



RAIL TRAM & BUS UNION

Tram & Bus Division

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ATTENTION ALL MEMBERS

Tuesday, May 7, 2019

RTBU responds to Yarra Trams' bad faith

Members will recall Yarra Trams' disgraceful act of bad faith in enterprise bargaining on 2 May 2019 when it emailed members concerning offers in relation to both Agreement 1 (Operations) and Agreement 2 (Rolling Stock) that Yarra Trams had made to the RTBU by email a few minutes earlier.

Today, we met with Yarra Trams in relation to both Agreement 1 and Agreement 2.

At each meeting, in a further act of bad faith, Yarra Trams talked about its ridiculously premature offers. The RTBU tabled documents setting out our response to Yarra Trams' conduct and took Yarra Trams to task about its sneaky tactics.

In the documents, we set out a comprehensive summary of the bargaining process. This summary shows that Yarra Trams has ignored its good faith bargaining obligations throughout the bargaining process and has set about on a predetermined plan to conclude the bargaining process as soon as possible without considering our claims. This is completely unacceptable.

Yarra Trams has shown itself consistently unwilling to comply with Australian law. Members will recall that last year the Federal Circuit Court found that Yarra Trams had breached the *Yarra Trams Enterprise Agreement 2015 – Operations* and ordered it to pay a penalty. Currently, there are two proceedings before the Federal Court alleging Yarra Trams breached or proposed to breach the same agreement. It is now in breach of its good faith bargaining obligations because it has made offers before the RTBU has explained its proposals; before Yarra Trams has responded to the RTBU's claims; and while discussions are continuing in relation to its claims.



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The RTBU will never let Yarra Trams get away with breaching enterprise agreements and will not let Yarra Trams get away with breaching its good faith bargaining obligations.

We will insist that Yarra Trams considers and responds to our claims, and responds to our questions about its claims, as Australian law requires.

Together we will fight against Yarra Trams' ridiculous tactics and achieve a better deal.

Our next bargaining meeting for EA 1 will be on Friday, 10 May 2019.

Our next bargaining meeting for EA 2 will be on Monday, 13 May 2019.

Tarik Koç
Secretary

Mario Mizzi
Assistant Secretary