

AUSTRALIAN FEDERATED UNION OF LOCOMOTIVE EMPLOYEES



Circular: 60/24
Ref: QR FWA
18/06/2024

Flexible Work Agreement BLP Payment Win!

Dear members,

Fresh off the back of the public holiday win/ backpay (Circular 58/24), today we received the decision for Fair Work Commission matter *C2023/4093 - Australian Federated Union of Locomotive Employees (009Q) v Queensland Rail Transit Authority T/A Queensland Rail*.

This decision is in relation to the dispute the AFULE ran for Flexible Work Agreement (FWA) members who were being underpaid whilst working a BLP/SLP. The Queensland Rail Traincrew Enterprise Agreement steps through a reduction in wages for Traincrew working under an FWA. That is, the hourly rate is reduced by either 12.5% or 20% dependent on availability. There are times however that workers on an FWA do not have, for example, caring responsibilities on a rostered BLP/ SLP and are available to work an additional shift. To date, QR have also been reducing the overtime rate by either 12.5% or 20%, even though work is being completed that is not directly linked to the FWA requirements. It also raises the question of why roster a non FWA traincrew member on a BLP when a FWA traincrew member is cheaper.

Commissioner Durham via her decision on the matter has agreed with the AFULE that it is unlawful to reduce an employee's rate of pay for work completed outside of the agreed terms of an FWA. As a result, FWA employees who have worked BLP's/ SLP's at a reduced hourly rate will receive backpay from the business and going forward, be paid at 175% of the full flat rate for BLP/SLP hours.

We expect communications and details of the backpay arrangement from QR over the coming weeks.

Congratulations to our members involved and the AFULE industrial team on yet another win/ backpay result for members.

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,



Mick McKittrick,
State Secretary

Traincrew representing Traincrew