



## RECOMMENDATION

*Fair Work Act 2009*

s.739 - Application to deal with a dispute

**Queensland Rail Transit Authority T/A Queensland Rail**

v

**Australian Rail, Tram and Bus Industry Union; Australian Federated  
Union of Locomotive Employees**  
(C2017/4811)

COMMISSIONER SPENCER

BRISBANE, 31 AUGUST 2017

*Application to deal with a dispute arising under the Queensland Rail Traincrew Enterprise Agreement 2017.*

[1] In response to a dispute application made pursuant to s.739 of the *Fair Work Act 2009* (the Act) by the Queensland Rail Transit Authority T/A Queensland Rail (the Applicant/Queensland Rail) under cl.21 the *Queensland Rail Traincrew Enterprise Agreement 2017* (the Agreement), an urgent conference was convened today with the Applicant and the Respondent parties: the Australian Rail, Tram and Bus Industry Union (RTBU) and the Australian Federated Union of Locomotive Employees (AFULE).

[2] This Recommendation is made with some urgency this afternoon to facilitate a resolution of the immediate dispute and to allow for ongoing discussions and, where necessary, conciliation before the Commission.

[3] A series of matters were discussed in relation to issues arising under the Agreement and in particular that Queensland Rail sought to undertake external advertising of Driver and Guard roles in accordance with clauses 30.4 and 30.5 of the Agreement.

[4] This matter has been a long-standing issue and has been the subject of 10 meetings specifically between the parties. The parties are aware that this Recommendation does not contain all of the details as referred to at the conference.

### RECOMMENDATION

[5] As a result of conducting a conciliation conference in this matter, it is Recommended that Queensland Rail be able to undertake all necessary steps in order to activate and commence the proposed external advertising in the Courier Mail and online services.

[6] It is noted that Queensland Rail confirmed that this external advertising will be undertaken in tandem with internal organisation advertising.

[7] It is also Recommended that Queensland Rail initiate a meeting with the Respondent parties to discuss any associated recruitment and selection issues arising under the Agreement. Where residual issues remain for any party, with the general application of the associated recruitment and selection process, these may be referred for timely resolution before the Commission.



COMMISSIONER

Printed by authority of the Commonwealth Government Printer

<Price code A, PR595767>