process can take a long time and is something over which we have little control. It is unlikely the matter will be resolved in the next 12 months. Rest assured, we will keep you up to date as soon as there are any developments.

I am part of the claim. If the claim is successful, when will I be paid?

If we are successful, the Court may make an order about your payment.

I am not part of the claim but took part in the voluntary upskilling program. Am I entitled to money if the claim is successful?

As part of our claim, we are seeking a Court order to compel Railtrain to audit its books so that all employees who were either underpaid or not paid will be able to recuperate these amounts. This will include employees (current and former) who are not part of the claim. If this specific order is not granted, but our underpayment claim is successful, the RTBU will assist all affected members recuperate the amounts they are owed by Railtrain. **If you know someone that went through the training but isn't a union member, make sure you tell them to join straight away!**