



SUMMER 2020

# TWU JOURNAL

THE OFFICIAL JOURNAL OF THE TRANSPORT WORKERS UNION OF AUSTRALIA (VIC/TAS)

❄ Christmas Edition

RAIN  
HAIL  
SHINE  
COVID

*NOTHING  
STOPS  
TRANSPORT  
WORKERS!*





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# FROM THE SECRETARY'S DESK

Proudly – as transport workers – we will ensure this nation recovers.”

When the going gets tough, the tough get going... and TWU members do exactly that!

I hope this Journal finds you well. Across this strange and awful year, we have kept you up to date with union business through our Journals, member emails and all forms of media.

Driving the streets of our cities and towns is often a frustrating experience, navigating traffic, pedestrians and everything in between. I think we can all agree that through much of this year, seeing empty CBD streets and empty freeways has been eerie.

It is in times like this that we have to look after each other and make sure friends and family are safe. Together we will beat this pandemic and come out the other side stronger and better than ever. Proudly – as transport workers – we will ensure this nation recovers.

The hackneyed phrase that has been drummed into our heads over the past few months – ‘we’re all in this together’ – could never be more meaningful than right now.

As we begin to transition down the road map towards what we now identify as a ‘COVID-normal’ existence, transport will be a pivotal part of that progression. Moreover, transport will be integral to the rebuilding of our great country.

From tourism, everyday passenger transport and retail and goods delivery through to the internet shopping that I am sure a few of you have delved in, transport workers are behind so much of our daily lives. We are the beating heart of this nation – without us, there is no recovery.

### Essential workers

With that said, next year transport workers will come together to fight for the deal they deserve. A deal which respects what everyday Aussies now know: that without you, Australia stops. You are crucially essential workers.

This year was meant to be entirely different for you as union members. 2020 was the year the TWU had been working towards for decades – the year that close to 250 Enterprise Bargaining Agreements would fall neatly into sync with one another.

After a mammoth effort from organisers here in Victoria as well as across the country, the TWU signed Memorandums of Understanding with several major companies to postpone EBA negotiations until 2021. The Memorandums of Understanding saw workers receive special COVID-related assistance as well as assurance that members would receive a pay rise equal to that reflected in their extended agreement.

In April, I briefly touched on the impact COVID-19 would have on the unions finances; this has come into

fruition. Because of this and with the full support of the Branch Committee of Management, union dues will not increase in 2020 and TWU staff increase will be postponed until the middle of 2021.

Next year will be tough – we are in for a fight. Companies will throw up every last excuse to leave transport workers worse off while they take home a hefty pay cheque.

Although this whole year has felt like the mad Christmas rush for many transport workers, I hope you are able to have some time off over the holiday period to recoup. Next year, we will come back together – hopefully in person – and fight for the industry you and your workmates deserve.

The 2021 fight is not just a fight for now – it is a fight to ensure the industry we pass on to the next generation of transport workers is fairer and safer than it is today.

When the going gets tough, the tough get going – and you have! Be proud of yourselves, and thank you.

Towards 2021,

John Berger  
TWU Secretary



# TWU STANDS STRONG TO PROTECT TOLL WORKERS

In 2020 Toll fell victim to two separate cyber attacks which affected workers' pay, while putting them at risk of data breaches. The TWU's relationship with Toll soured, resulting in us filing one of our largest ever disputes against the company in the Fair Work Commission.

The TWU is focused on preparing for bargaining next year to get workers the best pay and conditions possible. All of this during the deadliest pandemic of our lifetime.

Throughout the cyber attacks, the TWU has stood strong alongside workers to protect their rights. The impact of the attacks was felt across the company – from company drivers through to sub-contractors.

Employees who were a part of the Global Logistics team were paid as per the actual hours worked, whereas there were some different methods used for Global Express workers. Global Express parcel workers were paid per actual hours worked with the exception of Express Parcels, where hours worked by employees were recorded via Kronos, which remained inaccessible through most of the crisis.

The process for Global Express workers, particularly Express Parcels, was that workers were paid for their ordinary hours of work to begin with, and then back paid for their actual hours worked once the systems allowed the company to do so.

This decision left countless individuals with financial stress during the early months of the COVID-19 pandemic.

Luckily, with pressure from the TWU, the system that was introduced to pay workers back was smooth.

However, the stress of the cyber attacks was only escalated for Toll sub-contractors. The usual mechanisms used to pay sub-contractors were badly impacted by the attack. During the first cyber attack, manual payments were paid to each Toll sub-contractor based on various manual inputs – including the last invoice payment made to them prior to the attack – along with any other information given to payroll from sites.

As the payroll team was working hard to implement a manual process to minimise the impact of the cyber attacks, the cyber attackers were working hard to counter this effort.

The method of paying sub-contractors was less than satisfactory, with payroll and site managers not having oversight of the hours of work actually being done by drivers. Because of this the TWU continued to advise subcontractors to:

- maintain a daily record of all work completed;
- maintain all Toll work records and rosters.

**“The system failed and countless workers were underpaid during the two cyber attacks.”**

Pandemic or not, workers should not have had to wait so long for the company to do what is lawfully right.

If you are a Toll worker and believe your pay was miscalculated, contact the TWU for assistance.

*Chris Fennell is the Assistant Secretary of the TWU Vic/TAS Branch. Chris comes from a transport background and has dedicated his life to ensuring a better future for transport workers.*



By Chris Fennell



# DOOR OPEN TO CHANGE AS NEGOTIATIONS CONTINUE

As a result of the COVID-19 global pandemic and its impact on the movement of people, many TWU members introduced rear-door boarding. The removal of cash-handling from buses, and trials of articulated buses, has contributed to the proposal to introduce All Door Boarding across the Victorian Bus Network.

Discussions are in the early stages, with the TWU participating in fortnightly meetings with the Department of Transport (DoT) and CDC, Transdev, Dysons and Ventura. The discussions have been very robust, with all parties except Ventura contributing. Ventura like to do their own thing, sending a depot supervisor to these discussions. Other operators have sent general managers.

The development of risk assessment of stops, classification of stops, the introduction of technologies such as passenger counting, and lighting for rear doors are all major issues to be worked through.

From observation, rear-door boarding seems to be working as an effective measure to stop prolonged interactions between bus drivers and the public. Rear-door boarding is a vital measure to ensure that passenger transport is able to remain in operation during COVID-19.

It is likely that major stops such as shopping centres, train stations and possibly heavy school stops will be classed as 'All Door Boarding'. Some school stops

do that now, with the driver opening both doors for boarding. Stops such as Queen Victoria Market and La Trobe Street are also in the mix for trials.

## Cash transactions

Further, as many members are aware, all Myki services are now cash-free as determined by DoT. This is a great result for TWU members. Since Myki was introduced in 2013, the TWU has been calling for the removal of cash

**“Rear-door boarding is a vital measure to ensure that passenger transport is able to remain in operation during COVID-19.”**

transactions from buses – just like trains and trams. With COVID-19 hitting the scene, the TWU knew there was an opportunity for cash to be removed.

This has now been in place for all Myki services for some months. Not only does



this protect TWU members from handling cash, it also means there will be no more anti-social behaviour from passengers over ticketing.

Further to this, bus services have increased the frequency and depth of cleaning and sanitisation of buses. Social distancing measures have been increased through the creation of no-go zones at the front of the buses.

All of the above provisions would not have come about without the strength of TWU members in bus depots across Victoria. Your collective strength throughout this pandemic has meant only two drivers have been stood down and you have remained safe at work.

*Mike McNess is the Senior Organiser at the TWU, specialising in the bus industry. Mike hails from the industry and has been an organiser at the union for decades. Most recently, Mike led thousands of bus members through the largest EBA negotiation in the bus industry's history.*



By Mike McNess





A CHALLENGING 2020



# LET'S STAND UNITED TO PROTECT GOOD JOBS



By **Mem Suleyman**

This year has sent the transport industry into chaos. Never have we seen a situation where thousands of workers at every level found themselves out of work overnight.

This presented significant challenges for TWU members as they desperately sought Government subsidies and alternate work opportunities. With a rapidly diminishing job market, many of these vulnerable workers are still struggling to move into stable and dignified work.

## Protecting our members

The TWU quickly understood that without adequate Government support and subsidies for the aviation industry, the transition from aviation into other industry would be imminent and extremely challenging for our members. In March, we set out to redeploy our members most in need primarily into booming transport roles. We have been

busy rolling this program out to support our loyal members. Businesses have been the beneficiary of the program; they have been hiring highly-skilled and extremely loyal workers.

Outside of this, 2020 has been a challenging time for us. Through this difficult period, we have been busy protecting good jobs. Jobs that have been fought for over many years. To address parts of the job crisis, the TWU called on the Victorian Government to fund a framework that would grant transport workers access to free TAFE courses to gain the appropriate certifications to seek alternate employment. Such a program would be one solution for aviation workers to regain their livelihoods and provide loyal workers and proud union members a stable and promising career well into the future.

I'd also like to take this opportunity to recognise the hardworking and loyal Jetstar workers who have had an incredibly tough year. Earlier this year, Jetstar workers were out on strike, and I spent several days in crew rooms with these proud and staunch unionists to fight for the recognition and improved conditions they deserved. They have since had their hard work and dedication to the company thrown back in their faces with their positions being disgracefully outsourced.

I take my hat off to all of these workers for the resilience and unity they

have shown, and particularly thank our Delegates, Erkan and Mo, for their tireless work and support of their colleagues and the TWU.

We have seen so many companies, big and small, lining up to use the pandemic as some sick excuse to rob their hardworking employees.

These are the same companies who display photos across social media of their employees and call them 'essential' workers. Take CEVA Logistics, for example, who wasted no time in using the pandemic as excuse to try to strip workers' conditions.

It's no different to the corporate dictatorship at Cleanaway. We have exposed so much recently, from lower management's bullying tactics through to the innocent workers forced to handle infectious toxic waste from hospitals. I experienced this personally when a manager had the nerve to try to stand over me and the bargaining team during an Enterprise Agreement bargaining meeting. Cleanaway's HR team simply stood there and allowed it to happen. Of course, if the tables were turned, they would be demanding Union Officials be arrested.

As we approach 2021, one thing is for sure – bargaining will have its challenges but transport workers everywhere must stand united to protect good jobs.

*Mem Suleyman is the Chief of Staff at the TWU. Mem has worked alongside transport workers for close to a decade, fighting for and winning better conditions for transport workers in countless companies across Victoria and Tasmania. Through his role as Chief of Staff, Mem continues to lead the fight to enhance working conditions for transport workers.*

# YOUR UNION IN THE MEDIA

## Support for airline staff

VICTORIA'S Transport Workers Union has defended airline staff on standby in Melbourne's hotel quarantine scheme, claiming they were well equipped to assist the beleaguered program.

TWU state secretary John Berger on Friday attacked the state Opposition after criticism that staff from airlines were collecting wages as a result of the system.

Workers who lost their jobs

during the pandemic were rehired to assist in the hotel scheme and some are being paid while it has been paused.

Mr Berger said the staff were being unfairly maligned.

"The Victorian Opposition will be better served calling on their federal counterparts in Canberra to do more for airline workers who have been left abandoned by failures to support the industry as a whole," he said.

## Qantas cuts challenged

QANTAS is facing a legal battle to outsource the jobs of 2000 ground handling workers, with the Transport Workers Union to file action in the Federal Court on Wednesday.

The union is of the belief the airline's move is in contravention of the Fair Work Act and will seek to have it overturned by the court.

The airline announced last week the decision to proceed with the outsourcing of jobs at ten airports, in order to save \$900m a year.

## Steering healthy minds

A survey shows 50 per cent of truck drivers have experienced some form of psychological distress

**TWU welcomes road improvements, debunks 'zero fatalities' hyperbole**



↑ Maurice Blackburn Principal, Josh Bornstein, speaks after the TWU lodge federal court proceedings against Qantas which puts outsourcing on trial. ABC News, 9 December 2020.

**THE AUSTRALIAN** • December 14 2020  
**Transport Workers' Union says Qantas is raking in government money with no strings attached**

DECEMBER 3 2020 - 12:00PM

**Garbage truck drivers and Suez strike a deal, putting an end to threat of further action**

## A hard road to safety for workers in gig economy

**B**ig companies are using the pandemic as an excuse to exploit workers in the gig economy, a new report says.

The Transport Workers Union welcomed the border exemption for truck drivers, but said the industry needed more information about testing wait times and drivers' ability to work while awaiting results.

"We do not want to see a repeat of the difficulties truck drivers experienced when they entered NSW from Victoria a few months ago after the border shut," Victorian-Tasmanian branch secretary John Berger said.

Victoria's Department of Health and Human Services said test samples would be fast-tracked for analysis, and drivers would be allowed to continue their journeys then get contacted once their results were known.



## 'Unorganised, aggressive chaos': Cleanaway's meeting with union



## Bain's on the back foot: unions

← TWU considers boycotting work on Qatar Airways after invasive examinations of women in Doha, Channel 10 News, 27 October 2020.





## YOUR RIGHTS IN THE 'GIG' ECONOMY

# SHAPE UP OR GO AWAY

PLATFORMS LIKE UBEREATS AND DELIVEROO ARE GETTING AWAY WITH TURNING A BLIND EYE TO THE HEALTH AND SAFETY OF THEIR WORKERS.

The conditions they are exposing workers to are becoming more and more common throughout the industry. The rise of Amazon, Amazon Flex and Amazon Freight threatens the very foundations of our industry and the conditions workers have fought so hard for.

The gig economy is killing delivery workers. Delivery workers working in the gig economy are forced to work in dodgy 'independent contracting' arrangements with no access to health and safety rights.

As transport workers, it is important to care about the rise of the gig economy for job security; pushing back against it is how we stop this economy creeping into strong union jobs and undercutting hard fought conditions.

For too long the Federal Government has turned a blind eye on the gig economy, even after scathing reports and recommendations were released during Victorian and NSW Parliamentary Inquires.

Christian Porter and the Liberal Government have the power to regulate the gig economy so that delivery workers

can access the same health and safety rights as any other workers.

They also have the power to enforce a minimum wage and penalty rates, so that workers don't have to be on the roads for 50-60 hours a week, working quickly rather than safely in order to cobble together an income.

The Federal Government has consistently refused to acknowledge that there is a problem in the gig economy, preferring to side with multinational tech giants rather than standing up for workers in Australia. As this low paid, insecure work grows, it is affecting our economy.

Rideshare drivers earn on average just over \$12 an hour after costs, with 62% reporting they have experienced verbal or physical assaults and 17% reporting they have been sexually harassed or assaulted, according to a new survey.

Because of the low pay, over one in two rideshare drivers say they struggle to pay bills and buy food, according to the survey by the Transport Workers' Union and the Rideshare Drivers' Network. Over 80% say they have seen a drop in pay while working for the likes of Uber.

Branch Secretary John Berger and National Secretary Michael Kaine met with Premier Daniel Andrews to discuss the impacts of the gig economy on the transport industry.



### OTHER DATA FROM THE SURVEY SHOWS:

**41%** of rideshare drivers have been racially abused.

**29%** have been sacked without warning or the right to appeal.

**50%** have been provided with no gloves, masks or sanitiser.

**67%** were not provided any additional safety training.

**76%** were not provided any sick leave or compensation if they had to self-isolate.

It is time for the Federal Government to investigate and regulate the gig economy.

More than one in three riders has been injured on the job, with the vast majority (80%) receiving no support from their company. Two Sydney delivery riders including Xiaojun Chen and a Melbourne were killed in the last month.

Show your support by signing the petition



## LESSONS FROM THE SPANISH FLU

# WHY BUILDING LOCALLY BUILDS RESILIENCE WHEN A PANDEMIC STRIKES

As the global COVID-19 death toll soars towards 1.5 million and the devastation of the world economy continues, it is inevitable that people will cast their minds back to the last great flu pandemic – the Spanish Flu of 1918-19 – as we seek to understand both the medical and economic impacts of the current disease.

Despite its name, the Spanish Flu did not begin in Spain. Instead, it got its name because Spain – as a neutral country in World War I – was not subject to the same press restrictions as countries such as the United States and Britain. Spain reported the progress of the disease, whereas other countries followed the path recently pursued by China of suppressing evidence of the disease.

The Spanish Flu appears to have originated in the US, and was taken to the trenches by American soldiers crossing the Atlantic in 1918. Initially a mild disease, it appeared to mutate in the trenches, becoming a virulent disease that would kill between 50 and 100 million people – far more than the 20 million who died due to the war itself.

### Manufacturing self-sufficiency

What was the economic effect of the Spanish Flu? The answer: bummer all. The reason for this is that both before WWI and during the war, Australians had come to realise the need for manufacturing self-sufficiency. The most obvious sign of this was the opening of

Australia's first steelworks at Newcastle in 1915. Besides building the steelworks, BHP also built up its own large shipping fleet to transport coal, iron, steel and a variety of finished products.

Australia previously imported all the galvanized iron used in roofing and other forms of construction, then turned to making its own after John Lysaght relocated from Wales to Australia. Manufacturing employment expanded at a great rate. Even the Great Depression only temporarily slowed this transformation as the number of factory workers rose from 450,000 in 1928 to 656,000 in 1938 – a greater number than Australia boasts today.

As domestic manufacturing grew, so too did the need for transport. The industrialisation of Australian society also saw a transformation in the vehicles driven by transport drivers. By 1930, Australia had more trucks on the road than Germany and Italy.

In 1919, Australians didn't need to learn the benefits of self-sufficiency from the Spanish Flu – they'd already learnt this from the war. In 2020, however, exactly a century after the Spanish Flu, there is – hopefully – an economic lesson to be learnt. As a nation, we need a manufacturing sector. We cannot be a society reliant on China for toilet paper, as well as all the other necessities of life.



**15,000**  
Australians  
die between  
March – July



**100**  
**MILLION**  
die worldwide



**40%**  
of Aussies  
infected





# IN GOOD TIMES AND BAD, THE FIGHT FOR TRANSPORT WORKERS CONTINUES



This year was set to be a big one for transport workers and the first big push towards industry rates within transport supply chains. The pandemic slowed our plans, but also enabled us to adapt.

Obvious circumstances meant we had to defer our bargaining for 12 months until April 2021. But that doesn't change what we are chasing for our industry as your TWU.

In October, transport workers across Australia attended the first national mass Delegates' meeting to kick off the 2021 Majors Bargaining Campaign. COVID-19 restrictions have certainly impacted the way we gather together to show strength, and this is likely to continue for some time. However, these online meetings will ensure that no matter what public health restrictions are in place, we are able to collectively get together and work towards securing industry rates for transport workers, a dignified retirement, job security and a safe workplace.

The Majors Delegate meeting was reinforced in numbers and solidarity by countless members across the eight companies who joined the first-ever road transport mass meeting on 14 October.

As members in transport and logistics are well aware, many parts of the industry have remained relatively unscathed by the economic impact of COVID-19. In some cases, companies have made record profits.

## Parcels increase

We know that when Melbourne was flung into a second stage 3 lockdown in early July, there was an 80 percent increase in commerce parcels being shipped within the state. The Australian Financial Review reported that when stage 4 was introduced, that number increased by a further 16 percent.

We know all too well that companies will be crying poor during the next round of bargaining. But while CEOs eat lobster and caviar during a pandemic, it's not too much to ask that essential transport workers see some of the profits they have worked so hard to produce.

Like the proposed 2020 campaign, 2021 will see the TWU, Delegates and activists

**“It's not too much to ask that essential transport workers see some of the profit they have worked so hard to produce.”**

attack clients as well as transport companies in order to hold the dodgy bottom-dwellers to account.

Our plan is about protecting jobs, defending industry rates and conditions, and bringing up the rates and conditions of competitors in the sector who can afford it right now.

And importantly, ensuring those clients who are making profits are brought to the table to bargain directly with transport workers who are doing the job. The bargaining power of smaller companies will also be strengthened through the power and solidarity of the fight for better wages and conditions.

The next year will be a vital one for the future of our industry.

# HOW AMERICA HAS *FAILED* ITS TRANSPORT WORKERS

A special contribution by the USA Teamsters



John Berger with Teamsters Secretary, James Hoffa Jr.

Like the rest of the world, the United States has not been exempt from the pain and suffering caused by COVID-19. If anything, the US has been one of the least successful nations in controlling the virus to both protect lives and livelihoods.

In America, union members from the International Brotherhood of Teamsters and the Transport Workers Union have stood together to keep the country moving. In doing so, like so many of you, transport workers have risked their health.

Unlike the Victorian Government, who stood up and implemented measures to ensure the safety of essential workers, the American administration left that up to employers. No prizes for guessing what employers did – or in reality, didn't do.

In Victoria the Government stood with the union movement to lobby the Federal Government to introduce a wage subsidy – known as JobKeeper – which has kept working Australians in contact with their employer by providing eligible employers with \$1,500 payments per staff member to ensure their workers continued to receive a pay cheque. Not only did this guarantee that workers

would be supported throughout the pandemic, it also ensured they did not have to enter insecure, unsafe workplaces to receive a pay cheque, thereby curbing the potential spread of COVID-19.

This stands in stark comparison to the US, where citizens were only able to access a \$1,200 Coronavirus Aid, Relief and Economic Security Act (CARES) grant ONCE – more than 6 months ago! So far, 159 million CARES grants have been received by American families.

## Working while sick

This has led more and more American workers to undertake insecure and unsafe work, while also weakening the industrial power of workers by forcing them to continue to work when sick. In a nation where the unions representing healthcare heroes have filed a lawsuit against the national Occupational Safety and Health Administration due to allegedly failing to keep them safe, something is deeply wrong.

**“This has led more and more American workers to undertake insecure and unsafe work.”**

Similar to Australia, the aviation industry has been hit hard by the COVID-19 pandemic. The American Administration created a Payroll Support Program (PSP) for carriers in the aviation industry. However, this has fallen short and the administration refuses to extend

the program. PSP funding has kept thousands of aviation workers employed and covered under their healthcare plans. Without a clean extension of the PSP funding, union leaders have warned of mass layoffs in the aviation industry.

In Victoria, the Andrews' Government heeded the calls of workers and the TWU and RTBU to ensure masks were made mandatory on public transport, as well as in public spaces where social distancing could not be guaranteed. Masks became mandatory overnight in Victoria. In the US the debate about mask wearing continues, with the outgoing Trump administration turning a blind eye to their effectiveness.

In a media release by the Transport Workers Union of America, the union outed the American Department of Transport after they rejected a petition from the Transportation Trades Department, AFL-CIO (their ACTU), to require masks for passengers on commercial passenger transportation.

And finally, the devastating impact of the decisions made in the US has led to more than 10 million cases and 250,000 deaths. The decisions Governments make save or lose lives – this virus has made that clearer than ever.



## THE FAILURE OF GOVERNMENT

# BAD GOVERNMENTS AND COMPANIES

## A DANGEROUS COCKTAIL



THE COVID-19 PANDEMIC HAS CERTAINLY BROUGHT OUT THE BEST IN SOME COMPANIES, AND DISAPPOINTINGLY, THE WORST IN FAR TOO MANY COMPANIES.

The irony here being that companies behaving in the most disgraceful ways toward transport workers are those who have been handed hundreds of millions of tax-payer dollars, while most have been busier and more profitable than ever.

On the aviation end of the transport spectrum, we continue to see mass stand-downs and redundancies at every level from caterers, refuellers, and baggage handlers all the way through to flight attendants and pilots.

### Shame on you Mr Joyce

The Federal Government have allowed Qantas – the largest recipient of the JobKeeper subsidy at over \$800 million and counting – to make long-serving and hardworking frontline workers redundant only to have Qantas CEO Alan Joyce illegitimately outsource their jobs to cheaper labour hire companies who offer below minimum wages and atrocious conditions.

The Federal Government's lack of support does not stop at Qantas. What has the Federal Government done for Dnata workers? Excluded them from the JobKeeper subsidy entirely, leaving thousands of families struggling to keep a roof over their head. Dnata workers' tax dollars were welcomed, yet crucial support for these workers has been absent.

### How about Virgin Australia?

The Government allowed them to enter into voluntary administration, and in the process, forced the airline to make a third of its workforce redundant. Rex? Well, the Federal Government simply handed Rex close to \$81 million, which the airline then used to raise enough revenue to directly compete with struggling Virgin Australia, further threatening the jobs of Virgin Australia's remaining staff. Given Rex's deputy chairman John Sharp is a former Nationals MP and federal transport minister, it's evident that the Federal Government's allegiance is to their mates rather than the constituents who keep them in a job.

Despite this, the TWU were instrumental in facilitating the redeployment of aviation workers into the Victorian

Government's hotel quarantine program. While workers still face challenges in this transition and are depending on short-term contract uncertainty, the TWU continue to advocate for redeployed aviation workers while in their alternate roles. The TWU also continue to call on the Victorian Government to formulate a plan for aviation workers that will see them through the pandemic including our recent lobbying to upskill displaced airline workers.

### Lining their own pockets

In comparison, we turn to the essential road transport, warehouse and logistics workers who have been busier than ever. Truck drivers have kept the country moving, and transport workers in warehouses and logistics are working in overflowing warehouses getting stock out to major companies due to the increase of online shopping.

The recent lockdowns have lined several major transport company's pockets yet some are still trying to claim they have been negatively

impacted by the pandemic. This is a timely reminder of why the 2021 Majors Enterprise Agreement Bargaining Round is so important. It's an opportunity to hold every major company to account at the same time and secure a national industry standard.

### Garbos bottom of the pile

Then, we have the extremely poor example of a company like Cleanaway handpicking weak sections of the laws against essential workers. Rain, hail or shine, hardworking garbos are on the job and having to cut corners to meet Cleanaway's local council contracts. While several concerns have been raised about safety while on the job, Cleanaway continue to turn a blind eye. Waste collection does not stop as a result of COVID-19.

In fact, essential Cleanaway garbos have been forced to turn up at medical waste facilities to overflowing infectious waste bins and collect this dangerous material in order to keep their jobs. Cleanaway do not

**QANTAS**  
received over  
**\$800M**  
in JobKeeper subsidies



**REX**  
received over  
**\$81M**  
which directly affected  
struggling Virgin



**CLEANAWAY**  
obstructed Enterprise Agreement  
meetings which means  
**LESS MONEY**  
in garbos pockets!



seem at all concerned with this, and have instead further insulted their workers by trying to obstruct Enterprise Agreement meetings held between TWU Officials and the company. Since then, Cleanaway have continued to be uncooperative which has prolonged negotiations.

This ultimately means less money in garbos' pockets and continued unsafe

### Moving forward

Let the pandemic serve as a timely reminder of what's at the heart of any successful company; its frontline workers. The pandemic should instead remind all transport companies of why it's more important than ever to take care of their employees. Transport workers have seen

**Over six months on, we are  
frustratingly still needing to shine a  
light on the exploitation and lack of  
support for workers.**

conditions while on the job. The TWU will not simply sit back and allow this to happen. If we have to, we will be turning to the local councillors who offer these contracts to a company that has no regard for their frontline workers and draw this to their attention.

these companies through the pandemic with flying colours. Let's use the festive break – which many of you will spend continuing to move Australia – to refresh and get ready for 2021, possibly the most important round of enterprise bargaining in transport history.





# LEAVE INCONSISTENCIES HIGHLIGHT YOUR UNION'S VITALITY

In recent months your TWU Organisers have met with Dysons, Transdev and Ventura to discuss preventing drivers from being stood down due to lack of available work. This directly affected school bus and charter drivers, as schools were closed and charters disappeared.

TWU Delegates reached agreement on track, school or charter drivers taking some leave, with track drivers who took leave providing work for school and charter drivers. These agreements worked very well in most cases.

Ventura started allocating leave outside the agreement and was very inconsistent in how it was managed across the depots. TWU Delegates met with Ventura recently to tighten up their agreement and insist that management implement it consistently and according to the agreed rules.

CDC does not have a heavy school or charter division, and met with TWU Delegates to propose a leave accrual policy. Unfortunately, as overseas travel is essentially banned, all those overseas cannot go ahead.

The TWU is only aware of two bus members who have been stood down during the pandemic.

## Expressions of interest

The Victorian Bus Tender contract should be in the hands of the new contract holder by now, or be awarded back to Transdev. As a result of the pandemic, the contract has been pushed back 12 months. Expressions of interest are being submitted now.

Those known to be tendering are CDC, Skybus, Keolis, Dysons, Transdev, Ventura and Transit Systems (Sita). Apart from Ventura, Keolis and Transit Systems, the TWU is of the view that these operators are suitable, and will work well with their employees and the TWU.

Keolis is reputed to be anti-union/worker. Sita will have drivers on three different rates of pay and spend a lot of time and effort ensuring their drivers have tucked away into the crap underpaid 4% of the industry. Unfortunately Ventura seem to have lost their way, avoiding any accountability for decisions about their drivers, with a management structure in which the different arms blame one another. It is understood they are being advised by industry insiders to stay south.

The TWU meets regularly now with the Department of Transport. This provides an opportunity for the TWU to discuss industry issues or concerns directly with the Department. In discussion with operators and our members, the finger is often pointed at DoT by the employer. This includes discussions about ticketing, rosters and driver behaviour.

## Uncovering the truth

It is reassuring for the TWU and its members that these discussions take place and the truth can be taken back to

the operator. One operator, in particular, continues to be caught out this way.

Post-COVID – Will we ever get there?! As we move forward and restrictions



**“Ventura started allocating leave outside the agreement and was very inconsistent in how it was managed.”**

regarding crowds and travel are lifted, your TWU Bus Officials will be at your depots. It is hoped that the barbecue calendar can be put back in place. Staff from Maurice Blackburn solicitors, ME Bank and TWU super attend these events with the TWU to address any legal, banking or superannuation needs you have. Do we really want to highlight to our opposition that we have not been on site? Can't we just reword this to read the following:

*Post-COVID we look forward to a jam-packed calendar that will include more*

*BBQs with your TWU Officials and staff from stakeholder organisations like Maurice Blackburn and ME Bank.*

As the Journals continue to be produced, the demand for photos of TWU bus members grows. The TWU is requesting photos from our members. Snap a couple of quick ones and send them to Senior Bus Organiser Mike McNess on 0402 039 192. Perhaps a photo of a couple of workmates, a classic old bus, a NEW bus, members wearing TWU caps or beanies, some fishing, golf or happy shots, anything showing our members at work or play would be great. Here is your chance to be a published photographer!

Workplaces can be tough and busy environments – for everybody.

If you have any concerns or there is a hot talking point in your depot or lunchroom, ring your TWU and ask them about it. We are all under a variety of pressures at the moment, and issues can get lost in the noise of work and life. If you have a question your boss or TWU Delegate can't answer, or you just want to talk to us, give us a call. After all, that's why we're here.

See you in the depot soon.

STAY SAFE.

**The TWU is only aware of two bus members who have been stood down during the pandemic.**





# BE SAFE IN THE HEAT



LAST SUMMER PRESENTED WORKERS WITH UNPRECEDENTED HEAT, SMOKE AND DANGER.

During hot days it is vital that you are armed with correct information about the impact that heat and prolonged exposure to heat can have on the human body.

Every employer or Person Conducting a Business or Undertaking (PCBU) has a duty of care to 'ensure the health and safety of their workers and others at the workplace'. This includes ensuring that workers are not exposed to hazardous temperatures.

As the temperature rises, the body becomes less able to cope with the strain and serious health risks become more likely.

**Between 2005 and 2014, 13 workers died in Australia from being exposed to 'environment heat'.**

Heat discomfort is felt at 30 degrees celsius and all efforts should be taken by employers to keep temperatures below this level, or to provide conditions for outdoor workers that help reduce the effects of seasonal hot conditions where the temperatures exceeds 30 degrees.

**Both indoor and outdoor work measures to be taken should include:**

- ⚡ Avoiding work in areas where workers are exposed to heat.
- ⚡ Ensure that air conditioning is functioning in vehicles.
- ⚡ Providing lighter, alternative work.
- ⚡ Provision of constant supplies of cool drinking water.

The effects of heat are more pronounced if the air quality is poor, for example, due to smoke haze. When it is hot and there is smoke haze the body spends energy keeping itself cool and coping with the effects of smoke haze.

Stay hydrated and know the first signs of heat stress.



**Wage Inspectorate Victoria is taking a moderate and educative approach to enforcing the ODFC Act.**

## DELIVERING FAIRNESS SO OWNER DRIVERS CAN KEEP DELIVERING

Changes to the law covering owner drivers in Victoria came into force in May, making work safer and fairer for people in the transport industry.

The changes to the *Owner Drivers and Forestry Contractors Act 2020* came about because of staunch TWU activism. Owner drivers are small businesses that own and operate one to three vehicles to deliver goods. They and their hirers or freight brokers have rights and responsibilities under the updated *Owner Drivers and Forestry Contractors Act 2005* [the ODFC Act].

The changes to the Act mean hirers and freight brokers may, for the first time, face penalties for failing to meet some of these obligations. The changes also make Wage Inspectorate Victoria responsible for enforcing the ODFC Act.

Wage Inspectorate Victoria understands that, as we are experiencing a global pandemic, the timing of these changes creates challenges.

### Moderate approach

The hard work of people in these industries throughout the COVID-19 restrictions has been invaluable. It has meant that Australians have had access to vital commodities while they stay home and stay safe.

With this in mind, Wage Inspectorate Victoria is taking a moderate and educative approach to enforcing the ODFC Act. It is focusing on providing information, support and guidance to help people in the industry to meet their obligations. For now, it will not take legal action if it finds any cases of non-compliance.

### TO IMPROVE THE POSITION OF SMALL BUSINESSES THAT TRANSPORT GOODS IN VICTORIA, THE ACT:

- ▶ requires certain information to be given to contractors before engagement
- ▶ prohibits unfair contract terms and practices
- ▶ states that contracts be set out in writing for ongoing or long-term engagements
- ▶ requires minimum periods of notice when terminating ongoing or long-term engagements
- ▶ provides dispute resolution through the Victorian Small Business Commission.

Find out more at [www.business.vic.gov.au/odfc](http://www.business.vic.gov.au/odfc).

The Wage Inspectorate is available to help people in the industry understand their obligations and to answer any questions. Email them at [odfc@dpc.vic.gov.au](mailto:odfc@dpc.vic.gov.au) or call the information line on 1800 287 287.



# JOBKEEPER CUTS REDUCE SUPPORT THAT KEPT US SAFE

Working people have carried the country through this crisis, but in the shadow of the budget the Morrison Government is cutting the support that has kept millions of families safe from the pandemic.

Between February and June, 660,000 jobs were lost. It is not yet clear that the worst is behind us.

We know the deliberate shut down of major elements of the Australian economy – and our communities – helped slow the spread of COVID-19 throughout our workplaces, thereby protecting public health and keeping workers safe. However, the job losses experienced throughout the workforce meant that no action on a wage subsidy would lead to community and individual devastation.

3.5 million people – more than a third of the pre-COVID workforce – are currently receiving the JobKeeper payment and have been made worse off by the Government's cuts to the program.

Cutting JobKeeper from \$1,500 a fortnight to \$1,200 for full-time workers and to \$750 for part-time workers has put significant financial strain on millions of workers who are reliant on the wage subsidy for income while the economy is still shut down.

## Missing \$60 billion

This comes after the Government's calculation that the cost of JobKeeper was \$60 billion more than the actual cost of the program. So, we're left with the question: if JobKeeper is being cut only months after its introduction, where has the \$60 billion in savings gone?

It does not take advanced economic understanding to see that when workers receive a pay cut they tend to save their money more – and therefore don't use

which centres on job security, inequality and the record low wage growth being faced by Australian workers. The premise of the National Economic Reconstruction is that Australian workers cannot and must not accept a jobless recovery or a recovery that leaves the next generation with a social deficit will never recover from.

The National Economic Reconstruction plan addresses the fact that Australia needs more than a cyclical 'recovery', and that the Government must do far

## “Cutting JobKeeper is bad economics – both in an individual and national sense.”

their money to directly benefit Australian businesses and the economy. Cutting JobKeeper is bad economics – both in an individual and national sense.

JobKeeper was fought for and won by the Australian trade union movement, with significant input from TWU activists from around the country. The scheme has kept millions employed and in contact with their employer during the worst pandemic of our lifetime. However, that pandemic is not over and cuts to JobKeeper should be this Government's lowest priority.

More must be done to ensure workers are not left behind in the post-pandemic recovery.

The trade union movement has derived a National Economic Reconstruction Plan

more than offering short-term fiscal incentives like tax cuts or temporary make-work projects.

Australian workers – and the economy that relies on our labour to function – need an ambitious, sustained and multi-dimensional plan for a national approach to economic reconstruction.

## Reconstruction plan

It would not be the first time the Australian Government adopted forward-thinking job creation. In 1942, years before the end of World War II, the Australian Government began developing an ambitious, nationwide reconstruction plan that would see any willing worker employed on a nation-building project (think mass car

# 660,000

jobs were lost between February and June.

# 3.5 MILLION

currently receiving JobKeeper

manufacturing, communication networking and transport projects]. This was marked by expansive macroeconomic spending which was stipulated through the 1945 White Paper on Full Employment.

We know the transport industry is in a state of transition – thousands of highly-skilled people are now facing underemployment due to the non-transitional nature of their skills. One crucial aspect of the National Economic Reconstruction plan focuses on training and reskilling workers facing unemployment or underemployment. A focus on retraining and education would see free TAFE extend across the country in priority areas.

The road ahead is challenging, but with the solidarity of workers across the country we will stand together to fight for a better future.

You can read the complete Australian Unions National Economic Reconstruction plan here: <https://bit.ly/3laojcw>

# PROSEGUR FAIL TO CASH IN AT WORKERS' EXPENSE

## TWU MEMBERS WIN AT PROSEGUR APPEAL



In a great result for the Cash-in-Transit sector, the advocacy of TWU members working with their Union has helped protect the hours of full-time workers during COVID-19.

The TWU challenged Prosegur in the Fair Work Commission over an unfair system that exploited the JobKeeper scheme at the expense of workers.

Last month, Fair Work Commission Deputy President Peter Sams found it reasonable for the company to tell drivers it would cut the minimum hours to 25 a week due to the pandemic – a disgraceful decision that your TWU immediately appealed.

At the appeal, the FWC full bench quashed that decision, and as a result Prosegur has now committed to a minimum of 60 hours a fortnight for full-time workers, as well as a fairer system for allocating any additional work that arises.

Your TWU argued that the company's direction was unreasonable and disproportionately affected permanent employees, as full-time workers regularly worked up to 50 hours a week including overtime, and part-time workers up to 35 hours.

## Taken advantage of

Prosegur's attempt to cut permanent hours for workers is not an isolated incident. Your TWU is constantly fielding calls from members who feel they are being taken advantage of due to JobKeeper and their employers attempting to work the system in such a way that their bottom line is bolstered at the expense of their workers.

Much like the Prosegur case, employers are using JobKeeper payments as an incentive to make their employees work longer hours than they agreed to, while reducing hours of full-time employees. This is a particular problem for an increasingly casualised workforce, who can have their employment terminated very easily.

While the Government claim they are attempting to safeguard workers, many employees are so scared of going against their boss they will agree to work longer, or work unpaid hours in order to continue receiving JobKeeper.

Now with an upcoming EBA round, it's time for all Prosegur members to fight for strong wages and conditions.

**\*Is your boss using JobKeeper as a way to change your ordinary hours to their benefit? Call your TWU today!**





# HOW YOUR MEMBERSHIP AND MAURICE BLACKBURN CAN MAKE A DIFFERENCE

A chance meeting with a Maurice Blackburn employee has helped a TWU member receive compensation in relation to his exposure to asbestos in the 1970s.

The truck driver began chatting to a Maurice Blackburn union relationship manager at the Phillip Island Moto GP, and mentioned that he'd been diagnosed with an asbestos-related disease.

He explained that he had spoken to his site Organiser about getting a referral to the firm so he could get advice about whether he had any legal entitlements, but he hadn't yet made an appointment.

She took his details and passed them on to a lawyer who specialises in dust diseases compensation claims. The lawyer visited the man's home soon after, outlined his entitlements and signed him up as a client.

## Asbestos exposure

Investigations then began into when the man was likely to have been exposed to the deadly asbestos product. The time frame was soon narrowed down to the 1970s, when he had worked at a factory as a labourer.

'I used to help a fitter carry out maintenance work on machinery,' he said. 'There were pipes in the factory that were covered with asbestos insulation.'

'I recall that while I was working in the factory, I pulled the lagging off the pipes

at times. I did not wear a mask when working around or touching the lagging, nor was I given any warnings.'

The man left the workplace and carried on with his life. He held various other jobs and mostly worked as a truck driver – until in recent years he began feeling unwell.

'I first experienced chest pain and shortness of breath,' he said. 'I began feeling dizzy and had trouble bending over. On one occasion, I was getting out of my truck at work when I felt severe pain in my chest and ribs. I was struggling to breathe and thought that I just had asthma... but my symptoms continued to persist.'

He was referred to a specialist and a lung biopsy resulted in a devastating diagnosis: mesothelioma. He was advised by his doctors to cease working immediately and enjoy what little time he had left.

## Negligence claim

A negligence claim was lodged by Maurice Blackburn against the man's 1970s employer and proceedings were

**"It gave him the financial security he needed to enjoy the most difficult stages of his life."**

also issued against the companies that manufactured, distributed and sold the harmful products in Australia at the time he was exposed.

A trial date was set so the matter could be promptly determined by the Supreme Court, given the man's deteriorating health. But shortly before the trial began, a confidential settlement was reached that took into account his shortened life expectancy, continued medical care, and his loss of earnings among other particulars.

'It was a great result that our client was really happy with,' the man's lawyer said. 'He was especially pleased that we were able to resolve everything so quickly because it gave him the financial security he needed to enjoy the most difficult stages of his life.'

If you need any advice on this issue, or if you or a loved one have been involved in a road accident, been injured at work, have a public liability or medical negligence claim, or wish to make or dispute a will, free legal advice with Maurice Blackburn is a benefit of your union membership.

**"The lawyer visited the man's home soon after, outlined his entitlements and signed him up as a client."**

# WHAT ARE YOUR RIGHTS?

**Accruing and taking annual leave while receiving weekly WorkCover payments was raised again in the Fair Work Commission recently, when an employer refused to recognise the annual leave entitlements of a TWU member who was receiving workers' compensation between 2011 and 2016.**

This despite the issue being clearly decided by the Commission's Full Bench in 2017, pending the wording about such entitlements in workers' EBAs.

In United Firefighters Union of Australia v Emergency Services Telecommunications Authority T/A ESTA [2017] FWCFB 4537, the UFU made an application to the Fair Work Commission following a dispute with ESTA regarding:

*'Whether or not an employee under Emergency Services Telecommunications Authority Operational Employees Enterprise Agreement 2015 who is receiving workers' compensation is entitled at the same time to accrue any leave of absence during the period of receipt by the employee of compensation payments.'*

Similar disputes had arisen between the Australian Nursing and Midwifery Federation and Alfred Health, so the Fair Work Commission agreed that the UFU and ANMF [Australian Nursing and Midwifery Federation v Alfred Health

[2017] FWCFB 4420] matters would be heard together by the Full Bench.

The Full Bench heard that while Section 130(1) of the *Fair Work Act 2009* [Cth] restricts the taking or accruing of leave or absence whilst an employee is in receipt of workers' compensation, Section 130(2) of the Act creates an exception. It states:

*'Subsection (1) does not prevent an employee from taking or accruing leave during a compensation period if the taking or accruing of the leave is permitted by a compensation law.'*

The *Accident Compensation Act 1985* [Vic] [ACA] was the relevant 'compensation law' in the two cases. The ACA states:

**"TWU members are urged to check their enterprise agreement to determine whether it includes an extinguishing provision."**

*'If the current weekly earnings of a worker are reduced because the worker is on paid annual leave or long service leave, the Authority or self-insurer must not, by reason only of that reduction, alter the amount of compensation in the form of weekly payments.'*

Accordingly, the Full Bench held that *'[A]n employee is permitted to take or accrue annual leave during a workers compensation period pursuant to section 130(2) of the FW Act and the Victorian workers compensation legislation'*.

This brought Victoria (and Tasmania) into line with several other states. It was also in accordance with a NSW decision made by the Full Federal Court in 2015 (*Anglican Care v NSW Nurses and Midwives Association* [2015] FCAFC 81).

## Checking your agreement

It is important to note, however, that enterprise agreements can have different ways in which personal leave and annual leave accrues. So although they are rare in the transport industry, TWU members are urged to check their enterprise agreement to determine whether it includes an extinguishing provision.

If you need any advice on this issue, or if you or a loved one have been involved

in a road accident, been injured at work, have a public liability or medical negligence claim, or wish to make or dispute a will, free legal advice with Maurice Blackburn is a benefit of your union membership.

For more information about how Maurice Blackburn can help you on a no-win, no-fee basis, visit [www.mauriceblackburn.com.au](http://www.mauriceblackburn.com.au) or call us today on 1800 810 812.



## SAVE QANTAS JOBS CAMPAIGN ACTIVITY

### 25 Aug

- Qantas announces plans to outsource all 2,500 ground and fleet presentation workers.
- TWU launches petition for Alan Joyce to resign.

### 26 Aug

- Delegates across QAL, QGS and Jetstar meet to plan the way forward.
- TWU and other unions take Qantas to court for abusing JobKeeper.

### 27 Aug

Qantas workers protest at Sydney, Perth, Adelaide and Brisbane airports & join a digital picket in Victoria and Queensland.



### 3 Sep

- Qantas workers protest at Darwin airport and Parliament House and meet politicians.
- TWU files dispute in FWC over unfair bidding process.

### 5 Sep

Save Qantas Jobs campaign Facebook page launched.

### 8 Sep

Media reveals documents showing Qantas outsourcing was planned 10 years ago.

### 11 Sep

Qantas workers deliver letter to Joyce's residence.



### 14 Sep

TWU engages global consultants Ernst & Young (EY) and renowned waterfront lawyer Josh Bornstein.

### 15 Sep

Qantas starts bidding war between States for Head Office location. TWU urges states to set strict conditions on Qantas jobs.

### 17 Sep

EY report claims bidding process 'unrealistic & unattainable'.

### 18 Sep

TWU opens Save Qantas Jobs campaign hub next door to Scott Morrison's office in Cronulla.



### 21 Sep

- Mark Butler MP meets workers.
- Worker Graham McKay on ABC 730.

### 24 Sep

Qantas workers protest at Adelaide, Darwin and Perth airports and Warren Entsch's office, Cairns.



### 24 Sep

Qantas loses case on JobKeeper abuses. Federal Court demands Qantas pay workers thousands in stolen wages.

### 25 Sep

Protests at Qantas HQ, Sydney and Luke Howarth MP office, Brisbane.



### 28 Sep

- TWU calls for Government funding to come with conditions to stop the outsourcing.
- Workers Nick Bennet and Elif Celik appear on ABC news.

**QANTAS**  
NOT THE SPIRIT  
OF AUSTRALIA  
#SAVEQANTASJOBS

## AVIATION UPDATE

# HOLDING AN AIRLINE GIANT TO ACCOUNT FOR **PANDEMIC ATROCITIES**

Just like their competitors at Virgin, Qantas are also doing everything in their power to strip workers of their hard-earned conditions and outsource jobs wherever they see an opportunity.

CEO Alan Joyce has continued to use the COVID-19 pandemic to attempt to deunionise aviation through the outsourcing of jobs and by decimating workers' hard-earned conditions.

COVID-19 could not have come at a better time for the Qantas Group. It has been exposed that CEO Joyce has for 10 years had plans to outsource 2,500 ground handling jobs. Coincidentally, this

outsourcing was announced as being a result of the pandemic.

Qantas continue to come under fire from the TWU as they stand by their decision to outsource those jobs – roles that are not genuinely redundant. This disgraceful behaviour by the Qantas Group is a blatant attempt to deunionise the industry.

Alan Joyce has long been vocal about his resentment of unions. His decision to use labour hire companies to take over the existing work required to operate the airline is clear evidence of this. This move shows a total lack of care towards long-serving, loyal and hard-working Qantas employees.

Concurrently, Qantas are also proposing a whole new Enterprise Agreement for cabin crew which would see their upcoming agreement essentially equate to the Aircraft Cabin Crew Award 2020. The current Award pays workers a base hourly rate of just \$22.26, and considers all public holidays and weekends as 'ordinary hours of work'.

The Award also allows for up to 14-hour planned domestic duties dependent on a combination of operational and non-operational sectors, and up to 16-hour days for unplanned domestic duties.

All of this allowable with only 12 hours' rest in between duties, or as little as 10 hours' rest where unplanned disruption occurs. The TWU have grave concerns regarding safety and fatigue in response to Qantas' proposals.

The TWU will continue to hold Qantas accountable for this deplorable behaviour. Recently, the TWU successfully took Qantas to the Federal Court to stop the company manipulating shifts to avoid paying their staff anything above the \$1,500 fortnightly JobKeeper payment.

As a group, Qantas are the largest recipient of the JobKeeper subsidy, and have received more than \$800 million in Government subsidies throughout the pandemic. However, this has not prompted them to use this funding to do the right thing by their workers. We will continue to work closely with members and Delegates and band together to stand up against these kinds of corporate bullying tactics.

**"This disgraceful behaviour by the Qantas Group is a blatant attempt to deunionise the industry."**





# BAIN'S FIRST CUTS DEEPEN FEARS OF FRONTLINE WORKERS

A WORRYING FIRST REAL LOOK AT VIRGIN 2.0

Employees' fears have been realised, with private equity firm Bain Capital wasting no time in restructuring the airline and attempting to slash conditions for thousands of frontline workers.

There has long been speculation of what Virgin 2.0 may look like post-administration under its new owner, particularly since Virgin Australia's 9,000 employees endorsed the sale in early September. The airline is urgently attempting to reduce its cost base by proposing new Enterprise Agreements, proposals which are set to slash current pay and conditions for thousands of frontline workers.

## A reduction in salaries

Virgin Australia management have blamed frontline workers' salaries in large part for the struggling airline's lack of profitability, and say that in order to return to profit, Enterprise Agreements across pilot, cabin crew and ground crew groups must have 'increased flexibilities and efficiencies' moving forward. Some of these proposals would see a reduction in salaries of up to 40 percent, with longer days and less days off per roster. This is on the back of one third of Virgin Australia's workforce being made redundant this year.

Frontline workers are furious and feel they have been misled by Bain Capital and Virgin Australia management. Bain Capital stated the culture at Virgin Australia was a big drawcard during the sale process, yet employees warn

the new owners and Virgin Australia management that the culture would be decimated should the company's proposed conditions be adopted.

A currently stood-down Virgin Australia flight attendant of 10 years and proud TWU member says: 'It's utterly shocking – changes are necessary, but we have all seen where the inefficiencies have been over the years. They do not stem

**“Frontline workers are furious and feel they have been misled by Bain Capital and Virgin Australia management.”**

from frontline workers. We are the bread and butter of this airline; we won awards annually because we were happy at work. Stripping back our conditions and salaries is not the answer.

## Tense relationship

'We were told Bain's pockets were deep, we were told they appreciated the culture. Right now, it seems that was a script to get the sale across the line. Now is the time for Bain to put their money where their mouth is and stop trying to take advantage of the people who make Virgin Australia what it is.'

Prior to the final creditors' meeting, many employees were sceptical about

Bain Capital and their close affiliation with former Jetstar CEO Jayne Hrdlicka. During her time as Jetstar's CEO, Hrdlicka was known for her ruthless attitude toward the workforce which sparked a tense relationship with unions. Private equity firms like Bain Capital have a reputation for swooping in, driving down costs at the employees' expense, generating a quick profit and then offloading the company.



However, employees heeded the advice of Virgin Australia CEO, Paul Scurrah, as they believed their best interests were at heart. In October, the Virgin Australia workforce took another hit when the well-received Scurrah was pushed out and replaced by Hrdlicka, despite Bain's early promises that he would remain at the helm of the operation.

The TWU Bargaining Committees across different workgroups are alarmed by the proposed agreements, and are working tirelessly to stop the race to the bottom within the aviation sector.

# HELPING BEAT THE VIRUS AFTER A BUMPY LANDING

Back in March, as a deadly virus began spreading around the globe, Jamie\* and her cabin crew colleagues landed back in Australia after a routine Los Angeles stopover. Within days, the job she'd loved for close to two decades had all but vanished.

'I had no idea that was going to be my last flight,' Jamie says. 'I remember we got off the plane thinking COVID-19 looked pretty interesting, then in a short time it just got worse and worse. Within a week international flights stopped and we were all stood down.'

The landing was bumpy. Jobkeeper was yet to be announced, so Jamie followed the many whose lives had been upended onto the 'dole' queue – one that literally stretched around the block and down the street.

**“I think people underestimate the importance and power of a union, the work they do for you behind the scenes.”**

'I'd never had a handout before, it was quite strange territory for me. I'd never been unemployed. I just never thought I'd be one of those people who needed assistance from the Government.'

## A lifeline

Salvation came thanks to her union. The TWU worked with Government to arrange for stood-down aviation employees to work as residential support officers in quarantine hotels, using their experience and expertise with policies, procedures and crucially people to help manage a potentially dangerous environment.

'We have very strict training and protocols that we have to follow and adhere to, everything from uniforms to policies,' says Jamie, who is proud to have helped ensure the safety and security of returned travellers through their quarantine period.

Working alongside already-familiar cabin crew colleagues and others she's come to know well, Jamie sees similarities with the customer service work they would normally be doing at 30,000 feet, not least in the interaction with guests as they arrive and depart.

## Getting back in the sky

'There's an underlying satisfaction that while the industry that you come from has been decimated, you're doing a job that actually is directly combating the thing that killed the industry. That's rewarding.'

The work of the TWU to place members in such roles hasn't been lost on Jamie, buoying her confidence that the union will navigate the difficult terrain of getting its members back in the sky in a way that is fair, equitable and beneficial.

'I think people underestimate the importance and power of a union, the work they do for you behind the scenes. People are unaware that the things they take for granted are actually fought hard for by your union.'



The future remains uncertain, and Jamie fears that years could pass before she next welcomes passengers on board an aircraft. The prospect feels both exciting and a little surreal, and she knows how important getting back in the air will be to the world regaining its rhythm.

'I miss the feel of aviation, and the people I work with,' she says. 'But also just seeing a different bunch of customers every day, and making a difference to their travel journey.'

'In a way that's what I'm doing here, because quarantine is part of their travel journey too.'

*\*Jamie is not the member's real name.*





**Dean Sloan** Branch Committee of Management member



**Anthony DeRomeis** Senior Delegate

# HOW THE PANDEMIC BROUGHT AN ODD COUPLE TOGETHER

The COVID-19 pandemic's knack for putting people in situations they never imagined was driven home to Anthony DeRomeis one late-autumn day, as he prepared to drive a van out of Foodbank's Brooklyn base.

DeRomeis is a carpenter by trade who also worked as a police rehabilitation officer, in building maintenance and as a barista before becoming a Leading Hand with Virgin, running the bag room at Tullamarine. His CV speaks of someone who is up for anything.

**"We were delivering to schools, breakfast for kids who struggle to get breakfast at home."**

**– Dean Sloan** Bcom member

After being stood down before Virgin went into administration, he reached out to the TWU who were assisting stood-down workers looking for work to tide them over. At Brooklyn he met his delivery truck 'jockey', Dean Sloan, another stood-down aviation worker and Bcom member who was a catering

dispatch allocator – for his former competitor, Qantas.

'I rang Mem at the TWU and said, 'You've got Virgin and Qantas boys as a driver and jockey for Foodbank!' You wouldn't read about it. Of all the places to meet up.'

Ferrying food around Melbourne suburbs as far-flung as Broadmeadows and Ferntree Gully, the pair compared notes about how things were done at their old workplaces, and imagined what might be next for the embattled industry. The experience gave them perspective at a difficult time.

'We were delivering to schools, breakfast for kids who struggle to get breakfast at home,' Dean says.

Adds Anthony: 'When you're working you always feel good, you're not sitting at home thinking, "Where's the next dollar coming from?"'

## Strength in a union

At schools they chatted to teachers, getting a read on the mood around Melbourne's lockdown that Anthony reckons left them well qualified to be pollsters if a snap election was called. 'Most people support what Dan Andrews has done.'

Anthony calls Dean 'the young fella', despite being only a few years his senior at 58 ('even if I'm only one month older, he's still the young fella'). Against a

backdrop of massive job losses at Virgin and Qantas, their conversations would regularly arrive at how fortunate they feel to be members of a strong union.

'If we weren't in the union there'd be no-one fighting for us,' says Dean, who remembers starting with Ansett when he really was a young fella, and being

**"When you're working you always feel good, you're not sitting at home thinking, 'Where's the next dollar coming from?'" – Anthony DeRomeis**

asked, 'Are you gunna join the union, or are you gunna join the union?'

Pondering where he'd be without the TWU, Anthony says probably sitting at home stressing out. 'They're there to help you, it's a show of strength – the

more people who join, the more powerful you are.'

When Melbourne's second wave hit their Foodbank work stopped. Dean has since been making use of the forklift licence he got while at Ansett three decades ago, and waiting to hear what comes of redundancy negotiations at Qantas.

In the meantime, Anthony is hoping to get back on the road with Foodbank. 'Hopefully the young fella's there and we can catch up and do some more trips together – so I can teach him how it's done!'



# BULLYING AND LEAVE RORTS LEAVE A SOUR TASTE

It came as no surprise to the TWU when news broke in the Australian Financial Review about Cleanaway rorting workers of their leave balances through implementing a negative leave strategy.

In a recent online survey of members from Cleanaway, 63.6% of workers stated that they had been asked to take long service or annual leave during COVID-19. Of this, 79.2% of workers said that in being asked to take leave, they were not afforded the correct notification period of four weeks. In saying that, 90.9% of workers surveyed were not aware of the proper notification period when they were asked to take leave.

In October, the situation at Cleanaway went from bad to worse with bargaining negotiations ceasing due to the intimidation and harassment faced by the Delegate-led negotiating team. At the commencement of the bargaining meeting at Cleanaway, as well as name-calling, the local manager resorted to throwing objects as a method of intimidation. At this point in the discussions, TWU officials made the measured decision to terminate the Enterprise Agreement discussions.

## Maternity leave

The behaviour of management comes months after battling with the company at the Fair Work Commission to ensure a female truck driver was paid the same maternity leave as other office workers, after we discovered office staff were receiving higher maternity leave than drivers.

In an article investigated and released by the Australian Financial Review, journalist Michael Roddan exposed the rotten-to-the-core modelling used by Cleanaway to push lower management into bullying and harassing staff members. In a letter from your Branch Secretary, John Berger, to the Executive General Manager, Human Resources, Johanna Birgersson, Berger expressed his dismay at the behaviours and conduct of Cleanaway lower management:

*'On Wednesday, TWU Chief of Staff Mem Suleyman along with TWU Delegates*

**“Since this letter, Cleanaway has removed the manager in question from bargaining negotiations.”**



*and a TWU Official presented at Perry Road, Dandenong South for a scheduled Enterprise Agreement bargaining meeting in good faith. Our intent for the meeting was to secure the conditions your employees are requesting: namely pay parity as per the industry standard, and safe conditions.*

*'In former meetings, it had been agreed by the TWU Chief of Staff, Mem Suleyman, your Human Resources Manager, Shane Burbidge, and Regional Manager, Hugh Cotton, that the following meeting would be productive and resolve the survey results the TWU issued to Cleanaway. The survey results included alarming feedback about the workplace from our members.'*

Since this letter, Cleanaway has removed the manager in question from bargaining negotiations and attempted to lodge a Bargaining in Good Faith vote.

## Used medical waste

Further, AFR journalist Roddan also found that workers at Cleanaway's Cahill Street site in Dandenong were made to handle used medical waste which had come from aged care facilities – at the peak of the COVID-19 outbreak in Victoria.

However, not only were Victorian Cleanaway staff made to handle the waste, because of the sites' Environmental Protection Authority license restrictions, 90 tonnes of the medical waste was transferred interstate

– most likely to Sydney and Canberra. In this instance, Cleanaway's lack of foresight and care for their staff could have led to interstate infections.

The article on 1 October 2020 exposed Cleanaway for their promotion of negative leave schemes. Negative leave schemes are a mechanism used by companies to strip workers of their leave balances and force them to take unpaid leave. This news came within weeks of several bullying claims from white collar workers against CEO Vik Bansal.

If you know of behaviour like this occurring in your workplace, now is the time to act.

Contact your union at [info@twu.asn.au](mailto:info@twu.asn.au)





## TIPS FROM ME BANK

# 5 WAYS TO BE CHARITABLE WHEN TIMES ARE TOUGH

Supporting your favourite charity doesn't have to mean handing over hard-earned brass. From donating blood to using ME Bank's Pink debit card that helps fund breast cancer research, it's possible to lend your favourite cause a helping hand at no cost to you.



The COVID crisis has hit charities hard by ruling out traditional fundraisers like sausage stalls and door-knocking campaigns. As a result, donations are expected to fall by over 7% in 2020, with a further 12% drop forecast for 2021.

The cut in income comes at a time when charities face rising demand. Food rescue group OzHarvest, says demand for food relief is at an all-time high. Beyond Blue has seen a 27% increase in calls this year.

Charities have always supported Australians, and now it's our turn to give back. Here are five ways to make a real difference, even if you're strapped for cash yourself.

## 1 DO A GOOD DEED EVERY PAY

Select a debit card linked to a particular cause, like the Pink Everyday Transaction Account card offered by industry super fund-owned ME Bank. Each time you pay for a purchase with the Pink card, ME will donate to the National Breast Cancer Foundation.

As a cardholder it costs you nothing, but the donations quickly add up. ME has already donated over \$1 million to cancer research, and during October ME quadrupled the amount donated from 1 to 4 cents every time customers use their Pink debit card. The funds raised will support research into a revolutionary new blood test designed to better detect and manage breast cancer.

## 2 DONATE REWARD POINTS

If you're a loyalty scheme member, chances are you can turn reward points into charitable donations. Frequent flyer points, and points earned through supermarket reward schemes, can be swapped for donations to a wide range of charities.

## 3 HAVE A SPRING CLEAN

We all have items lying around at home that we no longer need, which can be turned into cash at your local op shop. Bag, box or bundle up all those unwanted gifts, tacky souvenirs and outdated garments, and take the lot down to your local charity store. One person's trash is another's treasure, right?

## 4 GIVE YOUR TIME OR SKILLS

Giving up a few hours of your time costs nothing but it means a lot to charities, who may otherwise have to pay for tasks to be completed. There's a whole world of volunteer opportunities to explore, from walking rescue dogs at your local animal shelter to offering specialist skills in pro bono roles.

## 5 DONATE BLOOD

The average adult has around five litres of blood flowing through their veins. Surely you could spare a drop or two? It takes just a few minutes for the Red Cross to collect 450ml of the life-giving liquid – and you won't walk away empty-handed. Blood donors receive a drink and snacks plus an endless supply of the warmth that comes with helping to save lives.

# TAKE SOME TIME OUT

AFTER SUCH A TOUGH AND ARDUOUS YEAR, IT IS NO DOUBT MANY TRANSPORT WORKERS ARE FEELING THE IMPACTS OF THE PANDEMIC – BE IT PHYSICAL OR THE MENTAL TOLL.

That is why this holiday season we are encouraging you to take some important time out. Spend some time with your friends and family, enjoy a walk with the dog or do something nice for someone around you.

The holiday season can be tough on many people for multiple reasons, particularly after such a trying year. Never be ashamed to ask for help.

Lifeline 13 11 14



**TWU**  
VICTORIA / TASMANIA

**SCHOOLBOOK SCHOLARSHIPS 2021**

Applications close 30 January 2021

## TWU \$75 Schoolbook Scholarship Application Form

TWU Member's Name: \_\_\_\_\_

TWU Membership No.: \_\_\_\_\_

Member's Address: \_\_\_\_\_

Postcode: \_\_\_\_\_

### STUDENT DETAILS

Name: \_\_\_\_\_

Age: \_\_\_\_\_

2021 Class: \_\_\_\_\_

2021 School: \_\_\_\_\_

**Note, If you have a child in Year 10, 11 or 12 in 2020  
Only one scholarship is available per family**

In respect of this application, I acknowledge that it may be subject to a ballot conducted by the TWU Vic/Tas Branch Committee of Management and I hereby agree to accept as final the result of such a ballot.

**Member's signature** \_\_\_\_\_

**Please return to:**  
**TWU Scholarships**  
**PO Box 203**  
**Port Melbourne**  
**VIC 3207**



# Your super fund stands behind people in transport.

**People working in transport are affected in different ways by COVID-19 and market volatility. Some segments have been stopped altogether – impacting whole families, while others are experiencing high amounts of pressure from increased demand. All Australians owe a debt of gratitude for transport workers at this difficult time.**

You can rest assured that TWUSUPER is here to help. Your Fund is in a strong position to ride out this time with you and we will do whatever we can to assist you and your family.

There may be delays if you phone the Contact Centre during periods of high demand.

The best place for general guidance and information is our website, which is continually updated. You can also log in to your account online to view your account details.

## The key takeaways so far are:



The Government has announced the early release of some super for eligible people (up to \$20,000 in two payments – see [twusuper.com.au/covid](https://www.twusuper.com.au/covid) for more detail). This will be arranged directly through the Government 'my.gov.au' website as scheduled for mid-April.



Our Balanced (MySuper) option\* is invested across a diverse range of assets, but will be impacted by the ongoing market volatility. Keep in mind there have been 10 years of strong returns and super remains a long-term investment for most people.



Insurance cover provided by TWUSUPER covers COVID-19 as it does all pandemics. The insurer TAL will not be invoking a limited clause for new members or those upgrading cover. You can check your cover at our website MemberOnline.



We realise many people will find the next few months extremely difficult – please consider carefully before accessing your super. Withdrawing super now can have a significant impact on your future balance.

Analysis\*\* has shown that by accessing the full \$20,000 – **lost future retirement savings** could be approximately: 25 year old = \$120,511; 35 year old = \$78,420; and; for a 45 year old = \$51,030.

We will continue to update our website with new information as it comes to hand.  
[twusuper.com.au](https://www.twusuper.com.au)



\*Investments can go up and down. Past performance is not necessarily indicative of future performance.

\*\*Based on modelling by Industry Super Australia. For assumptions visit [industrysuper.com/assumptions](https://www.industrysuper.com/assumptions)

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