



RTBU NSW Loco Division NEWSFLASH

November 17, 2020

PACIFIC NATIONAL COAL LITHGOW DEPOT JOB FAKER

As reported recently to Members, Pacific National Coal have issued their Lithgow employees a Stand Down Notice, standing them down without pay for up to three months from Thursday, due to their customer not providing any work.

The RTBU believe this is not a valid reason to stand down employees as provided for under their Enterprise Agreement, but rather a blatant attempt to coerce employees into accepting a transfer to another depot to avoid paying legitimate redundancy payments.

The RTBU has today issued a dispute notice to Pacific National disputing the validity of the Stand Downs, outlining legal precedence on why it is believed Pacific National is breaching its obligations under the Enterprise Agreement, and has sought a meeting with senior management to progress the dispute. Under the provisions of the dispute settlement procedure, Pacific National are required to invoke the Status Quo provisions of the Enterprise Agreement and not proceed with the Stand Downs until the dispute is resolved.

Any member who has already applied for leave of any description due to Pacific Nationals Stand Down advice, **should immediately withdraw their leave request**, or advise Pacific National by email or letter, that their leave application is conditional on the Stand Down being legally valid. **While the matter is in dispute, no member should be taking leave unless it was normal rostered leave**. Additionally, Members are advised not to apply for any leave to cover the proposed Stand Down until the dispute is resolved.

Any questions should be directed to your delegate or this office. Further information will be provided by newsletter as matters progress.

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