

Statement of Claims – ONRSR EBA 2025

27 March 2025

This statement of claims is served on the Employer on behalf of the employee bargaining representatives on the Bargaining Committee and the members of the Community & Public Sector Union (State Public Services Federation) Group in respect to negotiations for a replacement Agreement for the *Office of the National Rail Safety Regulator (ONRSR) Enterprise Agreement 2021-2025*.

Section 1 – The Agreement

1. That a replacement EA be negotiated and that it operates for a period from commencement of operation until 1 June 2028.
2. That other than matters agreed to be amended through negotiations around this statement of claims, the clauses in the existing EBA will be retained.

Section 2 – Hours of Work and Related matters

Hours of Work

3. Amend the hours of work clause to allow employees (at their initiative) to:
 - a. Agree to modify the standard bandwidth of 7:00am to 7:00pm, Monday to Friday within the range of 6:00am to 8:00pm, Monday to Friday;
 - b. Work their ordinary hours more flexibly across the settlement period including arrangements for a 9-day fortnight or a 19-day month.

Overtime and TOIL

4. Remove the classification caps on eligibility for overtime and TOIL.
5. Provide clarity in the overtime clause regarding recalls after hours, specifically when the overtime commences and when the overtime concludes.
6. Increase the minimum payment for overtime (or recalls) worked on the public holiday to 4 hours.
7. Amend existing EA clause to clarify that the entitlement to overtime at 3.4.3 is in addition to the entitlement to payment at double time where a 10-hour break between overtime and normal work has not been provided (3.4.5.).

Section 3 – Remuneration, Allowances and Reimbursement

Salary Increases

8. We seek annual salary increases over the life of the Agreement that:
 - a. Are paid from the first full pay period on or after 1 October each year;
 - b. Are of a quantum that will result in a real salary rise for all employees;
 - c. Are at least equal to the average wage outcome of private sector Enterprise Agreements registered in the preceding 12 months; and
 - d. Take into consideration the recruitment and retention pressures being experienced at ONRSR.
9. That regardless of the quantum of salary increases agreed as part of the new EA, employees would be entitled to an annual salary increase equivalent to the Consumer Price Index, based on the 12-month weighted average for the December quarter (of the eight capital cities) where this percentage is higher than the increase agreed in the EA.
10. That as soon as practical after the Consumer Price Index, based on the 12-month weighted average for the December quarter (of the eight capital cities) is released by the ABS, the employer will advise the Joint Consultative Committee of the outcome.

Duty Officer Allowance

11. That the rate paid per day for the Duty Officer Allowance be significantly increased to better compensate for the obligation of being available to take calls 24 hours a day, 7 days a week.
12. That the employer adopts a single allowance rate for the Duty Officer Allowance and the Duty Drug and Alcohol Officer Allowance.
13. That the provisions for the operation of the Duty Drug and Alcohol Officer be included in the EA.
14. That TOIL accrued for responding to calls whilst the Duty Officer accrue at the relevant overtime rate, including TOIL at ordinary time for calls taken during normal work hours. TOIL unable to be taken within 12 weeks will be paid as overtime at the relevant overtime rate.
15. Staff can elect to be paid out their TOIL at their request.

16. That the fatigue issues associated with the operation of Duty Officer rosters be addressed.

Higher Duties Allowance

17. That a higher duties allowance be payable for each day an employee is required to perform duties in a higher classification.
18. That where a public holiday falls immediately before the commencement of the period of acting in higher duties, during a period of higher duties or immediately after a period of higher duties, the higher duties allowance will be paid for that day.
19. That the employer commits to actively fill vacant positions rather than having extended periods of higher duties allowance.

Progression and Classification Levels

20. Reduce the number of incremental levels in all classification bands while maintaining (or increasing) the existing salary ranges.
21. [intentionally left blank]
22. Provide accelerated progression for employees not already at the top of their band.
23. Provide a pathway for employees at the top of the RO2 and RO3 classifications to progress into levels within the next classification band.
24. Update the performance management and development clause to reflect changes the employer has made to nomenclature.

First Aid allowance

25. Rename the First Aid allowance an Additional Responsibility allowance and include within the eligibility such additional responsibilities as, for example, Workplace Health and Safety and Mental Health.

Use of Private vehicles

26. That the EA clause be updated to specify the minimum requirements for a private vehicle to be used for work purposes, for example registered, road worthy, insured etc.

27. That the EA clause be amended to provide employees with a right to use a private vehicle for work purposes where reasonable to do so.

Travelling Expenses

28. That the EA be amended to entitled employees to the payment of an incidental allowance for each night away for their home base for work purposes. That the quantum of this allowance be the ATO rate.
29. That employees have a right to claim the ATO travel meal allowance when away from their home base for work purposes without the requirement to provide receipts.
30. That employees required to undertake air travel for work purposes have a right to upgrade to seats with additional leg room, at the employer's expense, where such options are available.
31. That travel expenses be promptly reimbursed directly into employee's bank accounts.

Superannuation and Salary Sacrifice

32. That where employees make voluntary salary sacrifice contributions to their superannuation the employer will match those contributions up to agreed levels.
33. Employer Superannuation contribution be increased to 15%.

Section 4 – Leave

Parental leave

34. That the entitlements to Parental leave in the current EA be extended to allow secondary caregivers access to the same entitlements.

Annual Leave

35. That employees have a right to take accrued leave at half pay.
36. That the employer pays employees a 17.5% leave loading for all annual leave.

Special Leave

37. Remove the requirement for an Executive Director to approve periods of special leave in excess of 2 days. Managers should be able to approve special leave within the 15 day per year cap based on the specific circumstances of the

employee, as discussed with the employee

38. To broaden the examples of special leave in clause 5.8.2 to include declared natural disasters and for parents with children in school, situations where schools are closed.

39. Require the employer to, wherever possible, advise employees of circumstances where they can access special leave in advance of the event, for example a tropical cyclone.

Compassionate Leave

40. Increase the entitlement to paid compassionate leave from 3 days per permissible event to 5 days per permissible event.

Purchased Leave

41. Amend the existing purchased leave clause to allow purchased leave to be taken in single days.

Public Holidays

42. Amend the existing public holidays clause to provide employees with a right to swap a public holiday for another day.

Elite Athletes

43. Amend the existing Elite athlete clause to extend access to athletes ranked in the top 10 in Australia in an eligible sport.

Reproductive Health Leave

44. Include a new entitlement to reproductive health leave.

Birthday Leave

45. Include a new entitlement that provides employees with a day of paid leave to be taken on their birthday or, if that is not practicable, on a day within a week of their birthday.

Long Service Leave

46. Amend clause 5.5.1 (a) accrue long service leave on the basis of 6.5 working days for each year of service up to 10 years of service and 8 working days for each year of service after 10 years of service has been achieved.

Section 5 – Other matters

Wellbeing

47. That the employer introduces a fitness passport scheme to support and encourage employees to maintain personal fitness.

Artificial Intelligence

48. That the employer provides a commitment that employees will be consulted consistent with the requirements of Major Change where consideration is being given to utilising artificial intelligence in a way that is likely to impact the duties of an employee.