

AUSTRALIAN FEDERATED UNION OF LOCOMOTIVE EMPLOYEES

Circular: 55/19
Ref: Toowoomba
29/04/2019



Aurizon's Disgraceful Decision & Upcoming Toowoomba Union Meeting

Dear Traincrew,

Last Friday afternoon Aurizon management made the shameful decision to terminate our Toowoomba AFULE Sub Branch Secretary - Sam Brotherton.

Sam has been terminated for sending a text message reminding a fellow member that a 7 day overtime ban was commencing at 0001 in mid-February. The company has then made a decision that "on the balance of probabilities" Sam intended to intimidate the fellow Toowoomba driver.

We find this decision disgraceful and a decision we believe was made to remove a vocal unionist that looked out for his workmates and stood up for what was right in the workplace.

From very early in the process we smelt a rat and a decision was made to engage an external legal firm to assist Sam through the Show Cause process. The legal advice we received was to allow the process to continue before informing the wider membership of what was transpiring as assumed additional pressure could be used against Sam.

During the investigation and information gathering stages Sam was nothing but honest with the company and unreservedly apologetic if the fellow driver perceived the message to be intimidating. In my opinion, the text message was not intended to be intimidating and has been mis-interpreted, a simple mistake when dealing with a text message lacking tone of voice etc.

Throughout this process I personally had multiple discussions with Kevin Taske, Greg Dixon and Ed McKiever. I even invited Greg and Ed to meet with Sam and have a discussion with the man to understand what sort of person he is. Ultimately your senior managers refused the invitation to meet with Sam before terminating his employment.

There were a range of outcomes available for Aurizon management to use which did not result in termination. The decision that they came to shows that no matter how much the company rolls out the "we care about our workforce spiel", it appears once again that they certainly do not. To this point, it is important that we look out for each other. Aurizon have done similar stunts in the past to break the will of the workforce. We must unite and show that this has made us stronger and that we fully support Sam.

Last Friday we instructed our legal team to file an Interlocutory Injunction and commence legal proceedings against Aurizon for taking adverse action against our member.

This Wednesday the 1st May 2019 at 0900hrs we will be having a combined AFULE/ RTBU union meeting in Toowoomba at the QRI hall. If you are not on shift I strongly encourage you to attend this meeting in a show of support for Sam. At this meeting I will inform you all in more detail of the next steps that our legal team are taking and also have a general Traincrew meeting and EA update.

Please contact your local rep or state office on 3844 9163 or statesecretary@afule.org.au if you would like further information.

In Solidarity,

Michael McKitrick
State Secretary

Traincrew representing Traincrew