

## REGIONAL TRAFFIC OPERATIONS CENTRE – ~~PROPOSED~~ LOCAL AGREEMENT

### INTRODUCTION

Roads and Maritime Services' (RMS) Regional Traffic Operations Centre (RTOC) is located at McLeods Shoot, New South Wales. The RTOC has been in operation since December 2015 and is a 24 hour a day, 7 days a week operation.

### CURRENT TERMS & CONDITIONS OF EMPLOYMENT PRECEEDING THIS LOCAL AGREEMENT

Since it commenced operation, staff at the RTOC have worked pursuant to certain terms and conditions with the underpinning Award being the Roads and Maritime Services Consolidated Salaried Award 2014.

The 2014 Award was rescinded and replaced by the Roads and Maritime Services Consolidated Salaried Award 2016 from 2 August 2016.

The shift pattern ~~currently~~ in place at the RTOC consists of 3 x 8 hour shifts per day.

### ~~PROPOSED~~ LOCAL AGREEMENT

RMS and employees working at the RTOC consider an approximate 12 hour shift length roster will deliver a best practice outcome for the RTOC's 24 hour, seven day roster model.

It is noted that Chief Traffic Operations Controllers, Senior Traffic Operations Controllers and Traffic Operations Controllers in the Traffic Operations Room of the Transport Management Centre at TfNSW have the ability to work shifts of 12 hours 10 minutes under the terms of the Transport for NSW Salaries and Conditions of Employment Award 2015.

During 2016, RMS have held a number of discussions with RTOC staff and the PSA regarding the terms and conditions of a proposed approximate 12 hour shift length roster.

Following an extensive period of consultation with RTOC staff and the PSA, the terms and conditions set out in this Local Agreement were agreed. RMS proposes to review, in consultation with staff and the PSA the effectiveness of the Local Agreement following it being in force for a period of approximately 6 months.

The below provisions set out in draft form consists of the proposed content of the Local Agreement applying to Operations Managers and Operations Coordinators employed to work at the RTOC.

The below draft is subject to a period of consultation with the RTOC staff and relevant Union(s).

Further, and concurrent with the consultation period with staff and relevant Union(s), the below draft Local Agreement is also subject to a number of checks by RMS before it can be implemented, including but not limited to:

1. A review by Finance to ensure that the proposed content is cost neutral compared to the current rostering arrangements in place at the RTOC; and
2. Relevant and appropriate Work Health and Safety systems are in place to address any concerns arising from adopting the proposed Local Agreement.

**DRAFT PROPOSED LOCAL AGREEMENT COVERING OPERATIONS MANAGERS AND OPERATIONS COORDINATORS IN THE REGIONAL TRAFFIC OPERATIONS CENTRE**

1. This Local Agreement applies to Operations Managers and Operations Coordinators in the Regional Traffic Operations Centre. To the extent this Local Agreement conflicts with provisions in the Roads and Maritime Services Consolidated Salaried Award 2016, this Local Agreement will prevail.

2. This Local Agreement will commence on a date to be determined.

2.3. Hours of Work

(a) Ordinary Hours

The ordinary hours of work shall be 35 per week.

(b) Full Time Employees

(i) Employees shall be continuous shift workers.

(ii) Other than Employees on probation, the ordinary hours of work shall be ~~70~~ ~~140~~ hours worked over a ~~(2)~~ ~~(4)~~ week roster cycle. Employees shall be rostered to work shifts of 12 hours 10 minutes, including a 30 minute unpaid meal break and a 20 minute paid crib break.

(iii) Employees on probation may be rostered to work shifts of at least 7 hours and 30 minutes and up to 12 hours and 10 minutes. Until an Employee on probation is rostered for shifts of 12 hours 10 minutes on a permanent basis, they will be paid for any hours worked in excess of 7 at overtime rates.

(iv) When rostered for shifts of 12 hours 10 minutes full time Employees shall not be rostered to work more than three consecutive days in any seven day period.

(c) Where Employees are rostered to work shifts of 12 hours 10 minutes:

(i) They shall be entitled to a rest break of at least 10 hours between the cessation of an ordinary rostered shift and the commencement of the next rostered shift.

(ii) They shall not be required to be on duty for more than 14 consecutive hours. After being on duty for 14 consecutive hours Employees shall be given a rest break of at least 4 consecutive hours. Where Employees are directed to resume work without having a rest break of at least 10 consecutive hours, payment shall be at the rate of double time, or double time and one half if on a public holiday until they are released from duty for 10 consecutive hours. Any rostered working time occurring during such absence shall be paid at the shift work rate in clause ~~43~~.

(iii) Where Employees have not observed a rest break of at least 10 hours prior to the commencement of the next ordinary shift, they shall be paid at the rate of double time, or double time and one half if on a public holiday, calculated at the ordinary salary rate until such time as Employees are released from duty for 10 consecutive hours. Any rostered working time occurring during such absence shall be paid at the shift work rate in clause ~~43~~.

(d) Part Time Employees:

(i) A Part-Time Employee shall be engaged to work agreed contract hours. The pattern of contract hours to be worked will be agreed in writing and may only be varied with the consent of the Employer and the Employee.

(ii) For time worked in excess of the full-time hours of the classification payment shall be made at the appropriate overtime rate in accordance with clause ~~54~~.

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(e) Meal Breaks

Employees shall not work more than 5 hours from the commencement of a shift without having a 30 minute unpaid meal break. Employees rostered on shifts of 12 hours 10 minutes shall after a further 5 hours of work have a paid crib break of 20 minutes.

3.4. Shiftwork

(a) For the purposes of this sub clause:

- (i) 'Early morning shift' shall mean those shifts commencing at or after 4.00am and before 6.00am.
- (ii) 'Day shift' shall mean those shifts commencing at or after 6.00am and before 12 noon.
- (iii) 'Afternoon shift' shall mean those shifts commencing at or after 12 noon and before 4.00pm.
- (iv) 'Night shift' shall mean those shifts commencing at or after 4.00pm and before 4.00am.

(b) Payment for Shift Work

- (i) Payment for day shift shall be at the ordinary rate of pay,
- (ii) Payment for early morning shift (on Monday to Friday) shall be at the ordinary rate of pay plus 10 per cent,
- (iii) Payment for afternoon shift (on Monday to Friday) shall be at the ordinary rate of pay plus 12 ½ per cent,
- (iv) Payment for night shift (on Monday to Friday) shall be at the ordinary rate of pay plus 15 per cent.

(v) Payment for all ordinary time worked on a Saturday shall be at the rate of:

- ~~at the rate of~~ time and one half of the ordinary rate of pay for the first 2 hours and double time thereafter for each Saturday worked up to 30 June 2017;
- ~~time and one half of the ordinary rate of pay for each Saturday worked on and after 1 July 2017.~~

- (vi) Payment for all ordinary time worked on a Sunday shall be at the rate of double the ordinary rate of pay,
- (vii) Payment for all ordinary time worked on a Public Holiday shall be at the rate of double and one half of the ordinary rate of pay,
- (viii) Employees rostered off on a public holiday shall be credited with a day in lieu for each such day.

- (ix) Employees are entitled to a 17.5 per cent annual leave loading. Shift workers proceeding on annual leave are to be paid in respect of leave taken in any period of 12 months commencing 1 December, shift premiums and penalty rates (or other allowance paid on a regular basis in lieu thereof) they would have received had they been on duty or the 17.5 per cent annual leave loading, whichever is the more favourable. This loading is to be calculated on the basis of 17.5 per cent of five weeks ordinary salary (excluding any shift penalties).

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(c) Additional Annual Leave

Full time Employees shall be credited with an additional 35 hours recreational leave per annum. This leave accrues progressively during a year of service according to the Employee's ordinary hours of work.

(d) Shift Rosters

- (i) Employees shall be rostered to work shifts on a rotating basis as required by the Employer.
- (ii) Rosters will be made available at least 30 calendar days in advance.
- (iii) The Employer will consult with affected Employee(s) regarding a change to a rostered shift.
- (iv) Where notice is given of a change in shift with less than 7 days' notice any shift so worked shall be paid at the rate of the previously rostered shift provided it is greater.

| 4.5. Overtime Worked

Payment of overtime shall be made at the following rates:

- (a) All time worked in excess of 11 hours 40 minutes per shift between midnight Sunday and midnight Saturday, shall be paid at the rate of time and one half for the first two hours and double time thereafter. Each period of overtime shall stand alone.
- (b) Any overtime work carried out on Sundays shall be paid for at the rate of double time.
- (c) Any overtime work carried out on a public holiday shall be paid for at the rate of double time and a half.
- (d) An Employee who works overtime on a rostered day off, Saturday or Sunday or on a public holiday shall be paid a minimum payment for three hours work at the appropriate overtime rates.
- (e) An Employee required to work a shift on a day on which they are not rostered and given less than 24 hours' notice in advance will be paid one meal allowance in accordance with Schedule B Item 2 of the Roads and Maritime Services Consolidated Salaried Award 2016.

| 5.6. Sick leave

- (a) Sick leave on full pay accrues day by day to an Employee at the rate of 9 days each calendar year, and any such accrued leave, which is not taken, is cumulative.
- (b) During the first 4 months of employment, an Employee can access up to 3 days paid sick leave even though that leave has not yet accrued.

**END**