



RTBU NSW LOCO DIVISION NEWSFLASH

August 6, 2021

RAILTRAIN UPDATE – RSS GOES DOWN!

This week the Locomotive Division wrote to Railtrain Manager Chris Elston, outlining concerns that Railtrain Services Pty Ltd (**RTS**) and Rail Shuttle Services Pty Ltd (**RSS**) has not met good faith bargaining requirements under Section 22(1)(e) of the *Fair Work Act 2009*.

As members are aware, the RTBU Locomotive Division has been proactively endeavouring to negotiate one Enterprise Agreement to cover all NSW Railtrain employees, while at the same time Railtrain have constantly refused to seriously consider this request and have continued with their past practices, trying every trick in the book to deny their employees a decent EA with pay and conditions in line with industry standards.

As recent as this week Railtrain Holdings (The Parent Company) tried to get a sub-standard agreement through in their latest subsidiary company “Rail Shuttle Services”. **We are extremely pleased to report that Rail Shuttle Services members and employees have seen through this corporate trickery and have voted the agreement down 19 NO to 5 yes.** Congratulations to all those brave members and employees who have stood up to Railtrain and said “no, we are not accepting inferior wages and conditions.”

As some members may have seen on Locoexpress and in the newspapers, last week the Full Bench of the Fair Work Commission quashed an agreement of one of Railtrain’s other subsidiary companies “Karijini Rail Pty Ltd”. We urge all members to read the full article on Loco express, and the story in the Australian Financial Review, but in short this was just another example of Railtrain’s questionable bargaining tactics. Railtrain set up a company with just two employees to get an EA through the Fair Work Commission with the intention of then applying that EA to a large group of employees, who were already working for them under another agreement. The FWC has seen through this questionable tactic and quashed the so-called ‘agreement’. This case again clearly demonstrates the underhanded tactics that Railtrain will use in bargaining.

The RTBU Locomotive division is making every effort to hold Railtrain to account and push Railtrain to start providing their employees with secure and meaningful jobs with industry

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pay and conditions. Railtrain have been asked to respond to our concerns by 4pm 9 August 2021. Should we not get a favourable response from Railtrain who needs to demonstrate they are willing to bargain in good faith, we will lodge the matter with the Fair Work Commission.

In the interim we need each and every member to continue to get those who have not yet signed the MSD petition to do so. We know that Railtrain have continued to employ unsuspecting employees, we need you to explain to new employees the situation at Railtrain and get them to sign the petition. To everyone who has signed, a big thankyou however we cannot rest as the turnover in Railtrain is high, we need to ensure we have strong participation so that if and when we need to lodge the MSD with the Fair Work Commission we have a clear majority. The Petition will remain open until the end of August.

We will let you know what we hear back from Railtrain in relation to a commitment to bargain in good faith.

Stay Strong and Stay Safe



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