



RTBU

transport **NOW**

THE NATIONAL
MEMBER
NEWSLETTER

— of the —

RAIL, TRAM &
BUS UNION

ISSUE # 0017
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Inspiring Australians to stay safe around public transport

Meet Australia's
gold medal
winning TrackSAFE
Ambassador,
Vanessa Low



Just a sec!

The health and safety of rail, tram and bus workers is always one of the most important priorities of our Union. Over the past 18 months, as the world has grappled with the coronavirus crisis, health and safety issues have been even more critical.

While Australia did well to avoid the type of outbreaks seen in other parts of the world in 2020, the Federal Government's failure to implement an effective quarantine program and its hopelessly bungled vaccine roll-out has left Australians exposed in 2021. As a result, we are now facing a debate about mandatory vaccination for workers in critical industries, including transport.

I know many members have strong opinions about the issue of COVID vaccinations. Our Union has taken the position that we **support all measures to increase the voluntary take-up of COVID-19 vaccines**. We believe that vaccines are essential to protecting the health and safety of our members.

We also recognise, that some people have legitimate reasons for not having the jab - including underlying health conditions. We therefore remain opposed to making vaccinations mandatory for all workers.

While COVID-19 has taken much of our attention, the Union has also been dealing with many other pressing OH&S issues right around the country. This issue of *Transport NOW* examines some of those issues and the steps we have been taking to protect the safety of members.

I'm also pleased to highlight some of the great work that our partner organisation TrackSAFE has been doing to increase awareness of rail safety issues in the broader community - with the help of TrackSAFE's inspiring Rail Safety Ambassador and Paralympian Vanessa Low.

Similarly, our partnership with Union Health keeps delivering great value health insurance for RTBU members - as you'll see from the case study on pages X-X.

NATIONAL COUNCIL

One of the key functions of the RTBU National Office is to bring together union members from around the country for the

bi-ennial RTBU National Council. National Council is our Union's peak decision-making forum, where we determine our national agenda and report back to each other on how we are achieving outcomes for RTBU members. Delegates from across the country not only share information about their successful campaigns, they get to meet and develop important working relationships with other trade unionists.

National Council is also a showcase of our union and our members. We use it as a platform to raise important issues, and to engage with politicians and other senior people from across our industries. It's a chance for them to learn about us, and to better understand the needs of rail, tram and bus workers.

Organising the National Council is a huge job. Over the past decade, the RTBU National Council has earned a reputation as the most professionally-run event on the trade union calendar, and I know that many people look forward to it.

Reluctantly, we have had to cancel November's planned National Council event in Brisbane due to COVID-19 travel restrictions. Instead, we will conduct an online National Council for 2021. Doing the event online means that we still be able to do all the usual reports, and have all the usual debates, but we just won't be able to have the face-to-face interactions that we value so much. We will still provide a full run-down of the online National Council in our next edition of *Transport NOW*.

In Unity

Mark Diamond

NATIONAL SECRETARY



All stops

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**SECURE
JOBS.**
WORTH FIGHTING FOR



Standing up for Secure Jobs

Secure work is shaping up to a critical issue in the upcoming Federal election

According to the ABC's recent Australia Talks survey, 88 per cent of Australians think job security is a problem for the country, and 27 per cent are concerned they might lose their job in the next 12 months.

Centre for Future Work economist Dan Nahum said that insecure or precarious work can come in a number of different forms.

"Precarious work is more than just casual work – it includes part-time (especially with unpredictable hours), casual, labour hire, sham contracting, and gig work," Dan said.

"Around half of all Australian jobs embody one or more of those dimensions of insecurity."

The growing use of labour hire to replace permanent employees is a particular issue for workers in the rail, tram and bus industries.

National Secretary Mark Diamond says labour hire was originally created to fill staff shortfalls for traditional employers. However, labour hire operators are now filling a very different role – replacing permanent workers with an outsourced workforce on less pay and worse conditions.

"The increased presence of labour hire in the rail industry has created a systemic problem for the workplace bargaining system," Mark said.

"Where unions attempt to bring the pay and conditions of members

in labour hire in line with industry standards, labour hire resists such measures because it would undermine their main competitive advantage of labour costs.

"In short, labour hire views itself as being part of the **labour hire industry** rather than the **rail industry** - and therefore operators believe the pay and conditions they offer do not need to align with rail industry standards."

See workers' stories about how insecure work affects their daily life at

www.securejobs.org.au



RECOMMENDATIONS

The RTBU has made a submission to the Senate Inquiry on Secure Work to highlight to problems caused by the increased use of labour hire, and potential solutions.

The submission recommends:

- » Properly defining casual employment and providing a right for casual employees to convert to permanent employment after six months where they so choose;
- » Ensuring that labour hire workers receive the same pay and conditions as other workers doing the same work;
- » Ensuring labour hire workers have a right to employment by the host after six months continuous employment;
- » Expanding multi-enterprise bargaining so that both the direct employer (labour hire) and the host can be forced by unions to bargain for an Enterprise Agreement for those workers that are engaged on the same project or site;
- » Preventing small cohort agreements where a few people are rounded up to vote for an agreement that will apply to hundreds or thousands; and
- » Where there are intractable negotiations, providing an ability to arbitrate any remaining items on the parties' log of claims.



RTBU appoints first female National President

The Rail, Tram and Bus Union has appointed Luba Grigorovitch as the Union's first ever female National President.

A meeting of the Union's National Executive also appointed former National President Shayne Kummerfeld to the vacant role of Assistant National Secretary, replacing Allan Barden who retired earlier this year.

Shayne Kummerfeld is member of the Locomotive Division and a long-standing union activist from the Queensland Branch.

Luba has previously made union history by becoming the first female and youngest person to serve as Secretary of the Victorian Branch, a role she has held since 2014. She will continue to hold the Victorian Secretary position.

The National President is responsible for leading the union's national governing bodies – including the National Executive and biennial National Council.

National Secretary Mark Diamond said Luba Grigorovitch was the perfect fit for the National President position.

"Luba is one of our union's most hardened generals," Mark said.

"She's dynamic, knows unionism and always holds others to account as much as she does herself.

"And it's about time we had a woman as our President!"

📷 Above, Luba Grigorovitch and below, Shayne Kummerfeld



Making sure your skills, qualifications and workplace standards stay relevant and useful

Like to get involved?

The way rail, tram and bus workers access training and qualifications has changed significantly over the past few decades.

The significant increase in private RTOs (Registered training Organisations) and the shift away from in-house training by the major organisations has altered the balance in how we achieve our qualifications.

Nevertheless, our Union has been working hard behind the scenes to ensure the content of training courses and qualifications remain relevant to the needs of workers, and to the roles that our members perform in the rail, tram and bus industries.

National Secretary Mark Diamond is on the board of Australian Industry Standards – the organisation which oversees the development and maintenance of qualifications for workers in the rail, transport and logistics sectors. The RTBU is also involved in a number of industry committees through the Rail Industry Safety & Standards Board (RISSB).

Mark said both of these peak bodies support the development and review of the Rail Industry Standards, Codes of Practice, Guidelines and Qualifications.

“When we work with AIS, we not only help ensure that our members’ skills remain valuable and relevant to their employers, but we also contribute to securing their ongoing employment through portability and national recognition,” Mark said.

“Similarly with RISSB, our involvement helps drive national harmonisation and interoperability in the rail industry, improve operational consistency and - importantly - safety.”

“It’s vital that workers are part of the conversation about skills development, so that the training packages which underpin national qualifications genuinely reflect what goes in the workplace.



We need to be vigilant against attempts by some employers to de-skill their workforces as a justification for paying workers less.

“Furthermore, we need to be vigilant against attempts by some employers to de-skill their workforces as a justification for paying workers less.”

Mark said Australian Industry Standards was currently conducting a number of industry reviews including:

- » Covid 19 in the industry;
- » Automation;
- » Asset maintenance;
- » Safety;
- » Customer service in the digital age; and
- » Cyber security.

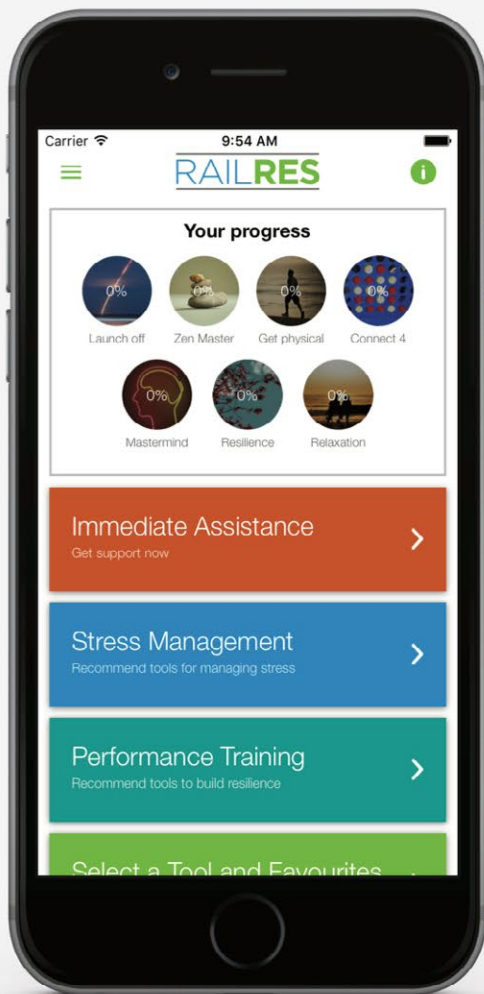
RISSB is also constantly reviewing its Standards, and a number of our members are assisting with their technical expertise.

If you are interested in being a part of this important ongoing work, that will help secure stable employment into the next generation and are willing to share your expertise and be a part of the ongoing development and review of future RISSB Standards and AISC Qualifications, please contact Gary Talbot in the RTBU National Office by email gtalbot@rtbu.org.au.

RAILRES

Self-help support app for rail industry workers

Specifically designed for rail employees, the RailRes app will help you manage stress if exposed to a traumatic event and assist in building long term resilience to help you stay healthy.



Interactive, easy-to-use

tools for you to access anytime on the go such as: controlled breathing, progressive muscle relaxation and slowing down and stopping of thoughts

Scheduler

that allows you to set goals to practice the tools regularly

Resilience self-assessment

that can help keep track of your progress over time

Employee Assistance Program

access to immediate support services, including Employee Assistant Program (EAP) phone numbers as well as crisis lines

Download for free from the App Store & Google Play

For more information please visit tracksafefoundation.com.au

As a harm prevention charity, we at the TrackSAFE Foundation continuously work to reduce fatalities and incidents on our rail network, while providing best practice trauma support for rail employees.

RAILRES



Solidarity Selfie Wear it loud and wear it proud



**PUT ON SOME
UNION GEAR AND POST
A SELFIE TO SHOW
YOUR SOLIDARITY FOR
RTBU MEMBERS AT
SYDNEY TRAINS AND
NSW TRAINS**

Members at Sydney and NSW Trains have been forced to take a range of protected industrial actions following the NSW Government's refusal to come to the table with a fair new enterprise agreement.

In fact, NSW Secretary Alex Claassens says the NSW Government is refusing to come to the negotiating table at all.

"No senior transport officials, nor the Transport Minister, have even bothered to meet with us at all throughout the negotiations," Alex said.

"NSW Trains and Sydney Trains senior executives have not once met with their employees to discuss their combined claims. Saying we've been forced to take industrial action is not an exaggeration.

"All we're asking for is a clean, safe and efficient transport system to work in and for the community to enjoy, for good, secure, jobs, and to be paid fairly for the work we're doing. At the moment, the NSW Government is refusing to even send someone to the negotiating table to discuss our concerns."

Among the issues of concern for workers are the maintenance and bringing in house of COVID cleaning jobs, an absolute must given the past 18 months and new community expectations of the cleanliness of our

network, and the introduction of the dangerous New InterCity Fleet.

"We have chosen our actions in an attempt to minimise the disruption to essential workers using our public transport networks, but there will no doubt be delays. No one wants to have to take action, but the government has forced us into this position.

"All we're asking for is respect, and for safety and security for workers and the travelling public. We can't sit back and let the government put workers and the community at risk."

Industrial actions taken by members so far have included:

- » a 4-hour work stoppage on Tuesday 28 October;
- » Drivers sounding their horns when leaving every station
- » Station staff performing their duties sitting down
- » Go slows
- » Stopping at all stations
- » Ban on higher duties

- » Bans on cleaning hazardous waste and graffiti
- » working to rule;
- » an indefinite ban on working on the New Intercity Fleet; and
- » wearing union gear to work.

National Secretary Mark Diamond said members across the country could show their support for Sydney and NSW Trains comrades by posting a "solidarity selfie" on the new RTBU National Facebook page.

"We can all show their support for the comrades by putting on some RTBU gear, taking a selfie on our phones, and posting the pic to the Australian Rail Tram and Bus Union facebook page

facebook.com/RTBUnion



"Let's show the NSW Government that it's not only dealing with a highly organised and disciplined workforce, it's dealing with a powerful and united national all-grades union.

"We are always stronger when we are together."

ONE GIANT LEAP FOR RAIL SAFETY

When Vanessa Low began talking safety with school children along Canberra's new light rail route, they sat up and took notice.



Not only did the bright young woman have a graphic story to tell of the dangers on our trains, trams and roads, she was also one of the fastest and longest jumping women in the world, with a swag of Rio and Tokyo Paralympics medals to prove it.

Vanessa, a TrackSAFE ambassador, was just 15 when she stumbled off a train platform into the path of a train. She lost both legs above the knee, and suffered severe head and back injuries.

In a split second she went from being an active German teenager – “I was always running, playing handball, snowboarding, doing ballet, a bit of everything” – to being critically injured and spending five months in hospital fighting for life.

Vanessa would eventually be told that due to the extent of her injuries she would only be able to walk about five steps a day, so didn't warrant the best prosthetics then on offer to other German patients.

But she was determined, and managed to convince the medical experts to give her a six-week trial of the fancy, high-tech legs.

“Everyone was sceptical about my idea of walking, let alone plans of running,” she says.

“But at age 16 you don't want to rely on others for help, you want to live your own life.

“I didn't want to live life in a wheelchair, so I forced myself to learn to walk, to try my best to be as independent as possible.”

BORN TO RUN

Vanessa proved the doubters wrong and not only learned to walk, but also to run.

“I just knew to get to normality I needed to run again. Growing up I was always out and about at sport so for me it just meant returning to my normal life.”

It was during her rehabilitation that she met Jörg Frischmann, a former Paralympian and now manager, who gave Vanessa her first running blades and invited her to a weekend trial.

“At first I did a bit of running, which was more falling than running, but I was hooked straight away,” she says.

“I was pushed into the Paralympic world as I was so inspired by these other athletes, these incredible human beings who were defining their own path.”

Vanessa's determination eventually took her to the 2012 London Paralympics, where she achieved limited success with her German team, then to the US, where she had planned a break but eventually trained with Roderick Green, husband of her London Games roommate Katrin.

The work paid off, with Vanessa winning gold in Rio in the T42 long jump and silver in the T42 100m.

AUSTRALIA CALLS

It was during this time, in about 2013 on a return trip to compete in the UK, that she met Australian Paralympian Scott Reardon. They became close friends, stayed in contact, and a year later during the European competition season became a couple, which is how she came to Australia.

“I moved to Australia after Rio, to be with Scott. I had no plan to change citizenship, and was not even sure I'd continue in sport,” she says.

“We committed to go to the Tokyo games together, but there were a lot of obstacles living in Australia and being separated from the rest of the German team with training, travel and competing, especially being in opposite seasons, so I ended up committing to change teams.”

The move paid off for Australia's medal tally: in Tokyo Vanessa broke her own world record three times and produced the performance of her life to win gold in the T63 long jump.

Did her old German teammates begrudge her move?

“There is no bad blood there, they are happy for me. They know the reasons, it was not for money or anything else, I just wanted to live my best life and to be with my husband.”

**We take
transport for
granted, we use
it every day...
We don't realise
how difficult
life can become
when impacted
by one of these
accidents.**

PUTTING A FACE TO PUBLIC TRANSPORT SAFETY

Back in Canberra after six months in camp and games lockdowns and training bubbles, including 14 days on isolation on her return to Australia and now more lockdowns in the city – “Living the dream,” she says – Vanessa has time to reflect on the part she plays in her safety campaigns.

She had already been involved for some time with world motor sport governing body FIA on its #3500 Lives global road safety campaign, and a few years back signed on with TrackSAFE.

“Being affected by a train accident, safety was always something close to my heart,” she says.

“We take transport for granted, we use it every day, we use the streets on bikes or walking or driving, and don’t think about it enough.

“We don’t realise how difficult life can become when impacted by one of these accidents. It’s always other people those things happen to, then you realise it is not.”

It was this attitude she encountered on her move to live and train in Canberra, which had just introduced its light rail, with many in the city taking risks.

“It was new and a lot of Canberrans were not used to having it around,” she says. “All of a sudden you had a lot of these near misses, followed by an actual incident.

“I approached them and said, I know you teach all those rules and tell people what to do, but maybe I have the power to tell people why these rules are important.

“I spoke at a lot of schools along the light rail that were using it as everyday transport. I could see kids being silly around it, not being aware of the risks of their actions.”

Vanessa says it was this that led TrackSAFE to approach her about two years back to become involved in a bigger, national campaign.

“It’s mainly about giving this whole aspect of track safety an actual face, an understanding that there is an actual person behind those numbers of incidents. They are not just numbers on a piece of paper.”



Katie wanted more from her health fund — and found it!

Following an agonising experience with their for-profit health fund, Katie and her family knew they needed to find a new provider who offered not-for-profit, affordable and useful insurance.

Katie is a busy Industrial Officer for the RTBU. She didn't give much thought to choosing her first health fund – after all, she thought, they're much the same, aren't they? With a sports-mad husband, the time inevitably came when he required surgery for an ankle injury.

Turning to their then health fund, they submitted the required paperwork and were given the go-ahead. On the morning of the surgery as they prepared to head into the hospital, their health fund rang to tell them they weren't covered for the surgery. Katie remembers the confusion to this day.

“Sure there had to be some mistake, we headed to the hospital anyway. We'd done our due diligence; they'd given us the go ahead. Surely this was an error. So, while my husband was getting settled in for his surgery, I spoke with the onsite rep for that insurance company and, after many phone calls back and forth (and after my husband was already in surgery), they decided they would cover us after all.”

“As stressful as this ordeal was, the thing that really put me off was feeling like that insurance company was trying it on, and that other people may not have had the energy or resources to stand up for the cover they'd been told they had access to.”

Unhappy with their experience, Katie knew she had to find a new provider. She wanted a health fund offering great value for money, who were not-for-profit, and who put people first.

A timely union market day led Katie to a member-owned, not-for-profit health fund solution. She describes finding out she was eligible to join and that signing up was a 'no-brainer'.

“They ticked all the boxes - the price was right, they're union affiliated and not-for-profit. It was such an easy decision. Their cover was more affordable than the other options and they offered such great value for money with additional benefits and perks.”

“The sign-up process was so easy. I received information that helped me compare my existing cover with what they could offer and it was very clear what I would get for my investment. I spoke to an extremely pleasant and helpful team member over the phone and they helped me with everything from setting up my billing, down to fine details like making sure that the direct debit day was convenient for my circumstances.”



*Image: Katie and Dale with dogs Gizmo and Wednesday
Photography by William Gordon*

“Since moving across, we’ve made regular extras claims and had one hospital admission and the whole process was so much easier than I could have expected.”

“As someone who’d never really been to hospital before, I was concerned how it would all work (especially after my husband’s experience with our previous health fund). When I arrived at the hospital, I simply filled out a form with my private health details, paid the excess and that was it. I didn’t have to think about it again at all.”

“This was such a positive contrast to our past experiences and there were no surprises or gaps (thanks to Access Gap). Not having to worry about being covered when going into hospital is the biggest load off your mind”

“Underpinning the whole experience has been their values. They place value on people before profit, focusing on offering high-value and useful health insurance that’s easy to understand - you know what you have access to and can easily keep track of this yourself online or with their easy app. There are different ways to interact with them so you can find a way that suits you and they’re so responsive. You’ll be looked after.”

Katie’s advice to anyone considering a switch to Union Health is:

“Give them a call and get them to do a comparison of their offer with your current insurance package and talk it through with them. I think the product is worth checking out and will be worth every cent that you pay.”

Thinking of joining? Interested to learn more about Union Health? Scan the QR and get in touch today.



Make the Move to Union Health
The health fund with union values at its core

1300 661 283 | unionhealth.com.au/partner-rtbu



Coach Operators force U-turn on use of recording devices

BRANCH NEWS WA PTA

The Public Transport Authority of WA has been forced into a U-turn on Road Coach Operator (RCO) surveillance after the issue was brought into focus by the RTBU.

The problem came to light due to the RTBU's national campaign against the rail safety regulator's controversial proposal for mandatory audio and visual in-cab recording devices in all Australian trains.

After seeing that campaign, several WA PTA Road Coach Operators contacted the union to point out they had been subject to similar surveillance for years.

One driver says there was no consultation with RCOs when the current fleet of Volvo/Irizar road coaches were introduced with in-cabin audio visual (AV) recording equipment about five years ago.

"We were simply informed of their presence during our initial Volvo training course," he says.

"There is certainly a positive side to the AV. In cases where RCOs have been physically assaulted, verbally threatened or otherwise endangered, important evidence can and has been gathered.

"Also, in the case of one particular fatal accident, audio and visual evidence clearly proved our RCO did everything possible to avoid the fatal collision and

was in no way at fault. So, AV definitely has its place.

"However, up until the recent intervention by our union representative Josh Dekuyer, a number of us were concerned that the AV was being used unnecessarily to monitor us.

"There were proven instances where we were being scrutinised via AV for what we saw as no good reason. We are competent adult employees, selected for our specific abilities, and AV systems aren't toys to be used lightly."

In response to RTBU concerns – including at least one instance where speed was monitored due to a timetabling issue and a driver questioned by an unauthorised manager – TransWA has reviewed how it manages access to the road coach AV footage.

It says its Surveillance Policy is being re-written, and in future all road-coach AV inquiries will be directed to the Video Office, with TransWA staff no longer having access to the system.

Says the RCO: "In our situation behind the steering wheel of the coach, we are in close contact with, and under the constant scrutiny of, our passengers.

"While we believe there is certainly scope for AV systems to be used for ours and our passengers' protection and safety, we feel it's neither necessary, nor productive, nor morally right for anyone to monitor us via AV without good reason and without first involving us in a formal consultation process.

"We can well do without any further distractions, unnecessary invasion of our privacy, or erosion of the trust in our abilities or integrity while we focus on carrying out the very important task of safely transporting our passengers."

The driver also says that, since RTBU intervention, additional cameras have now been fitted externally above the coach entry doors, purportedly to "minimise theft or accidental removal of luggage".

"That seems, on the surface at least, to be fair. But if this vision is to be used, we believe it should similarly only be in formal consultation with the relevant RCO."

Andrew hits the road

Andrew Wells has been building railways for 28 years, but now he is on track to recruit members and improve their conditions throughout Central Queensland

On his days off Andrew lives at Sarina, near Mackay, with his partner and their seven-year-old daughter, but his work could see him just about anywhere in the state.

Until recently Andrew has been an infrastructure worker with one of the largest migratory work teams in Queensland.

“The company I usually work for, Aurizon, has its own track-laying machine, so we travel everywhere, doing major track construction work, asset renewal works, all the big shutdowns,” Andrew says.

“We built the ‘missing link’ (an 89km link between the North Goonyella and Newlands rail systems in the Bowen Basin coalfields).

“And in my 28 years in the industry we have torn up just about every timber sleeper in Queensland and replaced them with concrete.”

As an RTBU delegate of 16 years, Andrew is proud his team – currently numbering about 50 and mostly based in Mackay, Townsville, Rockhampton – has 96 per cent membership density.

And he says being a tight-knit, union-led team has paid off for members, and the company.

“Because the team is different to your local work crew, with different travel issues and different hours and shift rosters, the union got involved to find out what suited us best,” he says.

“We needed to be flexible, but needed to be remunerated for those things. As a result we’ve led the way for a long time, doing things for more than 10 years that other teams are only now starting to do.

“On areas such as rostering, block work – 10/4 or 9/5 work weeks instead of traditional Monday to Friday – we’ve sat down and said, ‘How do we work as a team, workers and management, to keep us employed and give the company the ability to do the work that needs to be done’.”

Andrew says having a young family reinforced the value of work-life balance, with issues such as flexible rostering critical for remote workers.

“Family time and work-life balance is something we’ve always struggled with in any rail company because so much rail work is out there to do,” he says.

“It’s hard being away, so we need to have good rosters that keep us employed, but also give us longer periods of home time as well.”

Andrew has recently turned his attention to a new RTBU-sponsored role, hitting the road in search of workers stuck with labour-hire companies, and who don’t have the union’s hard-won conditions even though they do the same work.

His job is to win over new members, and to ensure companies are not doing anything illegal, such as underpaying workers, and checking what awards they should be on.

“There are a lot of horror stories out there of how these guys get treated,” he says.

“Some are being paid \$10 an hour less than us. Others have to travel eight or nine hours to a job site and they might only get paid for four hours.

“And 15 years ago we had to sleep two to a room. That ended, but these guys still do that now, in this day and age.



So you work all day with someone, then you’ve got to share a room with them at night.”

Andrew says he has good relationships with many workers he knows from sites he has worked on over the years, so he can approach them to help sort out their workplace.

“I tell them we need to organise them to become union members, so we can then go and talk to their company and say, ‘let’s get an enterprise agreement, let’s negotiate proper terms and conditions, rosters.

“Let’s talk about your livelihoods, and get you, if not the same as my crew, then something very close to it.”

Andrew’s endeavours are working, with 30 to 40 new RTBU members signed in the past few months, even among casuals, who are sometimes fearful of their boss’s reaction to talk of unionising.

But he says the effort is worth it, with the RTBU now having members in labour-hire companies throughout the state, from as far north as Cairns down to the edge of the Queensland border.

That same border is also proving no barrier to RTBU cooperation, with Andrew noting that he is having regular discussions with close ally Kenny Aldridge from National Office on how best to development greenfields Enterprise Agreements on sites.

“A lot of guys say these people are just contractors, why bother, but I treat everyone the same.

“They are grown men and women who have families like me, just average guys trying to earn a living, and they are getting treated like shit.”



Some are being paid \$10 an hour less than us. Others have to travel eight or nine hours to a job site and they might only get paid for four hours.

HCMT workers lock in secure jobs with more pay

What began as a dispute over 34 workers stuck on fixed-term jobs has turned into a major RTBU victory for Victorian rolling-stock manufacturing, and rail projects in general.

Following a campaign that began last year, RTBU members working at Newport on the Victorian Government's \$2.3 billion High Capacity Metro Trains (HCMT) project have won good pay rises, shorter hours and job security.

The EDI-Downer site contracted to build the new HCMT fleet has long had a culture of using fixed-term employees and casual staff.

In the process of bargaining with the RTBU for a new Enterprise Agreement the company blatantly refused to convert 34 fixed-term jobs to full-time.

RTBU delegate Kyle Farmer said the lack of job security became apparent early on as Victoria's COVID crisis escalated.

The union and EDI-Downer had been holding discussions over acceleration of the project, especially on issues such as shifts and payments.

"Downer had deadlines they wanted to meet, to earn bonuses and maybe get a few more trains to build," Kyle said.

"But once COVID hit, those discussions were put on hold and in one week 34 fixed-term workers were to be made redundant."

In November, with the bargaining process stalled, RTBU members first voted to delay action due to the



pandemic, then in February began a process involving lengthy negotiations, membership mass meetings, multiple work stoppages and picket lines.

Kyle said the RTBU's key tactic was to target the project timetable.

"From the outset the RTBU wanted to avoid strike action, so we basically tried to figure out how to slow the project," Kyle said. "For example we took action to hold up shunts.

"It worked in some ways, not in others, but everyone is pretty happy with the outcome."

Kyle says RTBU pressure saw all-fixed termers converted to full-time positions even before the EA was completed.

The new agreement also contains a 2.5 per cent pay rise for this year, a 36-hour week in the form of a nine-day fortnight from next July (which is the equivalent of a 5.57 per cent pay rise), and 1.5 per cent in the following two years.

Members also headed off a threat to remove their rail travel pass.

"They tried to take it," Kyle said. "Not everyone working here uses public transport to get to work, but from the start one of our basic fundamentals was that what others have fought for, you should never give up."

RTBU Victorian Branch secretary Luba Grigorovitch said the result is a resounding victory that lays the foundations for standards on future rolling-stock manufacturing across the state.

"Across the rail and public transport industry, the RTBU has long been opposed to precarious employment and will always fight for jobs to be ongoing, secure and sustainable," Luba said.

"Not only did the Newport members defend 34 jobs during this fight, they also converted them to permanent full-time positions.

"And they managed to ensure all future fixed-term positions will be engaged until the end of the build project, and have casual staff converted to full time positions after 12 months.

"The agreement's nine-day fortnight also makes EDI-Downer the first rolling stock manufacturer in the country to reduce working hours, and comes packaged together with a solid wage increase."

Current employees will also now be the given first option of all available shop-floor positions on the HCMT maintenance contract, she said.

The Enterprise Agreement was given an overwhelming endorsement by RTBU members.



Trammies spewing over weak offer

Light rail drivers from Sydney's Pyrmont depot have told management there is a problem, and say operator Transdev can clean it up.

The drivers have put a ban on cleaning up hazardous waste such as passenger vomit and are refusing to answer phone calls from their bosses.

NSW Tram and Bus Division President Daniel Jagers said cost-cutting put in place around five years ago meant that rather than take a vehicle containing hazardous waste – vomit or urine – straight in for cleaning, drivers are now meant to put a powder substance on it and finish the route before getting the tram cleaned.

The action is part of a campaign of protected action in response to management's refusal to provide Pyrmont workers with career equality as part of current enterprise agreement negotiations.

Daniel said the action will be ongoing after an initial management offer was voted down. Of 55 workers, 51 voted and 50 rejected the offer.

He said Pyrmont drivers are paid around 6% less than other drivers at the Randwick

depot, and the company had offered a 3% pay rise, backdated to November, to ensure this gap did not widen. Grade progress and job classifications, however, remain a sticking point.

The issue covers trams on the city's inner west line, which began operating around 1997, first to Lillyfield, then out to Dulwich Hill.

But Daniel said that since 2017 the company's focus has been on the new Randwick depot, which had to be up and running by 2019

"They had a new workforce there and we were able to get a good enterprise agreement for tram operators.

"When the Pyrmont EBA negotiations came up, we said: why not put everybody under one umbrella. The company talks about flexibility. You could use these people to drive on both networks with no issues."

He said the company insisted on keeping the agreements separate, ensuring the pay gap will remain and, in some cases, widen.

Daniel said that on first glance the 3% pay offer to Pyrmont drivers means they won't fall further behind

But under their EBA Randwick drivers can go from trainee to the top grade, grade three, in three years, whereas at Pyrmont it takes five years.

"So right now, Pyrmont workers will be no worse off than around 6 per cent behind, but in a few years' time they will be worse off, as they won't progress to the highest grade for another two years more. That's not equality."

STICKING POINTS

Daniel said another sticking point is a blip in the system caused by medical requirements.

Under the Rail Safety Act a tram operator must have a Category One medical, as he or she is classed as safety-critical worker responsible for safety of passengers plus anything else on the network.

Authorised Officers – whose job includes checking tickets and assisting passengers on platforms – require only a Category Three

medical, as theirs is not classed as safety critical.

"As a safety-critical worker, drivers must jump through a lot more hoops to prove they can perform safe, critical work, so that should be reflected in their pay," he said.

In 2018 there were two Authorised Officer grades – training and grade one – but in 2019 the Randwick agreement saw two additional grades added to allow those workers the opportunity to have a progression path.

This change created a situation where the highest grade Authorised Officers (non safety-critical workers) are now on more per hour than a Pyrmont depot tram operator, who are safety-critical workers.

Daniel said the protected action campaign and work bans will continue until Transdev addresses these two fundamental issues of equality.

He said the ban on the use of their personal technological devices, which management are not meant to use as a means of contacting workers, has created headaches for management, as has the ban on overtime.

"Even before the overtime ban was in place the drivers exercised their right not to do overtime. That's how angry these members are."

Other bans include: a uniform ban (all PPE is still being worn); a ban on using the Transdev app, which is used for service updates; and not answering a two-way radio until they are completely stopped at a station. Members have also taken part in two-hour stoppages.

Daniel said that as a result of the RTBU members' united campaign, Transdev has been forced back to the negotiating table, and a long-overdue resolution to these issues could now be within sight.

"It's outrageous that a company as big as Transdev would insist on treating its workers with such little respect.

"Being a light rail driver is a career, and the Pyrmont drivers deserve the same access to career progression as other drivers in Sydney."



Pilbara infrastructure set to benefit from RTBU representation

Hundreds of infrastructure workers in the northern part of Western Australia who currently don't have union representation could soon be joining the ranks of our national, all-grades union.

The RTBU's WA Branch is hitting the road for a 1,500km trek from Perth to Karratha, in the state's Pilbara.

The long journey will be an important opportunity for workers to learn about the benefits of union membership.

RTBU WA Secretary Craig McKinley says the planned late October trip will take in areas around Karratha and Tom Price, where a delegation will try to engage with currently non-union rail infrastructure workers.

Craig says the RTBU has two delegates in the Pilbara, but it's a huge area for them to cover on their own. "It's like having a delegate for an area the size of Russia."

So for this trip they are calling in the cavalry, with RTBU WA President George Kelly and WA Industrial

Organiser Kristy Martin accompanying Craig on the recruitment drive.

"We will run along the corridor from Karratha to Tom Price, for about 250km," Craig says.

"There are work camps along the way and EDI-Downer is happy to give us access.

"Some of the camps are very significant along there – the camp Tom Price houses hundreds of rail track-maintenance workers."

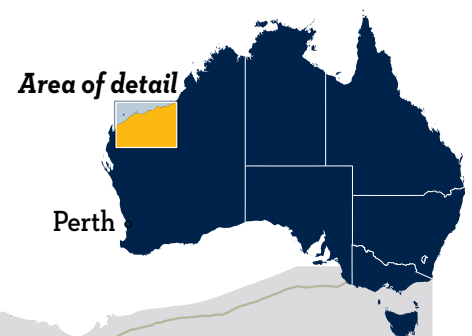
It's a bold move for the union, and there will be challenges, but the results could be worth the effort.

"There are many different contracting hire groups working in the Pilbara, and it's really complex working out who is working for whom," Craig says.

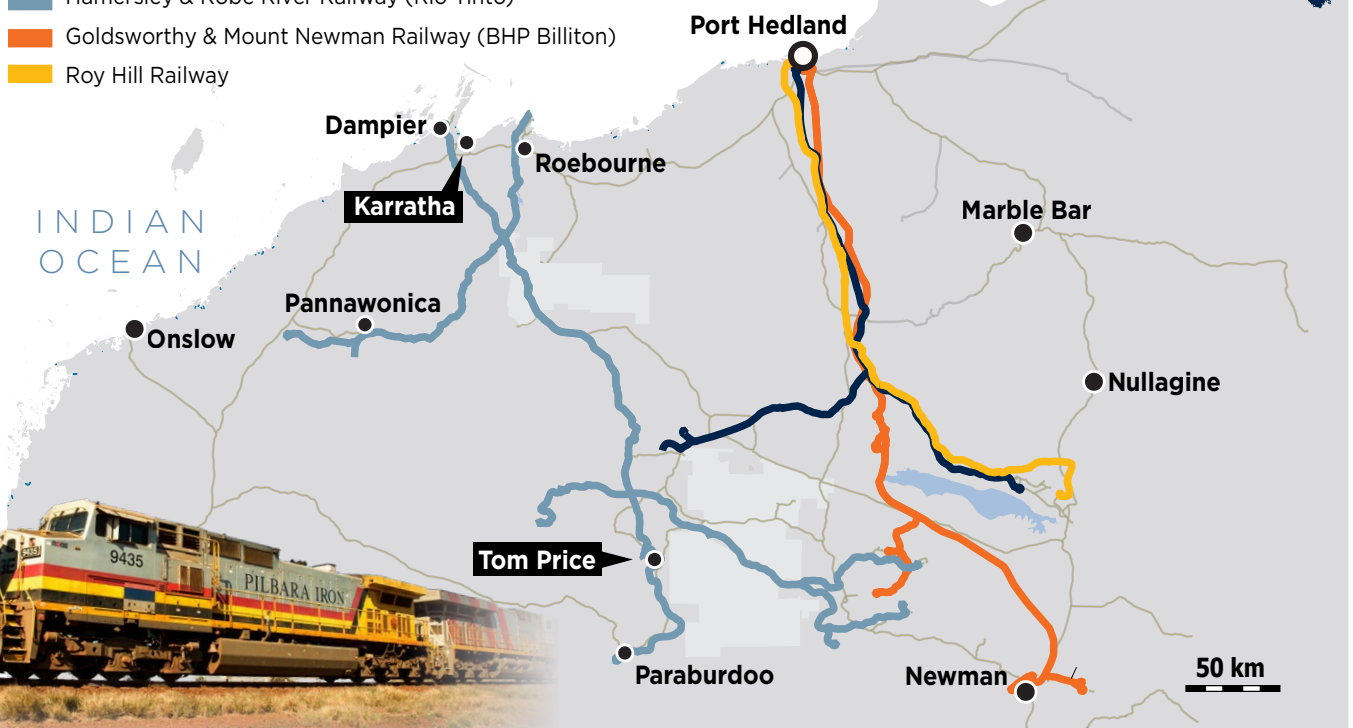
"Often firms contract out to firms that contract out to firms – it's very messy.

"But there are more than 700 below-rail workers in the Pilbara, and most of them are currently de-unionised, due to historical reasons.

"So there are basically more potential RTBU members up there than in the whole of the WA South East's goldfields."



- Fortescue Railway (FMG)
- Hamersley & Robe River Railway (Rio Tinto)
- Goldsworthy & Mount Newman Railway (BHP Billiton)
- Roy Hill Railway



Raising the bar on rail safety

The RTBU has been meeting with the national rail safety regulator (ONRSR) in an effort to better manage and avoid incidents and potential hazards on the South Australian network.

SA Secretary Darren Phillips says the branch has been bringing a number of issues to ONRSR's attention, and in most cases the regulator is listening.

"We want to build a better relationship with ONRSR, to achieve better outcomes for members," Darren said.

"Too often they are hearing things straight from the rail companies, but in the case of rail incidents we may be able to give them more and better information than what the operators will."

Darren said the RTBU has raised a number of important issues in the meetings.

These include: crew breaks and fatigue management; rail safety worker consultation; incident reporting; day-to-day rail operations such as locomotive power and long-end running; and dealing with level crossing stakeholders.

"ONRSR has shown particular interest in the issue of crew breaks, especially about freight crews exceeding the maximum hours and the effect that has on fatigue," Darren said.

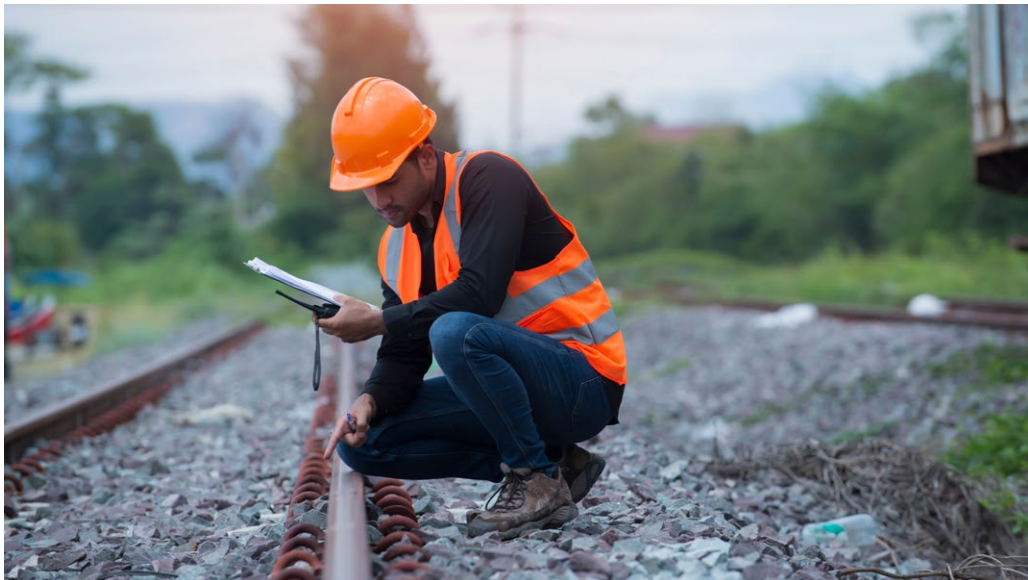
"For example, there are situations where crews are forced to rest in the driver's cabin – they have nowhere else to go – to manage their fatigue."

The RTBU also wants the regulator crack down on rail operators who fail to undertake genuine consultation with workers, especially on safety issues and changes to the Safety Management System.

"At a recent meeting we raised a number of issues such as making changes to the brake system on Metro rail cars without consulting the drivers.

"This is despite the fact that changing a significant system such as this can have a serious effect on the handling of the train."

Darren said operators who do dodgy investigations into safety incidents, and seek to pass on the blame rather



than address systemic problems, are also under being covered in the ONRSR talks.

"We are pressing the regulator to look a bit deeper into safety incident investigations. We want solutions, not scapegoats.

"In many cases investigations undertaken by the rail companies have been flawed.

"We are not getting to the heart of what occurred and what could be done to prevent it in the future."

OVER THE HILLS

Darren said a number of operating issues have also been highlighted, with the regulator seemingly keen to take them further.

"ONRSR has undertaken to travel on some of the underpowered freight trains that struggle to get over the Adelaide Hills. They will be riding along with drivers to assess the issues later this year."

The regulator is also showing a willingness to crack down on "long-end leading" locomotives on longer-distance journeys.

"This creates vision problems as the driver can only see down one side, with an observer needed to see down the other side," Darren said.

"If the loco is run the other way around – cab first – the driver has full clear vision, and ONRSR is now saying it's not acceptable to have long-end leading for long distances when the ability to turn the train is reasonably available."

Darren said the RTBU also wants the regulator to make sure that there are clear processes in place to ensure complaints or issues relating to SA/NT level crossings are followed up and addressed by all the relevant authorities.

"We are looking at the interface between track owners, government transport departments and local councils, and their responsibilities, for example clearing vegetation so you have good line of sight.

"And if a train driver reports something – an incident or safety concern – does the company follow up on the report? And is the interface arrangement working as it's intended to ensure level crossing safety?"

TasRail failing to put words into action when it comes to safety

The Tasmanian Branch has questioned TasRail's commitment to safety, with the State Government-owned rail company dragging its heels on a number of serious safety issues – including deteriorating air brakes on trains.

Tasmanian Branch Secretary Ric Bean said TasRail, a government business enterprise, recently installed new corporate posters in their depots - one of which proudly proclaims "We will never compromise on safety".

"It's quite hypocritical, given the severity of the business's cement train runaway three years ago, despite all the warning signs clearly evident for an extended period beforehand, with literally dozens of differing control-related reports having been made by RTBU members to TasRail," Ric said.

Ric said lessons of that incident seem to have quickly faded from the minds of some within the organisation, as two years ago reports began to emerge of faults with self-restoring points at train crossing loops, with frustrated members contacting their RTBU representatives when the issues continued unresolved.

"The warning signs were there and it was obvious a derailment was potentially imminent, as there had been around 18 reported incidents within a six-week period.

"There would have been a number of unreported incidents as well, as people

just give up trying to do the right thing when little if anything is acted upon."

Ric said TasRail also chose to ignore intermittent reports of irregular train air-brake behaviour until he, along with a trainee, was at the controls of a barely-under-control train while descending a steep section in August last year.

"How much importance would you place on being able to safely control the speed of a train – or indeed stopping it – down a long steep gradient?" he asked.

"Locomotive drivers around the country would appreciate and understand it is the absolute No.1 item. All of us at times have awoken from a virtual nightmare of being at the head of an out-of-control train with ineffective or non-existent brakes."

Ric said the train was stopped at a safe location at the bottom of the grade for an inspection, and there it stayed for much of the day. Eight wagons were found to essentially be unbraked.

"TasRail did take the matter reasonably seriously at the time," he said, "though they did need to be prompted to take certain actions at various stages."

Initial investigations revealed several different issues, but the main problem was a buildup of contaminants in the ELX (empty/loaded valves), the source of which remains unknown and remains a problem. (below)



"For some months the business mitigated the risk with ongoing checks of these Chinese-built flat wagons," Ric said.

"But the RTBU was recently alarmed to learn that despite the root cause of, and source, of this contaminant not being identified, and with the issue ongoing, TasRail ceased conducting its risk-mitigation activities earlier this year.

"A gradual re-deterioration of train air-brake performance was being noted by drivers, culminating in further train stoppages and checks revealing more wagons in service effectively unbraked, with just the slightest of air pressure within brake cylinders."

READY TO TAKE ACTION

Ric said that at this point the RTBU was prepared to take serious action to protect members' safety. But discussions with TasRail resolved that all 170 wagons would receive a "single-car air test", with some additional parameters thrown in for good measure, within a week to 10 days.

"These tests revealed close to a quarter of the fleet was significantly defective, which is about the same figure that was turning up on each train that was stopped due to poor air-brake performance.

"Despite promising to provide the union with their formal test data, two months on, this still has not been received."

Ric said that on top of this, older "legacy" locomotive brake valves and brake racks have also begun failing in concerning numbers.

"Initially these issues were not receiving the level of attention they should have been, however, once the RTBU began to show an interest, these problems were given the attention they required".

WHERE'S THE REGULATOR?

Ric is also frustrated by the lack of action from the rail safety regulator on these matters.

"And just where has the Office of National Rail Safety Regulator (ONRSR) been during all these serious safety issues?," he said.

"That's right, too busy with their relentless endeavours to force in-cab surveillance upon us all.

"When operators don't take safety seriously, and even the regulator is missing in action, the best protection for workers is in a strong, active and persistent union.

"I have no doubt that the RTBU's work has prevented more serious incidents from happening in Tasmania."