



QUEENSLAND BRANCH

PN COAL NEWSLETTER

AUTHORISED BY OWEN DOOGAN BRANCH SECRETARY

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Date: 4 December 2014

Dear Member

Dispute: Barracks Allowance (Update 5)

YOUR URGENT ACTION REQUIRED

A DECISION ONLY YOU CAN MAKE

I refer members to the previous 4 updates about the ongoing dispute over Barracks allowance and the use of Civeo camps for barracks jobs.

So far we have had two conciliations with Commissioner Spencer, the most recent of which was a vigorous two hour debate over whether the barracks allowance was for meals or not. Following on from that, the argument was- if PN supplies meals do they still need to pay the allowance.

Whilst the RTBU was keen for the Commissioner to make a recommendation, the Commissioner was keen for the parties to keep talking about a resolution, remember the commissioner is independent (the referee) and her main task is to find an outcome.

The problem from the outset has been the argument over what the barracks allowance is paid for and what drivers historically are paid the barracks allowance for. The question being, now that the company is supplying meals, does that change?

PN are clearly stating if they do not supply meals they WILL pay the barracks allowance, thus creating the concept that in fact it is for meals.

Your union's position is quite simple: we maintain the barracks allowance is a trip rate and if the company supplies meals or not the TRIP rate is payable.

There is no clear winner in this case, both parties think they are right and hence we have gone to the referee, but as we have always said going to the referee is never a sure thing for either party and in this case that rings very true.

As a result of the Commissioner's desire for the parties to keep talking, PN have placed on the table a **without prejudice** offer to pay an INCIDENTAL allowance that is stated below

1. Whilst PN still believes that the **barracks allowance** was intended to be for meals, based on the historic application of this payment and the intention during the EA negotiations. We acknowledge that from time to time our employees may prefer to take their own food prepared at home thus PN would be willing to initiate an incidentals payment of \$18.50 per stay, to be paid to employees when they are required to stay in barracks that includes meals.
2. We PN will continue to work with Civeo / MAC and our employees to improve the quality and variety of meals on offer, as has demonstrated over the past few months.

(OVER)

Remember this case is not currently about the QUALITY of meals that is a separate issue for a later time should the supply of meals be ruled as an accepted practice.

Your union does not have the authority from members to accept or reject this offer nor negotiate with the company along these lines, hence we **NEED YOUR URGENT INPUT**

If the decision from the majority of members is to reject this offer, we will continue to seek a recommendation from the Commissioner, however this offer above will lapse and there is a real possibility that the Commissioner may agree that no allowance is payable if the company supplies meals.

The other side of the coin is that the Commissioner may accept our view and recommend that the company pay the barracks allowance. Which way she will make a recommendation is anyone's guess.

Where to from here?

Your union is happy to continue to have this matter conciliated and seek a recommendation. There is no way of knowing what the outcome of that will be. If the RTBU takes this road, it is important that members understand that if the Commissioner accepts PN's position, there is no allowance payable.

We need you to make a choice of one of following three offers:

- 1. Reject PN's offer outright and seek a recommendation from the Commissioner.**
- 2. Accept PN's offer of the incidental allowance in cases where meals are supplied and work with PN on improving the meals in camp.**
- 3. Make a counter offer that would look like we accept the meals portion of PN's offer but attempt to increase the quantum offered for the incidentals allowance.**

Neither PN nor your union can predict the Commissioner's recommendation and it needs to be noted that at this stage of the process it is a recommendation only and is not an ORDER to comply, seeking an order requires agreement of both PN and the union

WE NEED YOUR URGENT INPUT

Please email your choice from the option above to pncoal@rtbu.com.au we need your input by

COB Tuesday 9th December 2014

Unity is Strength



Bruce Mackie
Queensland State President