



RTBU NSW Loco Division NEWSFLASH

October 24, 2024

Watco EA Update

In what can only be described as an underhanded tactic, Watco arranged a meeting on 10 October 2024 with some RTBU delegates advising in advance **this would not be a bargaining meeting**. Even though Watco knew that there wasn't going to be a RTBU Official onsite, Watco used the opportunity to attempt to push a dodgy in-principal agreement across the line.

We have only had 7 meetings with Watco and at every meeting they have been trying to convince us a substandard Enterprise Agreement is all they can offer. You would also recall Watco undermining the negotiation process by asking you to do a survey to determine if you wanted Watco's Training Bond in the agreement. Watco even identified an EA Delegate as completing the survey, however this turned out to be another lie from Watco.

On top of that, Watco had information sessions to explain Watco's Public Holiday Clause, which confused everyone that attended, but what you didn't know is that you are worse off if you worked that if you didn't the public holiday under Watco's clause. Watco even admitted that they could manipulate the rosters so that you don't receive any overtime, negating any benefit from the Public Holiday Credit they are proposing.

In the meeting on the 10 October 2024, Watco insinuated that both your EA Delegates orchestrated unprotected Industrial Action, stating that it was a \$19,000 fine. This was because no-one wanted to do overtime on a Long Weekend during School Holidays and there was an NRL Grand final on.

Even the rest of the Enterprise Agreement has issues that Watco are trying to push through without discussion. After a final review of the Enterprise Agreement, we again have found Watco sneaking in changes or deleting items in the draft enterprise agreement, it is almost beyond belief that this has occurred on their Final Draft. Not surprisingly these changes will leave you worse off.

In an email sent to Watco, we listed numerous concerns or issues with the Enterprise Agreement and WOW, Watco's only response is that they are disappointed that the RTBU has delayed the progress of the Enterprise Agreement.

Some of the concerns raised are:

- Concern surrounding the First pay increase – the current agreement expired on 21 October 2024, but the new pay increase won't take effect until 7 days after ratification by the FWC, which could be 2025. Although there will be a 2% pay increase in the first full pay after 21 October 2024 due to the sunset clause in the current EA, the question remains is there going to be back pay under the new agreement?
- Regarding the 'Sunset Clause' pay rise, this has been removed from the proposed agreement without your consent, this would mean no annual increase at the end of the EA will occur on each anniversary date.
- Job Sharing has been removed without agreement.

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- The NES is a low benchmark and if you look at every other EA in NSW, they are higher than the NES especially regarding Redundancy, Personal Careers Leave etc., which are still outstanding claims from the RTBU Log of Claims.
- Outstanding issue with Annual Leave – 0001 to 0600 the following day and not 0001 to 2359.
- Trauma Leave can now only be accessed only if there was a fatality. A huge difference from the previous EA and industry standards.
- Public Holidays compensation is inadequate and not agreed
- Classification Structure – as per the Rail Industry Modern Award, a Level 5 Rail Worker (op) is the same as a Level 4 in the Watco EA. \$55.90 for driver thereafter will be cutting it fairly fine against the award, especially by July next year and to date Watco has not done any calculations based on the comparable classifications. This is the same as a Level 6 Rail Worker (op) is the same as a TML5 being \$57.34 will be cutting it fairly fine against the award, especially by July next year
- Operational Roster – while we understand the need to change at this point from the Master Roster, any subsequent change from the posting of the Operational Roster should be by mutual agreement. Otherwise, we don't need an Operational Roster – we call this blank line working as Mr. Jackson is fully aware where employees are advised the day prior. By removing Lift up or Lay Back from the agreement now opens a huge flexibility for Watco without any consideration of an employee's Work Life Balance.

Well enough is enough, you have unanimously endorsed the RTBU to start the process of Protected Industrial Action because of Watco's inability to Bargain properly. The RTBU Legal team has already filed an application for a protection action ballot in the Fair Work Commission. Remember if your details don't match those on record with Watco, you will not get a vote. Now is the time to check your details. They include your full name, postal address, mobile number and email address.

This is your chance to unite and fight for your working conditions and pay and to show Watco that you won't accept an inferior Enterprise Agreement. More details of the Protected Industrial Action Ballot will be sent in the next newsflash.



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