

Mark Morey
Unions NSW

Via email:
Sophia.Nasser@unionsnsw.org.au

Re: Transport Award Renewals

27 June 2022

Dear Mark

I refer to negotiations between Transport for NSW and Sydney Metro (collectively ‘**Transport**’) with the Combined Transport Unions (**CTU**) for the renewal of the Transport for NSW and Sydney Metro Salaries and Conditions Award 2021 (**‘TfNSW Award’**) and the Road and Maritimes Consolidated Salaried Award 2019 (**‘RMS Award’**) (collectively **‘the Awards’**).

This letter sets out the offer of Transport for New South Wales for a new Award to replace the Transport for NSW and Sydney Metro Salaries and Conditions Award 2021 (**‘TfNSW Award’**) and a varied Road and Maritimes Consolidated Salaried Award 2019 (**‘RMS Award’**).

The following variations, amendments and inclusions arranged by category constitute the offer. It is noted that any drafting to include the components of this offer in the new Awards will require review and approval by Public Sector Employee Relations.

1. Duration

A two-year period for the Awards with a nominal expiry date of 30 June 2024.

2. Wages and allowances

In accordance with approved sector bargaining parameters Transport offers the following increases to remuneration for employees covered by the Awards:

- a 3.0 per cent increase to remuneration (being a 2.53 per cent increase to salaries and salary related allowances and a 0.5 per cent increase for superannuation purposes) from the first full pay period on or after 1 July 2022, and
- a 3.0 per cent increase to remuneration (being a 2.53 per cent increase to salaries and salary related allowances and a 0.5 per cent increase for superannuation purposes) from the first full pay period on or after 1 July 2023; and
- an additional 0.5 per cent for FY2023-24 where a substantial employee contribution has been made to productivity enhancing reforms and the parties reach agreement on these reforms.

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3. Enhancements to Inclusion and Diversity and Employee Support

Transport proposes to vary the following Award provisions:

- Parental support - include the entitlements set out in *M2021-12 Paid Parental Leave* and *M2021-11 Paid Leave in the Event of a Miscarriage or Pre-Term Birth*.
- Domestic and Family Violence Support - to include the entitlements set out *M2018-03-Support for Employees Experiencing Domestic and Family Violence* and aligning to leading practice as much as possible including a new definition and principles for prevention and response.
- Administrative amendments to modernise language and promote inclusion and diversity
- Inclusion of a 'right to disconnect' provision to acknowledge the right of employees to set boundaries between work and home, without performance management or disciplinary action for failure to respond outside their regular working hours.

4. Enhancements to Flexibility

- Elevate the option currently available in the *Flexible Working Hours Agreement* for employees and managers to vary their bandwidth by including it in the Award.
- Introduction of a provision for employees who accrue more than five weeks of annual leave per annum to convert part of their accrual to pay, thereby offering equal access to cashing out leave across the Awards.

5. Harmonisation

Within the parameters of the Wages Policy, the following clauses have been harmonised:

- *Consultation and Change* provisions, specifically clause 7 of RMS Award and clause 8 of the TfNSW Award
- *Flexible Work Practices*, specifically Flexible Work Arrangements clause 21 of the TfNSW Award and the Flexible Work Practices clause 26 of the RMS Award.
- Inclusion of a statement committing to the professional development of employees in the TfNSW Award, aligning with the existing provision in the RMS Salaried Award.

6. Rostering

- Inclusion of a subclause providing for relevant employees in the Transport Management Centre to be consulted with a view to developing and implementing fatigue principles and systems and
- Revised wording to clarify shift lengths for employees on probation, training and alternative duties.

7. Partnering with CTU to address issues of concern

Transport will engage with the CTU to develop solutions to specific issues, as presented at the Joint Consultative Committee (JCC) meeting held on 20 June 2022.

The specific areas to be addressed include (see **draft JCC Plan**):

- Workload and Forfeiture of credit Flex Hours
- Consultation and Change
- Labour utilisation (including Labour Hire and Higher duties)

Transport is also committed to ongoing engagement with Unions and employee representatives on changes to policies, programs and initiatives including but not limited to:

- flexible work policies and procedures
- HVAC program,
- Wellbeing strategy; and
- Fitness for duty procedures.

7. Administrative Revisions, Corrections and Updates

The proposed Awards will contain minor revisions, corrections and updates which do not alter the substance of the clauses subject to them. These are shown in mark-up in the attached Awards.

The proposed salary increases and changes to Award provisions set out in this letter are offered on the basis that the CTU consents to the following:

- A two-year award being made for the TfNSW Award with a nominal expiry date 30 June 2024
- A variation to the RMS Salaried Award extending the nominal expiry date to 30 June 2024.

Please provide your response to this offer to Alison Phan, Senior Manager Employee Relations by close of business on 30 June 2022.

I again thank the Unions and employee representatives for the professional engagement and contributions to our Award negotiations and look forward to working closely with you over the coming months on the issues we have committed to resolve outside the Awards.

Yours faithfully

A handwritten signature in black ink, appearing to be "MD" or similar initials.

Margret Dornan
Executive Director, Business Partnering