



## Government escalates its rhetoric, threatens to terminate enterprise agreement

1 September 2022

Dear members,

This morning we were meant to be bargaining with Sydney Trains and NSW Trains. We walked into the room and were immediately told by Management that the Government had concluded bargaining and that there would be no more. That was it, according to Management.

After our initial shock, and some questions about what “concluding bargaining” actually meant, we spent the morning going over a whole series of items that had not been included, proposals that not been responded to, and information that had not been provided concerning a new enterprise agreement.

The actual status of the bargain is that it is nowhere near “concluded”. There is a document on which drafting has only just been started. There are many clauses that do not have agreement, and we have not once been through the enterprise agreement line by line with Management to ensure it reflects what has been agreed through bargaining.

Then after 3pm this afternoon, we received a letter signed by the Transport Secretary and the Chief Executive of NSW Trains with a threat – withdraw all of our industrial action by 5pm tomorrow (Friday), or we will seek to terminate your enterprise agreement.

Terminating an enterprise agreement is the most drastic thing an employer can do under the Fair Work Act, and goes to show the disdain this Government has for each and every railway worker, and public service worker in the state.

Never mind the unethical and unconscionable motive behind this cynical move, it is also potentially illegal. When you exercise your workplace rights, your employer is not able to do anything against you in reprisal for exercising that right. We have our experienced legal team looking into this and we will take whatever action we have to.

In the meantime, we have just now filed a case in the Fair Work Commission for good faith bargaining orders. The Government and Management have been bargaining in bad faith for some time now, and we hope that this case will expose their mistruths and blatant lies that are replayed through the media as fact.

Unfortunately, the reality is that this government does not want to reach an agreement with us. They have spied an opportunity where they think if they keep fighting with us, they can score cheap political points that will help them in the election next March. So, they want to keep this fight going.

Well, we weren't born yesterday. We know how to fight these types. We won't give them the fight they want, but they can be rest assured that they will get one. We will fight smart, and we will fight long. Every time they take us on, we win. And we will again.

In Unity,

RTBU NSW

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