

AUSTRALIAN FEDERATED UNION OF LOCOMOTIVE EMPLOYEES

Circular: 35/20
Ref: ONRSR
30/03/2020



Approach from the Rail Regulator

Dear members,

Today I had a tele-conference with the Office of the National Rail Safety Regulator (ONRSR).

ONRSR representatives wanted to discuss upcoming changes they were proposing to assist operators and their employees to keep operating and essentially employed through the COVID 19 crisis. Of course I was cautious but also optimistic that the rail regulator had ideas that would assist Traincrew to keep safe whilst also keeping the Australian economy ticking along during this time.

What resulted was anything but designed to keep the health and well being of AFULE members a priority. ONRSR outlined a proposal to water down and redefine what constitutes a “qualified driver” in a Two Driver Operation.

The position of the AFULE Divisional Council is clear. A qualified driver is just that. A Driver that has passed the necessary TLI's to be signed off and can work when required as Driver Only. Any member of Traincrew that are still obtaining their qualifications are trainees or Driver Assistants (DA's) and not qualified to preform duties such as drive a locomotive unless under direct tuition.

Below is what ONRSR have proposed in response to assist operators during the COVID Crisis;

A second crew member on a freight (& Coal) locomotive who is not fully qualified to actually drive the train could still be deemed a “second driver” for the purposes of clause 8 (a) as long as the following minimum requirements are met:

- 1. Competent in the applicable network rules to the degree required of a second crew member.*
- 2. Competent in use of train radio and other communication devices.*
- 3. Competent in appropriate emergency procedures such as stopping the train, securing the train and protecting the train.*
- 4. Basic train examination competencies such as roll by inspections.*
- 5. Other minimum requirements such as WHS requirements and being able to access the rail corridor.*

This proposal drastically waters down the requirements to be deemed TDO and work 12 hour shifts. There is also no undertaking from ONRSR that this is a temporary assistance but rather, this is proposed to redefine the definition of a qualified train driver in QLD **permanently**. I find it appalling and frankly dishonest that our National Safety Regulator is attempting to sell Traincrew out and hide this reform as an assistance package during a global pandemic.

Today the AFULE offered discussions points around allowing a DA as described in the above 5 dot points to work with a qualified driver on the proviso that the shift was limited to 9 hours DOO. This has been so far rejected.

The regulator has agreed to a further discussion with rail unions this week before adopting this rash interpretation. I will also be seeking time with the QLD Transport minister's office to discuss and asking for assistance to guard our members.

I will keep members updated as discussions take place.

Traincrew representing Traincrew

On another note, I would like to commend you all on how you are all conducting yourselves during this difficult time. You are assisting the country by keeping freight moving to regional areas and keeping the economy moving to help all Australians. In return for your service, AFULE officials and employees are making every effort to ensure you remain safe in the workplace.

The AFULE are posting regular updates to our Facebook page, this is a public page as such members who are not Facebook users are still able to access the information through a web browser. To be directed to our page [please click here](#).

If you have any issues or concerns you would like to raise with AFULE please email these in to statesecretary@afule.org.au or call your State Office on 3844 9163.

In Solidarity,

A handwritten signature in black ink, appearing to read 'M. McKittrick', is written over a solid black horizontal line.

Michael McKittrick, State Secretary