

# SPARKS

THE RANK-AND-FILE TRANSPORT WORKERS' PAPER

STA & Union Bosses Prepare To Wield  
Weapon of Conditions Mass Destruction  
With New EBA - Only Direct Action Can  
Counter This Diabolical Threat & Win  
Wages & Conditions Justice!



Central News

STA Busie News

NSW Train Drivers' News

STA EBA Rip Off

STA Traineeships

RailCorp EBA Discussion

Digital Cameras

APEC

International News

Transit Officers Blitz

SPOTLIGHT ON STATE TRANSIT EBA

## EDITORIAL

Welcome to another of Sparks.

**Some of the most important news lately is the “smoke and mirrors” performance of the union hierarchy associated with the Enterprise Bargain Agreement (EBA) negotiations in the STA (State Transit Authority). As predicted in the last edition of Sparks, with the upcoming Federal Election looming in November, the Rightwing ALP loyalists of the union hierarchy keen to help out the electoral fortunes of Rudd, have only taken very feeble and token initiatives such as the issuing of badges, stickers and a “mufti day” to pursue the union log of claims.**

Like used car salesmen they have brazenly been dragging around the depots in recent weeks, a most clapped out and wheelless second hand car of proposed STA EBA offerings. At many depots these proposals have received a very hostile reception from the grass roots. (See article page 13. )

When the EBA is finally presented for voting, its certain to contain key nefarious features of the existing EBA, such as the clause which allows the STA to viciously cut and change shifts in a highly discriminatory manner and the “transmission of business” clause which gives the green light to privatisation. Consequently for many affected by subsequent changes to their shifts, they will receive no pay rise at all and in fact will face a major pay cut. (See article page 16.) To put an end to this dangerous charade, the grass roots needs to seize control of the EBA campaign via the holding of mass meetings and the election of a rank and file committee to run the campaign so an effective campaign based on direct action can be pursued to achieve wages and conditions justice.

With the ALP Iemma NSW Govt’s talk of a “fire sale” of public assets to its business mates which includes State Transit, (See article page 9 ) reported in the mainstream media in recent weeks, a vital priority is the deletion from any EBA of the nefarious “transmission of business” clause and the establishment of committees on the job to help organise resistance to the STA’s carve up by corporate cowboys. Privatisation can only mean a new wave of savage attacks on jobs and conditions and the radical worsening of bus services due to corporate greed for profits.

**Sparks welcomes contributions by transport workers. Please send to Sparks PO Box 92 Broadway 2007 NSW or via our web page [www.sparksweb.org](http://www.sparksweb.org)**

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## N.S.W. RAILWAY NEWS

### **Sparks: What's been happening in City Rail lately?**

Station Assistant: Lately there has been a blitz at stations by Transit Officers. As passengers have been leaving the barriers at stations during peak hour, they have been met by a wall of grey shirts. Its been conducted in a very unprofessional manner by the bosses. No notices have been put up and there has been no public relations work on the issue. There has been a certain amount of discrimination by the Transit Officers in their booking of fare evaders. With school students who are found without their passes, being let go Scot free and only receiving a warning. Associated with this blitz has been the bosses' decision to deploy the Transit Officers particularly at stations rather than just patrolling trains.

It seems to me that the police training that the Transit Officers receive when they first come on the job, and the existence of a layer of ex-cops amongst them, contradicts the public service role which railway workers have traditionally adopted.

### **Sparks: What's the latest with the staffing situation in the City Rail station network?**

SA: The staffing situation at Central and other stations remains tight with many station jobs and rosters not being covered. Contributing to this situation has been secondment of station staff on temporary duties to sections of the Rail Corp Administration. Whilst a certain layer of station staff have gone to guards' school to be employed in train crews. Those workers that have been transferred to stations such as Central to assist with the depletion of staff, have come from areas that have closed down due to out sourcing and the creation of the 5 rail corridors. They particularly entail workers who are in their 50's, and as they lacked the skills to find jobs outside the railways, didn't take up redundancy packages.

Concern has been expressed by staff at Central regarding some team leaders at the station, sudden secondment to duty manager positions. The selection procedure seems to have been conducted behind closed doors without regard for Equal Employment Opportunity requirements.

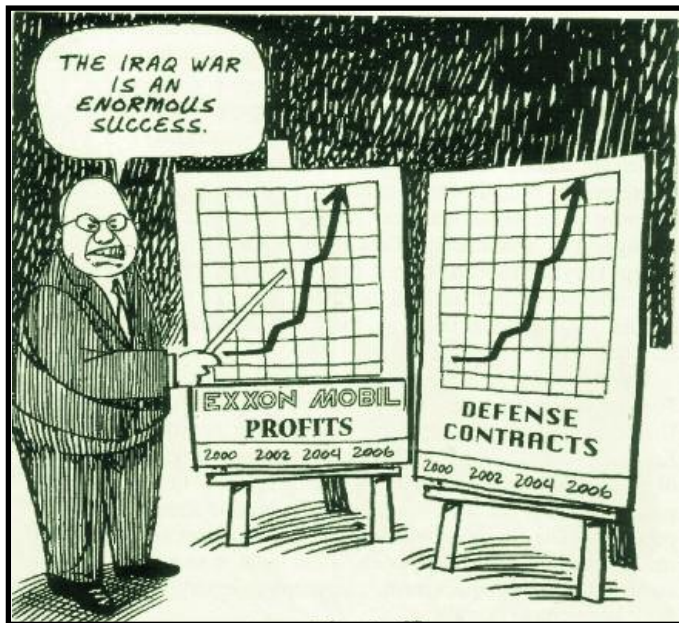
### **Sparks: What are your views on the widespread deployment of contractors in the railways?**

SA: We have various concerns about the contractors. There is a security concern as they are not issued with any uniform or home and duty pass or family pass, but have been issued with ID cards. As a result, its not clear to many on various occasions, whether they are in fact railway employees. They have also not been provided with emergency procedures and safe working training. Consequently they would be unable to cope in the event of an emergency situation.

### **Sparks: What's the latest with APEC?**

SA: Police are demanding the payment of \$87 per day during the APEC period as danger money. We also need to be adequately compensated for increased hazards we faced during the period. During APEC there was a much higher security alert than occurred during the Olympics and we had to be much more security conscious. There was much chaos on the rail-

ways during APEC with various stations being closed and many services being cancelled due to the special APEC timetable. The bosses did not put sufficient effort into informing commuters regarding these changes. However, due to the existence of the barricades around the "Restricted APEC Area" and the long weekend provided by the Friday APEC Public Holiday, many people were not inclined to go into the city. Consequently we didn't face the increased level of harassment from commuters due to their



difficulties, which some expected. Police acted in a quite aggressive manner on stations, demanding commuters show their ID, and particularly interrogated and harassed school students. Whilst Transit Officers followed suit, instead of initially issuing warnings to offenders, they proceeded to arrest them. They also appear to have forgot their revenue protection role and avoided issuing commuters with fines during APEC.

**Sparks: How are things with the Public Transport Smart Card?**

SA: Due to constant glitches with the Smart Card operation, the proposed trial at Central has been shelved. However there is talk of a further trials amongst university students.

**Sparks: How are things on the industrial front at Central?**

SA: The petition which has been circulating at Central which calls on a likely Rudd Federal ALP Govt. to repeal Howard's Work Choices Legislation to safeguard our conditions has received a very enthusiastic response. Thousands of workers at the station have signed the petition. Formal discussions have commenced between the union and RailCorp Management in regard to our upcoming Enterprise Agreement. These discussions are being considered as "amiable" at the moment. However, certain letters have been issued by the RailCorp IR section to stampede workers into pressuring the union on various issues so as to push it into a corner. An important demand for our EBA is to allow untaken sick leave entitlements to be cashed in at retirement and so become a bonus. Currently, there is no such provision in our EBA.

**Sparks: I understand a new train is to be introduced in City Rail?**

SA: It's different from the Oscar train and currently 100 carriages are being built for it. Currently the bosses are hand picking people to be employed in operations areas associated with the new train. Particularly those who are "on side with them" and lack train crew experience. The union is currently raising questions about the recruitment procedure for these positions.

## N.S.W. TRAIN DRIVERS' NEWS

### **Sparks: What's been happening on the safe working front?**

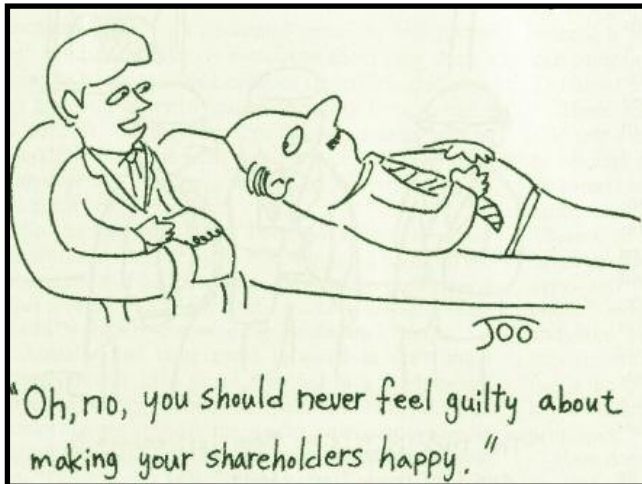
Train Driver: Recently a driver from Waterfall Depot by the name of Craig Dewick was sacked largely because he was conscientiously following safe working procedures in operating his train. He was sacked in a very callous manner by the bosses, just three days before his annual leave and without any notice.

The safe working connected charges relate to a delay to a train on May 30 last year (one charge is 'failing to use 4th notch on the master controller thereby deliberately delaying xxx run', the other is 'submitting a Train Status Report contrary to instructions from management [which contradict the proper instructions] for 'non safety critical' faults found during preparation thereby deliberately delaying run xxx). Other charges relate to contact with the media, voluntary work and use of a train crew area notice board.

### **Sparks: Did he appeal the sacking?**

TD: Yes. Some weeks following the sacking, he appeared before the transport appeals tribunal with legal support from the union, but was unsuccessful in winning his case. The impression given from the performance of management's witnesses at the tribunal hearing was that it was fairly cooked up and that their performances had been rehearsed. He was able to be cleared from one less serious charge. However, because he admitted to not adhering to management's new instructions regarding train operations which he viewed were in breach of safe working procedures and were not in line with his training, he didn't get his job back.

People who want to discuss the issue privately with Craig, can email [craigd@railzone.org](mailto:craigd@railzone.org) or [craig.dewick@gmail.com](mailto:craig.dewick@gmail.com)



## Rail Workers Talk to Crimson Coconut

**Last week the combined rail unions through the Labor Council circulated a despicable leaflet with a set of leading questions. In a primer for the next “Enterprise Bargaining Agreement” this union leaflet could be classed as a probe of workers opinions while planting the seeds of uncertainty within the minds of rail employees. It includes such questions as “Would you be prepared to trade of working conditions for a wage rise?” and “What would you be prepared to trade off?”**

Rather than putting forward my own views I thought it would be good to ask some of my work colleagues what they thought, even if I don't agree 100% with what they had to say. It gives us a better idea about what they think on the subject of the next EBA and the unions approach to the upcoming negotiations.

We already know that management has sent a strong signal by means of a letter to the unions arguing that they will not accept a rejection of the proposed EBA by the ranks. In the letter they threaten to use “Work Choices”, Howard's draconian industrial legislation, to ram the agreement through and ride roughshod over rail workers.

It is with this doubt of the future that the interview with two rail workers at my location took place. After talking with them I now realise why some people vote for the same old untrustworthy union reps each time and why they don't have the confidence to trust in their own collective power.

### **Interviewer Crimson Coconut**

What do you think of the questionnaire recently circulated by the combined rail unions (NSW Labor Council) in which they ask such questions as “Would you be prepared to trade working conditions for a wage rise”? Do you think it is proper for a union that represents you to ask such questions?

### **CSA No1**

I think that it's wrong. The union should be supporting us the labourers. We feel that they are not working with us. Even when we vote we find that Labor and Liberal are the same, we get confused because we don't know who to vote for. Even if we vote for Labor at the next Federal Election we might even get worse than we have now – we are confused.

The cost of living is going up on everything. Prices are rising on everything, water electricity, telephone, everything. Labor blames the Liberals - Liberal blames Labor for the price rises. They even blame the price rises on the drought.

In the last seven or eight years we have only had a pay rise of 3% or 4% a year. We now have a GST on everything we buy as well as interest rates that are rising by the month. In the last eight years a leg of lamb has gone from \$4 or \$5 to over \$20, that's a 400% rise, and still we are only getting a paltry 4% rise in wages. We need a minimum of a 20% pay rise which would still leave us behind rising prices.

## S.T.A. BUSIE NEWS

### PORT BOTANY DEPOT NEWS

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

Port Botany Driver: The most significant news has been the sacking of our union rep, Chris, by the bosses on the basis of their allegation that he is "incapable" of being a bus driver, even though they would not put in writing what he did wrong exactly. Just as his 2 year trainee period was coming to an end.

#### **Sparks: What's the latest with his fight to gain reinstatement in his job?**

PBD: STA have finally laid out their case against Chris. As expected they have dredged the depths of their files to find anything they can to throw against him to try to justify their decision not to offer him permanent employment. The matter did not settle at the initial conciliation conference between the parties, which has taken place up until now, and so the matter will now proceed to Court, scheduled for early 2008. Chris's solicitors will now begin the process of subpoenaing documents from STA and preparing his case.

#### **Sparks: Have the union officials assisted Chris to win reinstatement?**

PBD: There is some quite disturbing news here. The Union do not seem to have offered any concrete support to Chris at present, or to even have contacted him during the legal case. He is a Union Member and even more importantly, an elected Delegate who put his neck on the line to stand up for our rights, so he needs and should have the Union's support behind

him. Heck - why isn't the Union taking his case on themselves anyway??? He shouldn't have to pay for his own legal case! Isn't that what we pay Union dues for, in case this sort of thing happens? If our elected Delegates aren't safe then what about the rest of us? Chris was forced to lodge his own Unfair Dismissal claim, and because the Union would not give him the legal advice he needed before the 21 day deadline to lodge claims expired, he was also forced to take on his own solicitors, at his own expense. He's taken it this far on his own and there's obviously a case to answer because the IRC has accepted it. Perhaps now that it's come this far and STA have finally been forced to lay out their case against him, the time has come for the Union to finally step in and do something to help him. I think the question all RTBU Members need to be asking of their Delegates and Officials at Union meetings is: Why isn't the Union taking on our sacked Delegate's legal case?.

#### **Sparks: How has Chris's campaign at the Depot been progressing?**

PBD: Some 6 weeks ago as part of his campaign to win reinstatement, he ran a vigil outside the depot (with the support from sacked Botany Cranes delegate Barry Hemsworth) and gave us an opportunity to sign up to his campaign for re-instatement. Chris is very happy to say he got overwhelming support from the drivers and had an enormous number of drivers sign up who have pledged to provide a range of documentation that his solicitors may require to support his case, or to testify in court in his defence.

#### **Sparks: What has been the fallout of Chris's sacking?**



PBD: Things have gone down hill with union activity at the depot. There has developed a lack of interest in the union amongst a significant layer of drivers. Stemming from the attack on Chris, who was doing good work to assist the grassroots. They see it as a waste of time and know that the union officials have basically seized control and

are doing whatever they want regardless of what the Members think. Some drivers think the officials have basically got it stitched up with management and are just going through the motions.

**Sparks: What's happening with the EBA (Enterprise Bargain Agreement) at the depot?**

PBD: There was a union meeting held by the union officials at the depot in recent weeks, where a straw poll was held on the STA EBA offer. It involved the offer of 3.5% pay rise but with efficiencies like accepting an inadequate and meagre uniform allowance instead of having our uniforms supplied for free!!! It was pretty outrageous and we all voted against it.

**Sparks: What are your thoughts on the issue of STA Traineeships?**

PBD: STA are claiming they can hide behind the Traineeships whenever they want to get rid of anybody for whatever reason they care to concoct. At our depot, Chris stood up to defend workplace rights and we have seen how easily they have removed him. If they get away with this, it will mean that effectively Trainees have no rights at work, that they have no choice but to sit for two years and take whatever unfair practices STA can dish out and if they raise a voice in protest or to support the Union, STA can have them removed over the smallest of issues, and maybe even without cause at all. Even an anonymous phone complaint on the most trivial of matters, will be used against the driver to create evidence for STA to remove him or her. STA say on their current driver recruitment advertising campaign that they offer job security. This is a joke if Trainees cannot even dare to raise their voices to defend their rights at work for fear of being sacked because they are not covered by Unfair Dismissal laws as





trainees for the first two years. It seems that STA are abusing the intent of the traineeship (to provide professional training for drivers) to further their own agenda of silencing workers from standing up for their rights at work. This is not only an abuse of government training funds, but an abuse of the Union's trust in STA to use the Traineeships for the purpose for which they were originally intended and approved by the Union and its Members. If this is how STA are now going to abuse the Traineeships maybe we need to add Removal of Traineeship Program to the current EBA demands?

## BURWOOD DEPOT NEWS

### **Sparks: What's news at Burwood?**

Burwood Drover: The latest news which is extremely worrying, is the introduction at the depot of buses equipped with the new digital cameras along with MDSVR's and GPS monitoring equipment supplied by March Corporation. So far 8 of these buses have been supplied to the depot fleet. The buses have 5 cameras together with the GPS equipment, which is interphased with the bus computer. With this equipment, the exact location of buses via GPS monitoring providing longitude and latitude, and the speed of the bus on routes when the picture is displayed, over a series of frames can be calculated and recorded. Through checking the data over a series of frames, it can be determined whether you are putting the brake on, or accelerating too harshly. All this can be done in "real time". This "Big Brother" aspect of the equipment is likely to have wide ramifications for us in the event of accidents.

With this extensive and precise information, which the bosses will have due to this high tech equipment, when an accident occurs which causes an injury to a passenger or pedestrian or motorist, and the bosses determine who is at fault. Will they provide us with legal support when the case goes to Court? Or will the bosses refuse to accept liability and oblige us to get our own legal support to defend ourselves? In the case of negligent driving by a driver, which causes an accident to another vehicle or people, which this technology can report, will the driver be held responsible for damages to the vehicles and people involved? Will we face the prospect of not just the loss of our jobs, but also our homes? Does existing NSW surveillance legislation allow for this massively increased workplace monitoring?

The union and bosses have not been forthcoming with detailed information about the cameras and their "Big Brother" ramifications for our jobs and its legal ramifications. No notices have been issued or training courses held to explain these aspects to drivers. Has the union agreed to this equipment and if so, why has there not been a general discussion on the subject?

### **Sparks: What's happening with the bosses?**

BD: Local depot management lately has been showing it can look outside the square box; many in STA management appear to be trapped in and take account of innovative ideas from the grass roots. Such as adopting "mufti day" type events as part of the "Fish Program" to raise our morale.

### **Sparks: What's the latest regarding "unfair dismissal" cases in the STA?**

BD: In the case, where workers have been sacked and pursue unfair dismissal cases, the bosses are pursuing a devious ploy. They are getting the cases adjourned for long periods, apparently hoping the sacked workers find other jobs and forget about their court case. As part

of this “starving out strategy” the bosses won’t release your entitlements, until either you drop the case or the case outcome is unfavourable to you. One victim of this sly move, is one of our people at Burwood, who was sacked and had their case adjourned to October.

**Sparks: What are your thoughts on the new redundancy policies affecting public sector workers in NSW?**

BD: It was recently signed off by Morris Iemma, the NSW Premier. It provides a maximum of 52 weeks pay as the redundancy package. To get the maximum amount, you have to take up the package within 2 weeks of the redundancy offer being made. It appears to be particularly in line with the Govt. and its business mates’ privatisation master plan for State Transit. It seems to be mainly aimed at taking an axe to head office and the middle management of STA.

**WAVERLEY DEPOT NEWS**

**Sparks: What’s been happening on the Enterprise Bargain Agreement Front?**

Waverley Busie: Due to the union hierarchy’s failure to organise a serious campaign of industrial action to ensure we get a decent pay rise and improved conditions and resort to such feeble measures as stickers and badges and their likelihood of selling a crook deal by means of a “smoke and mirrors” performance, we have seized the initiative. At Waverley, we have embarked on a “Work to Rule” style campaign to put pressure on the STA bosses to win a decent pay rise and other conditions improvements. It particularly focuses on Occupational Health and Safety issues and involves us adhering to a range of measures which include: ensuring only 15 standing in the bus, booking off faulty buses, checking the radios for faults, making sure the police are cooperating with us, etc.

To make the campaign effective, as after a union meeting decisions for action are often forgotten or not implemented, we need to break up into groups of 6 to 7 drivers who in turn would elect group leaders. Each week a half hour conference via phones could be held for all shifts, not just, AM’s and PM’s. You would dial up a code at the appropriate time and so get on. To get on this conference facility, you need to purchase a \$10 phone card, which provides free international calls. It would be completely voluntary. By means of such “on call conferences”, we can get all of us drivers to get to relate to each other and discuss amongst ourselves what’s working and not working in the campaign and collectively hatch some great ideas.

**Sparks: What’s the latest news regarding Chris Mansergh, an ex-Waverley Driver who was elected as union rep at Port Botany?**

WB: In recent weeks, the STA bosses in an outrageous display of thugishness sacked him just as his two year traineeship was coming to its end. From my knowledge of Chris’s work at Waverley, he was very confident in driving and dealing with commuters. Whilst, in this job its normally fairly difficult to get the sack. As union rep, he was very active in assisting grass roots activity and fighting the bosses, in sharp contrast to previous you reps at Port Botany. So it seems to me that this cold blooded action of the STA bosses, stemmed from their viewing him as a serious threat to their nefarious plans. Is this a democracy or a tyranny? The boss who was behind this low down action should be sacked.

I recently heard that in an unamicable manner, the union officials have refused to help Chris, MIND YOU, WHO IS A UNION REPRESENTATIVE with legal support to pursue a case in

the Industrial Relations Commission to get reinstated. Consequently he has had to get his own legal team together to pursue the case. When he is re-instated in his job, he should be paid back pay and also be put back as union rep at the depot. As his sacking can only be viewed as a despicable ploy of the bosses.

**Sparks: What are your thoughts on the recent STA bus driver recruiting campaign?**

WB: Despite this campaign, it seems to me that currently more drivers are leaving the job, than being employed. The campaign involved a certain amount of hype with the bosses' talk of offering \$21 per hour as the pay for drivers and good conditions. When in fact most drivers are on \$19.20 per hour. It's not much money. To earn a decent wage you are obliged to work constant overtime. If you also take account of the stressful nature of the job caused by the bosses' tight running times, and the grossly excessive probation period of two years, the job has been made very unattractive for new recruits. When I came onto the job over twenty years ago, the probation period was only 6 months, whilst you were entrusted to drive a bus. An important demand of our Enterprise Agreement campaign should be the erasing from our award of this new extended probation period where you are very much under the bosses' thumb and lack job security.

**Sparks: What are your impressions of the Howard Govt's divisive policies?**

WB: To divert attention away from his attacks on various groups and particularly the nefarious consequences of "Work Choices" for workers' jobs and conditions, he has been demonis-



ing various minority groups in society. Recently, on the bus I met a 70 year old man who was particularly affected by this propaganda. It was a bit sad. He was waffling on about Muslim people causing most of the problems that we face. However, us white Aussies are very good at infringing on the rights of others such as Italians after WWII, and the Vietnamese after the Vietnam War. Looking in the mirror we don't see ourselves as part of the problem affecting other minority groups. This stereotyping of such groups as Muslims is taught by those influenced by Howard's views spread by the corporate media, its not a notion you are born with.

Another group which Howard and the media has been demonising is the aboriginal community in the Northern Territory. As part of this witch hunting the aboriginal community in the Northern Territory has been blamed for its poor standard of living and housing, and its situation has been falsely presented in the media to justify the return to paternalism style policies. By means of these policies, which involve radical Govt intervention in aboriginal community affairs, the Federal Govt. would be able to grab their lands so as to help out the profiteering of multinational companies and mine uranium. Whilst, in fact, the Govt. has deliberately run down aboriginal public housing over the years through delaying repair work and failed to spend monies on new and improved housing allocated for this purpose.

In regard to big corporations, Howard has opened doors to pursue tax minimisation schemes to dodge tax and often engage in environmentally harmful activities on aboriginal lands. One such big corporation has been heavily involved in deforestation on the Tiwi Islands, as part of such a tax dodge. Whilst harming the environment, it gets avoids 100% tax and on top makes a hefty profit.

We are also affected by these big business intrigues affecting Govt. policies. Through such international capitalist jamborees as the Forbes 500 gathering held in Sydney at the Opera House in 2005 and APEC, multinational companies and their chief agents such as the US Govt. are also pushing for major attacks on Australian workers jobs and conditions through Work Choices and the lowering of tariffs.

Grass roots resistance by such groups as university students to Howard's policies has been suppressed with his cuts backs to funding to universities and Voluntary Student Unionism and moves to establish a police state. Consequently, Howard has been able to get away with fudging everything to help out the penetration of the market into every corner of society.

#### **Sparks: What's the latest with "Work Choices"?**

WB: According to a friend of mine who works at St. Vincent's Hospital, the bosses, there, are subtly trying to pressure workers to sign AWA's (Australian Workplace Agreements). He is insistent that under Work Choices you are under no obligation to sign an AWA and the bosses aren't allowed to exert pressure upon you to sign one. In Australia you are under no obligation to sign any piece of paper. He also makes the point that you would need a lawyer to explain the AWA and its ramifications for your conditions, as it will take you out of the award and collective agreement system.

#### **Sparks: How are things with the bendi-buses?**

WB: Latest news, is that the bosses are intending to install a wider concertina. However, this area in the bus is still very dangerous.

**Sparks: How are drivers faring on the job?**

WB: Have you noticed how tired and run down you are after a day's work? Will it ever change? This state of fatigue and low energy contributed by the stress resulting from total concentration whilst driving the bus during the daily shift, leads many to not look at food intake and particularly eating good food. Causing a deficit in our bodies to build up day after day, resulting in a decline in our health and well being. Particularly your kidneys and liver are affected by high stress levels

**Sparks: How is the Paddington Ghost?**

WB: There has been some sad news. He was recently hit in the head, and this injury may have contributed to his subsequent suffering of a stroke a week later, partially paralysing him. He is now confined to a wheel chair. Get well! Love from all our readers!

**Sparks: What are your impressions of public transport in South Australia?**

WB: Important aspects of public transport have been privatised such as the former Adelaide Government buses and the Great Southern Railway services such as the Ghan and Indian Pacific which goes through the state. You certainly get the sense that it no longer belongs to the people and there is a lack of camaraderie amongst public transport workers and low wages due to having to sign individual contracts. Its urgent that public transport is put back into public ownership.

**Sparks: What is your outlook for a likely Rudd Federal ALP Govt?**

WB: A big worry is its adoption of many American style policies due to the pressure of Big Business. Only direct action by the grass roots can counter this corporate manipulation.

**Sparks: What's the latest news with the Enterprise Agreement?**

Waverley Driver: In recent weeks the union officials conducted a straw ballot at the depot on the latest offerings from the STA for our Enterprise Agreement which included an insulting 3 and half per cent pa pay rise in exchange for giving away various conditions such as free uniforms and new restrictions on sick leave. We overwhelmingly rejected the offer. This unacceptable offer which was presented by the officials and the very feeble tactics they have favoured to pursue the enterprise agreement campaign such as putting on a silly little badge, stickers and a mufti day, certainly indicates they are not serious on the issue. We need not just a decent pay rise, but also major improvements on bus running times amongst other demands. If the existing officials are not willing to assist us to pursue the serious industrial campaign to win these gains, we must put into office left wingers who are serious about fighting the bosses.

**Sparks: What are thoughts on the article in the Sunday Telegraph some weeks ago which talks about the Govt. wanting to impose new restrictions on STA drivers' sickies as part of a wider attack on workers' sick leave entitlements?**

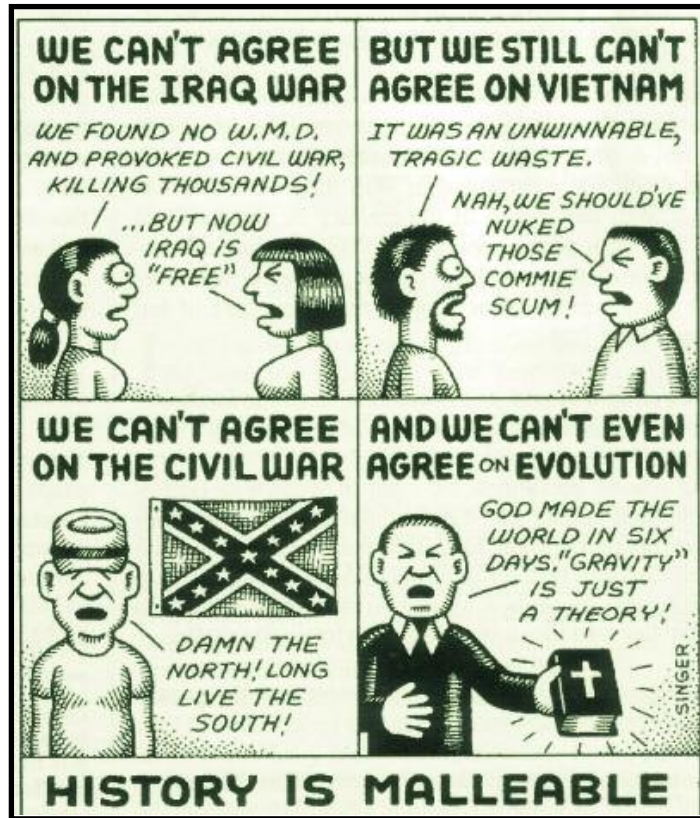
WD: I read that article which referred to a requirement the Govt and the STA bosses want to push in our Enterprise Agreement that we ring up a nurse when we take sick leave who will monitor our sickies, and significant cut backs to our entitlements. I consider the proposal is an insult to us, as Govt's employees and the integrity of our personal physicians. This attack on our sick leave and meagre Enterprise Agreement offerings by the Lemma ALP Govt, just goes to show how increasingly rightwing it has become, adopting many Liberal Party style

policies and the strong influence big business has over it. The ALP politicians have forgotten who put them into power. Not Big Business, but the humble worker. What we desperately need is the election into power of a Leftwing Govt to help us fight the bosses.

**Sparks: What's happening on the road?**

WD: 380's along Bondi Road in the weekend evenings are being significantly affected by violent incidents. Some weeks ago a driver of a 380, one Saturday evening had the windscreen of his bus smashed, when some youths threw a wheelie bin into it. The

STA bosses are turning a blind eye to this hazardous situation for drivers. Drivers on these services could be greatly assisted if RailCorp transit officer who have power of arrest could be loaned to the STA to patrol these buses to tackle the problem.

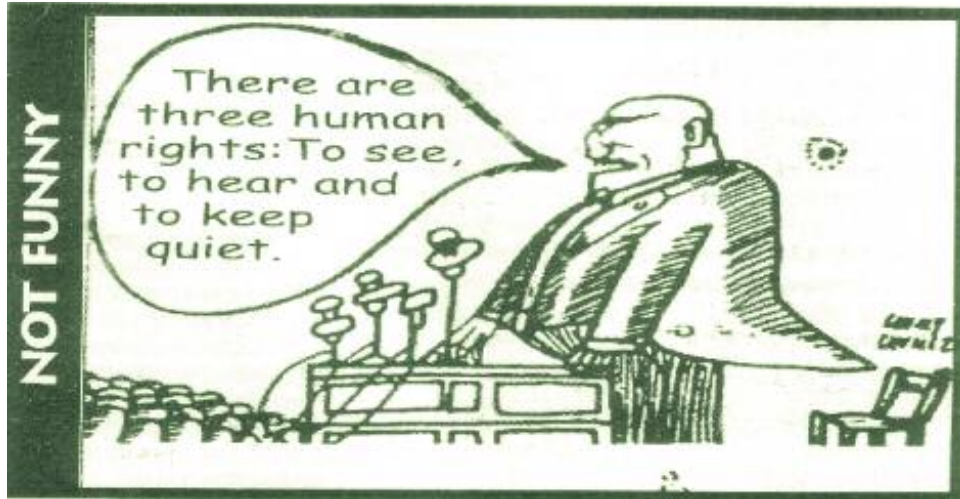


**LEICHHARDT DEPOT NEWS**

**Sparks: What's the latest at Leichhardt?**

Leichhardt Busie: The most important news lately has been the union hierarchy's attempts to sell the latest enterprise bargain agreement (EBA) offer made by the bosses. It involves a 3 and half percent pa wage rise in exchange for various trade off's such as the cessation of free uniforms. We would be paid \$300 which would go toward the purchase of the uniform which costs \$600, together with other negative features, such as in an emergency situation, we can suddenly be conscripted to work at another depot. The officials have been discouraging the pursuit of an industrial campaign which would achieve a decent wage rise without these negative features, with vague talk that such action would cost us our industrial allowance. I'm concerned that older drivers might cave into the officials' ploys and agree to this unsatisfactory deal. I think its vital that we take industrial action to win a good EBA which improves our





wages and conditions, but in a form which doesn't inconvenience commuters and gains public support, such as free fare days.

Latest news, is that I have heard a lot of people are considering transferring over to the T.W.U. (Transport Workers Union) from the R.T.B.U. (Rail Tram & Bus Union), as they consider the RTBU officials are not negotiating the EBA in our favour.

**Sparks: What else has the union been up to?**

LB: On some areas, it has been doing some useful activity. It played an important role in the imposing of bans on the 411's and 442's turning into Druitt Street in the city, following pedestrians being injured. Even Peter Smart, the depot manager came around to see the value of this action and the dangers of turning buses in the street.

The union was also behind the issuing to us, of a map showing the location of toilets adjacent to the APEC "Great Wall of Sydney". The problems associated with parking buses at Loftus Street still appear unresolved. The "Great Wall" precluded our entry to this area during the APEC period.

**Sparks: What are your impressions of the union rep lately?**

Leichhardt Driver: Over the latest couple of months I have observed that members of his clique have been predominating at union meetings. I've noticed few other drivers attending. I would certainly be scandalised if there was any evidence to suggest that he takes advantage of the industrial inexperience of many of the new drivers and doesn't encourage them to attend union meetings. He is going along with the union officials' ploy to ensure they have a stranglehold over the enterprise agreement campaign and avoid any serious industrial campaign, as he is opposed to the holding of stop work mass meetings to discuss the campaign and any proposed deals. He supports the holding of secret ballots favoured by the union hierarchy to vote on any deal.



## Brookvale Depot News, Opinion & Other Side of Story.

### **Sparks - How are the EBA negotiations going for your pay rise and conditions?**

Amigo - As I expected its obvious to me that there is stalling going. I think the delay is by design. Our pay increase is long overdue. Inflation has gone up heaps. They have raised the price of fares up numerous times since our last pay increase, yet they don't want to give us a pay rise to even partially offset inflation!

### **Sparks - What do you think their agenda is?**

Amigo - I've seen how they operate for about 20 years now. My forecast is as follows:

- a) They will delay so that Drivers become somewhat desperate in need of money.
- b) they will delay so that a little bit of back pay will accumulate so when they say to Drivers here is, say, \$600 lump sum back pay and 3% pay increase, many Drivers will want to accept this out of frustration and in need of money.
- c) of course the lump sum and the 3% is not the main issue, but a DIVERSION, to the real issue.

### **Sparks - What do you think is the main issue then?**

Amigo - THE MAIN ISSUE IS TO STOP STA FROM CUTTING ROSTERS AND CUTTING SPREAD TIMES OF BROKEN SHIFTS! The main issue is that to get the lump sum and the miserable 3% Drivers would have to vote yes to an EBA/AWARD which states therein that STA has the right to vary shift lengths (lots of shifts are already down to 7 hours). ALSO STA CAN VARY SPREAD TIMES OF BROKEN SHIFTS. If for example, they reduce a 12 hours spread to a 10 hour spread they are chopping off the double time paid at the end of the shift. This would be worth thousands of dollars to them (out of your pocket?) and could be worth much, much more than any 3% pay rise! In this way, unless Drivers 'lock in' shift lengths and spread times in the EBA/AWARD a 3% or 4% pay rise could in fact end up being a pay cut of up to 7% or up to 10% or more by the time ST exercise their right in the EBA/AWARD to butcher/cut the rosters and spread times.

**Sparks - Yes we have heard about this problem before. Apparently what happened in the last EBA STA sneaked in a clause which gave them rights to reduce shifts, etc, but Drivers probably were not informed about this, and not taking the time to read the EBA carefully, voted yes but later were bitterly complaining about their lost wages?**

Amigo - Yes, something like that. Really, why would anyone agree to accept 4% when at the same time STA are given the right in the EBA and/or AWARD to shorten shifts and more importantly to shorten spread times?

**Sparks - We heard that a Driver asked a top ranking union official the question "why don't we remove these clauses in the EBA and AWARD which give STA the right to cut our salaries by reducing shifts and spread times?" The union official's answer was something like this we heard 'We cant do that!'**

**Sparks - Why do you think the Union Official said that the clauses in the EBA/AWARD which give STA the right to cut salaries, cannot be altered (or something to that effect)?**

Amigo - I think its possible they are working for the other side because all they have to say to STA is: Look we are not just going to stand by and allow those clauses in the EBA/AWARD which give STA the right to cut shifts and cut spread times thus reducing Drivers' salaries, we are simply not working to those conditions because obviously under those conditions a 4% pay rise could easily end up being up to a 10% pay cut or more by the time STA finished shortening shift lengths and shortening spread times!

**Sparks - But Drivers have the power to vote "NO" to any EBA which gives STA the right to shorten shifts and to also shorten spread times, so what's the problem?**

Amigo - The problem, I think is as before, that is not many Drivers will take the time to read carefully the draft EBA and I'll bet the EBA draft will not be accompanied by an explanation booklet explaining the meaning and significance of each and every clause.

**Sparks - As we understand it, the main complaint from the last EBA was that shifts were being cut and thus salaries were being cut. How can the same be avoided in the new EBA?**

Amigo - I think the smartest thing to do BEFORE VOTING YES is to read the draft EBA carefully, ask lots of questions to make sure that STA cannot change shifts and spread times etc so as to cut salaries.

**Sparks - Should Sunday be Voluntary or part of the Roster?**

Amigo - Well, when I started on the job it was part of the roster eg we worked five days but one of those five days could be a Sunday, thus giving us a day off (or DOC) during the week.

**Sparks - It's surprising that Drivers turn up for work on Sunday as volunteers because obviously compared to the old system they could be losing a DOC out of it. Obviously now before you can work a Sunday, you have to work another 5 days during the week, but before, you could work a Sunday and only 4 days during the week, thus giving u the opportunity to do another day as DOC whereas now you are covering the DOC at normal rates!**

Amigo - Yes, I think that was a classic con when they changed the rosters like that and I am surprised they got away with it. Of course, many new Drivers would not really understand the real difference between the old 7 day roster and the now 6 day roster.

**Sparks - Presumably Drivers may fear having to work on Sundays?**

Amigo - I don't think so, u see under the old 7 day rosters if u did not want to work your Sunday it was very easy to swap it for another day because Sunday is paid at double time. So if you swapped, to do a Sunday, that would mean that you have a day off during the week for a possible DOC or a day with your friends and/or family.

**Sparks - What are Drivers doing to avoid the stalling in their pay increase?**

Amigo - Well, I see lots of Drivers wearing this badge which says something like 'your rights at work worth fighting for etc' but in practice, we are not really fighting to promote our pay rise, whilst the other side continues to 'stall'.

## France: transport workers protest against proposed minimum service law

July 25th

The plan to introduce obliging workers to maintain a minimum service during public transport strikes has been taken as an attack on the right to strike by workers and unions.

There have also been strong indications that if the government can establish a minimum service law for the transport sector then it will be introduced for other public and private services. François Fillon, has stated that if the law works it should be altered to include:

“other public services, notably education”

The government has defined transport services as “any company or government organisation entrusted with a mission of public service for the regular transport of passengers who are not tourists.” Air transport is currently excluded. At the same time as laws on minimum service are being brought in there have been demonstrations and line blockages after the SNCF decided to cancel services to smaller stations. For all management’s talk of protecting the public it is clear that providing a service to the public is not a priority.

### **Effects on workers**

What the minimum service will require companies to provide has not been stipulated and it is up to the individual companies to create a plan for minimum service. There has also been a suggestion that workers should be obliged to work 6 hours per day to maintain the minimum service. This would allow management to schedule strikes for off-peak times and in many cases profit from strikes.

The main attack on workers is the requirement for each individual to declare themselves as a striker 48 hours in advance of any strike or be subject to disciplinary action. In addition unions must notify the company in advance of any plan to issue a notification of strike action.\* They may not make an official notification of strike action until after the failure of negotiations.

Negotiations must take place within a framework agreed before the law comes into effect on January 1st 2008. Another attack on the right to strike is the stipulation that in no case must workers be paid for strike days.

The law attempts to divide workers by making provisions for scabbing and after a week of strike action the employer or the union may call a meeting to vote on whether strike action will continue. This vote will be conducted by secret ballot rather than a show of hands. In France strikers usually hold a vote every day on whether to continue the action so this rule is for the benefit of employers.

### **Management plans**

The head of the national Rail company (SNCF) Anne-Marie Idrac, said that the legislation would be a culture shock for the organisation. She also outlined a fall in worker activity claiming that work days lost per worker had dropped from 0.7 last year to 0.13 for the first six

months of this year. She has announced 100M cash injection and the hiring of 1000 extra workers as a potential sweetener for the deal.

She has yet to announce whether these will be additional recruits or merely replacing staff who leave or retire (one of Sarkozy's key reforms is to only replace half of the 450000 civil servants scheduled to retire over the next five years)

#### **Union responses**

CGT – CFTD – FO – CFTC – SUD-Rail – UNSA – CFE/CGC – FGAAC have all made a unified declaration that the right to strike is in no way negotiable.

SUD Rail and FGAAC announced after a meeting with the government that workers would systematically give notice of strikes in an attempt to subvert any legislation.

Rail unions are calling for demonstrations on the 31st when the law is due to be voted upon, with mass action planned in Paris itself at the National Assembly with local rallies across the country.

#### **Extension of minimum service**

Spokesman Laurent Wauquiez has stated "at this stage there is no law being prepared" but he also added that "there are no taboos in this debate"

Jean-François Copé, president of the UMP deputies, said "In the case of strikes it is necessary to ask whether primary schools will close"; the focus has been placed on the 'reception' of children during strikes, although this seems to imply either removing the right to strike or forcing teachers to baby-sit their pupils while not actually teaching them.

A group of teaching unions (FSU, Unsa Education, SGEN-CFDT, FAEN, FERC-CGT) plan to spell out plans for their response at meetings in August.

\*Currently management must be notified, by one or more unions, 5 days in advance of any strike in public services. There strike must have a reason and this must be connected to professional concerns.

Private workers are not subjected to this restriction but for a strike to be lawful the employer must have been officially made aware of workers' demands before the strike begins, although they are not required to inform the employer in advance of strike action itself.

## **Transport for London workers vote for strike action over pensions**

July 25th, 2007 by Ed

RMT picket line, January 2006

RMT members covered by the Transport for London Pension Fund have voted by a massive 15-to-one margin for strike action to protect the pension rights of people forced to leave their jobs through ill-health.

the union is calling on the employers involved (list below) to guarantee that they will not bring forward or support proposed changes that would dramatically affect qualification for ill-health pensions.

At present, ill-health pensions are granted to workers in the TfL fund whose ill-health makes them unfit to do their particular job. Proposed changes would mean that anyone capable of earning an income, regardless of how small, would probably not qualify for or retain an ill-health pension.

“This ballot result shows what our members think of a plan that would deprive most people who leave work through ill-health of their pensions,” RMT general secretary Bob Crow said today.

“Our members have made it crystal clear that they are prepared to take strike action to defend their hard-won pension rights.

“Rather than laying siege to employees who suffer ill-health the trustees should simply scrap the fund rule that allows annual review of ill-health pensions.

“We do not want to have to bat these changes away time after time, and we are seeking guarantees from all the employers involved that they will not seek or back cost-cutting changes that will undermine ill-health benefits,” Bob Crow said.

In the ballot that closed July 24th, 3,141 (93.7%) voted for strike action, and 212 (6.3%) against. The employers involved are: London Underground, TfL, Metronet, Tubelines, Cubic Transportation, REW and EDF Energy.

### **The changes**

At present if medical evidence indicates that a member is unfit to do his or her own job, an ill-health pension would be granted. That pension is based upon length of fund membership, plus up to ten

additional years’ service. The pension may be suspended if the individual recovers to 100 per cent fitness, or revised to reflect an income. Where an income is earned, if the income plus TfL pension is greater than that of their previous job, the pension is reduced so that the individual’s overall earnings are not greater.

TfL management’s favoured proposal would see ill-health pensions split into two parts: a basic pension and an additional ill-health supplement. If the individual recovers, the ill-health supplement would be withdrawn, which would mean that individuals under 50 (or 55 from 2010) would be unable to continue drawing their basic pension.

Crucially, the test for receiving an ill-health pension would be changed to an ‘all-work’ test rather than the current ‘own-job’ test, which would leave the majority of those leaving employment due to ill-health facing the prospect of their pension being stopped because they would not be totally incapacitated.

A train operator who developed eyesight problems, for example, would be unable to continue in employment as a train operator but would not receive an ill-health pension under the proposed changes if he or she remained fit for some other form of work.

The employers have sought to exploit inconsistencies between the TfL Pension Fund Office's Guidelines on ill-health pensions and the existing Scheme Rules. However, the union has proposed that the Scheme rules be amended in line with the Fund Office Guidelines (which also reflect members' conditions of service), and that the current rule, 19 (5), which allows review of ill-health pensions, simply be abolished.

Cont. From Page 6 We have families, we want to live like human beings. Politicians get big money they don't have to work like us six or seven days a week just to survive. We push ourselves to work seven days a week and its still not enough money. This is the Third World in Sydney right now.

#### **CSA No2**

The union should not bargain any of our condition that have been won over the last 50 yrs We want to improve our existing conditions and the conditions of all working people in Australia. Pay rises should be unconditional, a pay rise is a pay rise. Our productivity is very high even though we do all of the dirty jobs for RailCorp.

#### **Interviewer Crimson Coconut**

How should the union go about getting a decent pay rise for its members? In the past the union hasn't consulted with us much, they haven't asked for our opinion. How should they go about a wage campaign?

#### **CSA No1**

They don't need to ask us. They should know how we are struggling as the they are supposed to represent us. They know how we live. I've been in the railways 25 yrs and I still get less than \$42,000 a year. In that time we have had to put our heads down and say "yes sir", "no sir" and its still a rare good day when we are not abused by customers. We have to put up with train disruptions which are beyond our control yet nobody cares about us.

Take the example of Mr Costa who was supposed to be a union man yet he is now offering only a 2.5% wage rise. He should be ashamed. He should be kicked out. How can we trust Labor when they now work for the rich people.

#### **Interviewer Crimson Coconut**

What do you think is the unions purpose in putting out this questionnaire asking these ridiculous questions that no union should ask? What is the reason behind it?

#### **CSA No1**

To cover themselves only. To make some drama, to make some rumour, to make some story, to make us except a lower rate of pay. They are all together, they are not with us. They just talk like "we feel sorry for what happens to you"

#### **CSA No2**

The union should not have sent out this circular at all. Their job is to ensure better conditions for us all.

**Interviewer Crimson Coconut**

What do you think is the solution to the long term impasse where workers no longer feel that they are being represented by their union? What is the solution? How can we fix it?

**CSA No1**

We have to stick together and we have to work with the union. We have to find the support within the union. At the present time we don't trust the union.

**CSA No2**

The union does not represent working people any more. The union is not a democratic movement any more. They are simply bureaucrats sitting on their office chairs worrying about their own pay rises. They should be day to day working with us on the job, asking questions, attempting to improve our conditions instead of sitting in their office unconcerned about democracy. They are working more for management than for the worker. There should be more decision making by the workers and the union should accept our decisions. The workers should make the decisions. An alternative union movement should be built on the basis of workers rights, representation, democracy and collectivism.

The unions at present are voted in by a minority of workers. About only 20% of people bother to vote because they are disillusioned with a union who doesn't represent them. It is time to look to alternative representation for workers, we should look at new forms of struggle to achieve what we want. In the last 20 years that I have been a member of the union they have misled workers.

**Interviewer Crimson Coconut**

There is talk of RailCorp being prepared to use Work Choices to push the next EBA through even if we don't agree. What do you think our response should be? How should we fight that?

**CSA No1**

We have to stop all of the bullshitting against us. Rudd has said that if elected he would remove Work Choices but how can we trust him? We pay our money to the union every fortnight, we pay them to help us, not to be against us. The unions should have stopped Work Choices. Everything is against us at the moment whether it be Labor, Liberal or management.

**CSA No2**

This bid by management to use Work Choices exposes the Labor Party for what it is. They do not represent workers any more and are more like the Liberal Party representing the rich. Next election we should not vote for the Labor Party, they are against the labour movement. We should vote for parties that represent workers, such as the Greens and other progressive parties. They are in a minority at the moment but we must make them the majority parties. For us its a matter of working all of our lives just to survive, this must change.

**Interviewer Crimson Coconut**

If you were putting out a log of claims for the next EBA and you created a list of things that we need to lift our standard of living, what would you put on that list? In light of the talk of trading off conditions what are the things that we should never be prepared to trade?



**CSA No1**

Principally we want fairness. We need a 20% pay rise, we need a big pay rise just to try and catch up. The agreement should be over 4 years.

**CSA No2**

We need a good pay rise for everyone. We should be setting an example for other workers in Australia. I believe if we stuck together we could get a better pay rise than the one that we get through the union. We have to work overtime to survive, we are one of the lowest paid in the public service. With decent pay we wouldn't work overtime and we could spend more time with our families and see life.

**Interviewer Crimson Coconut**

The government is now talking about privatising electricity and water. If that comes about what effect is that going to on wages?

**CSA No1**

When the government talks like this it shows that it is not thinking of the next generation. The next generation will not be able to afford anything.

**Interviewer Crimson Coconut**

How long will it be before you retire? What will the future be once you retire?

**CSA No1**

I am 55 now so I need another 9 years of work. Every day governments are changing the rules for retirees, we don't know what will happen to our super in the future. If the shares go down before we retire our super will be finished. We don't know which companies they've invested our money in. Do you know where your super is? Some of this money is invested out of the country and now some of these companies are broke. We don't even know if they invest our money on horses, we know nothing. I rang the super company some months ago and asked them where our money was invested. They couldn't answer my question.

**Interviewer Crimson Coconut**

How do you think we can get our message out to the union about the next EBA when they are simply not listening to us? We the ordinary workers on trains, in signal boxes, on stations etc - how can we say loudly to the unions and management that we are not prepared to trade off anything for a wage rise?

**CSA No1**

We should write letters to everyone, the unions, the premier, Mr Costa and management telling them how we feel about our future.

**Interviewer Crimson Coconut**

What would you say in the letter? Would you threaten not to vote for them?

**CSA No1**

No we wouldn't say that. We would ask them to sit down and work with us. They need to ask us before they do anything and they also need to listen to us. We will try.









# What is Democratic Unionism?

Democratic