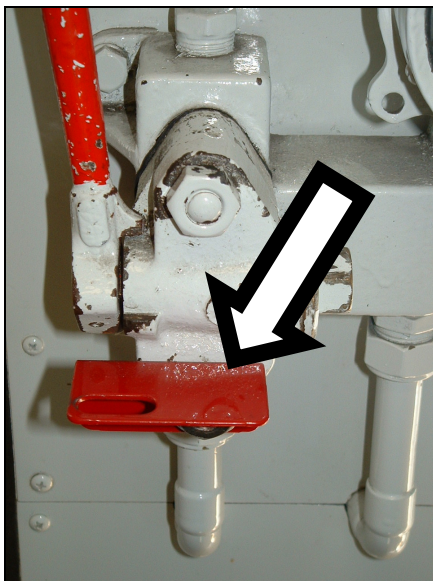


Guard Division Pressures RailCorp To Finally Remove Hazard After Serious Workplace Injury

Once again it has been left to the efforts of RTBU members to ensure that RailCorp provides a safe workplace for its workers. RTBU members working with the Australian Manufacturing Workers Union (AMWU) members were forced to hold RailCorp management to account and to show them that safety is about actions and not just glossy handouts and power point presentations.

In February 2006 metal devices were fitted to all Silver Sets in the RailCorp Fleet. The devices were attached to the emergency brake pipe tap in the guard's compartment in order to ensure the safety of maintenance workers working on and under the train.



The offending metal device

The device provided a safe working environment by locking the emergency brake pipe tap in the open position and this stops the build up of air in the train so the train will not move. The device was installed in addition to the use of a red flag system to indicate maintenance workers were working on the train.

The RTBU Guards have stated the safety of co-workers is paramount and in no way do they want to place co-workers at risk in the workplace. However, there was no consultation with the Train Guard's Sub-Division in relation to the installation of this

device, nor were guards or the RTBU told about the fitting out of the guard's compartments with the devices. Neither were safety assessments carried out by RailCorp with the Guard's by prior to installation.

Prior to any injuries being reported to the RTBU the RTBU's Guards' Sub-Division Secretary, Geoff Quinn and the Guards' Sub-Division President, Brian Ready raised the potential workplace hazard that the installation of the device would cause with RailCorp management. Geoff Quinn was subsequently informed by RailCorp's Management that the safety issue had been formally raised at a higher level. The response the Guards' Sub-Division received as a result of this issue being raised was that the matter was "being looked into by RailCorp". Despite this response there was no further action by RailCorp to address this safety concern.

On Friday 15 September 2006 the RTBU met with the General Manager Train Crewing to discuss the removal of asbestos from V-Sets. At that meeting the RTBU again raised the safety issue in relation to the device and the risk it posed to Train Guards.

On Thursday, 21 September 2006 the RTBU became aware of a Train Guard who injured their head on the device and required three (3) stitches to the wound. The RTBU then contacted RailCorp to inform them of the injury to the RTBU member and reminded RailCorp they had been advised that they were failing to not provide a safe work environment for Guards. As a result of RailCorp's failure to act an RTBU member had been seriously injured in the workplace.

RailCorp advised they would investigate the matter and promised to get back to the RTBU. RailCorp never got back to the RTBU.

Following RailCorp's lack of action RTBU Relief organiser Mick Cartwright and the Australian Manufacturing Workers Union OH&S Officer, Mr David Henry conducted a workplace inspection of trains at Central Station. Upon completing the

inspection both officials concluded the device was a safety issue for guards and should be removed and replaced with a more appropriate device to meet all safety concerns.



RTBU Relief Organiser Mick Cartwright and AMWU OH&S Officer Dave Henry undertaking the workplace inspection

The RTBU then informed RailCorp:

Having now completed an investigation and a risk assessment of the bolting on of this metal device to the emergency brake pipe tap on various silver type sets the RTBU believes that this device poses a significant workplace danger to our members. As a result, the RTBU requires all these metal devices be removed no later than 4:00PM on Friday 29 September 2006.

The RTBU also provided RailCorp with an option to address any interim safety concerns as a result of removing the device:

As a possible alternative measure a metal rope with a padlock would provide a feasible alternative to the current situation. The rope could be both attached and released only by the person undertaking maintenance work on the train.

The RTBU believed the proposed deadline provided RailCorp with sufficient time to have the offending metal device removed from effected trains and for the introduction of an alternative procedure that met the safety requirements of maintenance workers. The RTBU reported the matter to WorkCover NSW and stated the device had to be removed within the appropriate time frame.

It was not until the following Wednesday that RailCorp contacted the RTBU to state that RailCorp required a longer timeframe. A meeting was organised for Tuesday 3 October 2006 at Flemington Maintenance Depot. The RTBU Guard's Sub-Division representative in attendance was Sub-Division Secretary Geoff Quinn.

RailCorp provided an assurance in writing that all the devices would be removed by Wednesday 4 October 2006. The Train Guards Sub-Division was prepared to accept this date to ensure the safety of maintenance workers at the Flemington Maintenance Centre could be addressed prior to the removal of the devices.

Despite the RTBU's preparedness to manage this issue constructively, RailCorp then informed the RTBU that they could not remove all the devices by Wednesday, 4 October 2006 as the Maintenance Workers at Flemington Depot were objecting to the removal of the device. However, it became apparent that RailCorp had not advised the maintenance workers of the temporary alternative safety strategy to secure the emergency brake pipe tap until a more permanent safety device could be put in place. Once again RailCorp management were attempting to split the solidarity of workers and cross union cooperation.

The RTBU told RailCorp that their lack of action to ensure the safety of Train Guards and to manage a workplace hazard at any level was no longer acceptable. The RTBU informed RailCorp that Train Guards were no longer prepared to place their safety at risk past the 4 October 2006 which had provided RailCorp with sufficient time to address this issue.

On 4 October 2006 the RTBU was informed by RailCorp that an alternative to the metal device would be installed on all 4th and 5th position S set cars by midnight Wednesday 11 October 2006 and that all non end cabs will be done by on R sets by the same date. All end cars on 6 and 4 car V set consists (and therefore 8 car consists) will be done by midnight Wednesday 18 October 2006.

Despite this outcome the RTBU can no longer accept RailCorp's contempt for the safety of its workers and its ongoing failure to act in a reasonable time to address safety. The RTBU has been left with no other option other than to now investigate the possibility of prosecuting RailCorp for their negligence and safety breach. A statement and all material in relation to this matter has been forwarded to the RTBU's lawyer who is preparing a case against RailCorp.

For further information please contact the Secretary of the RTBU's Guards' Sub-Division Geoff Quinn, the President of the Guards' Sub-Division, Brian Ready or the RTBU's Relief organiser Mick Cartwright.