



April 22, 2024

Enterprise Agreement Update

QUBE's Misleading Employee Memo

This Employee Memo is titled Enterprise Bargaining Update - Let's be clear, there's been no bargaining to update you on since QUBE's last agreement was voted down in December 2023. Instead of doing their job to bring the agreement up to par, QUBE spent their time ringing around and the odd depot visited where they had spread misinformation about the upcoming vote. After all the misleading commentary, QUBE are once again asking members to vote for their terrible EA that seeks to embed systemic wage theft, the only difference now is the addition of "back pay". Remember, QUBE Management told everyone that there was no more money in the bucket over 12 months ago?

QUBE Management have told employees that the Federal Court Case can continue.

While technically true, the boss has failed to mention that should this EA be voted up, it means that members agree the rates are "loaded rates" and any possible decision in the Federal Court case can only ever be retrospective. QUBE is once again playing fast and loose with the truth.

QUBE is trying to convince you that this is the same EA they agreed in the Fair Work Commission in June last year, but QUBE has changed Clause 4.2 and inserted their definition of a "Loaded Rate". It was this renegeing on the in-principal agreement that led to QUBE's disgusting 13 days lock out.

Nothing will impact the Federal Court proceedings applying retrospectively, but QUBE seem willing to do anything to stop it applying prospectively. We are seeing more and more misleading statements coming from QUBE, trying to imply that the Federal Court matter or intractable bargaining will somehow further delay an agreement. These are the last acts of a desperate employer.

QUBE have also attempted to outline some differences between the NSW and QLD's enterprise agreements -

- Overtime Rate - Overtime is supposed to be optional. If the overtime rate is not enticing enough, QUBE will struggle to find workers to cover shifts. The biggest issue most have with the overtime rate is feeling like you are forced to work additional hours over and above your shift length and not being paid enough for this inconvenience.
- Wasted Meals - Employees have a right to a paid 30-minute meal break, it's an entitlement in the EA. In NSW, you can forgo your meal break if QUBE don't allow you to take it, but you are paid an allowance for it. By removing the allowance, are QUBE committing to every



driver getting their meal break every single time? Of course not, it's a money grab because QUBE cannot effectively roster.

- Golden Weekends – These are a rostering issue for QUBE, and they want them gone to make their job easier, like they've done in QLD. Golden Weekends are your guarantee of having 1 weekend off in 4. Members deserve 3 nights rest in your own bed.

What QUBE hasn't told you about the rates of Pay – QUBE Nth QLD EA has a Locomotive Driver on \$64.06 per hour, equalling a guaranteed payment of \$5124.80 per fortnight, while QUBE NSW are only offering a Locomotive Driver \$57.26 per hour or a guarantee of \$4351.76 per fortnight. A difference of over \$750 per fortnight. A NSW Locomotive Driver would have to do over 13 hours of optional overtime to match that.

Intractable Bargaining Update

Intractable Bargaining has commenced. This process started last Friday with a Directions / Mention Hearing. As stated in QUBE's "Employee Memo's", the boss will oppose the Intractable Bargaining Application, but as to date have not done so.

The Loco Division is preparing for a hearing set down for the 3rd and 4th June 2024. That's just 6 weeks away.

While there is no certainty about the outcome, you can be assured that your EA cannot be worse off through an Intractable Bargaining Determination. A welcome change from what QUBE is trying to do.

Don't be fooled by QUBE Management, you will be worse off if this agreement gets voted in.

Remember to vote and vote NO

Not a Member, Join Now

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

