

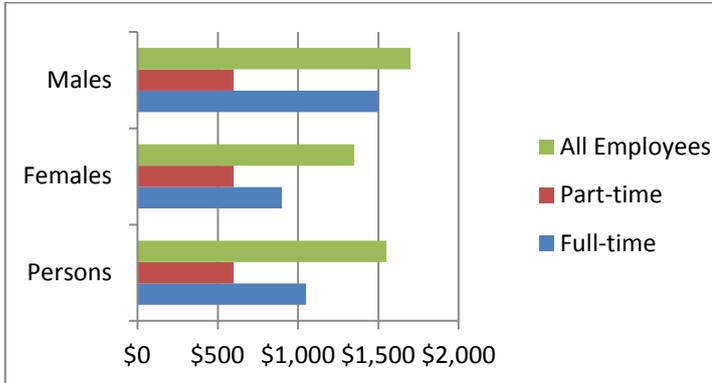


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RTBU Members Raise Serious Issues – Part-Timers



Australian Bureau of Statistics – 2015

The landscape of the Australian workplace has changed over the last decade. The expansion various businesses, extended hours of business have brought with it the demand of business for a flexible workforce.

Unfortunately, this has also meant there is a huge decline in workers' rights and conditions.

The Rail industry has not been exempt from these new business requirements.

The RTBU have met with SWETHA on multiple occasions in an attempt to negotiate an Enterprise Agreement. In response SWETHA have met with their employees in an attempt to cut rates as in their words 'they are too expensive compared to their competition'.

We have made it clear that SWETHA is starting a race to the bottom with rates and conditions and instead of improving the industry; this action will have a cascading effect on all other companies and our members. Due to these actions InfraWorks has recently pulled away from negotiating with the RTBU and stated that they too will be putting out their own EA for a vote.

SWETHA members have been contacted on multiple occasions in an attempt to meet and discuss a strategy in fighting these changes. Due to the nature of their employment (being casual) we received no response as they were fearful of their employment. It was addressed that the way to fight these changes is to stand together and face adversity head on.

MCR continues to be contacted frequently to kick start negotiations as they continue to be the lowest paid employees in the industry. The

meeting between the RTBU and MCR in Unanderra in September 2015 was positive, however, since that meeting MCR has proven impossible to contact and impossible to arrange future discussions regarding an Enterprise Agreement.

It has been made clear to us that entering talks with the employers of InfraWorks, MCR and SWETHA is not the way to solve the industry issues in relation to rates and conditions. A new strategy has to be planned and acted on to bring these companies to the table. An industry wide standard has to be made so these companies cannot use our member's wages and conditions as bargaining chips against each other.

Going into 2016 the RTBU infrastructure Division will be formalising a plan to target major clients of these companies and the government with the goal of securing safe rates and conditions for our members.

RTBU – Supports Climate Change March



On the 25th November the RTBU took part in the People's Climate Change March. The People's Climate Change March is an event that originated in New York that has grown to 175 countries. The

importance about this year was due to the march coinciding with the world leaders meeting in Paris for the United Nations climate summit. By coming together the event was showing our government that we don't accept how out of step it is with our community and the rest of the world. Sydney event had over 20,000 people all from a diverse areas. Australia is calling for our politicians to support a planned transition away from coal and gas.





These could include:



Recent decisions in Fair Work Australia have focussed attention on the lines between the relationship of what an employee does during work hours and out of work hours. Fair Work has made it clear that employees cannot use social media to vent or express their dissatisfaction with their employer.

‘What might previously have been a grumble about their employer over a coffee or drinks with friends has turned into a posting on a website that may be seen by an unlimited number of people. Posting comments about an employer on a Website (e.g. FaceBook) that can be seen by an uncontrollable number of people is no longer a private matter but a public comment.

It is well accepted that behaviour outside working hours may have an impact on employment to the extent that it can breach an express term of an employee’s contract of employment ... a FaceBook post by an employee may be sufficient to warrant dismissal.’

Employers in many public and private sector organisations attempt to extend employee obligations well beyond the workplace, and hold employees responsible for conduct that may be considered to tarnish or impugn the reputation of the organisation.

From the available law it is probably reasonable to assume that a range of employee behaviour out of work hours may come within the scope of company policies and be the subject of disciplinary proceedings.

- When an employee identifies themselves as an employee of the company in public forums, media comments or social media outlets
- This may extend to being identified when in company uniform or displaying company logo in some way
- Using work-related photos (of workplace or work colleagues) in emails, publications or social media sites
- Any behaviour that may be considered employment-related or affect the employment relationship. For example, a personal or intimate situation with a co-worker which then flows into the workplace as inappropriate or unacceptable behaviour
- Criminal proceedings or convictions that may directly affect ability to perform employment duties (E.g.: loss of driver’s licence), or fitness for employment
- Behaviour which could damage the employer’s business or public reputation.

The only sensible advice that can be given to members using FaceBook or other social media is to be extremely careful about what you say and who you say it to.

While you may feel secure communicating on your private computer in the privacy of your own home, you must remain aware that these communications are public and are capable of being scrutinized by other than the intended audience – including your employer.

If in doubt – don’t post it!

It’s not worth losing your job over.