

RTBU EXPRESS



The Official Newsletter of the Rail Divisions of the RTBU Victorian Branch
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Vik Sharma
State Secretary

YOUR EA SURVEY – PRELIMINARY RESULTS

Next year will be huge. With major enterprise agreements around the corner, we are making preparations to set industry standards in bargaining across Metro, V/Line and Yarra Trams.

I know that understanding your experiences and issues is key to how we continue getting results for Members, that's why I organised the EA survey across the network.

We have now received over 1300 responses (still ticking) and are beginning to drill into the detailed findings based on your employer, classification, and work location.

While we undertake this deep dive on your valuable feedback, I wanted to share with you some preliminary findings that will form key battlegrounds across our industry.

Of the 1300 forms completed across all modes of transport and each corner of Victoria the dominant priority that has come through has been "job security, redundancy and

redeployment" at 27% followed by "rate of pay/cost of living/rising inflation" at 23%. Varied issues such as rosters, penalties & entitlements combined with full time work made up the last major block of primary priorities at 26%.

Other workplace priorities include items such as career progression, consultation requirements, flexible working arrangements and workplace bullying and harassment.

The survey will help us shape our bargaining strategy for next year. Although, Members have informed us of their priorities, a lot of work still needs to be done through Delegates and RTBU committees to formulate logs of claims for different work areas.

Later this year, we will launch a website for the major operations EAs which will allow Members to monitor the progress of bargaining, get the latest news and info, post suggestions/comments, ask questions and more.

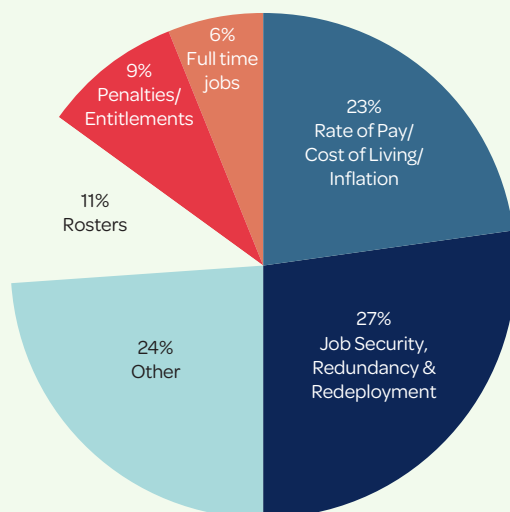
Stay tuned for detailed survey results and more news on bargaining.

If you are yet to complete the EA survey, we will continue to monitor your feedback. You can complete it at the following link or by scanning the QR code below.

www.rtbuvic.com.au/2022Membersurvey/



Vik Sharma
Victorian Branch Secretary



Industry Wide Major EA Bargaining Priorities
n=1303

JOB SECURITY

INFLATION



WWW.RTBUVIC.COM.AU/2022MEMBERSURVEY/





Joe Dennis

Organiser

UPDATES FROM THE PROJECTS

Over the last few months in rail projects there Late last year, Programmed Skilled informed their employees working in with the V/Line mobile gangs that GTE won the tender and that their employment would shift to GTE should they wish to continue in their work.

V/Line once again went for the lowest bidder showing flagrant disregard for workers' conditions. GTE's poor track record with working conditions forced Members to change their shifts and do the same at a lower rate leaving many almost \$700 a fortnight out of pocket for performing the same role.

The RTBU questioned V/Line on their engagement of GTE, a company who did not have an RTBU enterprise agreement (EA) but our noise fell on deaf ears as it was clear that V/Line was only aiming to save money.

Pressing the issue of minimum standards and equal pay, the RTBU campaigned to force GTE to the table to bargain for an industry standard EA. Although this has been a long process, the EA will be put to a vote of Members soon.

Following this RTBU campaign, last month, we received confirmation that Programmed Skilled have won the latest tender with V/Line to perform work going forward.

RTBU Members are thrilled to have their working conditions restored, accurately being compensated for living away from home and in often difficult weather conditions.

Regardless, the RTBU will work to close out this agreement with GTE to underscore minimum standards across the industry should they wish to operate on the Victorian network in the future.

The TPA EA will also go for a vote later this month which will also firm up increased wages and better conditions for the years ahead.

More widely, I have continued to visit Members on the Gippsland Line Upgrade, the Shepperton Line Upgrade, Murray Basin, Mildura, Southern Programme Alliance, North West Programme Alliance, Western Program alliance and numerous other sites.

Projects Members are also receiving their joint RTBU/CFMEU project hoodies, that have now finally arrived.

I look forward to seeing all our Programmed Skilled and GTE Labour hire Members soon and will continue to do my rounds. If you have any issues or want to arrange a prestart or site visit, please call me on 0403 863 869



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**Infrastructure, Workshops
& Labour Hire**
Organiser: Bryan Evans
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Amanda Swayn

Industrial Officer

WORKPLACE MEDICALS

Members often seek the assistance of the RTBU in relation to questions surrounding employer directed medicals, consent forms for the release of medical information to their employer, and issues concerning disputes between the advice of their treating medical practitioner and the rail doctor.

As rail workers, our Members understand that both employers and employees have a shared duty to comply with Rail Safety and OHS laws and regulations. Concerns often arise, however, about where the line can be drawn when it comes to individuals' rights to privacy and confidentiality for medical assessments.

Ensuring employees are medically 'fit for duty' is part of providing a safe workplace for workers and the public. In addition to relying on workers to self-report when they are 'unfit for duty' (by taking a personal leave day for example), rail industry employers rely on employees undergoing pre-employment, periodical and 'triggered' medical assessments.

The National Standard for Health Assessment of Rail Safety Workers (the Standard) regulates how these assessments are to be conducted

and provides a broad framework as a basis for rail operators to implement systems appropriate to their needs, seeking to strike a balance between safety and the rights of individuals.

In practise, however, employers have at times acted unreasonably and even unlawfully when exercising managerial powers in relation to these matters. **Simply because an employee is required to undergo a medical assessment, does not mean they are required to provide their consent for their full assessments and reports to be provided to their employer.**

Further, just because an employee has a health concern, does not mean that it is automatically reasonable that they be directed to undergo a medical assessment with a rail doctor. The request that employees provide consent to release medical information beyond just capacity for work such as 'fit', 'unfit', 'fit subject to conditions' must also be reasonable, and have a solid basis.

For example, recently a member was required to undergo a triggered medical in relation to a shoulder injury. The medical assessment was a conducted as a broad assessment of fitness

in which the doctor sought information related to past health concerns and other matters unrelated to the shoulder. **With the support of the RTBU, the member was able to limit the scope of the consent, so that only the information which directly related to the shoulder injury to facilitate a return to work would be shared with their employer.**

Another member contacted the RTBU for assistance in relation to a direction to attend a triggered medical after taking two personal days to undergo a routine medical procedure for the replacement of an IUD (a very common contraceptive device). The member had provided adequate information supporting her fitness to return to normal duties. The RTBU notified a formal dispute in relation to the direction, after which the employer reviewed the matter, and allowed the member to return to work without seeing the rail doctor.

If you have concerns in relation to a direction to attend a medical assessment, or regarding the consent form you have been provided, contact the RTBU for advice.

V/Line-MMAO And Station Staff



Metro - Authorised Officers



Pacific National - Terminal Operators





Bryan Evans
Organiser

KICKING GOALS FOR MEMBERS!

The Infrastructure & Workshops Divisions have been far from idle in the last month, kicking off by sealing the deal on the previously reported John Holland agreement, which received a 100% yes vote for endorsement by RTBU Members.

Following on from that, we are commencing negotiations with Laing O'Rourke, Downer Pakenham and Tenax, and have completed negotiations with SCT (deserving of its own article) and several more enterprise agreements have been reached in-principal and are soon to head to a vote. These are as follow:

TPA Agreement

After protracted EA discussions the RTBU and TPA Enterprise agreement is now heading for a vote. The agreement if endorsed offers a 11% over 3 year pay rise, overtime cancellation penalties, paid training, Travel whilst Living away, double time all Sunday night and a raft of other benefits brings TPA into line with industry conditions. The RTBU has gone from strength to strength in the safe working space with Joe Dennis out on projects daily enforcing the proper use of

Safeworking and holding cost cutting employers to account. The TPA agreement will be heading to a vote on the 19th and 20th of September on Gippsland line upgrade and Shepparton line upgrade respectively, details TBC.

GTE

A long time in the making, the RTBU has now reached an in-principal agreement with GTE. This landmark agreement signifies a huge tip in the Track Worker Labour Hire section of the industry. Members will receive a whopping 33-44% increase in wages over the life of the agreement to bring them in-line with the industry standard.

The proposed agreement will also bring in other industry staples such as all Sunday night double time, paid training, shift cancellation payments, Incolink income protection, double time on construction for shift work amongst others. GTE Members will receive a copy of the agreement shortly to review and voting dates will soon be announced.

Downer Newport BAU

The last two agreements the RTBU has negotiated with Downer (HCMT Newport & East Preston) disputes have resulted in protracted industrial action and unfortunately, Newport BAU was no different. 72 RTBU, ETU & AMWU Members at Newport workshops whose agreement expired in March were on the receiving end of a 2% wage offer initially, invoking a united response from the workers at the historic workshops.

The main focus of their log of claims was a fair wage increase with a better work/life balance, and despite downer subsequently increasing their offer, the company refused to budge on the claims relating to additional time off.

Members voted for and indefinite stoppage of all work to advance their claims. This cracking display of solidarity over a week and a half out on the grass, Members endorsed a deal that delivered them 10.5% over 3 years and an additional 2 bonus days off a year (for a total of 7).



Metro - Flinders Street Station



50 Years Union Plague Presentation



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