

TOR Business Rule: Union Feedback

| | Area of policy | Feedback | TfNSW Comment |
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| 1 | 1.1 Background | The scope of the document is broad. As a result, issues such as 5.1 seem to be out of place. Suggest the scope/purpose of this document is more aligned with staffing levels/rostering. Things such as annual leave loading are not necessary. | |
| 2(a) | 2.1 Minimum Staffing Levels | There is no level set for night shifts. | |
| 2(b) | 2.1. Minimum Staffing levels | There may be circumstances where the staffing levels fall below this level for reasons outside our control (i.e. extreme Weather/Contagions). The document does not address what will occur in those circumstances. | |
| 2(c) | 2.2.2. Shift Swaps | Will shift swaps be approved if it result in an extra cost to the business – no reference? Understand that fatigue principles and Award provisions would potentially prevent that but identifying that specific aspect is probably beneficial. | |
| 2(d) | 2.2.2 Shift Swap | At 2.2.2.a it would be better to have the criteria for shift swap listed (a) must not be with a vacant shift (b) must comply with fatigue standards (c) must comply with current award standards (d) the employee swapping with must be suitable (e) employee swapping with must provide written approval. | |
| 2(e) | 2.2.2.c Shift Swap | Why does verbal and written approval need to be provided if this is going to the Manager I am assuming in writing. | |
| 2(f) | 2.2.2 Shift Swaps | Agree that shift swaps need to comply with fatigue principles. We are yet to see what these are and want further visibility and consultation on these. | |
| 2(e) | 2.2.2 Shift Swaps | Overall this could be simplified into some simple steps. | |
| 3(a) | 3.2 Short notice leave | Considering the roster under the Award is published at least 30 days in advance, it requires an employee to apply 8 weeks before the roster period commences seems excessive. If a master roster were something that is established, this would be reasonable. At this stage technically, the individual may not even be aware if they are working. | |
| 3(b) | 3.1 Planned Leave | Managing leave balances to provide more fair access to accrued entitlements could be addressed. | |

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| 4 | 3.3 Leave Loading | This is something that needs to be discussed in terms of the requirements of the Award. Specifically, if the employee needs to elect, further if shift workers need to be a minimum of two weeks consecutive leave to be paid their loading. | |
| 5(a) | 4.1. General Overtime Principles | What are the Microster rules? | |
| 5(b) | 4.1 General Overtime Principles | Concerns have been expressed about fair and equitable distribution of OT. Allowing for the Manager to allocate outside the Microster rules will only allow for favouritism. | |
| 5(c) | 4.1 General Overtime Principles | <p>The principles should be that easy to read principles that are a basic step-by-step guide. A basic guide (this is based on the establishment of a master roster):</p> <ol style="list-style-type: none"> 1. Employees identify on the roster when they do not want to be contacted for OT. 2. Look at who has done the least amount of overtime. 3. Ensure they have not done less than the 2x OT shifts in the roster period. 4. The employee is appropriately qualified. 5. Fatigue principles are not being breached. | |
| 5(d) | 4.1 General Overtime Principles | Planned overtime is not addressed, and this should be granted on an equitable basis as well. | |
| 5(e) | 4.1 General Overtime Principles | There are matters contained within this that would be beneficial for different subheadings. For example you have how OT is calculated. | |
| 6(a) | 5.1.h General | <p>In principle, it is understood the reason why multimedia devices should not be utilised on shift. For mobile phones, however, we consider there should be an exception for the following reason:</p> <ul style="list-style-type: none"> • Emergency contacts. Not all employees family members or who are trying to contact the employee in case of emergency will have the TMC contact number e.g. building management, Emergency Rooms (note that they would contact your emergency in your phone or on health records, and TMC number is unlikely to be provided). | |

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| | | <ul style="list-style-type: none"> • Staff need 2-factor identification for transport apps. This is currently being extended out. • Transport rostering staff messages and call personal mobile phones to fill shifts and make roster changes. • As far as we know, this has not been identified as a safety issue. <p>We agree that there should be no actual multimedia watching whilst on shift. This can be managed by floor management.</p> | |
| 6(b) | 5.1 General | Believe these are more of a conduct issue and should be addressed in a different document. | |
| 6(c) | 5.1(k) General | <p>The restriction on polo shirts to just night shifts is unreasonable. Polo shirts are permissible for the majority of Customer facing roles in Transport. The following roles we are aware are allowed to wear Polo Shirts at whatever time:</p> <ol style="list-style-type: none"> 1. TMC Transport Commanders 2. Office Workers 3. Other Transport Agencies Front Line staff <ol style="list-style-type: none"> a. Ferry Operators b. Station Staff c. -Drivers / Guards etc <p>The TOR is not customer-facing and is in a secure control room inaccessible to the public. There is a lack of consistency, and the feedback is that TOR staff feel as though they are, without reason, being treated differently. There is no dispute that there needs to be a standard regarding dress this should be applied consistently across TfNSW.</p> | |
| 7 | 5.2 Breaks | There is an unnecessary level of restriction. The staff in the TOR understand that as shift workers, they are subject to greater restrictions on their flexibility, and this can create discord. Staff often require small respites dealing with fatalities and other major fatiguing events. "Coffee Breaks:" are often taken in 5 minutes snippets to get out of the room, get fresh air and clear the head. The work is very demanding, | |

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| | | which, given the recent weather events, has been exacerbated. The ability of these employees to take a few moments to secure food and drink outside normal hours is important for their morale. It is appreciated that this will be subject to work levels being met. | |
| 8 | General feedback | The document could be shortened and less policy and more procedure and to the point. | |

Feedback as to what is not contained:

1. Rostering principles as far as we are concerned, would provide for:

a. Master roster

- i. this would be defined as a steady roster for an extended period.
- ii. Development of that roster would be in consultation with staff.
- iii. Notice period for changes to this roster.

b. Operational roster

- i. This would be based on the master roster and would reflect any changes to the master roster due to having to fill vacant shifts.
- ii. Notice period for that roster would be in line with the Award and published at least 30 days before the commencement of the shift.
- iii. Notice period for changes to this roster.
- iv. Development would be in consultation with staff.

Development of the master roster and the operational roster would address the feedback that there are many changes in scheduled shifts during a roster cycle. Further, members have said there is a lack of consistency in the roster cycle, and the unpredictability is affecting their work-life balance.

c. Consultation

- i. Better consultation provisions - the vast majority of the feedback has been that there is a lack of local-level consultation in the development of the roster and or changes.

d. Fatigue principles would be spelt out more:

- i. The breaks between shift block rotations.
 - 1. Feedback is the structure of the shifts is causing fatigue. Comments have been that four days off between blocks of shifts would be preferable. This would likely require the roster cycle to change. If we can explore how this can be possible without impacting employees' salaries.

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2. Due to the way in which the roster is currently run doing one overtime or taking an unassigned shift results in a great amount of fatigue. For example if only have 2 days off and there is an unassigned shift then it feels like you have not had a break at all.
- ii. Breaks between consecutive night shifts.
 1. Feedback needs to be at least 48 hours break. The feedback has been that there is an issue when the roster cycle ends; there is a lack of attention to what was worked in the previous shifts. For example, Monday, Tuesday and Wednesday nights and then the employee is rostered back to Friday day shift.
- e. **overtime guidelines**
 - i. establishing a set of guidelines that clearly state how OT would be allocated both planned and unplanned. The purpose is to provide for fair and equitable distribution of OT. . See the feedback we have provided above.
 - ii. Would be clear recording of OT.
- f. Annual leave
 - i. Address fair and equitable access to accrued entitlements.