



RAIL TRAM & BUS UNION

Tram & Bus Division

Level 2 / 365 Queen Street

Melbourne, VIC 3000

Telephone: (03) 9600 3410 Fax: (03) 9600 3610

Email: trambus@rtbuvic.com.au

Website: www.rtbuvic.com.au



RTBU MEMBERS WIN

Thursday 20th December 2018

As you are aware, the RTBU recently took Yarra Trams to the Federal Circuit Court for breaching the status quo provision in the Yarra Trams Enterprise Agreement 2015 - Operations ("Agreement").

In June 2017 Yarra Trams directed CSEs and AOs to perform observation tasks on drivers which included standing at the top of the platform and recording information about whether the driver had opened the doors on the correct side.

When the instruction was first provided, three RTBU delegates, Tarik Koc, Frank Pavic and Brian Penza, notified Yarra Trams of a dispute and demanded that Yarra Trams enforce the status quo. Under the Agreement, Yarra Trams was obligated to cease instructing CSEs and AOs to do the new work. Yarra Trams totally disregarded its obligation under the Agreement and, as a result Judge Riley of the Federal Circuit Court found that Yarra Trams had breached the Agreement.

On Wednesday this week, Judge Riley finalised the matter by awarding the RTBU \$15,000 which Yarra Trams will have to pay to the union within 14 days.

It may not sound like a lot but this is the first time Yarra Trams has been prosecuted for this type of breach. If they continue their flagrant disregard of their obligations, the RTBU will continue to pursue them where relevant and, if they keep behaving this way, future penalties and orders are likely to go up exponentially.

Tarik Koc
Secretary

Mario Mizzi
Assistant Secretary