

# Combined Unions Fighting To Retain Members' Conditions

Combined NSW Transport Unions' Update No. 8

Friday, 3 February 2012

## Unions Fightback on O'Farrell Government Attempt to Strip Conditions from Transport Employees

As members would be aware, in 2011 the O'Farrell Government passed legislation which enabled the Director General for Transport for NSW (TfNSW) to **set the salary, wages and conditions of staff** and to have the power to transfer staff anywhere within the transport portfolio. The NSW Government has since used its **power to transfer employees from federal enterprise agreements to the NSW industrial relations system**.

The O'Farrell Government has passed legislation to reduce the powers of the NSW Industrial Relations Commission (IRC). This prevents the IRC from making decisions which contravene Government policies constraining your wages and conditions.

As a result of these changes the Director General of TfNSW made two legal Determinations:

1. one for employees in the Transport Senior Service **containing 13 conditions of employment**; and
2. one for award employees in the Transport Service **containing only 18 conditions of employment**.

Following this, TfNSW applied to the NSW IRC to have an Award registered which would significantly reduce the employment conditions of employees being transferred into TfNSW.

## The Removal of Basic Conditions of Employment

Many basic conditions were not included in the Government's Award application including:

- travel passes and entitlements;
- a separate classification structure for engineers;
- special leave entitlements;

- a variety of allowances;
- flex leave; and
- many currently enforceable conditions (by placing them in policy so they can be changed at any time by management prerogative).

## Combined Union Response

**The problem for union members is the Government has, by introducing legislation worse than Workchoices, sought to remove rights from unions and their members.**

This has meant the Combined Unions have had to engage in a lengthy and difficult process constrained by the Government's new industrial framework in order to protect your entitlements.

Despite the O'Farrell Government's legislation the Combined Unions have been working with delegates and union members to secure employee conditions and entitlements.

The Combined Unions have focused on **maintaining over 100 employment conditions which exist in current awards and agreements.**

## Outcomes and Workplace Briefings

Despite the industrial environment the Combined Unions have made significant progress in protecting conditions. There is now an in-principle agreement from the employer to reinstate a number of conditions previously left out of their proposal however there is still further work to do.

Conciliation proceedings will occur in the NSW IRC on 7 & 8 February 2012. Following these proceedings the Combined Unions will be organising workplace briefings across affected areas in the transport portfolio to update members on the status of the campaign and the outcomes achieved to date.

**Should you have specific inquiries about your conditions in this process contact your union.**