

# Membership Newsletter

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## RTBU WA PTA BRANCH UPDATE



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### Secretary's Address

I am sure that many of the members are feeling the same as I am right now - wondering how we could possibly be only 6 months into 2020. With the tremendous changes and demands of this year, I have to say that the adaptability we have seen from the members of this Union is worthy of the highest praise. (A sentiment echoed formally, on the day of my writing this, by the Minister for Transport in a [media release regarding late night trains](#).)

I am committed to using good-will built by the Union and its members to the good of as many as possible. A significant success brought about by this approach is the [recent announcement](#) that On-Board Customer Service Officers from the Prospector and Avon-Link TransWA services will be brought back "in-house" as of February 2021. This will involve the PTA taking on extra cost of breaking their contract term with Delron and instant boosts in pay and conditions for transitioning staff. What is more, they will enter official public service, with the recognition and long-term protection that can include.

On a related topic, UnionsWA has launched a support campaign, "[The Public Good](#)" to promote the work and value of all public service workers, which includes a very large portion of our membership. I am pleased that the RTBU has had greater involvement with UnionsWA in communicating both what the public sector provides to the people of WA but also planning to press State Government to provide the recognition that public sector workers deserve. That includes the kind of recognition that bumps up the numbers in your bank balance! In Unity!

### UNION MEME!



### A Quote with Relevance

*"If you don't like what someone has to say, argue with them."*

- Noam Chomsky

## Out on Track

By Joshua Dekuyer



Below are just some of the recent and current issues/matters attended to by our Union:

- [Successfully advocating for inclusion of our members in DETECT Snapshot testing](#)
- Raised a Dispute process to the Fair Work Commission, to debate a member's workplace rights
- Assisted members with management of on-going workers' compensation issues and referral to legal support where necessary
- Review of potential members across a range of workplaces, identifying opportunities to improve density and support networks
- Discussions with the PTA regarding overhaul of rostering systems and the potential positive and negative impact on workgroup practices
- First analysis of delayed EBA drafts, supporting sub-branch committees directly
- Negotiated improved situations for people whose leave plans have been impacted by COVID-19 and associated travel restrictions
- Attended Department of Health briefings on front line/first responder PPE protocols in relation to the current and potential coronavirus status
- Multiple interviews in a support role, in relation to disciplinary matters
- Addressing changes in commercial tenancies in Union-owned properties and commissioning new Strategic Planning documentation from the Property Manager
- Took up a new representative role at UnionsWA, recognised as a Public Sector Union with a stake in state policy and advocated the RTBU's position on Wage Policy
- Support of EBA negotiations ongoing at EDI Bombardier, through Organiser assistance
- Correspondence with National Office including identifying improved Style Guide compliance, capabilities and provisions under the new database scheme and requesting creation of a template suite for improved efficiency
- Fielded queries regarding inter-state travel and the utility of COVID-19 leave, liaising with employers and Public Sector Labour Relations
- Improved group identification in internal RTBU database to allow more targeted mail-outs of information

*“Took up a new representative role at UnionsWA, recognised as a Public Sector Union with a stake in state policy and advocated the RTBU's position on Wage Policy”*

## THE POWER OF UNION

## Cover comes through *By Piers McCarney*

One of the benefits of membership to the RTBU that is sometimes mentioned is inclusion in the Bresland Insurance Group “Journey Cover” Policy.

This insurance held by the Union and funded by the members provides benefits in the case of temporary disablement from attending work, severe injury or (in the worst cases) fatality caused by incidents when travelling to and from your place of work (<https://www.chubb.com/au-en/business/journey-accident-insurance.aspx> provides detailed information).

Although obviously we'd prefer if members never NEEDED to claim under this policy, we are glad we have maintained it as a group, as **in the last quarter we have made claims that have provided over \$160,000** in benefits to members as a result of injuries and, very sadly, a loss of life.

Even now, we are in the process of supporting another member through her claim for compensation from a road accident. Stay safe out there and if, the unfortunate should happen, be in touch!



## A “Spotless” workplace relationship?

By Piers McCarney

Going back as far as 2019, you may have been following the story of the RTBU’s fight to improve conditions and “right the wrongs” of Spotless Group’s employment of cleaning staff operating in the PTA network. In summary, after identifying that staff were operating under an under paying “zombie agreement”, the Union had the agreement cancelled (resulting in an immediate pay-rise and improvement in conditions under the Award) and began investigation of further steps to fix the relationship between Spotless and our Members.

We are very pleased to confirm that pursuit of an audit on payment history has finally begun to pay off in a second wave of success for Members. It has been confirmed by Spotless, and review of paperwork provided to Members, that historic underpayment of staff has been addressed with payments of a total in the hundreds of thousands of dollars being made to workers. In some instances, we have had confirmation of workers receiving tens of thousands, up to \$30k in one case!

And yet the “clean-up” from the Union side doesn’t end here - we have continued to engage with Spotless on addressing the issues with worker employment uncertainty and entitlements by negotiating on contract terms and letters of variance describing on-going employment.

We have confirmation from Spotless management that they are undertaking a formal audit of the working hours that staff have operated under in the last 6 years, to deem if they are “permanent shift-workers”. If it can be shown that they are, under their relevant award this may mean additional annual leave credit from past work as well as all future work.

Some staff also had Long Service Leave mature under their former Agreement and we have directly ensured that it is acknowledged by Spotless that it should remain accessible whilst now working under the Award (where it would normally mature at 10 years, rather than the 7 that was included in the Agreement).

A broader positive of this entire process has been the growth of a productive relationship between the Union, on behalf of the Members, and the employer. It must have been a shock to the system for Spotless to suddenly deal with an organised, determined, and rational representation group supporting their most vulnerable workers. It is undoubtedly to the advantage of the workgroup that Spotless now knows any actions or directions they take that effect the workers will be under the watchful eye of the Union.

The whole story just goes to show the wisdom that the workers had when they decided to seek representation in collectivism partnered with the Union! Having the nerve to choose to question what they were given, stand up for themselves and work to the collective good is what truly put this all in motion. A real and inspirational example of the:

**POWER OF UNION**



***“It is undoubtedly to the advantage of the workgroup that Spotless now knows any actions or directions they take that effect the workers will be under the watchful eye of the Union.”***



## Harsh and Unreasonable

By Piers McCarney

Sometimes the duty of a Union is to assist its members in the direst of times and we face that in a current case. A workplace Drug and Alcohol Test result recently resulted in the dismissal of a Member in Private Sector employment. Although the Union acknowledges the importance of a safe workplace and the role that substance testing can play in this matter, all circumstances must be considered. We consider that the employer has acted in a “harsh” and “unreasonable” manner, in relation to the dismissal, due to

matters such as the severe impact in a post-COVID-19 employment market and the characterisation put forward in the Letter of Termination.

We have lodged an application to the Fair Work Commission for an Unfair Dismissal conference and intend to diligently assist our Member in achieving a fair outcome.

## Tax Time!

It's that time of the year again when everyone starts visiting their accountant. If you have been a member for the full 2019/2020 financial year then you are able to claim the full amount of \$676 with the ATO.

That's right, your Union dues are **100%** tax deductible and you are entitled to claim them at tax time! Another reason to encourage a colleague to join.



*Do not forget to claim your union dues when completing your tax!*

## Workplace Delegates

Your Workplace Delegate is a dedicated voluntary role - they freely give their own time to help you. Your delegate should be 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 assist with getting you in touch with the Union Office. Some of the things your delegate can help with are:



*Your workplace delegates should be your first port of call!*

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

Workplace Delegates for each Sub Branch are as follows:

**Customer Relations** - Joshua Ayanami, Helen Martin, Sean Hodgson, David Riley, Cedric Edmonds, Mark Counsel, Tracey Widington, Eric Faranda and June Wiscombe.

**Security** - Jamie Reed, Piers McCarney, Michael Ioppolo, Matthias Schnisa, Ryan Sumner, Danny Delanty, Mark Byrne, Mark Parsons, Iain Moynihan and Chad Miles.

**Transwa** - Dean Harris, Gregory Brennan, John Pilkington, William Lovely, Peter Steele, David Busing, Paul Hopkins and Karl King.

**N&I** - Ben Nichols, Barry Irvine, Giorden Goodall, Harry King, Dwayne Knight-Hall, Marco Mitic and Aparangi Hemara.

**Urban Rail** - Kelley Jenkins, Terry Joy, Craig Dearth, Glen Clingin, Michael Falk, John Bray, Sanjeev Banga and Ron Tully.



Rail Tram and Bus Union  
Unit 2/10 Nash Street, Perth WA 6000  
[www.rtbuwa.asn.au](http://www.rtbuwa.asn.au)  
[general@rtbuwa.asn.au](mailto:general@rtbuwa.asn.au)  
(08) 9225 6722