



RTBU NSW

NEWSFLASH

LOCO DIVISION

April 11, 2022

PN NSW BULK EA 2022 - UPDATE 11

Delegates met with management last Thursday and Friday at North Sydney to progress your EA.

The agenda had been previously set for PN to first respond to our counter proposal on lift-up lay-back and to provide details on their proposed new (Merged) Train Crew Classification Structure.

Day 1. – PN responded to our counter proposal on lift-up and lay-back. They opened by stating they had reviewed six months of lift-up lay-back data, then followed with reasons why they require lift-up and lay-back. They constantly referenced other operators' provisions, and the need to stay competitive. PN claimed they cannot run the bulk business under our proposal and that it would cost \$20 million dollars. On this basis, PN said that the parties were in quite different places in negotiation and that reducing lift-up and lay-back times would mean that PN would require extra crews. The question was put to PN whether they are running their business too lean, as that's how their employees see it. PN were also reminded that if they want to be an employer of choice, then they should be looking at more family friendly rostering, not less. It was made clear to PN that whatever EA model they want, members do not want lift-up, and whilst we have considered their proposal, our members will not accept it due to the impact it has on fatigue and family life balance.

Further discussion took place on other matters in relation to merging bulk and coal sections before PN then proposed to link 5 or 6 items together for discussion. The items and proposals were:

- 1) Overtime - PN proposed an overtime rate of 1.75
- 2) RDO's- 104 plus 13 additional **on the working roster** with a penalty payment at the end of year if an employee didn't get the additional RDOs.
- 3) Zones - **Reduce Zones to 4 zones for depots over 250 people**, (Port Waratah is only depot with this many people) **Remove all Zones over three years.**
- 4) Coal 3rd shift 9 hours if non-qualified - Remove provision over a transition period.
- 5) Shift lengths- 12 hour shifts for all, but an addition of 1.25 hours for any time worked between 11 and 12 hours to go to the duty cycle.
- 6) Fixed Shift Lengths - No fixed shifts

After taking a break your team examined the company's proposals and determined that the proposed conditions were mostly a case of taking from employees in one group and giving to the other group - with no actual overall improvement for any members.

Your RTBU Locomotive Division team then responded with a without prejudice counter proposal. As follows:

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- 1) Overtime – A rate of 1.8 on the Total Remuneration rate.
- 2) RDO's – RDOs to be reflective of shift length, with employees on longer shifts to receive a greater number of RDOs per year. This is tied with our proposal for fixed shift lengths.
- 3) Current Coal 3rd shift 9 hours if non-qualified provision for all employees. Will consider further subject to Pacific National changing its position on qualifications and Labour Hire further in discussions.
- 4) Zones – Depots of 120 or more - 6 zones, Depots with more than 50 but less than 120 - 4 zones, Depots with less than 50 - 2 Zones
- 5) Shift length (on 12-hour issue only) – For current bulk depots that are regularly rostered on a route that requires 12 hour shifts - Route Qualified Driver with another Route Qualified Driver. These depots will be named in depot specific section of the agreement. Any new work or requirement must be taken to ERC and local WHS and RTBU delegates for consultation and agreement before implementation
- 6) Fixed shift lengths – No move from current position, fixed shifts will provide work life balance and roster improvements for both sides. Will review wording from our proposed clause for clarity.

Day 2

Day two started with your Loco Team seeking clarification on conflicting messaging regarding the future of coal as to what was portrayed to the negotiation team and what was recently communicated by the CEO to employees in his recent video appearances. The discussion was robust, with PN claiming they never indicated that the coal business was in rapid decline but rather their plan is a 10-year transition and that their Part E "Concept Document" is that. A transition to a merge.

PN offered to have the COO attend a meeting to further clarify the company's position. The team agreed that he should attend, to not just talk around coal, but to hear and understand what employees' concerns are.

Discussion then returned to the proposals put by the RTBU to PN with PN stating they would be prepared to work on showing us how their extra 13 RDO proposal would work but it would only be if your negotiating team made concessions and accepted the rest of their proposal. Discussions on the matter concluded with the RTBU requesting PN do some further work on showing us how their RDO proposal would work. PN had previously indicated that they may consider cross zones, we suggested that PN should look at this with their RDO proposal. We also asked they come back to us with how they had come up with their claim on their industry standard for overtime being 1.7.

The discussion then moved to PN's proposed classification structure. PN presented a classification structure based off the Bulk agreement. While it provided TLI detail it did not deal with any of the current issues and it left some classifications such as the DOO classification Team Leader and Mentor Driver out of the structure. It provided no indication on how current roles from both Part B and or C would transition, nor did it cover Terminal Operator classifications.

While the negotiations have been productive in understanding issues of concern to both parties and what issues need to be resolved to merge the traincrew classifications, nothing has been agreed to yet. The more we meet, the more it appears to your negotiation team that PN are mostly focused on their customers and shareholders, not their employees, as they consistently respond to RTBU proposals with costings and their reasons why things can't work, then only offer up changes that are like for like. We believe that PN wants to return to their preferred option, their "**CONCEPT DOCUMENT, PART E**".

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PN's true colors are really shining through, they have refused to include IPS workers in the new agreement, and on the same day we were negotiating, they planned and announced a lockout of their Queensland Coal Train Crew employees. One can see that nothing has changed and that their so called PNA means nothing when it comes to employees. It's only about customers and shareholders. We have seen company name swaps to avoid EA coverage for IPS employees, more labour hire deals, contracting out of terminals and using competitors' train crews to run PN trains,... the list goes on.

Your EA is about to expire, and with no pay rise since April 2021, nor any scheduled, and the company still not wanting to discuss some of your main claims, it is time for members to start considering what action you need to take to progress matters. Your delegates will start discussing with you what actions you believe could assist in getting Pacific National to take your claims seriously and progress the negotiation so that we can come to a fair agreement. After collation of members suggestions, the RTBU will at the appropriate time, initiate the required process to commence a ballot for legal Protected Industrial Action.

The next meeting with PN is on the 27th and 28th of April. You can be assured your RTBU Locomotive Division team will continue to negotiate with Members interests at the forefront. Let's hope that PN starts to take on board employees' needs *to family life balance* and start treating employees as an asset rather than a debit on their balance sheets.

NOT A MEMBER JOIN TODAY



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