



# Rail Operations Enterprise Agreement 2019

## **Frequently Asked Questions, following your vote.**

18 April 2020

Commercial in confidence



## 2019 Rail Operations Enterprise Agreement

Eligible Rail Operations employees have voted in favour of the proposed Rail Operations Agreement 2019.

The following Frequently Asked Questions have been developed to answer questions you may have about the next steps.

### **Q: What happens now that employees have approved the Proposed Agreement?**

- Of the eligible employees that voted, 51% voted in favour of the terms and conditions set out in the Proposed Agreement.
- This means we have achieved a majority vote (more than 50% of people who vote) and the Proposed Agreement is considered to be approved by our employees.
- The Proposed Agreement will now be submitted to the Fair Work Commission (**FWC**) for approval.
- The FWC will assess whether the Proposed Agreement passes the 'Better Off Overall' test. This test ensures that employees are better off under the Proposed Agreement than the relevant Modern Award. The FWC will also check that the Proposed Agreement complies with the National Employment Standards and meets the other requirements of the *Fair Work Act 2009*.
- If approved, the Proposed Agreement will come into effect seven days after the date of the FWC's approval.
- We will keep you updated on our progress with FWC's approval of the Proposed Agreement.

### **Q: What role does the FWC play in approving the Proposed Agreement?**

- In order for the FWC to approve the Proposed Agreement, it must be satisfied that a number of requirements have been met. These include the following:
  - that the procedural requirements set out by *Fair Work Act 2009* have been met;
  - that the Proposed Agreement has been genuinely agreed to by the employees that will be covered by the Proposed Agreement;
  - that the scope of the Proposed Agreement has been fairly chosen;
  - that the terms of the Proposed Agreement do not contravene the National Employment Standards;
  - that the employees will be "Better Off Overall" under the Proposed Agreement than they would be under their applicable modern award(s); and
  - that there are no unlawful or designated outworker terms in the Proposed Agreement.
- If any of the above requirements are not met, the FWC may reject the Proposed Agreement or seek additional information.



**Q: When will I receive the wage increase agreed in the Proposed Agreement?**

- Backpay associated with the first wage increase and the second wage increase will be processed following approval by the FWC and the Proposed Agreement coming into effect.
- More information about your backpay will be provided to you once approval has been received by the FWC.

**Q: When will the Proposed Agreement take effect?**

- Following our successful 'yes' majority vote, we will now send the Proposed Agreement to the FWC for approval.
- If approved, the Proposed Agreement will come into effect seven days after the date of the FWC's approval.
- Assessment times for Enterprise Agreements can vary and there is no set time period for the FWC (as an indication only, the Infrastructure and Rolling Stock agreements were formally approved by the FWC approximately five to six weeks after the date of lodgement).
- We will lodge the Proposed Agreement with the FWC within the next two weeks.
- Metro is planning ahead to ensure that relevant systems and processes are in place for the successful implementation of the Proposed Agreement.

**Q: What is the length of the Proposed Agreement?**

- The nominal expiry date of the Proposed Agreement is 30 June 2023.

**Q: Are there any additional Enterprise Agreements currently under negotiation?**

- No, the Rail Operations Enterprise Agreement is the final of the three EAs that have concluded negotiations.
- The Infrastructure EA was approved by the FWC on 25 October 2019 and the Rolling Stock EA was approved by the FWC on 11 February 2020.
- Information about all three EAs is available at MTM's Enterprise Agreement website [www.metrotrains.com.au/enterprise-agreement](http://www.metrotrains.com.au/enterprise-agreement).

**Q: Where can I get more information?**

- For more information on the Proposed Agreement, you can:
  - Visit our Enterprise Agreement website [www.metrotrains.com.au/enterprise-agreement](http://www.metrotrains.com.au/enterprise-agreement);
  - Visit The Depot (Metro's intranet);
  - Email [enterpriseagreement@metrotrains.com.au](mailto:enterpriseagreement@metrotrains.com.au); and
  - Ask your Team Leader, Manager or People Business Partner.