



RMS wish list will strip your pay for out of hours Special Operations in the Compliance Operations Branch

Over the past few months, the RMS has been widely criticised in the media for its overtime budget. What isn't acknowledged by the media is that RMS workers provide an essential service keeping NSW road users safe.

With varying degrees of frequency, RMS employees are required to work family unfriendly hours on Special Operations, to help keep NSW road users safe.

This media criticism has lead RMS Compliance Operations Branch (COB) management to review its overtime budget.

In a cynical, purely cost cutting measure, PSA members in the COB have recently been approached by their Management who no longer wish to observe the Award's requirement to pay overtime rates, for working outside the Award's bandwidth hours for Special Operations.

For the information of members, Clause 21.2(d)(ii) of the Award specifies bandwidth to cover work undertaken between 7:30 am and 6:00 pm. Ordinary hours can be performed outside of bandwidth, provided it is paid at Overtime rates.

COB Management now proposes that its staff will be nominated as Temporary Shift Workers for Special Operations undertaken by COB outside of bandwidth.

There is no provision in the Award for Temporary Shift Workers. The PSA does not believe the Award allows RMS to move its employees between the flexible working hours agreement and shift work.

Financially, Shift Work penalties payments are of considerably less value to PSA members than Overtime payments when engaged in Special Operations at odd hours and weekends.

A meeting was arranged with COB PSA members in Parramatta on 10 July 2014. The meeting was well attended despite the short notice.

It was evident at the Parramatta COB PSA members meeting that the management proposal was viewed negatively with no support from those members in attendance to accept the management proposal.

Quite clearly, PSA members attending this meeting expect the Awards status quo to remain, where Special Operations outside of bandwidth, are paid at overtime rates.

After the PSA members meeting, a delegation of PSA Industrial Staff and Delegates met with RMS management.

During that meeting the PSA clearly put the view of its members.

Clear reasons on why the Award requires overtime payments for Special Operations undertaken outside bandwidth, instead of shift penalties were provided by the PSA.

RMS advised there were three alternatives based on PSA members' opposition to the Temporary Shift Worker proposal.

The alternatives advanced by RMS Management for undertaking 'special operations' outside of the Awards bandwidth were:

1. *No Special Operations would be undertaken outside the Awards specified bandwidth hours;*
2. *Continuing with the Awards requirement to pay Special Operations outside of bandwidth as overtime; or*
3. *All COB employees would be permanently converted to Shift Workers resulting in a complete loss of flex time provisions for COB employees.*

Should RMS Management prefer option 3, the PSA considers that to be '*major changes in the composition, operation ... of the Employer's workforce*'. The new consolidated Award now requires proposals like this to be supported with a business rationale supporting a change to working conditions.

Non-IVR PSA members engaged in Special Operations outside bandwidth, who are paid Shift Penalties instead of the Award's requirement for Overtime rates would be underpaid by the RMS.

The PSA will support its members who seek to recover any alleged underpayment.

This plan to circumvent the Award requirement for overtime is an initiative of RMS Management. The PSA is now waiting for advice from RMS Management as to its final position.

Any proposal to override the current Award requirement to pay Overtime by RMS will be opposed by the PSA as this is clearly the will of member feedback provided to date.

The PSA will implement a comprehensive consultation process with RMS members in COB to seek your feedback on receipt of any RMS Management proposal and business case to overturn the Award.