



# LINDSAY TRANSPORT BARGAINING UPDATE

FEBRUARY 2021

## CUTS, CUTS AND MORE CUTS - VOTE NO TO THE LINDSAY OFFER



Lindsay is not interested in bargaining a fair deal.. Last week your TWU bargaining team met with Lindsay management to discuss your replacement Enterprise Agreement (EA). It's concerning that Lindsay seems only interested in reducing your working conditions, putting more restrictions on workers and is not interested in sharing its profits of \$5.32M.

Lindsay is using the excuse of covid-19 to lock workers into a shoddy 4-year deal at the same time as announcing record revenue of \$411M during the pandemic.

**The good news is you don't have to accept it. You can vote NO to the substandard offer.**

Take a look at what entitlements Lindsay is slashing from its loyal workers.

WHAT LINDSAY WANTS	WHY VOTING NO IS IMPORTANT
Lindsay insists on a 4-year agreement using covid-19 to justify a substandard deal.	Workers want a 2-year deal so we can negotiate for a better deal as we come out of covid-19.
Lindsay wants to remove the application of the road transport awards.	This will remove the safety net that underpins your rights and conditions, including protections for part-time employees.
<b>Consultation:</b> Your entitlement to appoint a representative during a major change at work is unclear.	Employees are entitled to appoint a representative before consultation over major change commences.
<b>Long Service Leave:</b> Lindsay has inserted a requirement that employees reduce their annual leave to 4 weeks before being able to access their long service leave.	Long service leave (LSL) and annual leave are totally separate entitlements, and this requirement is contrary to the relevant LSL Act.
<b>Annual Leave Loading:</b> Lindsay does not want to pay depot workers appropriate annual leave loading.	Depot employees who are 7-day shift workers are entitled to annual leave loading of 17.5% or the penalties the employee would have earned, including weekends, had the employee worked. This is a cut to conditions.
<b>Payment for Annual Leave:</b> Lindsay had agreed to pay LH drivers their average earnings whilst on annual leave.	It seems Lindsay has reneged on this.

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<p><b>Additional Week of Annual Leave for shift workers:</b> Lindsay has added a requirement that to qualify for the NES provision of an additional week of annual leave, depot employees must work or be available to work 44 Sundays and 4 public holidays per year.</p>	<p>The NES provision is a shift worker who is “regularly rostered” to work on Sundays and public holidays is entitled to an extra week of annual leave. The 44 Sundays/4 public holidays requirement is unacceptable and is an attempt to reduce employee entitlements.</p>
<p><b>Suspension from Duty:</b> Lindsay has changed the benchmark for suspension without pay. In the proposed agreement LT has expanded the benchmark to include suspension without pay if LT has a “reasonable belief that the employee is guilty of serious misconduct”.</p>	<p>The existing agreement allows for suspension without pay only when Lindsay has a reasonable suspicion the driver is impaired by drugs or alcohol. This is totally unacceptable as the revised provision will result in employees being suspended without pay based entirely on the whim of a manager. This must be rejected.</p>
<p><b>PUD Transactions:</b> Lindsay pays a flat rate for PUD work.</p>	<p>Under the Award PUD work should be paid for all hours worked, not a flat rate. This means a minimum of one hour plus additional hours worked. Any unpaid work is a cut to conditions.</p>
<p><b>Rate Increases:</b> The proposed agreement provides for the National Minimum Wage Increase handed down by the Fair Work Commission in June/July each year. Lindsay argues that in the current economic climate they are unable to commit to more than that.</p>	<p>The TWU wants a 2-year agreement to limit the effects of the economic climate on wages and conditions going forward. Lindsay insists on a 4-year deal, being opportunistic by using the pandemic to justify minimum rate increases.</p>
<p><b>Linehaul Rates:</b> National Minimum Wage increase underpinned by a minimum one cent per km per year.</p>	<p>National Minimum Wage increases are mandatory increases by law to ensure Lindsay stay in line with Award rates, it is not a wage increase in real terms.</p>
<p><b>Superannuation:</b> The ATO ruling says linehaul drivers paid CPK rates are entitled to have superannuation calculated on 2850kms per week.</p>	<p>Lindsay use their own calculation of weekly kms for the basis of superannuation and these fall below 2850kms per week. More cuts to entitlements.</p>
<p><b>Redundancy Entitlements:</b> Lindsay has reduced redundancy entitlements for employees with ten years’ service or more by a total of four weeks.</p>	<p>The proposed entitlement reflects the National Employment Standards but it is nonetheless a reduction for employees.</p>
<p><b>RDOs:</b> Lindsay does not provide RDOs nor does it pay for them.</p>	<p>Linehaul drivers do not have to work additional hours to accrue RDOs, they are simply an entitlement under the Award.</p>
<p>Lindsay does not want to pay depot workers time and a half for weekend and double time for public holidays.</p>	<p>Depot employees are being paid less than Award rates for weekends and public holidays. This is a blatant cut to conditions.</p>
<p><b>CONSIDER THIS:</b> Linehaul rates were adjusted in November 2020 in order to keep in line with the Award rate, not as a reward for employees. The current CPK rates are very close to Award rates so <b>any stripping of entitlements is a cut to conditions.</b></p>	

In December 2020, Lindsay wrote to all employees and thanked them for their contribution to a record revenue. Do you think this agreement rewards you for that contribution? **To stop the cuts to working conditions and to get a better deal – VOTE NO in the upcoming ballot.**

## WHAT CAN YOU DO?

- ✓ **Not sure why you should VOTE NO? Talk to your TWU delegate or organiser.**
- ✓ **Attend the next union meeting for your yard. Stay informed.**
- ✓ **Not yet a member? Join the TWU to get a fair deal.**



**SAME JOB, SAME FIGHT, SAME PAY.**  
**JOIN NOW FOR A BETTER FUTURE.**

[www.twu.com.au/join](http://www.twu.com.au/join)

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