



16 December 2016

## **Roads and Maritime Services EOI paid meal break dispute offer**

The PSA EOI Advisory Group raised member concerns and questioned the payments under clause 22.2(a)(ii) of the Roads and Maritime Services Consolidated Salaried Award 2014.

The Advisory Group believed that the clause provided for a paid meal break when rostered on afternoon and night shifts and wanted to challenge the RMS on the matter. No payment of paid meal breaks on these shifts had been made since the 2014 award was gazetted.

The clause states:

### **22.2 Shift Work Hours**

- a) For Salaried Employees rostered on shift work (including field work), unless specific provisions apply:
  - ii) the ordinary working hours for afternoon and night shifts shall not exceed those worked daily or weekly by other Head Office Employees working normal hours

Monday to Friday. Meal breaks shall be of thirty minutes duration and shall be taken as part of the ordinary working hours, to be paid for at the appropriate shift rate;

The PSA raised the Advisory Group's concerns with RMS through the Steering Committee. The RMS did not agree with the PSA's position that any payment was required at all.

After discussions were exhausted at the Steering Committee, the PSA filed a Section 130 dispute notification in the NSW Industrial Relations Commission (IRC).

Throughout 2016, the PSA and RMS had three hearings in the IRC before Commissioner Tabbaa regarding paid meal breaks during afternoon and night shifts. The proceedings have been reported back to members via bulletins after each hearing.

Members' concerns and views as expressed through Advisory Group delegates have been fully explored during these IRC hearings.

In an effort to resolve the dispute, RMS has made an offer that can be viewed [HERE](#).

[\(http://psa.asn.au/wp-content/uploads/2016/12/Letter-to-the-PSA-25.11.2016.pdf\)](http://psa.asn.au/wp-content/uploads/2016/12/Letter-to-the-PSA-25.11.2016.pdf)

The offer expires on 23 December 2016 as the PSA negotiated with RMS to extend the deadline so a vote could be put to all members. It has also been agreed that the offer will be in confidence and not shared beyond the EOI membership.

The offer has been endorsed by a majority vote of the Advisory Group delegates. The delegates recommended the offer also be put to a vote of all EOI PSA members.

You can vote to accept or decline the offer put by RMS [HERE](#).

[\(https://www.surveymonkey.com/r/899S75T\)](https://www.surveymonkey.com/r/899S75T)

The vote is open to EOI PSA members until COB 22 December 2016.

Once the vote is counted, PSA members will be advised of the outcome and the next steps to be taken.

**Members should be aware that if the offer is rejected, RMS will remove it from the table. This may result in no paid meal breaks at all into the future.**

**The RMS have agreed as part of the offer to enshrine payment for paid meal breaks on afternoon/night shifts into the next award if it is accepted by PSA members at this vote.**

For any issues or concerns please contact your Advisory Group delegate.

## **Ballot**

You can view the RMS offer on paid meal breaks for afternoon/night shifts [HERE](#).

[\(http://psa.asn.au/wp-content/uploads/2016/12/Letter-to-the-PSA-25.11.2016.pdf\)](http://psa.asn.au/wp-content/uploads/2016/12/Letter-to-the-PSA-25.11.2016.pdf)

## **Question:**

Do you accept the RMS offer?

Yes

No

