

MOVING PEOPLE

➤ *Australian Public Transport Industrial Association*

Making a Competitive Enterprise Agreement

Ian MacDonald, National Industrial Relations Manager



Remaining Competitive

- Hopkinson's Coach and Charter Drivers Enterprise Agreement 2010
- Cooma Coaches Passenger Vehicle Drivers Enterprise Agreement 2012
- Deane Transport Services Coach and Charter Drivers Enterprise Agreement 2017
- Emerald Coaches Employees Enterprise Agreement 2014
- Lodges Bus Service Bus and Coach Drivers Enterprise Agreement 2015

Remaining Competitive

- Telford Tours and Coaches and Charter Drivers Enterprise Agreement 2017
- Townsend Bus and Travel Drivers Enterprise Agreement 2016
- Shoalbus Bus and Coach Drivers Enterprise Agreement 2016
- Crowther Coach Drivers Enterprise Agreement 2011-2015
- Australia Wide Coach Drivers Enterprise Agreement 2015

An Industry Template

- Provides certainty of terms and conditions for employees
- Allows flexibility to protect the business against a downturn in the work, economic conditions that change regularly, competition with rail and air travel
- Avoids sham contracts, underpayment of wages and disputes with the FWO and employees
- Allows payment of flat rates, reduced penalty rates on weekends and hours of work to remain in the control of the employer

An Industry Template

Takes into account some areas unknown to some including:

- Ensuring that the casual loading is aggregated with the other penalties and loadings.
- Ensuring that the overnight allowance is only paid for a full 24 hours not to and from.
- Ensuring the LAHA is treated as an allowance not a hourly rate or part of the SGC.
- Paying a flat rate.

How to pay Casuals

- Base Rate = \$21.36 (Grade 3)
- Casual Rate = \$26.70 (\$20.36 x 125%)

Overtime and Saturday Rate

- Casual Rate = \$40.05 (\$26.70 x 150%)
- Casual Rate = \$37.38 (\$21.36 x 175%) 7.15%

Overtime and Sunday

- Casual Rate = \$53.40 (\$26.70 x 200%)
- Casual Rate = \$48.06 (\$21.36 x 225%) 11.12%

The Living Away from Home allowance

LAHA (8 hours)

- Grade 4 casual rate = \$221.12 ($\27.64×8) plus 9.5% SGC =
\$242.13

LAHA is an allowance

- Allowance payable = \$176.88 ($\22.11×8 hours)
- No SGC is payable

Difference is 36.89% savings

Paying a Flat Rate

- Driver works a twelve hour Saturday day shift with a six hour waiting time break in the middle and a one hour meal break during that six hour break
- His wage under the PVTa (Grade 3) is \$317.69 (6 x \$37.38; 5 x \$18.69; 1 x \$0.00)
- A driver could get a flat hourly rate for Saturday for all hours worked of \$26.50 and still meet the BOOT

An Industry Template

Template Clauses:

- Good faith provisions
- Part time and casual employment provisions
- Medicals for drivers
- Meeting the better off overall test (Beechworth Bakery Test)
- Stand down provisions
- Banking hours of work

What's to come

- A NEW AWARD
- CASUAL CONVERSION
- RETURN TO WORK PROVISIONS
- DOMESTIC AND FAMILY VIOLENCE PROVISIONS
- DIFFERENT WAY TO DETERMINE WAGE INCREASES –
minimum wage, labour index or median wage?
- HIGHER PENALTIES FOR BREACH

MOVING PEOPLE

➤ *Australian Public Transport Industrial Association*

Ian MacDonald, National IR Manager

imacdonald@bic.asn.au

www.aptia.com.au (members section, National IR and WHS Guide)

Telephone: 02 9907 6372 | Mobile: 0427 206 326

