



April 16, 2024

Enterprise Agreement Update

Intractable Bargaining

After lodging the Intractable Bargaining application last Friday afternoon, the Fair Work Commission has already started the process. The Intractable Bargaining has now been listed for Mentions/Directions this Friday at 11am. Remember, through this process, the Fair Work Commission **cannot** make any orders that are less favorable than the current existing agreement terms and conditions. An update will occur shortly after this meeting.

What is a Loaded Rate?

A Loaded Rate is a combination of all penalties and allowances payable under the Rail Industry Modern Award. They include items such as Weekend Rates (Saturday 150% and Sunday 200%), Morning, afternoon and night shift allowances, on-call allowance just to name a few. The Loaded Rate must also satisfy the overtime component of the Modern Award. Overtime rates for the 1st 3 hours Monday to Friday are 150% and then 200%. Saturday 150%, Sunday 200%, and Public Holidays are 250% for all hours worked.

As stated in the previous newsflash, the amount of wage theft from QUBE we believe amounts between **\$20,000 and \$40,000 per year** per person as they are not paying any penalties or allowances as required by current agreement in Clause 4. That is why QUBE want to change this clause and the definition of what is an Hourly Rate is.

The question to ask yourself is: Is the amount of back pay worth voting for the new EA? or is QUBE dangling a carrot in your face to distract and cause you to miss out on \$20,000 to \$40,000 per year? In 5 short years, the back pay could be worth between 100,000 to 200,000 dollars.

Other QUBE Rail Enterprise Agreements

QUBE has 2 other Rail Agreements in Queensland known as QUBE Logistics Rail – Southeast Queensland Workplace Agreement 2024 (started 5 March 2024) and the QUBE Logistics Rail – North Queensland Workplace Agreement 2022 (started 20 February 2023). Both agreements have Loaded Rates, but their rates are much higher.



Comparing the Qualified Locomotive Driver classification across the 3 agreements, as of 1 April 2024, shows the following:

- North QLD EA – \$64.06 per hour
- Southeast QLD EA – \$62.50 per hour
- Proposed QUBE NSW EA - \$57.26 per hour.

In both QLD agreements, the Fair Work Commission had grim concerns that the low loaded rate would be worse off than if penalties were actually paid. This is based on the better off overall test. What the Fair Work Commission was concerned about is that employees covered by the QLD agreements would be worse off than employees under the Modern Award, which has a base rate of \$31.80, due to increase 1 July 2024, plus all the penalties and allowances.

If QUBE's disgraceful Enterprise Agreement gets voted in by you, that will be the end of argument of Clause 4 moving forward. The Loaded Rate offered by QUBE, which will be the lowest in the Rail Industry, will remain with you until there is a replacement agreement.

It's easy to Vote NO

Not a Member, Join Now

**If you have any questions about joining,
please contact the RTBU Head Office on (02) 9264 2511.**

