

AUSTRALIAN FEDERATED UNION OF LOCOMOTIVE EMPLOYEES



Circular: 60/24
Ref: AZJ AL
19/06/2024

AZJ Coal Annual Leave Deduction Dispute

Dear members,

For in excess of 12 months the AFULE has had an active dispute with Aurizon Coal in relation to the deduction of annual leave hours. We commenced with disputing the clauses within the Enterprise Agreement, upon hitting a road block on that angle, we pivoted to disputing the legalities of the deductions under the National Employment Standards (NES).

After multiple meetings at Fair Work and separately with Aurizon lawyers to resolve the dispute in our favour, unfortunately, the current leave deduction process has been deemed lawful by the powers that be. The catch point is that shift workers must have access to 5 weeks leave, which all Aurizon Traincrew do if they pick and choose carefully through the roster (when leave's available!!).

From here we have placed overhauling the leave deductions at the top of our AZJ Coal EA log of claims. We did successfully alter the AZJ Bulk Enterprise Agreement through EA negotiations in late 2023.

We understand that the RTBU have (or will soon be) entering into a Memorandum of Understanding (MOU) with Aurizon on this matter. We have not out of principle.

The MOU outlines that the parties agree on the current deduction process and that at the end of the EA life (20 months), Traincrew who believe have been ripped of can seek an audit of their leave hours. Luckily, we live in Australian whereby we have up to 6 years to seek an audit of underpayments, so the MOU is redundant.

I understand this is not the outcome members were seeking. It certainly was not what I was seeking either. We will keep pushing forward and fix this issue one way or another.

We are still keen to review any data members may have where they have been unable to access 5 weeks leave per year due to the current deduction regime.

If you have any questions or you would like more details on the above, please contact your state office on 3844 9163, email traincrew@afule.org.au or contact your local AFULE representative.

In Solidarity,

Traincrew representing Traincrew

A handwritten signature in black ink, appearing to read 'Mick McKittrick', is positioned above a solid horizontal line.

Mick McKittrick,
State Secretary