



# RTBU NSW LOCO DIVISION NEWSFLASH

May 24, 2024

## QUBE Member Update

1. **Qube appeals Fair Work Decision.**
2. **Intractable Bargaining update.**
3. **Latest EA Vote.**

1. **Qube appeals Fair Work Commission** – True to form, Qube is refusing to accept the outcome of their misguided s 217 application and are appealing the decision by Deputy President Cross to dismiss the application and therefore not vary the 2015 and 2019 Enterprise Agreements.

Qube's appeal is wide-ranging and challenges points of law, factual findings made by the Deputy President, and also the adequacy of the reasons provided.

The appeal has been listed for hearing before a full-bench of the Fair Work Commission in Melbourne on Tuesday 9 July 2024. We will provide further updates when more information is available, including whether a live stream will be available.

The dismissal of Qube's application to vary the 2015 and 2019 Enterprise Agreements by the Fair Work Commission is a huge win for members fighting for lost entitlements not paid by Qube which equates to millions of dollars.

2. **Intractable Bargaining case is still moving ahead** – Qube has until Monday to file their materials and the RTBU has until next Friday to reply to Qube's filing. The hearing dates remain 3 and 4 June 2024, which is now less than 2 weeks away.



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The Commission's decision will shortly follow the hearing and, if the determination is made, will require the Commission to create a new industrial instrument covering Qube employees that must contain no clause that is less favourable than the clause it replaces in the (unvaried) 2019 Enterprise Agreement.

We will provide updates after each day of the hearing on 3 and 4 June 2024.

- 3. Latest EA Vote** –The results of Qube's fourth unilateral employee ballot for approval of an Enterprise Agreement (which concluded on 24 April 2024) were received by your Union today. Perhaps unsurprisingly, over two thirds of participating employees voted against Qube's lacklustre proposal. Members should be congratulated for holding the line and rejecting Qube's nonsense offer and scare tactics.

## Not a Member, Join Now

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

