



MEMBERS' BULLETIN

RAIL TRAM AND BUS UNION

Bulletin No: 34/2010

13th AUGUST 2010

To: All RTBU Members,

RAILCORP EA UPDATE

In addition to the information provided in the Combined Unions Bulletin Update 28, the following information is provided to R.T.B.U members in response to the questions raised by our members yesterday.

A meeting of the RailCorp Combined Delegates Campaign Committee occurred on Wednesday 11th August, (*this committee consists of 80 Rank & File Delegates of the Combined Rail Unions*) to be briefed on the status of the negotiations following a 16 hour meeting with the Transport Minister on the Monday, which resulted in a offer being put on the table by RailCorp and the State Government.

This meeting passed the resolution as outlined in Bulletin Update 28 .

The decision taken by the Campaign Committee to defer industrial action after being presented with the facts was not taken lightly but was eventually supported by the **overwhelming majority** in the room.

So that R.T.B.U members can further understand the reasoning behind their decision and most importantly, why the campaign committee decided to put strike action on hold, the following information is presented:

In the face of our threat to take significant protected industrial action, the State Government and RailCorp have presented us with an offer that meets some, but not all, of our key demands.

Even though we notified them of our continued intention to take industrial action, they have not yet availed themselves of the legal options that are available to them to cancel our protected industrial action period. (*The R.T.B.U has sought legal advice on this issue and the information will be provided to members next week*). Should we proceed, however, there is a strong likelihood that they would do just that and we would lose our power to take protected industrial action, our most important bargaining tool.

This left us with three basic options:

1. **Reject the offer outright and proceed with a strike.**

This option would mean playing our trump card, but would also mean putting at risk **all of the concessions** that we have already gained in the negotiations so far. It is



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essentially a 'double or nothing' option – with a strong chance of ending up with nothing. The benefit of this option would be enabling the Membership to vent its anger at RailCorp and the State Government by going on strike, **but possibly at the cost of your pay, conditions and even your job.**

2. Recommend that members accept the offer on the table.

This option would allow us to sit back and relax but it would mean that we have taken the easy option and have accepted a less than ideal package.

3. Put the strike action on hold, and go back to the table for further negotiations

This option would put us back at the table to improve on the offer already made without having to go back to square 1, which would happen if we pursued option 1.

The Campaign Committee looked at all of these options very carefully, and weighed up all the risks, they were also informed that if we went with the option to go back to the table, we would get assurances from RailCorp and government that they would not oppose the request to Fair Work Australia for a further industrial action period of thirty days.

In the end, the overwhelming majority of the committee decided to **support Option 3** – to go back to the negotiating table and seek a better deal.

While the committee understood that many members are ready to take strike action, it was felt that this option should be kept up our sleeve as a very last resort. The campaign committee decided that it should not place **your** pay rise, **your** conditions and **your** job at risk unless there was no other way forward.

If the State Government and RailCorp fail to make any improvements to the deal that's on the table, **then we can reinstate our planned protected actions, and the strike is back on.**

The decision by the Campaign Committee means that we can go back to negotiations with the threat of strike action still in our hands.

We understand your frustration with the time it is taking to get a decent deal from the State Government and RailCorp. We all know that the behaviour of the State Government and RailCorp has been disgraceful through this entire process. We are all sick to death of the negotiation process – it should have been sorted out months ago. But we can't afford to let our anger and frustration cloud our judgment.



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The most important thing must always be to **protect your pay, conditions and jobs** - and that is why the campaign committee decided to put the strike on hold for a couple of weeks and to try again for a better deal.

The last issue that was raised yesterday by some was that we did this to protect the Federal Government as reported in some media, R.T.B.U members are assured that this campaign has always been **industrial NOT Political**. In fact we started this process and even lodged for our protected action while Kevin Rudd was still Prime Minister, and as important as our fight is, it will have little or no affect on any Federal Election. Be assured that the current leadership is more than willing to advocate the shutdown of the rail system prior to any State Election if it produces a satisfactory outcome for the RTBU membership.

We will keep you posted on the events as they develop, we will be sending out further information directly from the R.T.B.U as necessary and please be assured that NO final decision on accepting or rejecting any offer will be taken by the R.T.B.U without the full involvement of our members.

If you are still concerned please seek out your workplace delegate, members of the Combined Campaign Committee or our office for further clarification.

The next report back meeting to the Campaign Committee will occur in 2 weeks.

Bulletin Issued and Authorised by:

ALEX CLAASSENS – BRANCH SECRETARY