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## Update - Sydney Trains Train Crew Reforms

The Train Crew reform (Future Operations) has been moving along slowly for the last three months. Working groups comprised of RTBU delegates have been discussing issues surrounding these reforms with Sydney Trains. A delegate forum was held on December 7 to update delegates on issues discussed within these working groups. At the forum Delegates gave approval for the working groups to attend depots with the purpose of updating members and to gain feedback.

The feedback to date has been positive about the work being done by the workgroups.

The RTBU will continue to communicate about these reforms through Newsflash bulletins and depot meetings. Most RTBU Guard depot delegates have an email list and if you would like information distributed to you by email, contact your local delegate to arrange, and also to ask questions or provide feedback about these reforms.

The RTBU will continue to develop surveys through Survey Monkey and will email these to members who have given their private email addresses to RTBU and will be filtered through delegate email lists. These surveys give members the opportunity to have their say about these reforms, so please make sure you have given your email address to your local delegate and please try and make time to complete these short surveys.

In addition, there are regular Newsflashes that are published on the RTBU Express. It is advised that members read these regularly.

## Maximum Time Working on a Single Train

The new diagrams for Train Crew starting Sunday 13th December have some good news for Crew.

The RTBU Health & Safety Reps after extensive meetings with Sydney Trains have come to an agreement that the maximum time working on one service is capped to 3 Hours.

Crew will be relieved with a break; this is not inclusive of changing ends.

Guards will be above to have a proper break to refresh mind & body before your next run.

**GONE ARE THE DAYS OF BEING ON A TRAIN FOR 3-5 HOURS STRAIGHT.**

## Social Media – Think before hitting



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.

These could include:

- 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.

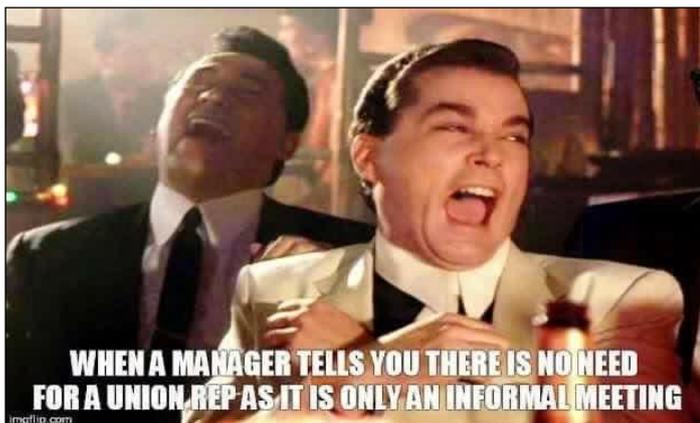
The only sensible advice that can be given to members using FaceBook or other social media is to be extremely careful about what you say and who you say it to.

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.**

**Sydney Trains Managers revisit 'Informal Discussions'**



Members have advised that management are increasing their use of 'private chats' or 'informal interviews' within the workplace.

The RTBU advises member's that they need to be aware that 'private chats' aren't usually private nor treated with confidentiality. At the very least, the manager will make a file note which could be used against you in the future.

In situations where members will be formally interviewed, the evidence produced and answers given can have a profound consequence for the person being interviewed or others involved in the investigation process.

As such, the RTBU advise that participation in any interview (formal or informal) be taken seriously with the appropriate amount of preparation. When notified about an interview the RTBU recommends the following:

#### Formal Interview:

1. Request written advice of what the interview is about, where and when the interview is to take place.
2. Contact your Union Delegate or Organiser.
3. Ensure that you understand the process. The RTBU has a fact sheet available to any Member, Activist or Delegate.
4. Take a support person, Delegate or Organiser with you to the interview. Ensure that you Support Person, Delegate or Organiser take notes during the interview. This will free you up to focus on your answers.

#### Informal Interview:

1. Ensure you have a copy of the RTBU fact sheet and understand your rights.
2. Inform the manager that you want a support person. If this is refused, contact your Union Delegate or Organiser.
3. Ensure that your support person takes notes during the interview.

**Never forget, your job could depend on it!**