


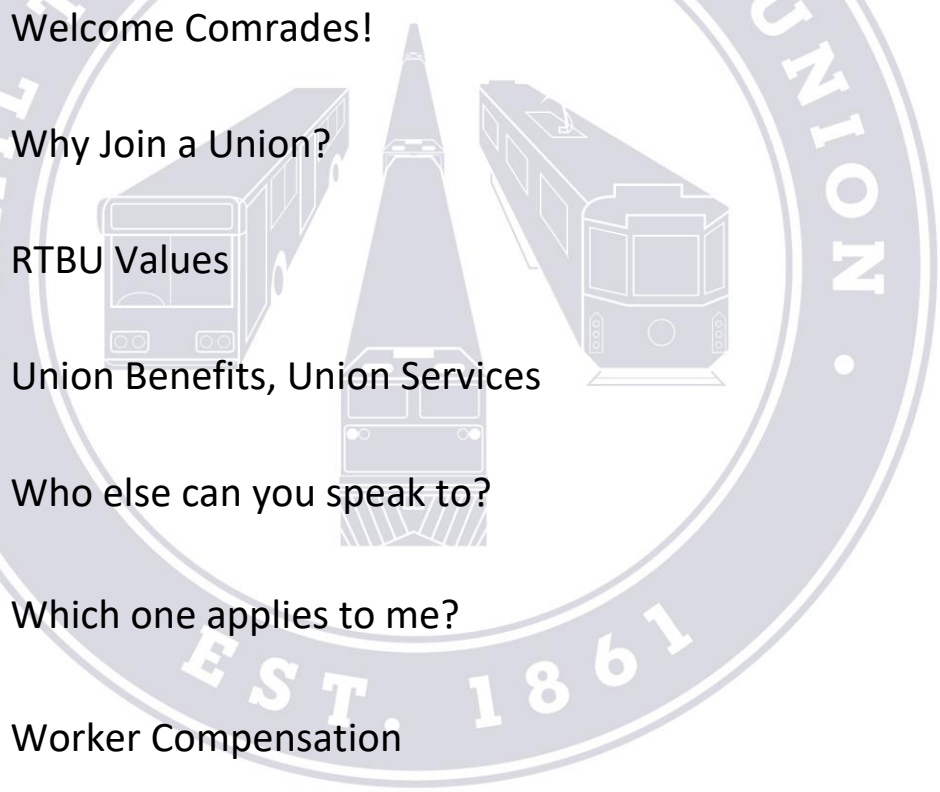
# RTBU WA Branch



# RTBU

Member Information  
Booklet

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# Welcome Comrades!

Whether you have been part of the Union Movement for several years, or this is the first time you have joined one, we at the RTBU welcome you!

With the creation of the Australian Rail, Tram and Bus Industry Union; the RTBU in March 1993, two important things happened. First, the great majority of railway workers for the first time were united on one union. Second, public transport won a powerful working-class advocate because the new union amalgamated the railways with the government sector bus and tram employees across the country.

The RTBU was born out of the amalgamation of the following unions:

- the Australian Railways Union (ARU);
- the Federated Union of Locomotive Enginemen (AFULE);
- the National Union of Railway Workers (NURWA); and
- the Amalgamated Tramways and Motor Omnibus Employees Association (ATMOEA)

We had good reasons to merge, but it needed more than just common industries to move forward. What really drew us together and allowed the amalgamation to proceed was our sense of shared values. It showed that while there may have been some temporary and artificial barriers, our strong shared beliefs allowed us to overcome the challenges we faced in coming together.

Currently the RTBU has over 30,000 members around Australia and is affiliated with:

- the Australian Council of Trade Unions (ACTU);
- the International Transport Workers Federation (ITF);
- the Australian Labour Party (ALP);
- the International Union of Public Transport (UITP); and
- is an associate member of the Australasian Railways Association.

## Why Join A Union?

Joining your union is the best way to secure a better life – at work and at home.

Unions are all about workers standing up for ourselves and our workmates. Together we've won important rights – like sick pay, annual leave, penalty rates and reasonable work hours.

- We just want fair wages, and enough time to spend away from work with our family and friends. We want certainty of hours, and security to plan for the future.

It's not a lot to ask. By joining, you'll help secure a better life for you and those who have yet to come.

You'll also gain access to protection at work, better wages and other great member-only benefits.

Union fees are 100% tax deductible, which means you can reduce how much you pay in tax if you're a union member. Because fees are tax deductible and you'll get great member benefits, being a union member can actually save you money.

Being a member means standing alongside 1.8 million other working people who are fighting for a better life every day. If you want a fairer Australia, joining your union is the best way you can make a difference.

**Joining is the right thing to do for the next generation of workers.**

# RTBU

## RTBU Values

The values we share can be described like this:

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***The RTBU remains a strong, united and powerful union and all our efforts go towards making the lives of our members better. It's our only focus. Our beliefs remain as important now as they did over a century ago.***

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### *Inclusion*

We encourage participation and constantly look for ways to allow people to be more involved. We look for ways to make people feel welcome.

### *Honesty*

We are transparent in how we use members' resources, about what we do or don't know what we can and cannot do and all our dealings.

### *Democratic*

Elections are fair and open to all financial members. We strive for consensus but always respect the majority.

### *Hardworking*

We are hardworking – Members make a choice to contribute to and join the RTBU. We respect and value their contributions and take nothing for granted.

### *Dignity*

The RTBU is made up of people from all walks of life. We value the contribution of all members. Mutual respect is the cornerstone of unity. Where we find fellow members being treated disrespectfully, we will stand up and speak out.

### *Respect*

We treat people with respect even if we do not agree with them.

### *Equal Opportunity*

We believe in equality of opportunity. We are a Union of people who have different strengths, different abilities. To unleash our full potential, we must strive to build world where there are no exclusivity and all people have equal access to all opportunities.

## UNION BENEFITS

1. Access to Membership of the RT Health Fund with discounted rates and exclusive benefits for RTBU members only;
2. Free legal assistance with drafting a will.
3. Free initial advice from lawyers on any legal matter.
4. CHUBB's Journey Accident Insurance;
5. Access to discounted income protection insurance;
6. Exclusive membership to Shoprite on discounted services and goods;
7. Access to Members Equity banking services for union members;
8. Mortality payment of \$1,500;
9. Union Diary & Membership Card and
10. 100% tax deductible Union dues.

## UNION SERVICES

1. Represent members in collective bargaining negotiations for improved conditions of employment in the private and public sector;
2. Being a party to the registration of new Industrial Agreements and Awards;
3. Provide advice and assistance on current working arrangements;
4. Communicate with employers and key stakeholders in the industry;
5. Make submissions on behalf of members to the Fair Work Commission, the Industrial Magistrates Court and the West Australian Industrial Relations Commission;
6. Represent members in unfair dismissal hearings;
7. Provide Occupational Health and Safety support;
8. Provide opportunities for delegate training;
9. Advise on Worker's Compensation claims and recommend rehabilitation providers.
10. Investigate breaches of workers conditions of employment.
11. Lobby industry groups and political parties in the interests of our members.
12. Work and campaign with other Unions domestically and internationally for workers' rights.

## Who else can you speak to?

Unlike George Orwell's 1984, the Union Office cannot have eyes over everything all the time. To give us those 'big brother' eyes, we rely on the dedicated work of workplace delegates, safety representatives and rostering representatives to help us, help you.

### *Workplace Delegate*

Your Workplace Delegate is a dedicated voluntary role – they freely give their own time to help you. Your delegate is your first port of call for all things Union. They are there to assist with matters at the workplace level. If the matter is more than they alone can deal with, then they can help in getting you in touch with the Union Office. Some of the things your delegate can help with are:

- Keeping you and the Union aware of issues throughout your workplace;
- Elevating your matters to the relevant department of your employer, or the Union Office; and
- Resolving workplace issues quickly and effectively.

### *Workplace Safety Representative/ Committee*

Your safety representative/ committee is elected by a specific staff group within the company. They are elected for a finite period and have legislative ordained superpowers! Your employer is obligated to include a safety representative/ committee in any safety related discussions. Some of the tasks a safety representative/ committee complete are:

- Consulting on risk assessments;
- Taking safety matters to the employer on behalf of employees; and
- Conduct inspections relating to safety matters in your workplace.

### *Workplace Rostering Representative/ Committee*

Your rostering representative/ committee represents the entire staff group for all your rostering needs. Elected rostering representative/ committee members have a life span as long as the relevant industrial instrument. Your employer will discuss with the rostering representative/ committee:

- about the roster;
- how it is put together whether it compliant to the relevant industrial instrument; and
- what improvements can be made to satisfy everyone.

# WHICH ONE APPLIES TO ME?

As you go about your daily work life, you may have heard people say things like; “what does the EBA say about that?” or “is it covered in the EBA?”. To be clear, no one is going to be mad if you don’t know what an EBA is, but once you realise its importance – you’ll be happy to have invested your time to find out.

Put simply, an Enterprise Bargaining Agreement is a set of agreed terms between an employer and the RTBU which codify the bounds of the working relationship between employer and employee. It is read alongside your employment contract and together provides the entire gambit of your workplace rights. EBA’s are registered with the Fair Work Commission and is the place that deals with any disputes arising out of it. Your applicable EBA is one very nifty document and one we encourage all members to get acquainted with.

You can find your relevant EBA at the Fair Work Commission’s website at [www.fwc.gov.au](http://www.fwc.gov.au).

But for those who are time poor because they are busy painting a replica of the Mona Lisa or fighting ninjas, below are the EBA’s the RTBU, and its’ members is a party to.

## Your Agreements

**Arc Infrastructure Enterprise Agreement 2018**

**ARTC South Australia/ Western Australia Infrastructure Maintenance Enterprise Agreement 2017**

**Aurizon (Western Australia) Rail Operations Agreement 2014**

**Aurizon (Western Australia) Rollingstock Maintenance Enterprise Agreement 2014**

**Aurizon Staff Enterprise Agreement 2014**

**Downer Infrastructure Rail Division Enterprise Agreement 2013**

**Great Southern Rail Enterprise Agreement 2016**

**John Holland Pty Ltd WA Communications, Signalling & OHW Agreement 2017**

**John Holland Pty Ltd WA Rail Agreement 2015**

**McConnell Dowell Constructors (Aust) Pty Ltd National Rail Enterprise Agreement 2017-2020**

**Pacific National Asset and Infrastructure Services Enterprise Agreement 2015**

**Pacific National Intermodal Division Terminal Operations Enterprise Agreement 2015**

**Pacific National Intermodal Division Train Crew Enterprise Agreement 2017**

**Rhomberg Rail Australia Enterprise Agreement 2015-2018**

**WATCO WA Transportation Services Pty Ltd and the Australian Rail, Tram and Bus Industry Union (WA Branch) Rail Operations Enterprise Agreement 2017**



# Workers' Compensation

At the RTBU, we only want the best for our members. Therefore, Freshstart Injury Management is our preferred Vocational Rehabilitation provider. They assist our injured workers with all aspects of Workers Compensation and Return to Work programs. Freshstart has extensive experience helping workers all around Western Australia and who we trust to make sure our members get back to work in the safest way possible.

## IF you are injured at work – these are the steps to follow

1. If you need to, seek first aid.
2. Report the incident to your employer IMMEDIATELY.
3. Depending on the severity of the injury, book an appointment with YOUR doctor as soon as you can. Make sure you ask your doctor for a First Medical Certificate.  

REMEMBER: there is no obligation for you to see the Employer's doctor. You have the right to see who you are comfortable with
4. Fill in the 2B Workers Compensation Claim Form. You can get this form from:
  - a. your Employer;
  - b. the RTBU Office – we will be more than happy to provide you with a copy;
  - c. online at Workcover WA: [www.workcover.wa.gov.au](http://www.workcover.wa.gov.au); or
  - d. Freshstart.
5. Make sure you make a copy of your First Medical Certificate and 2B Workers Compensation Claim Form. You must provide your Employer with the originals.
6. Your Employer has 5 DAYS to send the paper work to the relevant insurance company. The insurer must contact you within 14 DAYS to advise you if your claim has been accepted, denied or is still pending.
7. RTBU recommends an external rehabilitation provider, Freshstart Injury Management & Counselling, to facilitate your return to work programme: <http://www.freshstartim.com.au/>

It is important that you tell us what has happened to you because, not only do we want to make sure that you are safe, but we also want to make sure an injury like yours does not happen to another member.

# Legal Services

The RTBU has in place an arrangement with Turner Freeman Lawyers to provide all members with quality legal advice and representation. Turner Freeman Lawyers specialise in personal injury and employment law and can assist RTBU members and their families when they need it most!

## Benefits to RTBU Members

- With a “No Win, No Fee” approach, legal fees will only ever be paid at the end of the claim, and only if you are successful.
- For many matters, RTBU members will have their legal fees paid from what is received from the Insurer/ Defendant and will not have anything to pay out of their own pocket or deducted from their settlement.
- Turner Freeman Lawyers will pay for all disbursements, such as medical report fees and court filing fees.
- The RTBU will work closely with Turner Freeman Lawyers to fight hard for your rights and ensure access to justice for all.

## How to get in touch

- Contact the RTBU WA Office to discuss your concerns
- Ask for a referral to Turner Freeman Lawyers
- Once referred, a lawyer will contact you to arrange a time to discuss your matter in further detail

## Legal Services Provided

### Workers Compensation

If you have been injured at work, then you may well have an entitlement to compensation, including for time off work and medical expenses. Whether your claim is covered by the WA system or ‘Comcare’, Turner Freeman Lawyers will guide you through the process to help you obtain the compensation you deserve.

### Public Liability

If you or your family have been injured outside of work in a public place or in a sport or leisure accident, there may be an entitlement to claim loss or damage. Further, if you have been injured at work, a claim could be brought against another party (such as a principal or contractor) who was at fault in causing the injury.

### Motor Vehicle Accidents

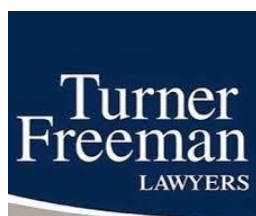
The majority of people who are injured as a result of negligent driving of another person are entitled to make a MVA claim. This includes a situation where the accident occurred at work as you can claim under both the workers’ compensation and MVA system.

### Superannuation/ TPD claims

In addition to what you may have obtained under a workers’ compensation or MVA claim, it may be possible to obtain a lump sum for “Total and Permanent Disability” (known as TPD) through your superannuation fund.

Turner Freeman Lawyers can also provide assistance with:

- Criminal Injuries Compensation
- Medical and Professional Negligence
- Wills and Probate
- Low level criminal law matters
- Referring any family law query to a trusted law firm.



## Workplace Legal Services

The RTBU has in place an arrangement with very experienced industrial relations lawyers to provide its members with quality legal advice and representation from simple discipline matters to unfair dismissal hearings.

KRS Workplace Law, Fogliani Lawyer and Chapmans Barristers & Solicitors specialise in employment and workplace law and assist RTBU members when they need it most!

These law firms have a proven track record in our industry and continue to support our fight for a fairer workplace.



## Journey Cover Insurance

In Western Australia, Workers' Compensation insurance does not cover employees who are injured whilst travelling to or from work.

The Journey Cover put in place by RTBU addresses this gap – it provides benefits if employees get hurt while engaged in direct travel between their residence and place of employment.

It includes both lump sum benefits for more severe injuries, and weekly payable benefits where an injury has caused a temporary disablement.

All RTBU members are automatically covered by this policy as a benefit of membership.

Policy Document:

<https://www.chubb.com/au-en/business/journey-accident-insurance.aspx>

The Chubb logo, consisting of the word 'CHUBB' in white capital letters on a teal square background.

## Family Law Services

Lavan is an independent and proudly Western Australian law firm which has operated in Western Australia since 1898.

Lavan is a multi-disciplinary firm and is offering RTBUWA union members advice with respect to family law matters.

The contact for members is Mary Roseingrave (Associate – Family Law). Mary will provide advice and legal representation to client's in all aspects of family law including financial and child related matters, binding child support agreements, divorce applications and adoptions. In addition, Mary will provide advice and representation to clients with respect to restraining order matters in the Magistrates Court. Mary is a hardworking, caring, professional and compassionate about her clients. She strives to achieve the best outcome for her clients.

Financial union members will receive a significant discounted rate when they book an initial consultation with Lavan.

In addition to this discount, a free 10-minute initial conversation over the phone is offered. This is prior to a member booking in for an initial consultation. Lavan will provide some basic initial advice and determine if they can assist in their matter.

Contact: Mary Roseingrave  
Level 20, 1 William Street  
Perth  
08 9288 6000  
Mary.roseingrave@lavan.com.au



# Rule 4

As with any organisation, the RTBU is governed by rules. Out of all the rules, **RULE 4** speaks to the ability for the RTBU to cover and deliver the services it has proudly done since 1886. According to rule 4 of the *Rail Tram and Bus Industry Union Federal Rules*:

(1) The following shall be eligible to become members of the Union:-

- (i) permanent or casual employees, including persons training for employment, in the tramway services of Australia and motor omnibus services and trolley bus services and light rail services run in conjunction therewith or controlled thereby, and also employees of the State Transit Authority of New South Wales, the Public Transport Corporation of Victoria, the State Transport Authority of South Australia, the Metropolitan Transport Trust Tasmania, the Brisbane City Council and the Metropolitan (Perth) Passenger Transport Trust and any Commonwealth, State or Local Government, in tramway or motor omnibus or trolley bus or light rail services together with such other persons whether employed in the industry or not who at any time when training for employment or working in the tramway, trolley bus, motor omnibus or light rail services have been admitted as members and who continue that membership.

Provided nothing in this paragraph (i) shall permit the Union to enrol as members persons employed in the States of Victoria, Queensland, Tasmania and Perth as clerks, ticket examiners, depot starters, assistant depot starters or inspectors; and

- (ii) an unlimited number of employees employed in or in connection with the Railway and Tramway industry or industries governed and controlled directly by the Governments of the Commonwealth of Australia and the States of Queensland, New South Wales, Victoria, South Australia, Western Australia and Tasmania, or indirectly by such Governments, or any of them through Commissioners, Boards, Managers, Directors, or other means, and also all railway systems in the Commonwealth of Australia owned and controlled by private persons or companies, and the Secretary and/or any employee of the Railway Institute established by or under the direction or with the approval of the Commissioners, Boards, Managers, Directors or other controlling authorities of any of the railway systems in the Commonwealth of Australia; and
- (iii) (a) an unlimited number of railway employees (adult or junior, male or female) who become and remain members of the Union and persons who while being members of the Union retire from the railway industry upon the ground of ill health or having reached retiring age and whose membership has not been terminated pursuant to these Rules;  
(b) for the purposes of sub-paragraph (iii)(a) above, "Employee" or "Railway Employee" means any officer or employee employed by any Railway Department and also any officer or employee employed in any railway system in the Commonwealth owned or controlled by private persons or corporations other than officers in a supervisory position employed at an annual rate of salary and shall include the Secretary or any employee of any Railway Institute established by or under the direction or with the approval of the Railway Commissioner or other controlling authority of any railway system in the Commonwealth and "Railway industry" has a corresponding meaning; and
- (iv) an unlimited number of persons employed in the Railway Train Running Industry including Locomotive Drivers, Electric Train Drivers, Firemen, Electric Helpers, Chargemen and Cleaners, Packers and Trimmers, Wash-out Men, Wash-out Men's Assistants, Motor Drivers and any other worker engaged in and about the working or management of or incidental to any Steam Locomotive or Motor driven by electricity or other power used on any Railway;

provided that, except as provided in Sub-Rules 4(3), 12(3) and 12(4), a person shall only be eligible to remain as a member while he/she continues to meet one or other of the eligibility criteria specified in the foregoing paragraphs.

(2) Each of the paragraphs numbered (i) to (iv) in Sub-Rule 4(1) shall be interpreted separately. Accordingly, each paragraph shall neither limit nor be limited by the provisions of any other paragraph.



## RTBU FASHION

Say hello to the limited edition RTBU WA Hoodie! Warm as your mum's hug and as cool as a Union jumper can get (pun intended).

These bad boys are completely life proof! What better way to represent than with a BAUS hoodie come winter time.

Costs wise – a smooth \$60, a bargain really when you think of all the cred it will get you!

Do not hesitate to email the office [general@rtbuwa.asn.au](mailto:general@rtbuwa.asn.au) to organise payment for your next fashion staple.

## Who we are

Aside from the buffet of information within the pages of this booklet, we also understand that some members will, at any given time, have a selective palate! If you need to speak to a specific member of the RTBU WA 'A' Team, please see the contact details below:

Branch Secretary	Craig Mckinley	<a href="mailto:craigm@rtbuwa.asn.au">craigm@rtbuwa.asn.au</a>
Branch President	Graeme Filcock	<a href="mailto:graemefilcock@gmail.com">graemefilcock@gmail.com</a>
Industrial Organiser	George Johnston	<a href="mailto:georgej@rtbuwa.asn.au">georgej@rtbuwa.asn.au</a>
Office Manager	Robyn Hamilton	<a href="mailto:general@rtbuwa.asn.au">general@rtbuwa.asn.au</a>
Affirmative Action (Women's issue Rep)	Leysha Old	<a href="mailto:leysha@eftel.net.au">leysha@eftel.net.au</a>

## Contact Us

Should you need to come and see us in person or would just like to come in and say hello to our never-ending cookie jar, the WA Office is open between 0900-1700 Monday-Friday. Our address is:

**2/10 Nash Street, Perth WA 6000**

Phone: (08) 9225 6722

Email: [general@rtbuwa.asn.au](mailto:general@rtbuwa.asn.au)

Web: [www.rtbuwa.asn.au](http://www.rtbuwa.asn.au)

**RTBU**

Australian Rail Tram and Bus Union, WA Branch