

From: Minna Davis <mdavis@rtbu.org.au>
Sent: Wednesday, 19 October 2022 3:48 PM
To: AMOD <AMOD@fwc.gov.au>
Subject: C2019/5259 Review of certain C14 rates in modern awards

Good Afternoon,

I refer to the above matter

Please see attached RTBU's variation proposal.

Kind regards

Minna Davis



Minna Davis Industrial Officer

Rail, Tram & Bus Union **The Power of Union**

Office Suite 5.01, Level 5, 377-383 Sussex Street, Sydney NSW 2000

Phone (02) 8203 6099

Email mdavis@rtbu.org.au **Website** www.rtbu.org.au



RTBU

Fair Work Act 2009

FAIR WORK COMMISSION

s. 157 – FWC may vary etc. modern awards if necessary to achieve modern awards objective –
Review of certain C14 rates in modern awards

**Review of certain C14 rates in modern awards
(C2019/5259)**

RTBU Variation Proposal

Background

1. The Commission has initiated a review of certain modern awards which have classification rates at the C14 rate which are either not transitional rates or where the transition period is not specified. The C14 rate is equivalent to the National Minimum Wage (NMW). The Background to this matter is set out in 3 earlier Statements issued by the President.
2. On 6 October 2022, parties seeking a change to one or more of the relevant awards modern awards were informed that we should file details of the proposal with the Commission by 4pm (AEDT) on 19 October 2022.

Proposal

3. The Australian Rail, Tram and Bus Industry Union (RTBU) have an interest in the *Rail Industry Award 2020* (Rail Award).

Rail, Tram & Bus Union Australia **The Power of Union**

Office: Level 2, Trades Hall, 4-10 Goulburn Street, Sydney NSW 2000
Phone: 02 8203 6099 Fax: 02 9319 2096



RTBU

4. The Level 1 Operations classification in the Rail Award is equivalent to C14 rate of pay with no clear transitional period. It does however appear to only apply where an employee is undertaking basic competency training.
5. The RTBU submits that the standard induction and basic competency training can be obtained and completed relatively quickly after an employee commences employment
6. Therefore, to ensure that the C14 rates in the Rail Award for the operations stream operate on a transitional basis, the RTBU proposes a variation of Schedule A, Operations Classification Level 1:

Level	Tasks and Functions
1	<p>Employees at this level undertake and successfully complete standard induction training <u>within the first month of employment. On completion of the required induction training the employee will be reclassified to level 2.</u> <u>Employees at Level 1</u> will be required to:</p>
	<ul style="list-style-type: none"> • Be responsible for personal safety and use the protective equipment provided to perform work safely. • Undertake a range of functions with a basic knowledge of policies, procedures and guidelines using a sound level of skill to perform the functions. • Perform routine customer service, presentation and operations duties requiring minimal judgment. • Undertake tasks with direct supervision and guidance

Rail, Tram & Bus Union Australia *The Power of Union*

Office: Level 2, Trades Hall, 4-10 Goulburn Street, Sydney NSW 2000
 Phone: 02 8203 6099 Fax: 02 9319 2096



RTBU

On behalf of the Australian Rail Tram and Bus Industry Union
19 October 2022

Rail, Tram & Bus Union Australia **The Power of Union**

Office: Level 2, Trades Hall, 4-10 Goulburn Street, Sydney NSW 2000

Phone: 02 8203 6099 **Fax:** 02 9319 2096