

around the tracks



RAIL, TRAM AND BUS UNION • LOCOMOTIVE DIVISION, NSW BRANCH • ISSUE 11 • MAY 2008

Divisional Secretary

Since the last Divisional Conference held in September 2007, the RTBU NSW Branch has been developed its overall planning in detail. The Branch has identified eight key or core areas of activity as the basis and focus of its strategic planning. These are subsumed under the general purpose of Organising Workers In The Transport Industry To Protect And Build Their Rights At Work. The eight core areas providing the foundation of the Branch planning process are:

- Bargaining
- Organising
- Servicing
- Educating
- Communications
- Community
- Political
- Resources/Finances

These are the themes we took to our Divisional Conference, and have now developed them into a detailed Locomotive Divisional Plan. This issue of Around The Tracks contains summaries of some of the key elements of our plan as they relate to the operational areas of Bargaining, Organising, Servicing and Educating. A detailed and full copy of the plan is available on the Locomotive Division website.

We believe that the emphasis of our Divisional Plan both complements and supports the thrust of the Branch Plan, and puts in place a

number of key strategies to address the ongoing work and development of the Division. Between the beginning of this process, and the development of the detailed plan, we have witnessed a change in Federal Government and the welcome end of WorkChoices IR legislation. However, regardless of which government may be in office, the focus of our union must be on protecting and extending the conditions of our members and their families. The need to identify opportunities and creative strategies for our members and the industry has not diminished with a new government in Canberra. The challenges of substantial changes in our work, in dealing with new and occasionally hostile operators, and maintaining and improving existing standards and working conditions must remain our priorities.

We believe that the new Divisional Plan provides the tools and strategies to take us forward over the next period, and to put in place administrative, industrial and political measures to ensure a strong position for our union and positive outcomes for members into the foreseeable future. The success of the plan and the measures contained in it, will however, be largely determined by how well these are implemented and monitored at each depot.



ALEX CLAASSENS
Divisional Secretary

The plan is an activist-based approach and as such is dependent on delegates, depot organisers and other union activists to ensure it is effective carried out.

A centrepiece of all our planning and organising work remains the ongoing implementation and development of effective, well resourced and active Depot Organising Committees (DOCs). This will involve the roll-out of DOCs where they currently do not operate, fine-tuning of existing committees and the renewed education effort to ensure that all DOCs and workplace activists are well-informed and supported in these strategies. This organising approach also requires clear definition and understanding of roles and responsibilities throughout the Division. This process of clearly identifying responsibilities of organisers, Divisional Councillors and other union officers which is currently being undertaken with the assistance of the ACTU Organising Centre.

None of these developments are being conducted in a vacuum or in isolation from our ongoing work. Already this year we have achieved a number of good bargaining outcomes for members with Enterprise Agreements. There have been a number of major industrial issues with major operators such as RailCorp (currently numbering 21 separate issues) and Pacific National, including negotiations for a new RailCorp agreement through the Combined Transport Unions Single Bargaining Unit, and intensive negotiations around Pacific National withdrawal from grain haulage. Similarly, we are currently in negotiation with El Zorro, RTSG, Pacific National and Freight Australia. We will shortly be commencing negotiations with IRA and Silverton around new enterprise agreements.

Our union, and the Locomotive Division are well placed to successfully face the challenges facing our industry and the work of our members. We must continue to do this through actively seeking out new and better opportunities for our members, through identifying improvements in working conditions, and developing initiatives that ensure that our members interests are well protected. Ongoing commitment at the local workplace and depot level will ensure that this process continues to grow from strength to strength.

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Union Due Increases

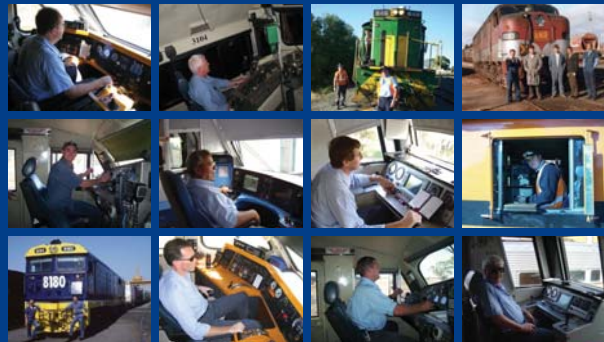
It was decided in 2007 at Locomotive Divisional Council that a fair and just way of managing increases in union dues, was to increase them proportionately to any wage increases contained in enterprise agreements. That is, if a new EA contains a 4% per annum wage increase, then union dues would be increased by 4% per annum.

Any increases were stayed during 2007. However, the policy decision will be implemented during 2008 as new agreements are concluded.

Have You Organised For Direct Debiting of Your Union Dues Yet?

Members are reminded of the importance of switching to Direct Debit to preserve their right to belong to an industrial organisation without the interference from their employer or the federal government, Contact the Union Office on (02) 9264 3400 for more details or download a direct debit form from our website

Planning for Your Rights at Work



**Locomotive Divisional Conference
4 and 5 September 2007**

www.rtbu-locomotive.asn.au



your rights at work worth fighting for

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PURPOSE STATEMENT

To Organise Workers in the Transport Industry to Protect and Build their Rights at Work. To Assist the Branch Plan by Organising Workers Primarily in the Locomotive Sector.

Operational area: **Bargaining**

Incorporates both organising and industrial goals

Activity

1. Prepare and conduct negotiations for NSW EAs within Locomotive Division

Tasks

- Plan and research EAs within Locomotive Division
- Consult with relevant members and ensure delegate participation
- Develop EA negotiation strategy
- Develop EA communication strategy
- Develop pool of minimum and non-negotiable core standards
- Develop draft key clauses
- Prepare budget for EA negotiations and campaign activity

Resources/Who

- Organisers / officers to monitor implementation and expiry of agreements:
- Prepare and organise members locally and across business groups
- Identify key issues / concerns within existing EA
- Executive, Divisional Council and key delegates to plan negotiation strategies and develop budget
- Officer/s assigned responsibility for implementing campaign / communication strategy

- Research conditions across sectors – seek assistance from within Branch

Timeframe

- On-going
- Commence planning and research at least 3 (three) months prior to expiry of agreement

Outcome

- Effective planning and research in preparation of new agreements negotiated within the Division
- Negotiation strategy developed based on member consultation
- Depot Organisers / activists regularly report to head office on workplace consultations
- Communication strategy developed to inform and consult members on developments
- Key clauses and content of agreements developed in consultation with members
- Negotiating and campaign budget developed to meet requirements

2. Conduct NSW Locomotive EA negotiations

Tasks

- Develop EA negotiation strategy
- Establish negotiation framework (timeframe, participation, release/ payment)
- Identify and ensure participation of delegates from each depot or region / workgroup
- Plan negotiation team meetings and caucus
- Develop negotiating team communication network
- Schedule negotiation meetings

Resources/Who

- Executive and key delegates develop strategy and framework

- Divisional Secretary as principal negotiator with Divisional Council Delegate or Assistant Secretary
- Officer/s assigned responsibility for organising participation, scheduling meetings, release and payment arrangements
- Targeted specialist feedback and input from members

Timeframe

- All planning completed prior to expiry of agreement
- Negotiation timeframes and milestones are developed to reflect particular agreement
- Agreement timeframes are regularly reviewed and evaluated

Outcome

- Negotiation framework and resource requirements will be identified and provided for in planning and budgets
- Key delegates and activists from each depot or region to have active input into negotiation processes
- Effective communication strategy is developed for negotiating team
- Negotiation meetings and consultations are planned and scheduled

3. Prepare and conduct negotiations for National EAs within Locomotive Division

Tasks

- Co-operate and assist National Executive and key delegates to develop strategy and framework
- Contribute participation and information to ensure effective representation of NSW members
- Identify and plan logistics, expenses and resources required for NSW participation
- Assist with campaign and

communication strategies – disseminate and distribute in NSW.

Resources/Who

- Executive and key delegates develop NSW strategy and framework, participation and representation
- Divisional Secretary as principal NSW representative with Divisional Council Delegate or Assistant Secretary
- Officer/s assigned responsibility for co-ordinating negotiating team communication / meetings

Timeframe

- Plan and develop Branch Divisional timeframes to coincide and complement national timeframes.

Outcome

- Effective planning and research in preparation of Branch Divisional participation and contribution to national agreement negotiations
- Participation strategy and resources planned and developed based on member consultation, and national negotiation team
- Depot Organisers / activists regularly report to head office on workplace consultations
- Communication strategy developed to inform and consult Branch Divisional members on developments, in accordance with national communication strategy
- Contributions and participation to development of key clauses and content of agreements in collaboration with national team
- Negotiating and campaign participation budget developed to meet requirements and complement national strategy.

4. Contribute data and input to cross-sectoral bargaining (Eg RailCorp; Pacific National)

Tasks

- Executive, Divisional Council and key delegates to identify and develop locomotive clauses and strategies
- Officer/s assigned responsibility for organising participation, scheduling meetings, release and payment arrangements
- Officer/s assigned responsibility for organising dissemination of

communication material to members.

Resources/Who

- Organisers / officers to monitor implementation and expiry of agreements:
- Prepare and organise members locally and across business groups
- Identify key issues / concerns within existing EA
- Executive, Divisional Council and key delegates to plan negotiation strategies and develop budget
- Officer/s assigned responsibility for implementing campaign / communication strategy
- Research conditions across sectors – seek assistance from within Branch.

Timeframe

- Plan and develop Branch Divisional timeframes to coincide and complement Branch negotiation / campaign timeframes.

Outcome

- Branch Divisional data and input to cross-sectoral negotiations are provided to a high standard and in a timely manner
- Branch Divisional contributions are made in close collaboration with other Divisions and Branch negotiation / campaign team
- Relevant information and consultation is conducted in accordance with Branch strategy

5. Participate in Single Bargaining Units

Tasks

- Executive, Divisional Council and key delegates to identify and develop locomotive representation, clauses and strategies
- Officer/s assigned responsibility for organising participation, scheduling meetings, release and payment arrangements
- Officer/s assigned responsibility for organising dissemination of communication material to members.

Resources/Who

- Executive and key delegates develop strategy and framework
- Divisional Secretary as principal negotiator with

Divisional Council Delegate or Assistant Secretary

- Officer/s assigned responsibility for organising participation, scheduling meetings, release and payment arrangements
- Targeted specialist feedback and input from members.

Timeframe

- Plan and develop Branch Divisional timeframes to coincide and complement Branch and Single Bargaining Unit negotiation / campaign timeframes.

Outcome

- Branch Divisional data and input to Single Bargaining Unit negotiations are provided to a high standard and in a timely manner
- Branch Divisional contributions are made in close collaboration with other Divisions and Branch negotiation / campaign team
- Relevant information and consultation is conducted in accordance with Branch / Single Bargaining Unit strategy

6. Monitor Implementation and Application of Agreements

Tasks

- Depot Organisers and key activists to monitor, report and respond to workplace breaches
- Organisers / Officers to assist with workplace issues and monitor, report and respond to major breaches at workplace, region or business group
- Divisional Councillors to report issues, concerns and disputes relating to EA or other agreements in operation in their area of responsibility
- Executive, Divisional Council and key delegates to identify and develop responses and strategies to general and ongoing EA or other breaches

Resources/Who

- Executive and key delegates develop NSW strategy and framework, participation and representation
- Divisional Secretary as principal NSW representative with Divisional Council Delegate or Assistant Secretary

- Officer/s assigned responsibility for co-ordinating negotiating team communication / meetings.

Timeframe

- On-going monitoring and reporting on implementation and compliance with agreements
- Depot Organisers / activists to regularly monitor and report EA compliance issues in their workplace
- Regularly review and evaluate performance against outcomes.

Outcome

- All agreements / awards / policies and key legislation are monitored regularly by Depot Organisers and workplace activists for compliance
- Agreement implementation issues or breaches are reported to head office
- Divisional workshops to be organised to provide information on new agreements and to clarify interpretation of key clauses and provisions.

Operational area: **Organising**

To build union power in workplaces by ensuring industrial goals reflect the defence and promotion of YR@W.

Activity

1. Support Depot Organising Structures

Tasks

- Implement new sub-divisional structures... look to unite, create further networks
- Assist with establishing Depot Organising Committees
- Education and development plan to be developed

- Election of workplace and Depot Organisers for all workgroups and locations
- Distribute Delegate Information Kits
- Depot tours by organisers
- Develop communication strategy to support Depot Organising Committees.

Resources/Who

- Div Exec/ DC/ Organisers to develop new sub-divisional structures based on restructure and Div Conference
- Organisers to assist with establishment of Depot Organising Committees in each Depot
- Organisers/Delegates
- Officer/s assigned responsibility for co-ordinating,

reporting and responding to identified workplace organising concerns

Timeframe

- Roll-out of new DOC structures to be completed by June 2008
- Delegate Information Kits distributed to all depots by June 2008
- Commence planning and research of education and development plan by April 2008
- All elections for Depot Organisers to be completed in accordance with AEC timeframes.

Outcome

- All Locomotive Division depots and workplaces to elect

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Photo courtesy of Tony McLaughlin

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representatives and set up DOCs in accordance with new structure

- All workplace and depot organisers to receive copy of Delegates Information Kits
- All workplace and depot organisers to receive training in new Divisional structures
- Organisers to identify regular monitoring and support of DOCs and workplace organisers

2. Develop Divisional Position Descriptions to Reflect new structures

Tasks

- Review loco position descriptions...remove barriers to participation.
- Role of Divisional and Branch Councillors and Head Office as a resource centre. Prepare paper

Resources/Who

- Head office, Executive, DC

Timeframe

- be developed in consultation with Organisers by April 2008
- Paper on roles and responsibilities of Divisional and Branch Councillors developed by June 2008
- Paper on feasibility and requirements of resource centre concept developed by September 2008.

Outcome

- Position descriptions for all positions within the Division
- Procedures and systems for

all elected and paid officers to report and meet position requirements

- Allocate roles and responsibilities in accordance with position descriptions

3. Depot Organising

Tasks

- Depot Maps
- Identify activists/leaders
- Succession planning
- Recruiting new members
- Develop Depot Plans
- Mentoring new members included in plans

Resources/Who

- Depot Organising Committees

Timeframe

- Depot data collection forwarded to Head Office within 3 months of DOC establishment
- Depot plans developed and reported to Head Office within 6 months of establishment of DOC

Outcome

- All depots to have developed plans, based on depot mapping and identification of issues
- All depots to establish recruitment and membership data and strategy

4. Monitor Implementation and Application of DOCs

Tasks

- Monitor implementation of DOCs across the Division
- Conduct information and workshops on Depot Organising issues

- Depot Organisers to regularly monitor and report organising issues in their workplace

Resources/Who

- Depot Organisers and key activists to monitor, report and respond to workplace developments
- Organisers / Officers to assist with workplace issues and monitor, report and respond to major organising issues at workplace, region or business group
- Divisional Councillors to monitor and report issues, concerns and disputes relating to DOCs in operation in their area of responsibility
- Executive, Divisional Council and key delegates to identify and develop responses and strategies to general and ongoing depot organising issues.

Timeframe

- Evaluate and review establishment and operation of DOCs by September 2008.
- Monitor and review all DOCs on an ongoing basis

Outcome

- All depots to establish evaluation and review processes
- All depots to have regular reviews of DOCs
- Depots to develop information and development workshops and activity
- Divisional Councillors to monitor and report on DOCs progress.

- Accurate information and data on member assistance will be maintained.

2. Monitor and respond to member service requests at Depots

- Member servicing requests at Depot are regularly monitored, recorded and reported
- Depot –based issues are addressed within Depot where appropriate
- Individual assistance or requests requiring legal or other specialist assistance are referred to Head Office.

Resources/Who

- Depot Organisers and DOC members implement a system for monitoring, recording and reporting members service issues within Depot
- Depot representatives and Organisers respond to Depot member issues.

Timeframe

- Depot reporting system is established and implemented by September 2008
- Representation and reporting of member services is reviewed and evaluated 6 monthly.

Outcome

- Member assistance requests at Depots will be addressed in a systematic and appropriate manner
- Member service requirements will be addressed promptly at Depot or referred to appropriate source.

3. Identify initiatives to enhance member services

Tasks

- Liaise / negotiate with commercial/ financial institutions, community, and service providers for arrangements enhance or extend benefits to members
- Establish appropriate social / political / industrial activities / partnerships / alliances and funds to address key member services.

Resources/Who

- Executive, Divisional Council and key delegates to identify and develop responses and strategies to improve range of services provided from external sources

Operational area: **Servicing**

To effectively and efficiently address servicing in order to meet the expectations of union members' in a timely manner while freeing up additional time to focus on organising and member recruitment

Activity

1. Managing member requests for assistance

Tasks

- Ensure an efficient administrative system operates in Head Office to receive, refer and / or process member request for assistance

- Maintain log of member requests and action
- Maintain case files and histories on member requests for assistance
- Progress of member assistance is regularly monitored and reviewed.

Resources/Who

- Executive, Divisional Council and key delegates to identify and develop responses and

strategies to general and ongoing member servicing issues

- Administrative staff to record and report member enquiries.

Timeframe

- Review member service admin systems by December 2008
- Establish system for logging member requests by June 2008
- Establish system for recording, reviewing and maintaining member case files by June 2008.

Outcome

- Member service enquiries will be dealt with in an efficient and timely manner

Timeframe

- Review and evaluate member service arrangements with external bodies by December 2008.

Outcome

- Initiatives to provide improved and extended services to members will be identified and developed

4. Division to Actively Advocate and Lobby on behalf of Members

Tasks

- Division to identify appropriate business, community and political forums to advocate on behalf of members
- Officers are identified and allocated responsibility for participation in advocacy and lobbying activity.

Resources/Who

- Executive, Divisional Council and officers to identify and develop responses and strategies to general and ongoing member service lobbying opportunities.

Timeframe

- Evaluate and review advocacy and lobbying activity by December 2008.

Outcome

- General member welfare and issues will be raised in appropriate forums to improve benefits to members at industry, sector or social / community levels to advocate for members

5. Inform Members of Services and Processes

Tasks

- Inform members of availability and accessibility of union services and services provided by external sources
- Inform members of how to access range of union services.

Resources/Who

- Executive to co-ordinate development, production and distribution of clear print and web-based information on member services
- Ensure member services information is distributed and explained to new members
- Divisional Officers and Depot Organisers distribute and discuss member information in Depots.

Timeframe

- All Divisional communications to be reviewed and evaluated by December 2008
- Establish and implement member information distribution strategy by September 2008
- Website to be regularly updated and maintained.

Outcome

- Range of quality and contemporary information will be developed, maintained and provided to members
- Print-based and electronic information on member services

Operational area: Educating

To provide education opportunities internally (officials and staff) and externally (delegates and activists) to the RTBU.

Activity

1. Identify Divisional Officer's skills development needs

Tasks

- Develop detailed officer position descriptions
- Conduct skills needs analysis and skills audit against identified skills requirements of officers and staff
- Develop skills development plans and strategies to address identified needs
- Identify appropriate providers, resources for targeted skills development .

Resources/Who

- Executive and Divisional Councillors, officers, in consultation with depot activists, develop position descriptions for all Divisional officers
- Executive and Divisional Councillors to identify appropriate internal and external expertise to deliver skills development strategies.

Timeframe

- Position Descriptions for all Divisional officers completed by December 2008
- Preliminary audit of skills development needs and expertise conducted by March 2009 .

is developed, maintained and reviewed on a regular basis.

6. Provide Resources on Member Services

Tasks

- Divisional Officers and depot activists are informed and have access to relevant member service information and referral details
- Data on service providers, specialist services, government agencies and other relevant bodies is maintained and accessible by officers and activists

Outcome

- Divisional officer roles and responsibilities will be clearly defined
- Divisional skills requirements will be identified and appropriate skills development opportunities identified.

2. Identify workplace skills development needs

Tasks

- Conduct skills needs analysis and skills audit against identified skills requirements of officers and staff
- Develop skills development plans and strategies to address identified needs
- Identify appropriate providers, resources for targeted skills development

Resources/Who

- Executive to co-ordinate systematic skills needs analysis
- Executive and Divisional Councillors to identify appropriate internal and external expertise to develop depot skills development strategies

Timeframe

- Skills development needs mapped by March 2009
- Review and evaluate skills development strategy by June 2009.

Outcome

- Develop clear map of skills development needs across Division
- Skills development strategy developed to meet future skills demands of the Division.

- Current Membership Kits are maintained and distributed to Depots.

Timeframe

- Membership Kits are distributed to all depots on regular basis.

Outcome

- Contact and referral data is maintained and made available in an accessible manner to appropriate officers and activists
- Current Membership Kits and related information will be provided at all Depots.

3. Manage Skills Development

Tasks

- Develop monitoring, recording and reporting systems for Divisional skills development strategies
- Allocate appropriate resources and personnel to effectively manage skills development.

Resources/Who

- Executive and Divisional Councillors to develop systems for monitoring, reporting and recording skills development.

Timeframe

- Review and evaluate skills reporting and recording systems by June 2009.

Outcome

- Allocate appropriate resources to develop and maintain accurate skills development reporting across Division.

4. Develop and Conduct Skills Development Program

Tasks

- Develop appropriate skills development programs and activities for officers and workplace activists
- Conduct or co-ordinate skills development activities to address identified Divisional requirements.

Timeframe

- Evaluate and review skills development plans and strategies by December 2009.

Outcome

- Skills development activities are mapped and provided against identified skills needs and appropriate providers

Asciano Comcare Proposals

In the previous *Around the Tracks*, we reported that Pacific National had received consent from the Comcare Board in mid-2007 to bring the employees in the other parts of its operations under Comcare.

This means that, in addition to Pacific National (ACT), who already come under Comcare and the Commonwealth OHS legislation, that employees of Pacific National (NSW) Ltd (the old "FreightCorp"), Pacific National (Vic) Ltd (the old "Freight Australia"), Pacific National (Tas) Ltd (the old "Tasrail") and Pacific National (Qld) Ltd (a new entity), can all be moved to the Comcare system.

The actual impact of any movement to Comcare depends upon the differences between the relevant state workers compensation legislation and Comcare. For example, only 2 of the 6 states provide for journey cover. The impact is not necessarily all negative, for example, in some cases the upfront payment can be better under Comcare.

An important incidental change to the application of Comcare is that last year the Federal Government enacted legislation to the effect that employees covered by Comcare will come under the Federal OHS legislation and not the relevant state OHS legislation.

Whilst this only effects members at two employers

at present, there is a potential for it to spread to others if the employers so choose

At the time, the RTBU wrote to Pacific National seeking a meeting. In that letter we noted the different circumstances, made an observation that as we see it our members will suffer a net detriment and sought discussions with the aim of ensuring our members did not suffer any disadvantage.

There had been several initial meetings, and correspondence exchanges, between the RTBU and Asciano on their proposed transfer of employees to Comcare. Through these, Asciano confirmed that it did intend to move away from the State schemes to Comcare. The RTBU position has always been that it would seek an outcome that did not disadvantage our members in compensation or OHS entitlements and benefits. It was proposed (but never happened) that a working party be established to investigate the differences between the Commonwealth and State schemes. The matter was revived at a recent meeting, between Asciano and the RTBU on 19 March 2008.

On March 28, Asciano presented a discussion paper to the RTBU titled 'ASCIANO – Comcare Conversion Position and Commitments Paper', detailing its proposal and the claimed benefits, as well as the mechanisms to facilitate the transfer of the employees.



Photo courtesy of Tony McLaughlin

RTBU RESPONSE

- We have reiterated to Asciano our earlier concerns about the proposed transfer, and drew attention to additional concerns we have.
- We have sought legal advice on the detailed aspects of Asciano's proposal, and have met with our legal advisers to discuss these.
- We have raised the issue in correspondence, meetings and teleconferences with other unions with members in Asciano companies, and the ACTU in relation to the broader issue of companies moving from the State schemes to Comcare.
- The document prepared by Asciano raises a number of additional concerns, which will be raised with the company in meetings scheduled in April. We will keep members advised of outcomes of any future meetings on this matter.

Locomotive Division DVD

A DVD has been compiled containing the key elements of the Locomotive Divisional Conference of 2007. It contains keynote addresses, main discussion items and other items presented to the conference.

The DVD is available from the union office.