



21 November 2016

## **Roads & Maritime Services Enforcement Operations IRC dispute update**

The PSA and RMS attended the IRC on 10 November 2016 for a report back on the currently disputed issues of 'CRIB' breaks, paid meal breaks on afternoon/night shifts and meal room facilities. PSA Industrial and Organising staff were present, along with the PSA's IVR Advisory Group Chair and Secretary.

At the hearing both the PSA and RMS gave an update of the status of each issue and discussed in detail the sticking points of each issue. Specific details are unable to be distributed at this stage, as the parties are bound by confidentiality of private conference and can only discuss what was placed on the record on the day. The current status of each issue is itemised below.

### **CRIB breaks**

RMS has tabled a Memo to Managers with its interpretation of how the award would apply. However, the PSA did not accept the document and sought Commissioner Tabbaa to allow for PSA input prior to recirculation.

This document was then sent to the PSA Advisory Group Delegates for their feedback. After feedback was received, the PSA modified the RMS document in line with feedback received from Delegates and sent back to RMS for their consideration. In the IRC the RMS said

the document was still being considered and a response was sent to the PSA. A further update will be given to members.

### **Paid meal breaks on afternoon/night shifts**

RMS has tabled a "Without Prejudice" document for the PSA to consider. This was provided on a confidential basis to the PSA and it was circulated to Advisory Group Delegates for comment. In order not to prejudice proceedings before the NSWIRC, it was unable to be released to the full membership.

The offer details the payment of the appropriate shift penalty for the entire shift including the meal break that is taken during the shift. The offer also contained requirements for a Deed of Release (in full settlement of the dispute), no offer of back pay and any claim to be extinguished; and a change to the award reflecting the above payments to be made in future. RMS proposed the award would be varied by consent as part of the next Award Review.

These matters were discussed during private conference and the PSA will write to the RMS outlining our concerns and a possible compromise position for RMS to consider. If RMS agreed to review the offer, it could

encourage PSA EOIs members to support the offer placed on the table.

Additional consultation with the full membership is currently being developed and once the PSA seeks your views, you are encouraged to provide feedback.

### **Meal room facilities**

At the last IRC report back, the PSA agreed to write to RMS outlining locations and highlight what meal room facilities were substandard in the PSA's view. Due to the complexity and volume of work to be undertaken, this has not been completed.

A number of meal room facility changes have taken place since this issue was first raised in the IRC and the PSA was advised a Winnebago and two caravans have been fitted out as meal rooms for EOIs to utilise. RMS toilet facilities are being built at roadside inspection locations and a new Iveco has been purchased that includes meal room facilities.

Non RMS HVIS sites have been advised to clean meal rooms prior to EOIs attending the location to Inspect Vehicles as rostered. RMS also advised that EOIs may also leave these sites to have a meal at a suitable place elsewhere other than the Inspection facility should they choose.

### **Next steps**

The PSA EOIs Advisory Group will meet on Wednesday 23 November 2016 and these issues will be discussed and documents provided for consideration and debate.

The offer had a limited timeframe which would not have allowed meaningful consultation with affected members. As this offer has a financial impact and requires changes to the Award, the PSA advocated for an extension of time and also wider circulation of the offer. RMS consented to these requests on the basis that the offer was not circulated beyond PSA EOI members.

The PSA will circulate a survey to members very soon. The survey will contain links to the RMS offers for members to vote to either agree or reject the offer.

The survey's result will reflect the democratic view of the membership. The outcome will be used to settle the dispute or reject the offer.

The next report back before the NSWIRC has been tentatively booked for 13 December 2016.

Members are welcome to raise any concerns or issues with your Advisory Group Delegate prior to the next Advisory Group meeting on 23 November 2016 so your voice can be heard.

Current PSA members should encourage any non-member to join the union so they too can have input into the working conditions at their workplace.

