

AUSTRALIAN FEDERATED UNION OF LOCOMOTIVE EMPLOYEES POST IN NOTICE CASE



CIRCULAR: 13 – 11

REF: QR NATIONAL COAL
COAL SOUTH SPLITTING TDO CREWS

5 April 2011

Dear Members

**QR NATIONAL COAL
COAL SOUTH SPLITTING TDO CREWS**

Yesterday the AFULE appeared at the Fair Work Australia Tribunal for a second conciliation conference with QRN to try and resolve our dispute over splitting TDO crews after the commencement of a shift.

Commissioner Cambridge confirmed that his remarks at the last conference were not a judgement or recommendation and that the clause 70 dispute was not settled merely by his remarks.

Commissioner Cambridge made the further comment that QRN's argument that clause 98 placed tighter controls on car driving than on driving a train led to an inconsistency in the way the crews were split – that is, cars were supposed to have tighter controls but driver's shift lengths ended up being extended beyond the limitation a DOO driver would be required to drive.

The outcome of the conciliation was that QRN would upon the request of the AFULE conduct a risk assessment taking into consideration the following:

- That QRN discuss the work practice of solo driving of a motor vehicle, during a TDO rostered shift, with relevant employees who have been requested to perform this work practice, or who are subject to being requested to perform this work practice;
- That QRN will consult with the rail unions during this process;
- That QRN will consider the relationship between solo driving of a motor vehicle during a TDO shift and increased risk to fatigue, specifically taking into account that the FAID system does not adequately recognize factors such as working independently and type of task undertaken;
- That QRN consider the relationship between duration and distance of solo driving during a TDO shift and increased risk to fatigue;
- That QRN consult with the rail unions on this issue and canvass these issues across the relevant areas.

If you have any questions about this matter please contact your State Office on 3257 1151.

Yours fraternally

Greg Smith
State Secretary

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