

RTBU EXPRESS

The Official Newsletter of the Rail Divisions of the RTBU Victorian Branch
VOL 5 | Issue 02 | 25 January 2018



Luba Grigorovitch

State Secretary

V/LINE MEMBERS ARE URGED TO VOTE NO

Over the last few weeks V/Line has been pushing for drastic changes via amendments to the V/Line Rail Operations Enterprise Agreement 2015–2019. We are deeply concerned about the proposal. Firstly because of the changes proposed to the EA, but also because of the approach taken by V/Line.

V/Line has proposed 7 variations that will remove approximately 3 pages worth of enforceable conditions, as well as changes to other clauses. Once these conditions are removed, V/Line can implement programs they feel benefit business operations. We believe the changes are very likely to result in de-skilling drivers' classifications, but they will impact other employees too.

The approach taken by V/Line has been an extraordinarily hostile one. The first we heard about it was through a letter that the V/Line CEO Mr Pinder wrote to the RTBU over the Christmas/ New Year period. Mr Pinder advised us that they were seeking changes to the EA and notified us that the voting period will be in early February 2018. We received no information, other than the variations sought to specified clauses.

On meeting with V/Line, we were again given very little information. Instead we were literally asked to encourage members to vote in favour of the proposal and to take a "leap of faith" and to trust V/Line management.

The proposal is extraordinarily odd, especially given there was no prior consultation and also given there is less than a year before we are due to commence bargaining for a new agreement.

V/Line talks about increasing the skills set of employees. However, we suspect that the implications will be negative for all classifications. For example, shunters and

conductors may be expected to take on intermittent driving duties during usual down time without extra pay. Ultimately, employees who are not able to drive trains may be viewed in the future as "not flexible" and therefore may be forced out of their job.

The reality is that we have no reason to trust V/Line. V/Line could have approached us openly and in good faith rather than seeking to ram through changes without any genuine consultation.

More broadly, this approach calls into question the strength of our bargaining system. A key aspect of our system is our ability to secure legally enforceable conditions in an Enterprise Agreement. We use our industrial strength and our ability to take protected industrial action to secure fair and enforceable conditions. V/Line is attempting to sidestep the threat of protected industrial action and good faith bargaining requirements to delete elements of the agreement that they don't like.

This technique can be employed by any company who has bargained for an Enterprise Agreement and then decides that they don't like the conditions they are legally bound by.

Unfortunately, **V/Line only needs to secure a yes vote from half of those employees who participate in the vote. This means that if only 10 people participate in the vote, V/Line needs only 6 people to vote yes.**


They can do this, it is frighteningly legal. But we can vote NO. So I urge V/Line employees to exercise your vote and I encourage you to vote NO.

These changes aim to divide us, to pit union members against each other according to our jobs. However, despite our differences we are one union and while we stand together we cannot be defeated!

Together we can and will win.

Luba Grigorovitch

- State Secretary



V/LINE DECLARES WAR ON CONDITIONS

Calling all V/Line members covered by the V/Line Rail Operations EA 2015 - 2019 to

VOTE NO

against amendments to YOUR EA





Joe Maisano

Organiser

CONTROL DESKS IN METRO STATIONS – CLIFTON HILL GROUP

Welcoming in 2018 and once again Metro are in the spot light with the proposed removal of Control Desks in the Clifton Hill group of stations. That means no Control Desk staff at any locations within that group. By getting rid of the Senior Station Officer roles, it removes the in-depth knowledge and understanding of the surrounding local area, for example passenger assistance, attending to emergencies on the platform, on the train and having staff there readily accessible if things go wrong.

On the job meetings have occurred over the last few weeks at the four Control Desk locations being Reservoir, Clifton Hill, Eltham and Heidelberg Stations. It was a great turn out from members at many of these meetings, with

many members turning up in their own time. Members who are not Control Desk operators attended to support their colleagues in this attack on jobs, and to protect jobs within the station grade. There has been a great show of support from station staff across all groups in this fight that the Clifton Hill group are currently facing.

This proposed closure of the Control Desks is currently in Dispute, with Metro Management reluctant to pick up the phone to work this out. This is nothing new and it shows the lack of consideration that Metro have towards their staff and family members whom it will affect the most.

The RTBU and our members take this very seriously and will do whatever is in our power to support members and ensure that no jobs or conditions are lost. So, to all the members in the station grade, support your colleagues in the Clifton Hill group, make this your fight as well because in the long term, it will be affect all groups. To the wider membership of the RTBU outside the station grade, please make it your business to support your fellow comrades.

The Rail industry is not utilised as an industry business where it must please its shareholders, it is an essential necessity for the public and will always remain this way.



Metro station staff say NO to the proposed closure of Control Desks.



Alice Dunn

Industrial Officer

PERSONAL LEAVE ENTITLEMENTS

Since I have been working at the RTBU I have noticed a string of issues related to employees accessing their personal leave entitlements.

Most employees have an entitlement to personal leave because they are legislated for under the National Employment Standards in the Fair Work Act 2009 (Cth).

The wellness check approach

This tricky little play starts off with a seemingly warm and fuzzy conversation from a manager (who is quite often a reluctant participant). However, it quickly progresses to combination of asking very personal questions and emotional blackmail by implying that you are not a “team-player”.

This type of approach is incredibly frustrating because they are underhanded and very poorly thought out. There are endless, very good reasons why it is not a good idea for

Despite these clear legislative entitlements, many companies employ a range of tricks to stop employees from accessing their personal leave. These include attempts to discourage our members from taking leave or even refusing to process personal leave requests and insisting that annual leave be used instead.

someone sick to be at work including: safety, prolonged health issues, spreading germs and productivity loss.

So, what can you do? Firstly, know your rights. If you work full-time, and you are not a casual employee, you are entitled to 10 days personal/carer’s leave. Part-time employees are entitled to a pro-rata amount based on their hours of work.

What follows are a couple of the tactics employers have been using and what you can do if it happens to you.

If your employer starts asking you personal questions about your health you have a right to simply state: “I do not wish to answer any questions regarding the nature of my illness.” The Australian Medical Association states that “employers should recognise the right of employees to keep details of their medical condition confidential”.

The specious legal reasoning approach

I am seeing a steady trickle of incidents involving companies that are simply refusing a request for personal leave and insisting that the employee use annual or unpaid leave. Companies seem to be spending a lot of time and energy looking for loopholes in enterprise agreement clauses to justify this approach.

It is simply unacceptable to see companies refusing our members access to their personal leave when they genuinely need it. If this happens to you, you should contact your organiser or the RTBU Office on 8630 9100.

There are some, albeit rare, cases where an employee does get tripped up. Again, it’s important to be aware of your rights and obligations. Some enterprise agreements may require a medical certificate if you’ve been sick more than a specified number of days in a year. This requirement varies from agreement to agreement so check your agreement or ask your delegate or organiser for help.

You also may have seen media reports of employees who call in sick and then post pictures of themselves at the cricket with

accompanying posts which make it clear that they are not, in fact, sick. Thankfully, I haven’t had an RTBU member come to me with a problem like that and I hope I never do because I have never seen a legal defence that has worked in those circumstances!

UPDATE YOUR DETAILS

Have your details changed recently?

If you have moved house, changed phone numbers, changed job roles or any other information, please let us know so we can update our system.

Go to <http://www.rtbuvic.com.au/update-your-details/> to update your details.



Cathy Birch

Organiser

MELBOURNES HEAT WAVE

As Melbourne swelters in the heat, I am reminded of the effects the heat has on our members. RTBU members deal with irritable, impatient, dehydrated customers and many are on barriers and platforms around the network, soaking in their own sweat.

Sometimes these staff are not given frequent enough breaks to rehydrate and simply get out of the heat for a few minutes. I think of Authorised Officers on trams without air conditioning, Barrier staff on barriers in the sun and weather, the list goes on.

I am aware that on those days, members really do earn every cent of their wage. I think of operational staff dealing with heat stressed and aging track and signalling equipment which plays up when it gets too hot, wet or cold in Melbourne. This results in delays to trains.

This in turn backfires on the staff who are dealing with irate passengers who are missing connecting buses because the heat related speed restrictions for trains mean trains arrive late.

One of our recent wins was the installation of a standalone split unit air conditioner into number one signal box at Southern Cross. This has made work a whole lot less tiring for our members there.

The Union also has an agreement from Metro that no station staff are required to wear scarves or ties at all between 1 December and 28 February. Outside of this three-month summer period, (ie March to October), once the temperature reaches 27 degrees Celsius, there is no requirement for them to do so either. The union has distributed flyers to staff, but

still members are asked by their supervisors to wear their ties and scarves. Metro has not communicated this agreement that they made with the union to staff which strikes me as unfair.

I want to remind everyone to take extra care of themselves and watch out for their colleagues during the heat waves. The first sign of dehydration is often a headache, so go ahead and reach for the Panadol if necessary, but make sure you take it with at LEAST 300 ml water. Additionally, heat stress can get people into dangerous situations in this industry, and heat stress contributes to fatigue.

Stay safe out there and stay cool.

DELEGATES MEETING DATES – FEBRUARY 2018

- 5 Feb – North Melbourne AOs – A & B Delegates - 1000 – 1100hrs
- 5 Feb – TPH AOs – A & B Delegates – 1200 – 1300hrs
- 6 Feb – Hawthorn AOs – A & B Delegates – 1200 – 1300hrs
- 6 Feb – Malvern AOs – A & B Delegates – 1000 – 1100hrs
- 7 Feb – V/Line Central – 1130 – 1230hrs
- 7 Feb – Metro Clifton Hill – 1000 – 1100hrs
- 8 Feb – V/Line Northern – 1100 – 1200hrs
- 8 Feb – V/Line Shunters – Southern Cross – 1100 – 1200hrs
- 12 Feb – V/Line AOs – 0930 – 1030hrs
- 13 Feb – Pacific National MFT - 1400 – 1500hrs
- 13 Feb – Metro NSS / CCTV – 1100 – 1200hrs
- 14 Feb – Metro Northern – 1100 – 1200hrs
- 14 Feb – MMAOs – A & C Delegates – 1100 – 1200hrs
- 15 Feb – Metro Burnley – 1100 – 1200hrs
- 15 Feb – V/Line Southern Cross – 1100 – 1200hrs
- 16 Feb – V/Line North East – 1100 – 1300hrs
- 21 Feb – Metro Caulfield – 1300 – 1400hrs
- 21 Feb – Metro CEU, CPU & CIU – 0900 – 1000hrs
- 22 Feb – Metro, Timetables, Rosters & Signallers - 1000 – 1200hrs
- 22 Feb – Metro Drivers Allocation – 1330 – 1430hrs
- 28 Feb – Metro Central – Melbourne Central – 1100 – 1200hrs
- 28 Feb – Wilson Security – 1400 – 1500hrs

RTBU PHONE WALLET

This is a silicone phone wallet that was posted to you with your diary. You can stick on the back of your phone and it can be used to hold cards in it.

It also doubles as a stand for your phone when you bend the middle strip inwards.



Contact us

rtbuvic.com.au
(03) 8630 9100

Level 2, 365 Queen Street,
Melbourne, VIC 3000

E rtbu@rtbuvic.com.au
F 03 8630 9122

State Secretary

Luba Grigorovitch

Infrastructure Division

Secretary: Jon Saw

Admin & Salaried Division

Secretary: Steven Kozmevski

Rail Operations Division

Organiser: Darren Galea

Admin & Salaried Division

Organiser: Cathy Birch

Workshops Division

Secretary: Paul Jumpertz

Infrastructure, Workshops & Labour Hire

Organiser: Bryan Evans

Industrial Officer

Alice Dunn

Rail Operations / Administration

Organiser: Joe Maisano

