

Rail Operations Enterprise Agreement 2019

Enterprise Bargaining Update

Team

We're continuing to see misinformation being shared about Metro and your Proposed Agreement.

We appreciate that not everyone will agree with every clause that has been negotiated with your representatives, however it's important that we **keep to the facts** and **remain respectful** with each other. Our shared values of Caring and One Team are critically important at this time.

Please think carefully about the information being presented to you, check the source and ask questions to make an informed decision for your vote.

We've addressed some of the inaccurate information below (also attached).

GET THE FACTS... on your Proposed Agreement



MYTH: The Stand Down Clause was removed to make it easier to let go of staff due to COVID-19

FACT: In August last year, it was agreed to delete the stand down clause under Section 3 of the Proposed Agreement (applying to Rail Division only). That clause has a similar operation as to what is contained in the Fair Work Act 2009. Deleting that clause from the Proposed Agreement does not make it more likely or easier to stand down employees.

In any event, Metro has signed a Memorandum of Understanding with the RTBU that agrees on terms that shall apply if there are any stand downs of employees in relation to COVID-19.

Metro has no plans in place to stand down employees covered under this Proposed Agreement.

MYTH: Metro will axe the 14% wage increase after the Proposed Agreement is passed

FACT: We understand, based on media reports, that there are some applications being made to vary or remove the wage increase/s prescribed under Enterprise Agreements (EA). It's important to note that under the Fair Work Act, EAs can only be varied if the steps required by the Fair Work Act are met, which include:

- the approval, in a vote, of the majority of employees covered by the agreement; and
- the Fair Work Commission approves the variation, having regard to a number of factors including whether:
 - the employees would be better off overall under the variation of the EA than under the relevant modern award; and
 - whether employees genuinely agreed to the variation.

For example, a case that has been recently reported had circumstances where the majority of employees covered by the EA voted yes to vary the agreement and freeze the pay rise. A union then tried to stop the approval of the variation before the Fair Work Commission as they believed that circumstances had changed after the vote, such that the variation had not been genuinely agreed.

It is incorrect to suggest that Metro could unilaterally choose to vary an EA and "freeze" a pay rise without the approval in a vote of the majority of employees.

Metro seeks to secure the 14% wage offer which, among other reasons, is why Metro has decided to put the Proposed Agreement to an employee vote.

Find out more

Visit www.metrotrains.com.au/enterprise-agreement/ea_rail_operations

Talk to your leader

Send your questions to enterpriseagreement@metrotrains.com.au

As at 9 April 2020

Please take the time to vote. We believe this Proposed Agreement provides a fair, competitive pay increase balanced with improvements in the way we work in order to deliver the network needed for a growing Melbourne.

Regards,

Catherine Baxter, Chief Operating Officer
On behalf of Metro's Rail Operations Enterprise Bargaining Team

www.metrotrains.com.au