

# AUSTRALIAN FEDERATED UNION OF LOCOMOTIVE EMPLOYEES

Circular: 27/21  
Ref: Personal Leave  
07/05/2021



## Coal South Personal Leave & RDO Workings

Dear members,

Late last week, some Traincrew in Coal South received notification in relation to personal leave and a threat that taking personal leave may impact your availability to be rostered to work RDO's.

It is illegal for the company to take adverse action against you for utilising an entitlement such as personal leave.

A person (such as an employer), must not take any 'adverse action' against another person (such as an employee), because that person has a workplace right, has exercised a workplace right or proposes to exercise that workplace right.

Adverse actions that can be taken against an employee or potential employee might include:

- dismissing them
- not giving them their legal entitlements
- changing their job to their disadvantage
- treating them differently than others
- not hiring them
- offering them different (and unfair) terms and conditions, compared to other employees

The AFULE will be following up on the threat made by Aurizon representatives last week. However, if any member can provide evidence that as a result of utilising personal/ carers leave, the company have then penalised you i.e., removed overtime workings or any workplace entitlements, please contact your state office immediately so that we can commence a general protections dispute before the Fair Work Commission.

If you would like more information, please contact your local AFULE representative or your state office on 3844 9163 or [statesecretary@afule.org.au](mailto:statesecretary@afule.org.au)

In Solidarity,

Mick McKittrick,  
State Secretary