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# Sparks

THE RANK-AND-FILE TRANSPORT WORKERS' PAPER

**CURRENT BUS DIVISION RTBU OFFICIALS  
CONTINUE DIRTY WORK OF PREVIOUS  
RIGHT WING ALP HENCHMEN WITH NEW  
EBA SLEIGHT OF HAND!**



STA BUSIE NEWS;  
VICTORIAN RAIL NEWS;  
STA EBA RIPOFF;  
BURWOOD STA DEPOT  
ELECTION RORT;

OCCUPY & UNIONISTS;  
GAS BUS SNAP STRIKE;  
QANTAS LOCKOUT;  
NSW RAIL NEWS;  
TRAIN CREW NEWS;

## **EDITORIAL**

Welcome to another edition of Sparks.

Some of the most important news in RailCorp is a new push to change the duties of Guards as a move toward D.O.O. (Driver Only Operation). (See article page 3.)

In recent months, the “Occupy” movement has spread from its epicenter in Wall Street New York to many countries. What can the grass roots in the existing bureaucratic unions learn from this movement and its experience? (See article page 3.)

In State Transit, the most important news has been the recent Enterprise Agreement. To sell the deal, avoid vigorous debate and any industrial action to get a better EBA, no mass stop work meeting was held. Instead it was referred for approval to depot meeting which many were unable to attend. It was sold, by the officials with the ploy that only new trainees would be most hard hit by the nasties. However, the deal will adversely affect those who have been on the job long term. As the STA will be encouraged in its disciplinary crack down to engineer sackings and replace long term drivers with much cheaper trainees for which they also receive a subsidy. The EBA also provides cuts to wages via the elimination of W.A.D. (Work As Directed) and the trimming of penalties. (See articles pages 7 & 11.)

In this edition we also supply details of the brazen interference in and rorting of the election for union rep at Burwood Depot with relevant documents. (See article page 17.)

**Sparks welcomes contributions in the shape of poems, articles and cartoons by transport workers. Please send to Sparks PO Box 92 Broadway 2007 NSW or via our web site [www.sparksweb.org](http://www.sparksweb.org)**

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## **SPARKS WEB PAGE -**

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## RAILCORP TRAIN CREW NEWS

The only issue at the moment is that RailCorp doesn't want guards to watch their train onto the platform. It relates to all trains not just the Waratahs. However, guards feel it's a safety issue and involves a risk to passengers, if they don't do it. It's the big issue at the moment.

Currently, the issue will probably end up in a dispute. As guards are very passionate and united on this important safety issue. The union is backing us. It's just Railcorp management who are pushing the issue.

*Concerned Guard*

## What can We and the Trade Unions learn from the Occupy Movement?

*By Crimson Coconut*

### Introducing the Occupation

Inspired by uprisings in the Middle East and the struggles and sacrifices involved in overthrowing despotic and corrupt regimes there, it is now the turn of people in the West to rise up against undemocratic and unrepresentative regimes to regain some self respect.

The continuous crisis of capitalism in the US, Europe and globalised consequences elsewhere are bringing into focus the extreme economic and social inequality between a small elite of bankers, politicians and businessmen (the 1%) whose combined incomes are equal to that of 99% of the rest of the population. For this reason the mass of disaffected and dispossessed in the US have called themselves the 99%.

In Australia the disparity between the elites 1% and the 99% is growing. According to the ABS, on 2009-2010 figures, the wealthiest 20% of households in Australia account for 62% of total household net worth, with an average net worth of \$2.2 million per household. While the 20% of households with the lowest net worth accounted for only 1% of total household net worth, with an average net worth of \$31,829 per household.

Globalisation of capital and of economies around the world, in trade pacts, has exacerbated the concentration of wealth in fewer and fewer hands. Nowhere has this been more clearly illustrated than in the United States. The huge over indulgent middle class which was an essential character of the United States in the 50's and 60's no longer exists. What's left is a small wealthy class, that owns most of the wealth. This privileged capitalist class dictates and lauds it over the rest of the population which has been impoverished. Millions are unemployed, millions of people have lost their homes and millions (estimated 40 million homeless across America) more (overwhelmingly African Americans) languish in gaols. A real despair has settled over the US.

Detroit, once the showpiece of US car manufacturing, a capitalist dream on wheels, is now officially bankrupt. Garbage goes uncollected, teachers still teach in the neighbourhoods but they are often not paid. 50 million Americans don't have any access to health care at all. This same scenario is repeated in cities across the United States from California to Seattle and New Orleans to the Great Lakes.

Out of this despair arose Occupy Wall Street aimed at the centre of all of the excesses of the super rich as an antidote to the pain and suffering that people were feeling. Occupy Wall Street protests were a new beginning, awakening ordinary people to the possibilities of taking back the wealth stolen from them by the bankers, speculators and mere gamblers centred on Wall Street.

What started out as a symbolic protest and occupation changed the way ordinary people saw themselves. They connected the dots and saw that they had been swindled and cheated by a system of exploitation on behalf of the 1%. They keep being told to go along with a system in which the wealth created by the rich would "trickle down" to them providing for their every need. The truth is that the wealthy create no wealth but behave as leeches feeding on the productive capacity of workers. Instead of providing for all, the system impoverishes the majority while making the super rich wealthier beyond their dreams.

Instead of just feeling victimised though, people supporting the Occupy protests saw that, through solidarity and with experience, they might just be able to dismantle the system of exploitation. They now glimpse that another reality is possible. The creation of an economic system that takes into account the needs of the majority of the population, rather than benefiting a small group of crooks, is no longer a dream but manifests itself as a distinct objective etched into individual and collective consciousness.

The hope expressed at Occupy Wall Street caught on like wildfire, sparking the imagination of millions of ordinary people, firstly in the US, then 2720 cities and communities around the world. The Occupy Movement worldwide was born in an awakening of possibilities for those that could see they were no longer alone in dreaming about creating a future full of hope, free from exploitation.

Because of the implications for working people over their collective attempts to exert power over the bosses, banks and businesses the Occupy Movement should be of interest to trade unions around the world.

So far in Australia only a handful of traditional militant trade unions have seen fit to support actions by the Occupy Movement here. There is even a group called Occupy Workplaces supporting workers struggles. Yet the Occupy Movement is treated generally by the majority of trade unions as a passing aberration. This is a mistake.

So what do the Trade Unions here and around the world have to learn from the success of the Occupiers here and around the world?

### **No Leaders, No Platform?**

The Occupy Movement is portrayed in the press as having no leadership or of not making their demands clear. Despite this, a multitude of causes are represented from environmental, anti-nuclear, anti-war, women, labour and trade union, social justice, economic equality,

anti-globalisation, gay rights, socialists, anarchists etc. All of them are united by one single need. The need to fight back against the economic and social repression and lack of democracy of the Elite 1% who are against the 99%, the rest of us. This is the root cause of all suffering. This solidarity and clarity through multiple “cause” channels is what makes the movement strong and bamboozles the press lackeys of the 1%. This is class warfare and the problem is capitalism, but the press, like canaries whistling sweet tunes for their owners, cannot see outside of their feeding cages.

Everyone who donates time, money or effort to the Occupy Movement is a leader. There are no limits about what a person collectively does, as long as the action adheres to an agreed collective position. All viewpoints are listened to and everyone’s contribution is equal according to ability. Some will be able to make greater contributions than others, at different times, due to different skills levels and utilisation. That is a strength.

In most Australian Trade Unions, on the other hand, the only democratic act that members can take part in is the election of the leadership every few years. Even then elections are contentious with members and unelected spin jockeys are appointed as organisers even though they don’t have the support of a majority of the union membership. After elections the leadership don’t really want to know the rank and file. The only communication members have with the leadership is some article in the union journal which acts as a propaganda tool for the leadership to promote themselves. Suggestions, offers of help are often resented as interference.

How different would the unions be if they treated members not just as consumers of their services, but as a resource which they could use to win struggles and to add bargaining power during wage and condition negotiations?

Debates within union council or debates within the workplace over tactics is non-existent, even though workers do have strong views on many issues. In the coming period unions will have to open up to the members that they have at their disposal instead of merely acting as agents for political parties. The world has changed and people will demand that institutions such as trade unions change with them, be it voluntarily or forcefully. The great tide of class history is about to consume them.

### **Democratic Decision Making**

Within the Occupy Movement everyone is clear about their roles. People viewing Occupy from outside of the movement have likened Occupy’s proceedings to that of a cult. While this may be true there is still unity of purpose and clarity about the way people conduct themselves and about how the Movement moves forward. A whole new art and culture is emerging from within.

Across all of the Occupy communities most of the procedures and methods of operation have been standardised to enhance the democratic process. General Assemblies (GA’s) are the decision making body of each of the Occupations. Anyone who is committed to the movement can put forward positions on tactics or principles. Voting and debate then takes place until consensus is reached or the motion is rejected. Once a platform or position is agreed to then everyone is obliged to follow that position until it is rescinded by a subsequent GA.

Compare this to the actions of some unions. Despite members voting and agreeing to industrial action it is mostly overturned by the Leadership because it might hurt their political affiliates. (In Australia this will most likely be the ALP). The Union Movement's tactics or agenda rarely involve the rank and file in consultation and advice is never sought from the ranks despite them knowing the issues better, in most cases, than the leadership.

A few unions from militant traditions such as the MUA and to a lesser extent unions such as the CFMEU will mobilise the ranks when the need arises. But as far as the day to day running of union affairs and fight back planning goes, input from members is minimal.

#### **Not driven by budgets or assets.**

The Occupy Movement around the world is run on meagre resources mostly provided by people supporting the movement. All resources go into furthering the cause. The movement is driven by donations from supporters, yet food is provided to feed anyone who turns up and the dynamics of the movement continues to accelerate using the ingenuity and labour of the participants involved.

Many of the Occupy sites have had their resources either destroyed or confiscated in police raids which are orchestrated to close down the movement. Despite this wilful damage on behalf of the authorities the Occupy Movement increases its momentum.

Contrast this with the Trade Union movement which has the constant threat of fines and confiscations, which are written into law, hanging over their heads. Many of the larger unions are flush with cash to the tune of millions of dollars, plus buildings and assets worth many millions more.

The Trade Union bureaucrats are reticent to put this loot, which belongs to members, on the line even when it may be necessary to spend to challenge the bosses on behalf of members. Instead they prefer to keep all the trappings of privilege inside a respectable and intact comfort zone which has the chance of being jeopardised if they challenged authority at all. At least that's the excuse that they give. They don't care that a unions strength is measured not by what capital it owns but by the success and militancy of its members. They have, in a way, usurped their reason for existing and replaced it with a concerted campaign of organised accumulation of capital. Capital which may be used at some later date, or if they so decide, not at all.

#### **Occupy and workers struggles.**

The Occupy Movement is only months old, yet, it has had a profound effect on industrial struggles here and abroad. Union struggles which only months ago had a poor prospect of succeeding are suddenly being won.

Not only is this due to the direct support of the Occupy Movement, it is due in part to the changing psychology of the workers movement, especially in the US where conditions are much harsher. The Occupy Movement has won the hearts and minds of workers who have emancipation deeply imprinted within their consciousness. Recent opinion polls here and overseas point to the fact that there is majority support amongst working people for the Occupy Movement, even if those same people do not find the time or energy to be with supporters in the parks and on the streets.

*See Page 9*

## RAIL - BUS NEWS

*By The Transport Scrutinizer*

**RAILCORP:** As is well known by now Andy Byford has left Rail Corp to take up a similar position in Canada. His job is now being done by Mr Tony Eid, and one looks with interest at what lies ahead for unionists and their ongoing struggle to retain their awards and democratic rights. Meanwhile the Waratah train project rolls out its new trains slower, than a defective freight train trying to negotiate the Como Bank.

**STATE TRANSIT:** Bus operators have been successful in negotiating a 3.25% pay increase, conditions of this are outlined below:

*As of April 2012 first pay increase will change from 2.5% to 3.25%. There will further increases of: 3.25% in January 2013 & 3.25% in January 2014; Work practices will change: Shift types will have more relief lines; relief lines will be based on seniority; there will be a much smaller scrap roster and successful applicants to it will get senior bus operators rate of pay whilst on the roster; Changes to recruitment: STA will still offer bus driving lessons for free and employ trainees once you have your bus licence; Trainees will be paid bus operator Level 1 wages until end of traineeship. This does not apply to existing trainees;*

*New method of in service training, which was trialled at Randwick; Bus Operators will no longer be approached about anonymous customer complaints. They will only be approached if complaint is categorically justified and proven.*

A negative side of this is the way New Recruits will be forced to work for free, while upgrading their Licences and Driver Authorities.

Christmas and New Year penalty payment rates have been released and whilst those who work will be paid for shifts worked, those employees not working on Christmas Day and New Years Day will not be paid due to these days falling on Sundays. This is unfair and it is a rip off that befits the Scrooge – Like the Government that is currently in power. It is also interesting to note that employees working Monday 16/12, Tuesday 27/12, Saturday 31/12/11 and Monday 02/01/12 will not be paid their shift allowances for time worked. Again this is a rip off and one wonders why the RTBU agreed to these stipulations. See Below Notification from the RTBU of Penalty changes:

### **Christmas and New Year penalty payment rates released**

*STA have released a memo outlining the penalty payments drivers will receive over the Christmas New Year period.*

*Penalty Payments Christmas 2011*

*Saturday 24/12/11 (Christmas Eve)*

*Normal Saturday Rates apply.*

*All shifts commencing on this day will be paid time and a half up to 8'15" then double time. Shifts commencing Saturday and finishing Sunday will be paid time and a half until midnight double time.*

*Sunday 25/12/11 (Christmas Day)*

*All shifts commencing on this day will be paid at double time.*

*Cash payment up to 7'36" also to be paid for shifts worked on this day. \* No Cash payment for RDO on this day.*

*Monday 26/12/11 (Christmas Day Holiday)*

*All time worked from midnight to midnight to be paid at time and a half up to 8'15" then double Shift signing on, on Monday and signing off on Tuesday will be paid at time and a half up to 8'15" then double time.*

*No shift allowance to be paid.*

*Cash payment up to 7'36" also to be paid for shifts worked on this day. \**

*Tuesday 27/12/11 (Boxing Day Holiday)-*

*All time worked from midnight to midnight to be paid at time and a half up to 8'15' then double Shift signing on, on Tuesday and signing off on Wednesday will be paid at time and a half up midnight then ordinary time plus night allowance from midnight up to 8'15" then time and a half. No shift allowance to be paid prior to midnight.*

*Cash payment up to 7'36" also to be paid for shifts worked on this day. \**

*Full time staff clearing the Public Holiday will be paid 8' for the day. Part time staff will be paid daily contract hours that they would normally be fostered on the day.*

*Full time staff rostered off on the Public Holiday will be paid 7'36" cash for the day. Part time be paid cash for the shift that they would have been rostered on the day.*

*Penalty Payments New Year 2011/2012*

*Saturday 31/12/11 (Concessional Day)*

*All shifts commencing on this day will be paid at double time.*

*No night shift allowance to be paid.*

*Staff can dear the Holiday on Concessional Day if approved by the Manager. Staff rostered off on this day will be paid a cash payment of up to 7'36" hours.*

*Sunday 01/01/12 (New Years Day)*

*All shifts commencing on this day will be paid at double time.*

*Cash payment up to 7'36" also to be paid for shifts worked on this day. \* No Cash payment for RDO on this day.*

*Monday 02/01/12 (Additional Public Holiday)*



*All time worked from midnight to midnight to be paid at time and a half up to 8'15" then double time. Shift signing on, on Monday and signing off on Tuesday will be paid at time and a half up to midnight, then ordinary time plus night allowance up to 8'15" then time and a half.*

*No shift allowance to be paid prior to midnight.*

*Cash payment up to 7'36" also to be paid for shifts worked on this day.\**

*Full time staff clearing the Public Holiday will be paid 8' for the day. Part time staff will be paid daily contract hours that they would normally be rostered on the day.*

*Full time staff rostered off on the Public Holiday will be paid 7'36" cash for the day. Part time be paid cash for the shift that they would have been rostered on the day.*

*\* To qualify for the cash payment for working a Public Holiday an employee must commence on a Public Holiday.*

It is quite clear that the Union is not properly fulfilling its obligations to members and are caving in to obvious corrupt dealings with the Government. When you look at the real implications, Bus Operators are actually gaining NOTHING once again!



*Occupy Continued From Page 6* Unlike in Australia, in the US where the Occupy Movement kicked off, many Trade Unions have seen fit to support and work with the Movement. In New York the TWU was one of the first unions to offer support to Occupy Wall Street. Occupy Wall Street will now stand in solidarity with the Transport Workers Union as they begin their campaign for a fair contract. Their success in negotiations is greatly enhanced because of the support of OWS.

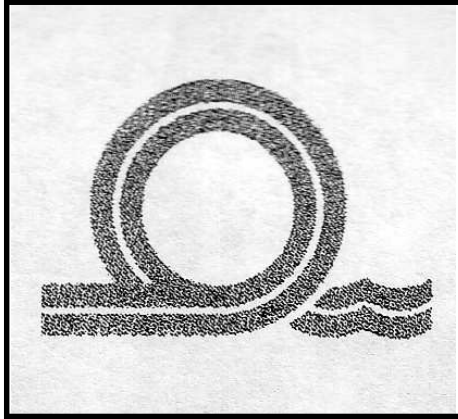
On the 12th December 2011 a coordinated response of the Occupy Movement was able to shut down the west coast shipping ports from Seattle to Austin in support of port workers and port transport workers. This has been the most successful action of the Occupation Movement so far. There continues to be Occupier support for poorly paid workers at Walmart and other anti union businesses.

In Australia the Occupy Movement in the cities threw their support behind locked out Qantas employees, adding some weight to their campaign which is still ongoing.

The Baida Chicken workers strike has been one of the most successful in Australia this year. Workers went on strike over poor working conditions and an attempt by management to reduce their poor wage of an hourly \$15 down to a paltry \$10 by using temporary, part time workers and contractors. This followed on from the death of a contract worker last year who was decapitated by a machine yet was not covered for workers compensation by Baida. Conditions at the chicken processing plant were extremely unsafe and bullying and intimidation was rife.

Baida workers who were on strike were harassed and there were several attempts by Baida management to use strike-breakers. One secu-

*See page 20*

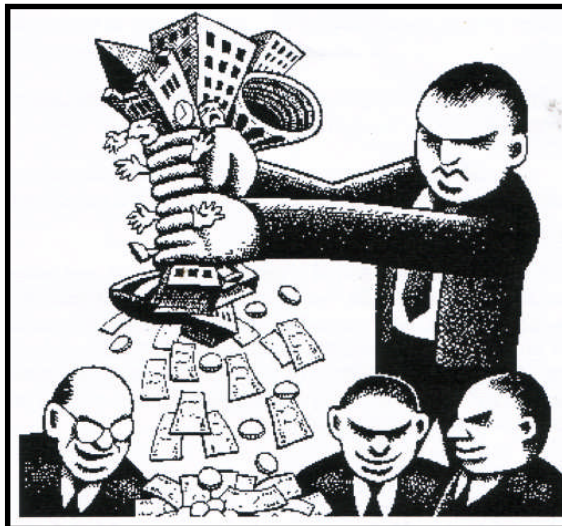


## **“The Abbott Brotherhood”**

During the waning days of WWII, members of the Bormann Brotherhood – executives of the major companies such as Krupp, Thyssen, I.G. Farben and Mercedes Benz which pulled the strings on the Nazi regime, and profited from the rounding up and enslavement of Jews and others in concentration camps. Even after the war ended, they still profited from cheap slave labour. They managed to escape via the ratlines. They were assisted by the combination of the Vatican and US and British Intelligence agencies. They eventually turned up in the safe haven of all places Australia!

With this background, fawning Australian bosses put out the red carpet and soon found executive positions for them in leading companies. Over successive decades, they became the CEO's of the Banks, the Coal and Allied Industries group, Telco's, and large real estate development companies and mutated into the “The Abbott Brotherhood”. Another key honorary member of the “Abbott Brotherhood” in NSW is Nick Greiner, infrastructure advisor and paladin of the O'Farrell NSW Government which is behind the sharpening of the O'Farrell Government's privatisation axe aimed at State Transit and RailCorp.

Abbott is trying his best to not openly broadcast his actual agenda for Industrial Relations so as to maximise his election prospects.



However, behind the scenes, in the company of his “Brotherhood”, he is alive to their demands for ever more privatisation, union busting, imposing individual contracts and the dropping of Tariffs demanded by the G20 and APEC conferences. Despite the ruin of manufacturing industry and associated massive job losses and the devastation of our wages and conditions caused by such measures. His “Brotherhood” is also behind the scenes pulling the strings on its “satellite” O’Farrell Government for rampant privatisation and workers’ conditions destruction.

With the economy left as a basket case, the “Brotherhood” will scuttle off and invest their ill gotten gains gouged from workers wages and super profits in investment funds based in off shore tax havens such as the Is. of Man, Cayman Islands and Guernsey in the British Channel.

## S.T.A. BUSIE NEWS

### LEICHHARDT DEPOT NEWS

#### **Sparks: What do you think of the background of the snap strike over the gas buses?**

Leichhardt Driver: Some months ago, a driver was on his way back to Pt. Botany Depot in an empty gas bus at the end of his run. A motorist alerted him to flames coming out of the rear. He pulled over and abandoned the bus which caught fire and was burnt out. (See Photo) Subsequently, the STA hid the whole issue under the carpet at Strawberry Hills. The union officials heard about the issue and made inquiries. Whilst the STA refused to admit the problem. According to the union officials, following a member of the public providing a video of the burning gas bus, they took action on the issue by calling the snap stoppage.

#### **Sparks: What happened at Leichhardt during the stoppage?**

LD: Bus services from Leichhardt were very much affected, but as by the time we heard of the ban, many early broken and midday drivers were on routes. Some returned, when told by the public. School special runs were completed, as a priority on diesel buses.

On the day of the stoppage, one of the union officials attended the depot and was issuing flyers to drivers to hand to the public explaining the background to the dispute. Depot management appeared to have no problem with the appearance of the union official and his action. However, when one of our union reps, Zivko who has been on long term leave but attends union meetings to help out the other reps, became involved. The bosses told him to go home. He told them, to call the police, if they wanted him to leave. The bosses, of course failed to call the police. He was accused of intimidation. As was Leon, another rep, for standing near the yard door and giving advice to union members.



### **Enter “Mr Pinnochio”**

Mark Peters, STA area manager came to the depot and in Pinocchio mode, was spreading management dis-information by telling drivers that 95% of gas buses at Pt. Botany, which has a huge fleet of these buses, were operating. In fact, overwhelmingly the gas buses at Pt. Botany were taken off the road. The STA refused to allow the Radio Room to send out messages about the ban on the gas buses to drivers. So drivers on some shifts who had not come back to the depot were still operating the gas buses. However, members of the public who had seen media reportage of the dispute alerted these drivers at bus stops. So at the completion of their runs, some returned to the depot. This attitude of the bosses to this safety issue, reminded me of a similar situation during the dispute over buses with faulty steering columns several years ago. When I was at Wynyard on this occasion, I was suddenly told by the radio room to return to the depot. When I returned, I was told the bus may have faulty steering and many other gas buses were being taken off the road to check for cracks in steering parts. What would have happened on the Anzac Bridge, if I lost control of the steering, due to the fault on the return to the depot!

Following a directive from the Industrial Relations Commission to cease the ban, the gas buses were put back on the road. However, there was no checking of these buses by mechanics to ensure there was no hazard. So the buses should have been kept off the road until the gas bus fleet was thoroughly checked. Whilst, if the drivers of the gas buses could not be issued with diesel buses and were unable to go back on the road. Despite not refusing duty, just a type of bus, they were not reissued with diesels, when these returned from school runs. Their pay should not have been docked. Also they were not paid ever and the union had to pay them!!! Further interesting information on the issue, is that the Manufacturer of the gas buses, offered to have installed on the new versions of the gas buses, gas retardant and warning systems. However, the STA bosses as part of some cost corner cutting refused to take up the option. The STA is still insisting there is no problem with the gas buses and the dispute still has not been resolved. Recently, I noticed on an XPT a sign advising that it had been fitted with a warning and retardant for fires. Newcastle (STA) Buses have warning systems, but not retardants.

The difference between the steering problem situation and the gas bus catching fire event, was that the management voluntarily withdrew the models relating to steering problems, from service immediately and some were off the road for 1-2 months. Where with the fire, management covered it up and we had to take the gas buses off the road.

Also at the time, we took them off the road, Mercedes engineers from Germany still hadn't worked out how the fire started, so obviously(!), the Industrial Relations Commissioners, who put the gas buses back on the road, are mechanical engineers???

### **Sparks: What's happening at the depot?**

LD: Despite the depot being a sealed, air conditioned building, the toilets and change rooms have not the same air flow as the rest of the building. Consequently, we have to put a block of card board under the door to keep it open to gain access to normal air conditioning. In allowing what I believe is an illegal situation to continue, the bosses are providing the lame excuse

that it is an eco building! At Strawberry Hills, do the STA fat cats have to cart around cardboard blocks when they go to the toilet? Why do Leichhardt drivers have to be so equipped?

These cardboard chocks are used on access doors to the combined change room, shower and toilet areas. Management regularly remove these chocks. Also, as well, as sub-

standard air, the areas are roasting in summer and freezing in winter. Even when chocked open. As air conditioning temperature control is indirect via the door not vents.

**Sparks: What's the latest with the union rep?**

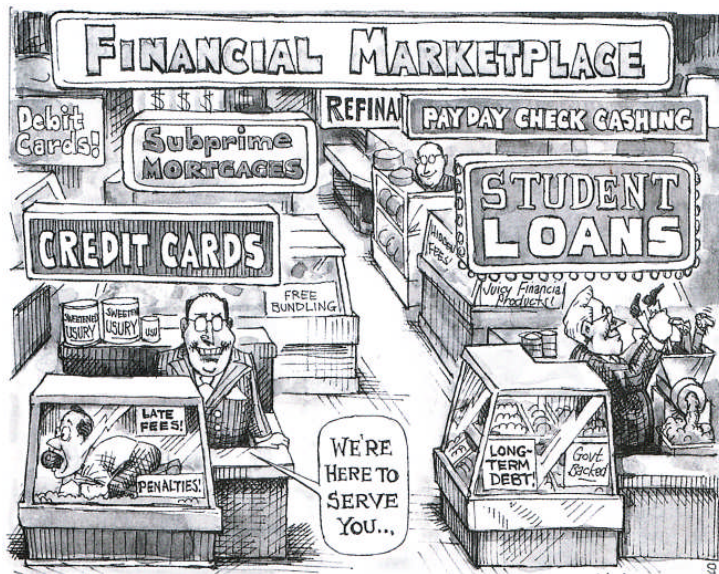
Leichhardt Busie: We have a new union rep, Leon. He is a big improvement on previous union reps that we have had. Particularly, he is a good communicator. In contrast to other reps which just nod to what the bosses say on disciplinary and other issues. He expresses and pushes the driver's point of view. A few weeks ago, an incident occurred where a driver was facing the sack. Leon sat down with the duty officer, for 3 hours and was successful in helping save the driver's job.

**Sparks: What happening with the bosses?**

LB: They are making ever more ridiculous attempts to corner cut. Recently they were wanting to stop us being issued with new boots. However due to union action, they have had to back down on this move. As a further cost cutting measure, they have abolished the operations manager position at Leichhardt and all other depots. With the formation of Transport NSW, many at STA head office are worried their positions will also be abolished.

**Sparks: How are things with the sheddies?**

LB: There has been a new re-structuring of the shed drivers. The full time shed driver is now being assisted in the job by new people now doing part normal driving and part shed driver duties. Initially there were some teething problems with the new sheddies and a certain amount of chaos. Involving buses not being where they were supposed to be and the double booking of buses. Things have now calmed down with shed operations.



## WAVERLEY DEPOT NEWS

### **Sparks: What are your impressions of the snap bus stoppage associated with the ban imposed on the gas buses for safety reasons?**

Waverley Busie: There has been some controversy on the job, regarding the action of the union officials in immediately banning the buses without union meetings being held to discuss the issue. I consider that the snap action was appropriate, given the seriousness of the health and safety issue. It was essential that the gas buses were taken off the road, until the issue was resolved. Workers have the right to know the buses they are driving are safe. You need to take a stand to ensure these buses are fixed. The STA had no right to dock pay, as no replacement buses were issued to drivers who had taken their gas buses off the road. The STA should have paid every person told to take their bus off the road. There is also the question of the responsibility of the bus manufacturer and supplier in ensuring the safe operation of the buses before they were sold to the STA. They should have dealt with the problem when the buses were manufactured.

I was recently discussing the issue of the safety of the gas buses with a former member of the South Australian Fire Department, who now operates a health business in Sydney. He considered that the STA gas buses are safe, but that a fire retardant must be installed on all gas buses. In contrast to diesel which is an inert fuel and only when compressed combusts, gas is more volatile, requiring immediate application of a retardant. Bruce Eldridge indicated that the gas buses were safe, but didn't give a gilt edged guarantee.

Latest news on the dispute is that the union has made payments to all drivers who had pay docked, of the amount docked and is getting lawyers to pursue a case in the Industrial Relations Commission to have the STA pay them the outstanding docked sum.

### **Sparks: What are your thoughts on the recent Qantas grounding of its fleet and lockout of its work force?**

WB: A particular cause of the Qantas dispute was industrial action by unions over fears for the outsourcing of jobs overseas. It also highlighted dramatically the role of the new militant boss. I have discovered an interesting fact, that one of these militant Qantas bosses, has a background in union busting. He was a boss of Rio Tinto in the Pilbara region of Northern Western Australia and played a key role in the ousting of unions from the mining workforce in the area and the imposing of individual contracts in the mines. It's ironic, that in countries such as New Zealand and the USA where this union busting has been most successful and individual contracts are widespread, that these countries have experienced economic turmoil and have become economic basket cases. Housing prices have declined, and their economies have stagnated. To save money for the large corporations, many workers are unhappy and these companies are always allowed to get their way. After 3 years of these neo-liberal industrial relations policies a country's working economy isn't functioning properly and can face collapse.

### **Sparks: What are views on corporations, the government and the environment?**

WB: At this critical point in the environment crisis, corporations are being spoilt rotten by the NSW Government. This is particularly in the case of Coca Cola Amatil. Successive NSW



Governments have refused to introduce deposit legislation compelling soft drink companies such as Coca Cola to charge higher prices to provide payments for returnable bottles, despite making huge profits. Interestingly in the case of the Northern Territory Government, it has recently introduced legislation for deposits on returnable bottles. When corporations are caught engaging in engaging serious environmental destruction, they are merely slapped on the wrist. Recently in the north of the state, a company was fined a mere \$300 for destroying Koalas' habitat. By such lame measures, the Government is clearly protecting corporations. I've been involved in the environmental movement for over 20 years and I know corporations are as greedy as possible. The NSW Government is definitely lagging behind other states in regard to environmental protection and is very sympathetic to large corporations who think they own the planet.

**Sparks: What's happening with the union?**

WB: At a recent union meeting, we heard from the union officials about the outcome of negotiations regarding the enterprise agreement. The STA is offering a small increase in wages if we agree to a give back conditions. One of their demands is the elimination of WAD (Work As Directed). Instead of such devious cut backs to our conditions, the STA should be targeting increased productivity via stopping fare evasion. This cost cutting also often has counterproductive effects. In the case of the reduction of mechanics to say one on Sundays. This action can result in a pile up of 40 buses waiting in the yard for maintenance on Monday morning. Severely disrupting bus operations.



I've noticed on my bus, that many passengers are getting free rides. They just dip the ticket in the green machine for 2 sections but travel for much longer journeys. Also many people who catch my bus say they have been unable to buy tickets at shops. Recently I seeking to purchase a weekly ticket in the suburb where I live, where there are 2 major stations. I went to a dozen shops which sell the metro tickets. 5-6 shops didn't have them or sold out. A shop near a station did have them. Whilst, the tickets are available at the station. However, if you buy one at 10pm Sunday at the station, you lose one day of coverage. Why isn't the STA taking action to ensure this situation doesn't occur and all shops selling the tickets have adequate supplies on hand? The STA needs to be tackling this fare evasion and get more money from passengers. This is productivity. We are already working like dogs and there is nothing else we can give the STA to pay for a wage rise. Many people on my bus say that bus travel should be free. However, they fail to take into account that bus operations, new buses, our wages, etc, needs to be paid. Monies come from fares to meet these expenses.

Latest news is that the Enterprise Agreement has been approved by depot union meetings. Despite many drivers being unable to attend these meetings. The enterprise agreement provides overall a 3 ¼% pa rise. There have been 5 contentious aspects of the Enterprise Agreement. As I mentioned earlier, there is the WAD issue. However, there are other vicious cutbacks focusing on the trainees: They have to work for free for their first fortnight. They are paid at a lower trainee rate for the excessive 2 year trainee period. New drivers will now need a heavy vehicle licence before they can start on the job. Previously the STA provided you with training for obtaining the licence. Whilst the bosses can now use video footage for disciplinary action in regard to driving.

Everyone who gets on the job should have the right to be trained, paid and looked after by the STA and supported by the union. "Trainees" should be entitled to the same amount of justice as long term drivers. We should be all equal on the same rate of wages. I certainly see no reason why so called "trainees" should be on a lower rate of pay for two years. Whilst in regard to the licence issue, long term drivers are not all clean skins in regard to our driving ability.

**Sparks: What are your thoughts on the bus driver job?**

WB: How many people think how valuable you are as a bus driver, cleaner or mechanic? Many I have noticed have a pretty low estimate of their job as a bus driver, cleaner or mechanic and feel there is no future. How many people realise they are managers of their chosen job as a bus driver, cleaner or mechanic? You are responsible for the safety of this vehicle and have the same effects as the manager of a small company. Most people don't look into the past of whom we are and where we have gone. We need to look at ourselves as a story which we are reading. The STA see the value in the operation of the buses. We are there every day but many of us don't value ourselves. This was highlighted to me, in regard to the recent gas buses strike over safety. There was so much blaming for what should have been done. Some guys said we shouldn't have gone out. Given the seriousness of the safety issue, there was no room for negotiations by the union and to ensure safety, the gas buses needed to be taken off the road. If a similar issue crops up in the future, direct action should be taken to tackle it.

**Sparks: What's the latest with the bosses?**



WB: With the advent of the O'Farrell Government in NSW, there has been a definite sea change for the bosses. They are being put under greatly increased pressure to save their asses in regard to performing, resulting in a much more ruthless approach toward disciplinary issues and productivity. So, despite some bosses giving the impression of being considerate and friendly, as a result of requirements of their performance contracts, they can suddenly become ruthless back stabbers and put on the jackboots. They also target those who have stood up to them. Watch this space, regarding Big Jim from Kingsgrove and whether he turns up at the depot one day sporting highly polished new 3 Reich Footwear. Glistening menacingly in the yard sunlight!!!

**Sparks: How are the toilets at Bondi Junction?**

WB: On the day of the gas bus strike, I was speaking to a guy who was handing pamphlets about the issue to passengers. He mentioned to me he has been fighting the STA to clean up the toilets at Bondi Junction. Definitely the toilets block there, needs a radical refurbishment with a new colour scheme. The STA is not taking seriously the quality of the cleanliness in regard to the toilets.

## **BURWOOD DEPOT NEWS**

11<sup>th</sup> November 2011

Attention MR. Lee Jones

Australian Electoral Commission

21 Campbell Street

Sydney 2000

Re RTBU election T & B DIVN BURWOOD

I am lodging an objection to the conduct of a candidate Mark Delohery. His action of inserting a copy of his how to vote in the depot work journals was a breach of state transit policy? By breaking the rules he had an unfair advantage to communicate his wishes to the ALL drivers with no face to face contact. The second advantage is that by his actions he has implied that he is favoured by state transit in the elections.

This is backed up by the action of depot management is taking out Mr. Delohery material from the journals and displaying a poster behind the AEC personal to the effect that they do not support him in the election. These actions started after I alerted them to the events.

I would like you to consider his actions as they are in my thinking gave him a distinct advantage in the election.

Yours sincerely

  
Ken Mason

*See Page 21*

## VICTORIAN RAILWAY NEWS

*In the previous edition of Sparks, issues have been raised about the way Human Resources selects staff for V/Line. In this issue once again Drivers, Conductors, Station Staff and Staff from Head Office have combined to talk about these issues. Once again names have been changed.*

**Sparks: What is the current method of recruiting staff?**

Sheona: Adverts are placed in the papers advertising job vacancies as well as notices for internal being placed on staff notice boards.

Clarence: I observe all notices being placed on the notice boards. In some instances people applying for internal jobs do not know that these jobs have been advertised externally. Human Resources look at the various resumes then say the internal applicants are not up to standard and thus give an outsider the position.

Jethro: You are correct. This happened when jobs were called for Conductors. A number of Station Staff applied for the jobs and Human Resources said they were not up to standard.

Sheona: They had no intentions of employing these people internally.

Clarence: Another grievance the employees have is having to apply for the positions on line. A number of our employees are computer illiterate. They have no experience in computers at all. The union have told Human Resources to let employees to apply by mail. Human Resources will not compromise.

**Sparks: They think they are a law of their own.**

**Sparks: Can you define the Talent Pool. I see this in adds placed in media outlets for Conductors?**

Sheona: This pool has been in existence for a couple of years. This is where V/Line advertises for Conductors. These people apply for the positions. Many applicants apply for the positions and after various tests the successful applicants are placed in a pool and wait for selection. If you are not successful after a certain period, then you have to reapply for the position again.

**Sparks: This pool gives people false hopes.**

Rastus: It certainly does. A friend of one of our drivers applied for the position of Conductor. He applied through an Employment Agency. After being interviewed by the agency, he was referred to V/Line. He was interviewed by V/Line, he was told by the Employment Agency he was successful and he had to wait for selection.

Roscoe: As the driver told myself, his friend thought he had a job and waited for selection. In the meantime, there had already been a Conductors' Class. A few months later another class was to commence and someone who was to be in the class withdrew. The driver heard this and contacted the instructor to the new class, mentioning his friend. The instructor contacted Human Resources about this person in the pool.

**Sparks: What happened?**

Rastus: This person was told he was unsuccessful. This was after ten months.

Sheona: This person missed out. I do not know what happens, but the applicants maybe were told not to talk to people about the method of selections.

Clarence: A number of new Conductors have to myself how they had to wait up to twelve months before they know whether they were successful. What if they are offered another position in another industry, knock is back waiting for the Conductor Position. They find out, they are not successful and missed on the other position?

Rastus: I would not like to be someone who is unemployed as this Talent Pool would give a person false hopes.

Sheona: This Talent Pool could be used as a way to frighten Conductors to accept certain employment conditions by saying that they have hundreds of people after Conductors Positions. There you can leave if you don't like your terms of employment.

### **Sparks: What about fixed term contracts for employees?**

Sheona: This where staff currently Conductors are seconded to other positions. For example staff in the Booking Office are on Maternity Leave and a Conductor is seconded to the position, then another Conductor is seconded on a fixed term contract of up to twelve months, then after this period, they are redeployed or terminated.

Clarence: Recently a notice was placed on the notice board for a position of Conductor at a Country location. A number of employees applied for the position from other depots. These employees did not know that the vacancy was for a person who was successful for seconded position and that there was an employee who was on a fixed term contract applying for the position.

Rastus: One of the drivers at this particular depot told myself that a Conductor on a contract covering this position applied for the position. Whilst waiting for an interview, he was sent a letter from Human Resources saying that his contract was about to be terminated and would he return his uniform and equipment.



Sheona: This was a disgraceful thing to happen. On side of Human Resources does not know what the other half is doing.

Roscoe: You can say that. The Conductor was distressed. He should not have to be placed in that position. If this Conductor had been terminated, we drivers were going to the local media and expose this sham.

Clarence: If a person from another depot had obtained the position and this Conductor was terminated, it would have been on the successful applicant's conscience.

Sheona: Years ago, if a person was employed on a Contract after the Contract expired, then the person would be called in by the Manager and asked if they wanted to stay with V/Line.

Clarence: Not, now.



*Occupy Continued From Page 9*

rity guard drove his car headlong into striking picketers only to be set upon by workers on the picket.

The Occupy Movement not only supported the picket line but organised pickets of stores selling Baida chickens. The workers went on to win the campaign, winning a 4% pay rise over 2 years along with other improvements to conditions including an increase in redundancy pay from 20 to 42 weeks. The real heroes here are the Baida workers, but the added support of all those that took part gave immense courage to the workers who can hold their heads up high as ultimate winners.

### **Daring to dream - imagining the future.**

An awakening spurred on by the Occupy Movement, although it in its infancy, is allowing workers to dare to dream again. The Australian Government is threatening to revise Fair Work Australia legislation as a result. If workers become emboldened enough the Fair Work Australia industrial legislation must be campaigned against and eventually dismantled. The threats to workers' rights in the Fair Work Australia legislation will become more apparent as workers grasp the metal and try to break with the restraints imposed by the world economic crisis.

The rights of workers to withdraw their labour was enshrined in legislation just a few years ago. This right is slowly being withdrawn to the point where it is outlawed altogether in some countries.

We will have to fight to have the right to strike restored as a basic human right. In the mean time that should not stop us from striking when it becomes necessary with the consent of all of the workers involved.

### **Trade unions must share blame**

Trade Unions around the world must bear a major burden of responsibility for the predicament that workers are now finding themselves in. The issues involved are traditionally labour union bread and butter issues. The Occupy Movement is a response to the lack of action on inequality and falling living standards by the trade union movement.

*See Page 22*

**Sparks: In concluding, people should not have to wait up to twelve months to whether they have a job. Also people on fixed contracts, if they are competent, should be given the position.**

Rastus and Roscoe: Once again in having the final say, we Drivers say that the talent pool is a sham. The Conductor at the Country Location treatment was disgusting. As for Human Resources, most drivers think they are bludgers and they STINK.



Continued From Page 17



Our Ref: N11/279

Mr Ken Mason  
10 School Parade  
DOONSDALE NSW 2767

Dear Mr Mason

**Australian Rail, Tram and Bus Industry Union**  
**Vacancy Election – Sub Divisional Rep on Divisional Committee (Burwood)**  
**E No. 2011/2608**

Dear Mr Mason

Thank you for your letter of 11 November 2011, regarding the purported distribution of campaign material by another candidate.

In your letter you have indicated that how-to-vote material was included in a depot journal distributed to drivers by the employer. I note that you have also indicated that depot management removed the material.

As your complaint relates to the distribution of campaign material by a candidate it is a matter that is outside of my role in conducting the above election.

The Fair Work (Registered Organisations) Act 2009 (the Act) requires the Returning Officer to conduct the election in accordance with the rules. Section 193 of the Act also enables the Returning Officer to take action or issue directions to prevent an irregularity.

Neither the Union's registered Rules, nor the Act provides a role for the Returning Officer in the oversight or control of campaign material in an election.

An irregularity is defined in the Act. The distribution or content of campaign material is not an irregularity 'in relation to an election' unless it interferes in the successful conduct of the poll itself, for example, by misleading voters into casting an informal vote.

I have formed the view that the action you have described does not constitute an irregularity.

I have finalised the ballot and a copy of my Declaration of the results is attached for your information.

Yours sincerely

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A candidate was told one week before the election for union rep at Burwood Depot by the Depot manager that on your day off or on ado, that you can only come to the depot to vote and can campaign in the meal room only. All three candidates for union rep complied.

On the election day md was at the depot electioneering. When a candidate checked with the depot manager he was told the rules were changed. The other candidates were not informed. Insider Trading! A candidate sent a letter to the electoral officer, see copy attached and see Electoral letter attached, with election results.

Br resigned in disgust from the STA and suggests the STA had a hand in the election.

Last point - who printed md papers which were laser printed ?

**Sub-Divisional Representative on Branch Divisional Committees**

<u>Candidates</u>	<u>First Preference Votes</u>	<u>Votes</u>
SPIILSTED, Brendan	59	59
MASON, Ken	2	2
DELOHERY, Mark	97	97
HEXTELL, Grant	4	4
<hr/>		
Total votes	162	162
Formal ballot papers	162	162
Informal ballot papers	0	0

I declare Mark Delohery elected.



*Occupy Continued From Page 20* Many trade union leaderships have kowtowed to businesses and governments under urgings for restraint while the same naysayers have been filling the larder, squandering the spoils and waging wars at workers expense. Bureaucrats within the trade union movement have overseen the biggest shift from wages to profits in recent history only to create the greatest inequality in the modern era.

At the same time the level of industrial disputation has slowed to a trickle. Trade union membership overall fell from 20% in August 2009 to 18% in August 2010. In the public sector there was a net loss of 5% of union members over the same period down to 41% union membership. Some of this drop is due to job losses in the public sector.

Privatisation of public assets is hardly challenged by the unions despite public sentiment to retain services in private hands. The unions have capitulated on this one as well. No wonder members don't see any reason why they should belong to unions. What for? Political allegiances have tied the hands of union leaders despite the fact that they exist totally for their members. So the NSW unions twiddle their thumbs as electricity is privatised, the ferries are "franchised" resulting in job losses and higher prices. The union leadership is left to pick up the crumbs.

The leadership of the trade unions are in denial about the causes of the crises facing their members and are bereft of ideas on how to fix it. A class based understanding of the crisis of capitalism is an essential starting point, but denial and political expediency drives them back to complacency and workers take one step backwards once again.

On the other hand the Occupy Movement is a class act. They are out there fighting a class war against the traditional enemy of workers, the bosses, the bankers, their political lackeys, and the big money men. Their language may not reflect that of the class struggles of the past, but sure enough they know who the enemy is and they are going after them.

What if the trade union movement had mobilised the same numbers as the Occupy Movement in a concerted attack against corruption and corporate greed? What if the trade unions had listened to the suffering of their members and mobilised them to lift them from their poverty in order to pay off their mortgages? All of these questions, although hypothetical, need answers.

Who, if not the trade unions, ensures that we workers get a fair share of the cake? Who, for that matter, ensures that we get the best possible leadership, one that treats workers as equals and fights the good fight as directed by the members? It all comes down to us. We must throw out this gutless and self serving union leadership which is fiddling while Rome burns.

The Occupy Movement has shown that if you fight you can win. Sure it is a beginning and there are losses as well. The alternative is to do nothing and go under without a whimper. Encouragingly there is a new optimism, especially amongst young people who see no future unless they take it for themselves.

Unfortunately or fortunately, depending on which side you are on, in the coming period the trade unions and political parties who do not take their members seriously or do not see the opportunities that the revolutionary upsurge around the world represents will be judged to be class collaborators and outlive their usefulness. New democratic organisations will arise to take their place and all that wealth, all that privilege, all that subservience will be for naught. Preferably they may change their minds and decide to join the fight back. But don't hold your breath.



## WHAT IS DEMOCRATIC UNIONISM ?

Democratic Unionism means grass roots controlled unionism, not control by officials. It also means that workers in one industry should be in one union so as to remove artificial divisions that can cause disunity. Such a union should be fully organised and controlled by the membership.

To achieve this we believe a union should be organised along the following lines:

1. That no person employed by the union should earn more than the average income of the membership.
2. The Spokespeople should have no executive power - all decisions should be made by the union membership in the course of mass meetings.
3. Spokespeople are only to act as delegates elected by the membership to carry out decisions made by the membership in mass meetings.
4. That a mechanism is instituted for the instant recall of spokespeople/delegates who break the above rules.
5. That all positions within the union be held on a limited tenure, the duration of which will be decided by the membership.
6. That a programme of decentralised decision-making be implemented within the union structure, so that we won't need full time officials.
7. All loss of earnings incurred by elected delegates who miss work as a result of carrying out union duties will be reimbursed by the union to the extent of the lost wages.

Only in this way will we see the creation of a democratic, united, fighting organisation which can stand up for the rights of workers and their families against unhelpful union officials, bosses, political parties and governments.

### **MEMBERS' VOICE**

### **WEB SITE:**

[Http://users.tpg.com.au/retepsni/membersvoice](http://users.tpg.com.au/retepsni/membersvoice)









# What is Democratic Unionism?

Democratic