

AUSTRALIAN FEDERATED UNION OF LOCOMOTIVE EMPLOYEES



Circular: 42/22
Ref: PN EBA Update
30/05/2022

PN Intermodal Bargaining Update

Dear Pacific National Traincrew,

As you are aware, the AFULE has been in negotiations with PN Intermodal since late February 2022 in an attempt to reach an agreement on your now expired Enterprise Agreement.

Your bargaining representatives have been very clear that urgent attention is required to:

- The wording of your enterprise agreement
- The lack of recognition for time spent away in barracks workings
- Access of leave during the Christmas period
- The introduction of an All-Purpose Rate to be used on all hours worked and leave taken
- Access to certificate IVs for all Traincrew who request
- A pay rise that competes with competitors and the increased price of living

And

- An overhaul of rostering provisions

If we've heard it once, we've heard it a thousand times during bargaining that "PN need to manage costs and maintain flexibility" and to an extent, we agree. We do not want to enforce costs or restraints that would see the business fold, that doesn't end well for anyone. The facts are facts however and that is that PN Intermodal QLD have fallen well behind when it comes to wages and conditions of their greatest rivals and even with their own interstate business.

Last Friday we met virtually with the company as they provided your representatives with a "proposal". Included in the "proposal" were claims for:

- The ability for the company to bank and re-roster undertime during peak periods without cost
- The ability to partially stand down the workforce should there be a reduction in volumes
- A reduction in personal leave accruals for new employees
- The introduction of non-voluntary training/ re-training to allow Traincrew fulfill terminal work
- A payment of \$30 for when Traincrew are required to remain in Barracks in excess of 16 hours
- Pay increases of 2% or lower

There were a number of other items of zero cost, minimal cost or simply bringing into line with legislation or PN's national standard including:

- Transition to retirement options
- Paid Domestic Violence Leave
- Improved WIF wording

Traincrew representing Traincrew

- LSL cash out
- Annual leave at half pay

As you can see, PN are seeking to “manage costs and maintain flexibility” by attacking even more of your conditions!

It has become clear that PN is not currently listening to you *or* the representatives you have entrusted to negotiate your Enterprise Agreement. As a result, today we are finalising our application for Fair Work Australia to ballot our membership to potentially enter into Protected Industrial Action (PIA). I have been in discussions with the RTBU who have agreed to enter this process also.

What this means is that once approved by Fair Work, union members will receive a ballot paper sent to their home address with a number of questions relating to whether you agree to participate in Protected Industrial Action. For a successful ballot, 50% plus 1 of all posted ballots must be returned. Protected Industrial Action doesn't simply mean going on strike. It could take the shape of not working overtime or not agreeing to lift up or lay back.

There will be plenty of upcoming comms regarding the PAB and there is still some time before we get to the stage of having the ability to take lawful action. The decision to take Protected Industrial Action is certainly not taken lightly and one we will avoid if possible.

We are scheduled to meet with the company in person again on the 14th and 15th of June. We will attend, participate, and bargain in good faith as we have since February. Let's hope that the company attends having put more thought into the claims that you, via your representatives have tabled.

This Wednesday evening at 1830hrs we will be holding a virtual PN Intermodal union meeting. A link to this meeting will be sent to your email tomorrow (Tuesday) afternoon. All available members are strongly encouraged to attend.

In Solidarity,



Mick McKittrick,
State Secretary