



**RTBU**

# transport **NOW**

THE NATIONAL  
MEMBER  
NEWSLETTER

— of the —  
RAIL, TRAM &  
BUS UNION

ISSUE # 0019

APRIL 2022

Transport looms  
as a key issue as  
Australia heads  
to the most  
important Federal  
election in a  
generation

## **NEXT STOP: FEDERAL ELECTION**

# Just a sec!

In a few weeks we'll all be going to our local polling booths to elect the next Federal Government of Australia. Recent history shows that opinion polls can be misleading, and it is highly likely that this election will go down to the wire.

Our Union has taken the carefully-considered view that a Labor Federal Government will be in the best interests of members. This is because Labor has committed to a number of important policy measures - such as ensuring workers get the same pay for the same work, investing in much-needed public transport infrastructure, putting high-speed rail back on the agenda, and developing a

comprehensive industry plan for the rail freight sector.

While we don't always agree with the ALP, our party affiliation gives us a seat at the table, and an opportunity to influence the positions that the ALP takes. I am proud of the way our Union has used its voice inside the Labor Party over the past few years. For example, we were effective in advocating for Labor to take a strong stance against the Morrison Government's proposed laws to deregulate coastal shipping, which would have decimated intermodal rail freight. We also used our relationships with Labor State and Territory Transport Ministers and Shadow Ministers to oppose the Rail Safety Regulator's original proposal for compulsory in-cab video and audio recording devices, which would have given employers the power to constantly monitor train drivers while they trying to do their jobs.

I've been working hard to develop stronger relationships with the key Shadow Ministers who we could be dealing with if Labor wins.

In fact, I have recently put Shadow Industrial Relations Minister Tony Burke MP, Shadow Transport Minister Catherine King MP, and Shadow Environment Minister Terri Butler MP under the microscope in our

'Cut the Crap' video interview series. The interviews gave me a chance to ask the politicians serious questions about what they will do for RTBU members should they get the chance to be part of a Federal Government. Keep an eye out for the interviews on our national Facebook page (RTBU-Australia) or on our website ([www.rtbu.org.au/transportnow](http://www.rtbu.org.au/transportnow)).

But what about the other side? Well, there's no point sugar coating this: the Morrison Government has been possibly the worst Federal Government in Australia's history, presiding over a series of catastrophic failures - from mishandling the devastating bushfires of 2019, to bungling the COVID-19 vaccine rollout, and taking two weeks to declare a state of emergency for the devastating floods in Queensland in NSW.

Scott Morrison and his LNP colleagues are hopeless. We cannot afford to have these clowns running the show for another three years.

Australia deserves a government that understands the challenges of modern life, and is capable of planning for the future. For that reason, I respectfully urge all RTBU members to put the Liberals and Nationals last on election day.

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Mark Diamond  
**NATIONAL SECRETARY**



**... there's no point sugar coating this: the Morrison Government has been possibly the worst Federal Government in Australia's history**



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### Transport NOW Editorial Team

Published by  
**Mark Diamond**,  
RTBU National  
Secretary

Edited by **Stewart  
Prins**, RTBU Executive  
Director

Articles by  
**Mark Southcott** and  
**Stewart Prins**

Designed by  
**Rémi Bianchi**

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# FEDERAL ELECTION SEATS TO WATCH



**Susan Templeman MP (ALP)**

SEAT **MACQUARIE**  
STATE **NSW**  
MARGIN **0.2%**

Susan Templeman came to Parliament six years ago as a local mum, community advocate and small business operator. She worked as a journalist in Canberra and overseas before settling in the Blue Mountains in the 1990s.

Married to Ron with two adult children, it was her daughter's diagnosis with a mental illness that led her into politics with the aim of making the mental health system better.

After losing both the 2010 and 2013 elections, Susan stood beside local residents after her own home was destroyed in the devastating Winmalee bushfires of 2013. Her electorate has experienced three natural disasters in the last two years - the Black Summer bushfires of 2019/20 and the Hawkesbury floods of 2021 and 2022. During these disasters, Susan was on the ground every day with her community, and knows the need for more robust telecommunications, roads and disaster plans plus climate action. She'll continue to fight for a fairer NDIS, to close the gender pay gap, and a future that's Made in Australia.

Kristy McBain proudly grew up on the NSW Far South Coast, and she is the first woman to represent Eden-Monaro.

Since being elected in 2020, Kristy has built

a formidable reputation as a plain spoken, hard-working local member who advocates with all levels of Government and all sides of politics to get results for her communities.

Recent years have been tough for people in Eden-Monaro with ongoing drought, followed by the devastating Black Summer Bushfires. More recently parts of the electorate have been affected by floods and local businesses have also been hit hard by the pandemic.

As Mayor of the Bega Valley, Kristy was there supporting her community day and night through the darkest days of the Black Summer Bushfires. Kristy brings that same courage and determination to the region's recovery, and to the building of job opportunities, education and thriving communities across her electorate.



**Kristy McBain (ALP)**

SEAT **EDEN MONARO**  
STATE **NSW**  
MARGIN **0.8%**



**Ross Hart (ALP)**

SEAT **BASS**  
STATE **TASMANIA**  
MARGIN **0.4%**

Ross Hart was first elected as the Member for Bass in 2016, and is standing for Federal Parliament again in 2022.

Ross was born in Launceston and has lived there most of his life. Ross knows that for his community to do well, everyone has to participate in the life of the community - not just those who can afford to.



**Louise Miller-Frost (ALP)**

Louise Frost is a former CEO of Vinnies SA.

"I'm running for Boothby because I want a better future for our community," Louise said.

"Many workers in Boothby tell me just how hard it is to get ahead right now with rising costs and wage stagnation.

"I want to be part of an Albanese Labor Government that will create secure jobs with better pay and conditions through investment in TAFE and by making things here in Australia again. And one that will take real action on climate change so we can cut electricity prices, create jobs, and drive down emissions.

"A Labor Government that will strengthen Medicare, making it easier and more affordable to go to the doctor."

SEAT **BOOTHBY**  
STATE **SOUTH AUSTRALIA**  
MARGIN **1.4%**

## A collection of marginal seats around the country will hold the key to the Federal election. Take a look at some of the candidates vying to win those crucial seats.

**Emma McBride MP**



SEAT **DOBELL**  
STATE **NSW**  
MARGIN **1.5%**

Emma McBride is the Shadow Assistant Minister for Mental Health and Shadow Assistant Minister for Carers.

For Emma, the Central Coast is home. She grew up in Wyong, went to high school in Tuggerah, and worked as the Chief Pharmacist at Wyong Hospital for almost ten years.

Emma is a passionate advocate for quality healthcare, and she's been a member of the HSU for over a decade. She joined community efforts to save Wyong hospital from privatisation and she's determined to fix the GP shortage on the Coast.

Emma also stands up for Australian carers. She helped her mum lovingly care for her dad, Grant while he was living with dementia, so she knows how tough it is.

SEAT **LYONS**  
STATE **TASMANIA**  
MARGIN **5.2%**

Lyons. Brian an active member of Labor's Country Caucus and the Deputy Chair of the Agriculture and Water Resources committee. He is proud to be a strong voice in Canberra for regional communities and towns.

Brian Mitchell is the sitting Federal MP for



**Brian Mitchell MP (ALP)**

SEAT **GREENWAY**  
STATE **NSW**  
MARGIN **2.8%**

lawyer specialising in competition and regulation in the telecommunications, media and technology sectors.

In October 2015, Michelle was elevated to the Shadow Cabinet. She was re-elected in 2016 and 2019, and is currently Shadow Minister for Communications.

Michelle has served as a Councillor and Deputy Mayor of Blacktown City Council, Chair of Screen NSW, and a Director of the Western Sydney Area Health Service.

Michelle Rowland was elected to the House of Representatives in 2010 as the Member for Greenway. Prior to entering Parliament she was a senior



**Michelle Rowland MP (ALP)**



**Terri Butler MP (ALP)**

SEAT **GRIFFITH**  
STATE **QUEENSLAND**  
MARGIN **2.9%**

Terri Butler is the Shadow Minister for the Environment and Water and has been the Member for Griffith since 2014.

She stood for parliament to fight for secure jobs, universal healthcare, quality education for all, dignity in retirement, and climate action. Her parliamentary record includes fighting the Liberal-Nationals' proposed GP Tax, pension cuts, and uni fee increases. She was one of Labor's leading voices for marriage equality.

Terri holds tertiary qualifications in journalism, law and economics. Before becoming an MP, she was a partner at Maurice Blackburn. Terri was born and raised in Cairns. She and her husband Troy are raising their two kids in Brisbane's inner south-east.



**Sally Sitou (ALP)**

SEAT **REID**  
STATE **NSW**  
MARGIN **3.2%**

Sally Sitou's parents are of Chinese heritage and fled Laos because of the Vietnam war. Sally believes in the educational and work opportunities that allowed her family to prosper in Australia, uses her voice to passionately fight for her local community.

Sally has spent years working with vulnerable communities in the international development sector. More recently, she worked at the University of Sydney, where she saw first-hand how investment in education and research changes lives.

Currently Sally is a doctoral researcher at the University of Sydney Business School focusing on the finance industry.

# FEDERAL ELECTION SEATS TO WATCH



**Meryl Swanson  
MP (ALP)**

SEAT **PATERSON**  
STATE **NSW**  
MARGIN **5.0%**

Meryl Swanson MP has been Federal Member for Paterson since 2016 and is Labor's Shadow Assistant Minister for Defence. Meryl's priorities are to fast-track the M1 extension from Black Hill to Raymond Terrace to avoid the Hexham-Heatherbrae bottleneck; to upgrade roads leading from the Hunter Expressway at Heddon Greta; and to alleviate congestion in the fast-growing Maitland suburbs of Thornton, Woodberry, Morpeth, Beresfield, and Chisholm.

Meryl is committed to relieving cost-of-living pressures through cheaper childcare, cheaper power bills and secure, well-paid jobs and training. She will continue her fight for better access to bulk-billing GPs and standing up for pensioners.

**Marion  
Scrymgeour  
(ALP)**



SEAT **LINGIARI**  
STATE **NORTHERN TERRITORY**  
MARGIN **5.5%**

Marion has worked in the Territory's healthcare system and is a long-time community advocate. She has lived and worked across the Territory all her life.

With cultural links to the Tiwi Islands and Central Australia, Marion was raised in Darwin with her 11 siblings and extended family. She was Member of the NT Legislative Assembly for 11 years, the first Indigenous woman in Parliament, the first Minister and the first Indigenous leader of any Government in Australia when she served as Acting Chief Minister.

For much of her life, Marion has worked to improve the health and economic opportunities of Territorians. In recognition of her tireless work, she was awarded an honorary doctorate in Health Sciences from the University of Sydney in 2013. She knows first-hand how critical health services are across the Territory and that protecting Medicare is an issue that affects all Territorians.

Marion knows what life is like for Territorians living in the Top End, the Centre and bush communities. She loves the Northern Territory and all it has to offer, from the most ancient cultures to the newest Australians that have chosen to call the Territory home.

Like her own parents, Marion has been a community champion for education. She is committed to developing local economies so that children who invest time in their education no longer have to leave their community or town for work.

Marion wants all people living in Lingiari to have access to a strong health care system, a quality education, and secure jobs. She believes in reducing the use of fossil fuels and investing in renewables, particularly in remote areas.

**Tania  
Lawrence  
(ALP)**



SEAT **HASLUCK**  
STATE **WESTERN AUSTRALIA**  
MARGIN **5.9%**

Tania Lawrence has held senior positions in both the private sector and government, and now has her own small business.

Tania is particularly passionate about creating opportunities for local jobs growth and balancing this with protecting our environment and community.

Tania and her husband live locally in Mundaring, so she understands the challenges facing the area: the need for better roads, access to high-quality healthcare and protecting the pristine hills environment from the ever-increasing risk of a drying climate.



**A collection of marginal seats around the country will hold the key to the Federal election. Take a look at some of the candidates vying to win those crucial seats.**

**Patrick Deegan  
(ALP)**



SEAT **PAGE**  
STATE **NSW**  
MARGIN **9.4%**

After leaving school at 16, Patrick Deegan enrolled in TAFE while working part-time. He was able to secure a traineeship with the local council and eventually go to university, while continuing in casual employment.

Patrick went on to complete a degree at Southern Cross University and work as a social welfare professional. He has since provided a helping hand to some of the most disadvantaged communities and people across northern NSW. Following the devastating floods of February and March this year, Northern NSW desperately needs people like Patrick, who understand the needs of local people, representing it in Federal parliament.

SEAT **HAWKE**  
STATE **VICTORIA**  
MARGIN **NEW SEAT**



**Sam Rae  
(ALP)**

Sam Rae is Labor's candidate for the new seat of Hawke.

Together with his partner and their two young kids, Sam and his young family love living in Hawke's vibrant community.

Growing up he saw first-hand the transformative power of good public education: his mum was a public-school teacher and a union activist. She instilled in him the principles of a fair go, community contribution and responsibility.

These are the principles by which Sam lives his life. Sam has put his hand up to represent Hawke because he wants to build a better future for the region.



**THE FEDERAL ELECTION  
DATE HAS FINALLY BEEN  
CALLED, WITH VOTERS  
TO GO TO THE POLLS ON  
SATURDAY 21 MAY 2022.**

The RTBU will be calling on election candidates to sign the 'Put Transport in the Fast Lane Pledge'. You can find out who has signed the pledge by going to [www.rtbu.org.au/fastlane](http://www.rtbu.org.au/fastlane)

Members who wish to donate to the Labor election campaign fund can do so at <https://www.alp.org.au/donate/>



# UNION HEALTH PUTTING MEMBERS FIRST. FREEZING PREMIUMS AGAIN.

In recognition of the ongoing financial hardship facing many of its members, Union Health is freezing premiums for six months.

Union Health will have handed back savings of \$7.7 million to members while other funds' premiums will increase by up to 5.33% on 1 April 2022.

CEO Rob Seljak said the move was made to ease financial pressure for consumers.

"We're freezing premiums until 30 September 2022 in recognition of the impacts of the pandemic. The premium freeze decision follows our 2020 multi-million-dollar COVID relief package, which included a zero increase, benefits for telehealth services and wellbeing checks for vulnerable members.

"It's a timely reminder before the price hikes on 1 April to check your provider has

its members at the heart of its policies and fees," he said. "We're entirely owned by our members, who trust us to put profits into offering competitive products and services."

Union Health's track record of support saw the fund voted in the top two most trusted private health providers in 2021 by Australia's leading independent customer research agency, IPSOS Public Affairs.



Scan the QR code to find out more about Union Health today.

*\*T&Cs apply. 8 weeks free offer includes 4 weeks now, 4 weeks later. \*Union Health is brought to you by TUH Health Fund (TUH), proudly serving Australian union members and their families for 50 years. TUH voted top 2 most trusted health providers, IPSOS Health Care & Insurance Australia 2021.*

**union health**  
Powered by TUH Health Fund

## PUTTING YOU FIRST. FREEZING PREMIUMS AGAIN.

Join before April 30 and get  
**8 WEEKS FREE\***







BRANCH  NEWS NSW

# #FAKESTRIKE FIASCO FAILS TO DETER WORKERS

It was the strike that wasn't, a union-busting exercise by a conservative State Government that claimed the rail union had sprung a wildcat action aimed at bringing NSW to its knees.

The fiasco began with a media pile-on early on Monday, February 21, when commuters throughout Sydney, Newcastle, the Blue Mountains and South Coast awoke to find they had no trains.

NSW Transport Minister David Elliot and Prime Minister Scott Morrison both went on commercial radio that morning to falsely tell the public that workers were on strike. Mr Elliot went as far as to shriek that the behaviour of rail workers amounted to "terrorist-like" activity.

This was backed up by notices at train stations repeating the lie that the shut-down was caused by industrial action.

But when RTBU members turned up at sites around the network, and explained to the media (and a bewildered public) they were ready to work but were being prevented from doing so, the Government's claims began to unravel.

It gradually dawned on everyone – even the media – that it was actually the NSW Government which had shut the network down, stranding a million commuters and costing the state an estimated \$33 million-plus.

NSW Branch Secretary Alex Claassens said the fiasco began when the NSW Government struck a deal that allowed


the union's planned low-level industrial action that Monday, which included a ban on "altered working", whereby workers would stick to what they were rostered to do, and not accept any planned alterations in advance.

"Our view has always been that this would cause minimal disruption to services, especially given that the employer had two weeks to ensure enough staff were rostered on to deliver the timetable as planned," Alex said.

Somewhere along the way, however, TfNSW changed its mind and decided to take unions to the Fair Work Commission to get the industrial actions banned.

"After failing to get the outcome it wanted from the Commission, Sydney and NSW Trains proceeded to shut down its entire network.

"Members turned up to work on the Monday and weren't allowed to do anything."

 Station staff at Parramatta and above, transport workers at Mortdale.







📍 Sydneyham signal box, above and below, Newcastle interchange.

Alex said the Government's claim that it was forced to shut the network as the planned industrial action represented an unacceptable safety risk was also a furphy.

"Safety is absolutely critical to our union, and we would never do anything to compromise it," he said.

Since then NSW has seen a monumental blame game, with Ministers pointing the finger at public servants and no-one taking responsibility for the shambles.

NSW Premier Dominic Perrottet and his minders claimed not to have known about the shutdown. Even Transport Minister Elliot tried to claim ignorance - as apparently he had been too tired to answer phone calls after arriving home late from an interstate trip, and only found out about the shutdown on the Monday morning (right before he accused workers of being terrorists).

NSW Upper House MP Mark Buttigieg said Mr Elliott should be held accountable, and that government documents proved TfNSW had a deliberate and premeditated strategy to shut down the network.

Shadow Transport Minister Jo Haylen called on Mr Elliott to resign.

"There is no room for interpretation here," Jo Haylen said. "Minister Elliott's office was briefed on the full shutdown of the train network at 10:43 on Sunday night."



Alex said that while the government bloodletting continued, it was important to understand what the RTBU's industrial dispute was really all about.

"What rail workers are fighting to save is the future of public transport in this state," Alex said.

"The NSW Coalition Government has spent the past decade and billions of taxpayer dollars dismantling and selling off our transport network.

"The endgame is for public transport to be a completely privatised and largely automated system - which will also make it more expensive, less safe, less convenient, and certainly less reliable for the people who need to use it."

Alex praised the actions of RTBU members, whose fair and honest actions won the day, exposed the rail

management lies, and helped provide lessons for future hardline employer action.

"The main lesson is to be prepared for anything, and when you're under attack by an employer that's spreading misinformation, then you need to get the truth out and get it out fast," he said.

"We were quick to organise a media conference at Sydney's Central Station with our members in their work gear.

"The members were prepared to say directly to the TV cameras that they were available to work, and they were not on strike.

"And we were on social media all day getting the message out and posting pictures of our members in their workplaces, and responding to the misinformation and misreporting that was flying around.

"That all contributed to the fact that the media story changed over the course of the day, and by the time we got the evening news the story had turned around completely on the Government."



**... when you're under attack  
by an employer that's  
spreading misinformation,  
then you need to get the  
truth out and get it out fast.**



📷 A grain receipt point and railway station at Cunderdin, Western Australia.  
Photo: Bahnfreund/Wikipedia

# BUDGET WIN FOR GRAIN LINES

A long-running RTBU campaign to have unused West Australian freight rail lines reopened has been rewarded in the Federal Budget with the second part of a total \$500 million investment that will see hundreds of kilometres of new track built in the state.

Western Australian Branch Secretary Craig McKinley said the RTBU and the WA Government worked with Infrastructure Australia for the latest grant, worth \$300 million.

“For the past three years this branch has actively been involved with the wheatbelt community and WA Government to open up closed rail lines and get grain to port,” Craig said.

“This will reopen at least 400km of rail line. And they are not going to renovate old lines, they will be brand new, heavy rail builds.”

Craig said that the new lines can’t come soon enough, and this become apparent with long delays processing this year’s massive wheat harvest.

He said the delays are costing grain growers money, with the first six months of year bringing the best prices due to seasonal northern hemisphere shortages.

“Until now, there have there been all these closed rail lines, and we can’t all the grain to port, and as a union we have been telling government that we have to get it sorted.

“There is a record harvest this year, 22 million tonnes, the largest we’ve seen in Australia.

“There are literally mountains of grain all over the state sitting there doing nothing while the grain price has gone through the roof.

“In the central region there are 9 million tonnes of grain, most of it sitting out in the paddock. It’s a scandal that is costing the state billions.”

Craig said the application process had involved a \$350,000 government engineering report and a number of regional forums, and the RTBU had formed a good relationship with rural WA in the process.

He said the wheatbelt community has been anxiously waiting on a green light for the project, which will reinvent the whole state.

“The WA Transport Minister (Rita Saffioti MP) told me she was absolutely committed to getting some of these lines back into service, and we are absolutely committed to local jobs for local people.

“This isn’t just a case of ‘oh gee, we are a railway union, and want more trains, that’s good for our members’.

“The real thrust is to put money, stimulus, and hope back into wheat belt communities that have been degenerating since the wool boom of the 1960s.

“All they’ve got at moment are closed shops, closed banks, closed schools, closed hospitals. Some people have to drive 200km just to buy essentials.

“It’s also about getting their kids off the street and getting them involved in rebuilding these railway lines.”



# THE BIG ISSUES

## A worker-focussed agenda for industrial relations reform

In the run up to the 2019 Federal election, the ACTU's Change the Rules campaign focused the public's attention on Australia's crises of insecure work, flatlining wages growth and systemic underpayment (wage theft).

The ACTU mounted a compelling case for reforms to our nation's labour laws, demonstrating how weaknesses in the Fair Work Act have been exploited by employers over the last decade to produce negative outcomes for workers.

As we approach the next Federal election, these shortcomings in workplace legislation have become even more apparent. In part, this is down to a continuing stream of unhelpful interpretations of the law by the heavily business-friendly Fair Work Commission. Only a fundamental re-write of the Fair Work Act will ensure that

workers and unions have the ability to build - and exercise - collective power in the workplace. Here are six of the major problems with the current legal framework, and the solutions needed to fix them.

The regulatory solutions outlined in this explainer can provide a basis for discussions led by members and delegates at the workplace level, to mount the case for much-needed IR reform.



[www.carmichaelcentre.org.au](http://www.carmichaelcentre.org.au)

PROBLEM	SOLUTION
<b>Enterprise bargaining</b> The Fair Work Act limits the making of collective agreements to an enterprise, or part of an enterprise. This system was designed for the 1980s economy, still mostly built around large corporate or public sector employers with 1000s of employees at fixed workplaces. The economy has been transformed since then through business strategies like outsourcing, labour hire, franchising and supply chains. But unions can still only bargain with the direct employer of a group of workers. They can't negotiate (for example) with the host business engaging labour hire staff – only with the labour hire agency.	<b>Multi-employer bargaining</b> Workers and unions must be able to bargain with indirect employers. The legislation should provide a range of options including collective bargaining across industries (eg the entire fast-food sector); product/transport/distribution supply chains (eg major retailers and the warehousing/transport firms they contract with); and lead firms and other providers of services (eg cleaning and security contractors to commercial buildings like shopping centres). International evidence shows that collective bargaining coverage and unionisation rates are much higher in multi-employer bargaining systems, than those where bargaining is focused at the level of the firm.
<b>Protected industrial action</b> Just as bargaining is limited to the enterprise, so is the right to take protected industrial action. In addition, the Fair Work Act suffocates the right to strike by imposing a swath of procedural hurdles to getting an employee ballot approved; allowing employers to object to protected action at several stages of the process; then allowing businesses to get industrial action terminated on spurious 'public interest' grounds. Australian workers also have no right to take protest action or to strike during a current agreement. These limits place our law in breach of standards established by the International Labour Organisation.	<b>A genuine right to strike</b> The right to take industrial action is critical to collective bargaining – workers cannot negotiate an agreement on a level playing field with management unless they can freely withdraw their labour. The Fair Work Act constraints on the right to strike must be removed, including employee ballots and the requirement that employees/unions must have genuinely tried to reach agreement before imposing work bans or stopping work. Termination of protected action should only be possible in relation to a restricted category of essential services, where public welfare is genuinely under threat (not mere inconvenience or economic damage).

PROBLEM	SOLUTION
<p><b>Agreement-making process that bypasses unions and workers</b></p> <p>Enterprise agreements under the Fair Work Act are made between employers and their employees. In many workplaces, an employer only has to provide information to staff about a proposed agreement – then ask them to vote within the statutory timeframe. These agreements are made without any negotiation occurring. If some employees try to bring a union into the picture, the weak good faith bargaining requirements enable the employer to engage in limited discussions – then insist that employees vote on the agreement anyway.</p>	<p><b>Genuine collective bargaining</b></p> <p>A real collective agreement is the product of a negotiation process engaged in collectively – between the employer and a union representing employees. Stronger good faith bargaining rules are required to ensure that employers take the process seriously, and do not sideline the union by putting the agreement to ballot prematurely. Employers must also be required to put an offer in bargaining (rather than stalling through endless talks).</p> <p>Arbitration must be available when employers frustrate negotiations. Any agreements made without union involvement need to be subject to more rigorous approval requirements to protect workers' interests.</p>
<p><b>Insecure work</b></p> <p>The prevalence of insecure work – including casual employment, fixed-term contracts, labour hire and independent contracting – has left millions of Australian workers stuck in low-wage work without job security. The overall share of non-standard employment is now as high as it has been in the past 20 years at 55.6% of the workforce.</p>	<p><b>Measures to promote permanent employment</b></p> <p>The Fair Work Act should redefine a 'casual' employee to preclude employers from keeping workers in irregular, insecure work for years on end.</p> <p>The legislation should also include stronger rights for casuals to convert to permanent employment. Labour hire workers must receive the same wages and employment conditions as direct employees of a host business (the 'same job, same pay' principle).</p>
<p><b>The gig economy</b></p> <p>The engagement of workers to provide services via apps is simply the latest form of insecure work, dressed up as technological innovation. Gig economy platforms have inverted the long-standing assumption that workers providing their labour are employees, covered by employment law protections. The sham contracting business model of the platforms has led to widespread exploitation of rideshare drivers, food delivery riders/ drivers, and (increasingly) care workers.</p>	<p><b>Make gig work fair, or shut it down</b></p> <p>Globally, the platforms threaten to flee whenever a jurisdiction even contemplates regulation to challenge their contracting model. Australian law-makers must call their bluff. The Fair Work act definition of 'employee' must be extended to workers providing labour through a platform (unless they are genuinely running a business of their own). This would bring gig workers within the coverage of awards, collective bargaining and unfair dismissal protections.</p>
<p><b>Non-union free-riding</b></p> <p>Australian unions are compelled to give away one of their major products for free. Non-union employees are covered by, and get the benefits of, an enterprise agreement negotiated by a union – without paying membership fees. The Fair Work Act prohibits unions from making any claims or demands for bargaining services fees, or having such clauses included in enterprise agreements. The current restrictions were introduced by the Howard Coalition Government and are an important area of reform for any future Labor government.</p>	<p><b>'Fair share' or 'bargaining services' fees</b></p> <p>Non-unionists should make a fair contribution to the work undertaken by unions in winning them better wages and conditions. There must be no legal restrictions on unions offering non-union members a choice: join the union, or contribute by paying fair share or bargaining service fees. This will help build collectivism in Australian workplaces.</p>

# State election results puts privatisation trend into reverse

The RTBU is celebrating the result of the March South Australian election, with Labor's big win a vindication of the union's anti-privatisation stand.



New Premier Peter Malinauskas's Labor team ran hard on a promise to reverse the Marshall Liberal Government's privatisation of Adelaide's trains and trams.

South Australian Branch Secretary Darren Phillips said the election showed South Australians overwhelmingly wanted to have control over their public services, and the end result would have national implications.

"Peter Malinauskas and his team had won the support of the electorate with their clear support for better services, including their commitment to bring privatised tram and train services back into public hands," Darren said.

"There was simply no public interest justification for privatising public transport services.

"More than 600 hard-working professional train and tram workers and their families had the rug pulled out from them through the privatisation.

"This caused, and continues to cause, distress for these workers."

Darren said the election, and subsequent end to privatisation, would be a lesson across the nation.

"When Labor pulls this off it will be a hell of a precedent," Darren said. "Such a reversal hasn't been done before in Australia.

"Other states will be looking at this, especially where they have privatised trams and trains."

SA Labor's policy platform promised to establish an Independent Commission of Inquiry into the Return of

**When Labor pulls this off it will be a hell of a precedent ... such a reversal hasn't been done before in Australia**

Public Transport Services within its first 100 days in office.

The Commission will investigate the best way to reverse privatisation and review clauses in the contracts to end the deal, including any failure to meet specified performance standards, breaches of the contract, or review clauses.

The Commission will also examine the feasibility of returning metropolitan bus services, privatised by the Liberals in 2000, back into government control.

Darren says early indications are that Labor will honour its commitment.

"On day one Peter Malinauskas was talking about it, and they have said if they need to pass legislation to make it happen, they will," he said.

"In fact, a couple of days before the election, he went through an Adelaide railway station, saw people in Keolis Downer (the rail operator) shirts, pointed to them and told the workers, 'you won't be having to wear that for long'."

Darren said privatisation never made sense and bringing public transport back into government hands would end an ideologically driven experiment.

"When governments want to privatise things they usually underfund them, which make services look bad and leads to bad news stories in the media," he said.

"That in turn gives the government a reason to claim private owners can do better.

"In the early 2000s a previous Liberal Government privatised our buses, but in the lead up to the 2018 state election Steven Marshall repeatedly claimed he didn't have a privatisation agenda.

"But as soon as it was elected, his Government made a few claims via media release of customer dissatisfaction, then launched into full privatisation.

"This was despite trams and trains operating at or above world's best practice during Labor's previous tenure, when we saw improvements to on-time running, customer satisfaction, increased services and facilities.

"So we are looking forward to working with Premier Peter Malinauskas and Transport Minister Tom Koutsantonis to bring our trams and trains back into public hands."



# PN COAL MEMBERS MAKE A STAND FOR BETTER WORK-LIFE BALANCE

RTBU members at Pacific National's Queensland Coal division are locked in a battle for a better work-life balance, and so far they are winning.

About 270 workers have been involved in enterprise bargaining negotiations that have dragged on for more than seven months.

Queensland Branch President Bruce Mackie said an overwhelming majority of members voted to implement protected industrial actions including overtime bans and up-lift and lay-back bans on all Pacific National Coal depots.

"It's the old story: the members have had a gut full, and they are resolute," Bruce said.

"They want a better work-life balance and more predictable time off, and we have gone some way to achieving that."

Bruce says the battle has taken more than a decade, beginning with the original, very poor Pacific National greenfield enterprise bargaining agreement.

"That agreement, born out of the ashes of WorkChoices, was a 2011 five-year non-union deal voted on by about five employees. It was one of the worst I have ever seen," he said.

"That was replaced by subsequent agreements in 2015 and 2018.

"But now, whenever we make a demand, and Pacific National says 'what are we getting out of it', we say, 'nothing, as you under-invested in your workforce for 10 years, and now you are paying the piper'."

Bruce said the original EBA established a system of 'blank line rostering', where workers received a text message just 24 hours out to say they were working the next day. While this time period has since been extended, more needs to be done.

"Under the current EBA, members can get a text 48 hours out, saying 'you are on at 2am'," Bruce said.



"But in reality, lift-up and lay-back requirements mean they could actually start at midnight, or as late as 6am.

"My argument is, how can anyone plan for that. Do you sleep because you will have to be working at midnight, or sleep to sign on at 6am? That is a really fatiguing part of the job."

The latest stumbling block involves rostering, which the company has put in the too-hard bin.

"Members originally just wanted a roster, but because of how Pacific National is set up it said it couldn't do that.

"So in subsequent meetings the members decided that if they couldn't get a roster they simply wanted more time off. Members currently work a 6/3 work pattern (six days on, three off), and they want 6/4.

"The company is screaming that's an extra 25 days off a year. But the bottom line is, with record coal prices, they report they have had 45 cancelled services due to the variety of work bans, so that has got to hurt."

Bruce said members were set to take a 24-hour stoppage, mainly to preserve the right to take protected action for another 30 days.

After an extraordinary meeting, senior management made concessions that were enough to call off the stoppage, while maintaining the overtime and lift-up and lay-back bans.



"Pacific National has now agreed to one hour lift up and two hour lay back, but advance notice of shifts will be reduced from 48 hours to 36 hours."

Bruce welcomed the concessions, but said the company has also made veiled threats to seek Fair Work Commission intervention.

"That's something the RTBU would strenuously oppose. What we are doing is legal, part of the art of bargaining.

"Delegates are doing a stellar job keeping members informed, and in the negotiating room we are putting in a good fight.

"We just have to convince Pacific National Coal to say more 'yes' than 'no'."

# ITF SAFE & SUSTAINABLE RAIL CAMPAIGN



The International Transport Federation (ITF) has launched a global campaign to promote the benefits of the rail industry and rail jobs.

The RTBU's representative on the ITF Asia Pacific Railway Section Steering Committee, Alex Claassens, said safe and sustainable public transport can help power the world out of the economic, climate and social crises we face today.

"Safe and sustainable public transport is a new economic and social model that redefines the role of passengers, workers, employers, the state and the environment," Alex said.

"Public investment in trains, trams and buses can kickstart the post-COVID recovery of national economies. In India for example, every \$1 invested in rail creates \$5 of GDP in the rest of the economy.

"Public transport reduces carbon emissions. Per passenger kilometre, heavy rail emits 75 per cent less than cars, and light rail emits 57 per cent less.

"Public transport also fuels economic and social equality through access to employment, skilled jobs and higher wages.

"On average, every one job created in rail and public transport creates another job in manufacturing, food, trade or other sectors.

"And public transport also provides citizens with the mobility needed to access jobs and livelihoods."

Alex said the Safe and Sustainable Rail campaign has four key demands:

## SAFE

Properly staffed and decent jobs for railway workers – to ensure optimum safety and guarantee access for all.

## SUSTAINABLE

Millions of good, green jobs in rail giving future generations a better world.

## SOCIAL JUSTICE

Workers have a voice on use of new technology, and supply chains are free from abuse.

## PUBLICLY-OWNED

Railways that operate for good, not profit, and are safely in public hands. Privatisation puts passengers, workers, and our communities at risk.

**For more information about the Safe and Sustainable Rail campaign go to:**

[www.itfglobal.org](http://www.itfglobal.org)



**INTERNATIONAL  
TRANSPORT  
WORKERS'  
FEDERATION**



**SAFE &  
SUSTAINABLE  
RAIL**



# INTERNATIONAL WOMEN'S RAILWAY WORKERS SURVEY

The ITF has also launch a global women's railway workers survey to help understand issues for women working in rail.

The survey aims to identify in what roles and where women railway workers are employed and under what types of contracts, the issues and barriers they face in the workplace and what changes they would need to make the railway sector more accommodating for them.

Women railway workers in all parts of the rail industry are invited to complete this confidential online survey.

This includes women railway workers both passenger and freight transport as well as urban passenger rail, inter-city rail, and cross-border rail.

It only takes about 15 minutes to complete the survey and responses are completely anonymous. It is open until 31 May 2022.

**To take part in this survey, visit:**  
[www.smartsurvey.co.uk](http://www.smartsurvey.co.uk)

## Rtbu's fight for safe services goes global

The ITF has produced a fantastic video about the RTBU's fight to protect passenger safety in regional NSW, and to maintain the crucial role of Guards on NSW Trains services. The video is being seen all over the world!

**Check it out on the RTBU Australia facebook page or go to:**  
[www.youtube.com/watch?v=Kn1j1U3v8Wo](https://www.youtube.com/watch?v=Kn1j1U3v8Wo)

# RAIL R U OK DAY 2022

## Keep the conversation on track

Rail has been the first sector in Australia to have its own dedicated R U OK? Day. Over the years, Rail R U OK? Day has helped tens of thousands of people in the rail industry to establish a deeper connection with their colleagues by asking 'R U OK?' and beyond the day itself, feeling confident to have an ongoing conversation.

This year we're celebrating our 8<sup>th</sup> Rail R U OK? Day on 28 April 2022.

As a result of Rail R U OK? Day, our evaluation results have shown that people in the industry are:

more willing to ask a workmate what's troubling them;

more willing to tell a workmate what's troubling them if asked; and

more willing to seek professional help for something that is troubling them.



**Rail R U OK? Day**  
28 April 2022

**TrackSAFE Foundation**

**RUOK?**

**It's easy to get on board, with resources now available on the TrackSAFE website:**  
[tracksafefoundation.com.au/event/rail-r-u-ok-day/#resources](https://tracksafefoundation.com.au/event/rail-r-u-ok-day/#resources)

**Contact Hope Steele if you'd like further information: [hsteele@tracksafefoundation.com.au](mailto:hsteele@tracksafefoundation.com.au)**



# FIGHT FOR PREGNANT WORKERS' RIGHTS GOES ON



## Fair Work Commission

Women employed by Metro Trains Melbourne have been left bitterly disappointed by a Fair Work Commission ruling that affects their rights at work.

The RTBU went to the FWC last year on behalf of a Metro Trains Melbourne Authorised Officer, who lost thousands of dollars in penalty payments after being assigned a “safe” office job due to her pregnancy.

The union disputed Metro Train’s interpretation of an enterprise agreement clause governing the transfer, which left the officer almost \$250 a week out of pocket due to being assigned an office job.

Under the Fair Work Act employees, including casuals, are entitled to move to a safe job if it isn’t safe for them to do their usual job because of their pregnancy. This includes employees who aren’t eligible for unpaid parental leave.

The RTBU argued that an employee who moves to a safe job must still get the same pay rate, hours of work and other entitlements as their usual job.

But while noting the RTBU’s case had “some merit”, the FWC ruled that the employer had no obligation to provide a pregnant worker with the same take-home pay after transferring her to a safe job.

FWC Deputy President Amanda Manini said being paid the same rates did not necessarily mean a worker would receive the same take-home pay.

“The total amount of payment in the transferred role will depend on the hours and rosters worked in the transferred role.

“Any difference in the hours worked can only occur by the agreement of the employer.”

Victorian Branch Industrial Officer Amanda Swayn says winning the FWC case would have been precedent setting.

“The case involved the Fair Work Act and the Metro Agreement and could have had national implications, as it was the first dispute involving the Act’s safe-job definition,” Amanda said.

“Despite not going our way, the case highlights a need for greater protections for people who, through no fault of their own, have to undertake alternate duties while pregnant.”

Amanda said that regardless of the outcome, Metro’s choice to legally dispute the entitlement, rather than honour it, is frustrating, and the issue won’t go away.

She said Metro had shown its disregard for female workers, and had even tried to trick another woman into giving up her rights, had the case succeeded.

“While the case was being run, Metro tried putting a document – an individual flexible arrangement – before another young Authorised Officer who was in the same situation,” she said.

“Luckily her delegate – who is our also our Women’s Advocate – was well across this case and was able to intervene.

“Had the young woman signed that document it would have been the only legal function to be able to alter her workplace terms and conditions.

“Put simply, Metro was trying to dud her out of her entitlements even if we were to win in the FWC.”

Amanda says the issue has gained a lot of attention, and will continue to be vigorously pursued.

“The Commission has decided against us, but this issue will be at the top of the list when our Enterprise Agreements are up for negotiations next year.

“No one should be worse off because they are forced to move to other duties.

“Our member was also told to get off the tracks at 20 weeks’ gestation. This would be understandable had the direction been based on a risk assessment having been conducted, but they provided no such evidence and, in fact, denied that this had even occurred.”

Amanda says other unions, including the Victoria Police Association, had been closely following the case, as their members may be in same situation.

“Most people would be interested,” she said. “And unlike Metro, most companies would see that there is a moral obligation to say it’s one of the most expensive times in a woman’s life, just before she is headed to unpaid maternity leave.

“And it’s an incredibly vulnerable time to have a dispute with your boss. It is a credit to these members for raising this issue and disputing Metro’s position, despite the unfavourable outcome.”



# SURVEY EXPOSES SAFETY RISKS FOR BUS DRIVERS

Half of Metro Tasmania's bus drivers are considering resigning and a staggering 98 per cent say they have copped abuse on the job, a survey by the RTBU Tasmanian Branch has found.

The survey of over 100 Metro operators found seven in 10 drivers have been threatened while working, while 67% of drivers believe Metro doesn't take their safety seriously.

The survey also found that:

- » Safety was the main reason cited for the high levels of resignation from Metro (76%), followed by wages (73%) and rosters (65%). The COVID pandemic was seen as being a key reason for resignations by just 8% of operators, despite often being blamed by management;
- » 91% believe Metro's safety culture has not improved in the past five years;
- » Operators identified lifetime bans for repeat offenders (74%), more Transit Officers on identified problem routes (72%), temporary suspension of services on routes subject to repeated violent offences (70%), and a bigger police presence (65%), as ways Metro could improve safety;
- » 67% have no confidence in current management to run Metro; and

- » 71% feel their confidence in the ability of management has deteriorated over the past year.

Tasmanian Branch Secretary Ric Bean said the results were shocking, but not surprising.

"Violent and anti-social behaviour on our public transport services is getting out of control. It's not fair on drivers, and it's not fair on passengers," Ric said.

"We've had drivers verbally abused, one in three has been spat at work, they are being physically assaulted and threatened, and one was recently assaulted with a fire extinguisher.

"Our members have had a gutful. They are shaken up, anxious and exhausted.

"These problems are statewide, and require urgent attention from Metro management and the State Government.

"Congestion on Tasmanian roads is also getting worse, but we can't expect people to switch from their cars to public transport if they are worried about their safety."

Ric said Metro had been reminded of its legal obligations under work, health and safety legislation to provide

a safe working environment for their employees.

But he said more bus drivers – full-timers, part timers and casuals – had resigned in recent weeks, with many runs being cancelled.

"It is an ongoing challenge for Metro to cover shifts, with there being as many as 40 drivers short in some weeks."

Metro is further alienating many workers by constantly sending text messages and calling drivers on their days off in an effort to convince them to work, even when drivers have placed themselves on the internal "do not call" register.

"Metro's commitment to training is also questionable, as they have significantly reduced the amount of classroom training," Ric said.

"Already we have seen many bus drivers leave the industry because conditions and wages are so bad, and that half of the members we surveyed are considering resigning should be of major concern to Metro management.

"Without action in areas such as better security and staff training, more will leave."

# MEMBERS DEMAND END TO SOLE-PERSON STATION OPERATIONS

Passenger Ticketing Assistants and Customer Service Assistants on Perth's suburban rail network say they no longer feel safe working alone and are demanding an end to sole-person station operations.

RTBU members say working alone is creating a range of problems for them, their customers and the wider network, especially when they are called on to deal with issues such as aggressive passengers, passenger medical emergencies, train failures and track incursions.

Helen Martin, WA PTA Customer Relations Sub-branch President, is also a Delegate who usually works on the Joondalup line.

Helen says having to open up single-manned stations alone in the morning is just the start.

"Having to open the station doors in the dark is not ideal," Helen said.

"Then you are here by yourself to deal with any incident that occurs on the train station and you are responsible for all that happens.

"Transit Officers always work in twos as they may face security incidents, but we face them too.

"If something occurs on a train station we have to attend to it, and it's not always ideal to do that by yourself.

"We can call for cameras and hopefully get help from our Transit Officers, but this is quite a long line and they may be on another job and can't get here in time."

Helen says the WA Public Transport Authority's advice is that you can just go back into the office if your safety is being compromised, but that

demonstrates a lack of meaningful consultation on the issue. And the situation has only become worse in recent years.

"There have been some nasty situations that have put staff at risk," Helen said.

"We've always had aggressive passengers but now, particularly with COVID, there have been a lot more mental health issues, so you are not sure of the outcome when some people approach you.

"We are dealing alone with anything from homeless people to domestic-violence issues to drugs to alcohol abuse.

"Staff do a good job and take on a lot of responsibility but we are not carers, not social workers, and we are dealing with all these issues that are over and above our roles."

Helen says the whole suburban network can be affected by sole-working.

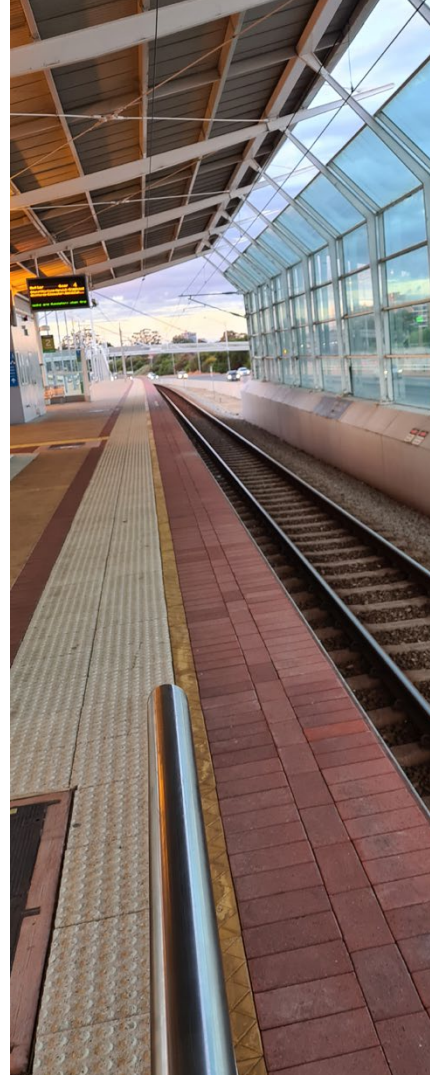
"I had a situation where I had an incoming train where a passenger was having a medical emergency," she said.

"I had to speak to the railcar driver, who wanted to know how long it would take, deal with an ambulance, speak to the train operations who were wanting the train to move, and with the ambos who were wanting the train to wait.

"This was all in the peak, so all the passengers wanted to know what was happening, as the train was being delayed and putting all the other trains out.

"That's a lot to deal with and can be quite overwhelming when you are working alone."

Helen said sole working is a key issue that is holding



up negotiations for the next EBA, with the RTBU wanting stations to be double-manned.

She said the issue has been raised with the Transport Minister and the Public Transport Authority (PTA), who are aware staff are at risk.

Helen said at the moment sections of the Workplace Health and Safety Act that deal with the employer's duty of care are being bypassed, but the Act is due to be updated.

"Hopefully that makes the Act a little more strident," she said.

"Customer service staff would like to think they are a valuable resource who deserve someone else to work beside them."

**We are dealing alone with anything from homeless people to domestic-violence issues to drugs to alcohol abuse**





# TALES FROM THE FLOOD ZONE

By Stewart Prins

The Northern NSW town of Lismore is used to floods. It's built in a natural basin, at the confluence of two rivers, in a region where sub-tropical storms are commonplace. It's a town where people have 'flood plans'.

On Sunday 27 February, I put my flood plan into action.

I moved all my valuable stuff from downstairs up to my back deck - above the 1-in-100 year flood line. I packed a bag with some work clothes, running gear and toiletries. I turned off the gas and locked the doors, I sent my son off to stay with his mother, and I left to stay the night on higher ground.

I thought I was ahead of the game.

Things deteriorated during the night, as Lismore and the surrounding area was hit by record-breaking deluge. Nearby Dunoon recorded a staggering 644mm of rain in just 19 hours. The rain fell on both sides of Lismore's water catchment - Leycester Creek to the west, and the Wilson River to east.

The two waterways swelled to capacity, and became raging torrents. The waters rushed towards the point they meet at Lismore, and then ... boom!

By 12.45am things were getting out of control. A text message from the SES was sent out to local residents in all-caps:

**SES EMERGENCY FLOOD ADVICE. LISMORE IS ISOLATED. FOR YOUR SAFETY EVACUATE TO HIGHER GROUND NOW ONLY IF SAFE TO DO SO ... LISMORE LEVEE WILL OVERTOP. THIS IS A LIFE THREATENING SITUATION! RISK TO LIFE IMMINENT.**

Most people, of course, were asleep and missed the warning.

By 2.30am the water spilled over the levee, surging through city streets and

merging with lakes formed by flash flooding through the day.

The following hours were sheer chaos. In the darkness and the driving rain, people woke up and stumbled out of their houses to find they trapped.

Across Lismore, people had to make a judgment: could they wade their way out, or should they stay and wait for help? They climbed on top of tables, clambered onto their rooves, rang 000, and posted calls for help on social media.

The emergency services were completely overwhelmed. They did what they could, and then more.

Residents grabbed boats, kayaks, inflatables and joined the frantic search for people who were trapped by the rising waters. A tinny armada set sail on the flood waters.

It was a morning of despair and panic, courage and determination. The only thing that mattered was getting people to safety. Hundreds of lives were saved.

That Monday, the Wilsons River peaked at 14.4m - a full 2m higher than the most severe flood ever recorded in Lismore. The extraordinary damage from the fast-flowing water has to be seen to be believed.

Now, after the water has receded - and another flood has come and gone - people right across South East Queensland and NSW are left to rebuild their homes, their businesses, their schools and their lives.

My house has since been gutted. The structure is sound, but the interior will

need to be rebuilt. The process will take at least six months, if not longer. My son and I have lost most of our possessions - but we are lucky that we have somewhere to stay. Many others don't.

Among all the loss, however, there is also cause for hope. The flood crisis, like the bushfires two years ago, showed that Australians default to solidarity when the pressure is on.

Our instinct is always to help each other, and that is something to celebrate.

## RTBU FLOOD RELIEF FUND

The Rail, Tram and Bus Union (RTBU) is raising funds for all its members who have been devastated by floods. This is a union-wide initiative lead by the National Office.

All monies received by the RTBU from this fundraiser will be used to assist affected RTBU members.

RTBU Members will be able to apply for financial relief up to an amount of \$1000 if, as a result of the 2022 Floods:

- » their primary residence has been destroyed or seriously damaged OR
- » they or a family member has been harmed.

**To donate to the fund or to apply for fund relief go to:**  
**[gofund.me/f2c36586](https://gofund.me/f2c36586)**