



---

# ARTC EA Newsletter No. 5.

June 1, 2005

## ARTC presents its position

---

- o Unions met again with ARTC management on Friday 27<sup>th</sup> May 2005.
- o ARTC presented its position, providing a draft agreement to the Unions.

At the previous meeting, the combined Unions had presented a detailed, well considered document which was developed using best practice in RIC, RailCorp/SRA and ARTC. In contrast, ARTC has responded with a draft position which is based entirely on the current South Australian enterprise agreement.

While the South Australian enterprise agreement may have been suitable in the past, ARTC has since grown, and the current agreement requires modification to take into account developments in standards across the rail industry.

Specifically, the South Australian agreement is limited in content. It does not cover important entitlements such as annual leave, sick leave, carers leave, bereavement leave, long service leave, public holiday provisions, picnic day entitlement, salary levels, allowances, shift work, overtime rates, rostered days off, weekend penalties, occupational health and safety provisions, classification structures, remuneration levels, travelling and incidental allowances and more!

ARTC argues that many of the items listed above are included in company policy. For Unions it is not acceptable to contain these core entitlements in company policies because these can be changed by ARTC management, at any time, without consultation with employees or their representatives.

ARTC, by basing their draft agreement on the existing South Australian enterprise agreement and by entirely rejecting the Union position, is indicating that it does not intend to provide employees with the same entitlements which are now standard in the rail industry. The Unions will not support an agreement which puts ARTC workers below the industry standard.

**Given the recent indication by the Howard Government of the future direction of industrial relations, a *comprehensive* national agreement is crucial. It is only united workplaces which will survive the brunt of Howard's changes.**

**Some members have raised concerns about the interaction between their common law individual contract and the enterprise agreement.**

Some members have raised with the Unions that the agreement which is currently being negotiated cannot cover them because they are 'contract employees'. This is not the case.

The enterprise agreement is being negotiated to cover *all* ARTC direct employees. As such, the Unions have requested ARTC to provide information on *all* conditions of employment, including those in individual contracts, such as base pay levels, performance agreements, bonus payments and the use of the Mercer system to determine individual pay rates.

Consideration will be given to whether these conditions become incorporated into the enterprise agreement or whether these individual entitlements remain underpinned by what will be a detailed enterprise agreement providing a consistent set of known standards to all employees.

Finally, ARTC currently provides **no guarantee of continuing employment** to its direct employees, through the terms of the individual contacts which are up to 5 years in duration. The Unions believe contract arrangements need to be replaced with permanent employment. The conditions of this permanent employment should be spelt out in clear terms through the enterprise agreement. This would address the concern of some Union members that ARTC can refuse to renew a contract at the end of its term.

ARTC has requested time to prepare a presentation for the Unions about the remuneration system currently used. Therefore the meeting set down for the 3<sup>rd</sup> June 2005 will be a Union meeting to discuss how we are going to respond to ARTC's proposal. Subsequent meetings are planned for 9<sup>th</sup>, 16<sup>th</sup>, and 21<sup>st</sup> June and 6<sup>th</sup> July 2005.

**If members of the joint Unions or other ARTC employees require more information about the negotiations, or would like to make a suggestion, please contact your Union Organiser:**

<b>RTBU New South Wales</b>	<b>Doug Klineberg</b>	(02) 9264 2511
<b>RTBU South Australia</b>	<b>Ashley Waddell</b>	(08) 8212 1010
<b>APESMA</b>	<b>David Bourne</b>	(02) 9263 6500
<b>ASU New South Wales</b>	<b>Trevor Naylor</b>	(02) 9310 4000
<b>ASU South Australia</b>	<b>Steve Brooks</b>	(08) 8363 1322
<b>CEPU</b>	<b>Bob Carcary</b>	(02) 9267 4844

This Newsletter circulates to all ARTC employees and RIC Secondees in NSW, South Australia and Victoria.

**Produced by Combined Unions: RTBU, CEPU, ASU and APESMA.**