



TRANSPORT WORKERS' UNION OF NSW

# TWU NEWS

ISSUE 95 • SUMMER 2019



# TWU NSW

IS 2020 READY!



**ALDI ACTION**



**STOPPING JETSTAR**

# 2020

**Same Job,  
Same Pay,  
Same Fight**

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## A BRIGHTER NEW YEAR

**The TWU's Christmas wish for our members is that 2020 will bring us all closer to fairness, safe rates of pay, and a safe industry for all.**

**As we get together with family and friends for the holidays, we acknowledge the many among our members gearing up to make our holiday season run smoothly and happily.**

**The driver bringing Christmas cheer to local stores. The aviation workers, the bus drivers and the taxi drivers bringing families together on time.**

**The cash-in-transit crews keeping cash in the ATMs for Christmas and New Year spending. The garbos clearing up the streets after presents are opened and feasts are eaten - not to mention the new year clean up! The paramedics keeping the ACT safe. The oil and gas drivers keeping everything moving.**

**Without transport workers, Christmas and the New Year would grind to a halt.**

**State Secretary Richard Olsen, State President Tony Matthews and the members of the Branch Committee of Management wish you and your family all the very best for this Christmas season, and the happiest of New Years for 2020.**

# MEMBERSHIP

If you are listed as a financial member of the TWU at time of publication, then your 2020 Transport Workers' Union of NSW membership badge is included in this edition of the TWU News.



Statement Member badges will be delivered separately - Contact Members' Services on 1800 729 909 if you have any questions.

## MATTERS



### MEMBERSHIP RENEWAL SUPPORTS YOU AND THE WORK OF THE TWU

We congratulate you on standing with tens of thousands of transport workers across Australia to be part of Australia's strongest Union. Your fees are dedicated to providing you and your workmates a powerful voice.

Membership rates will increase by \$0.42 cents a week, applicable from January 1 for 2020 memberships. The TWU will use this to cover the increased costs and challenges we are facing together. Multiplied across our membership it means we can build our fight for safer, fairer and more secure jobs for transport workers.

If you have any questions regarding your fees or membership, or perhaps you need to update your direct debit, credit card or bank account details please contact the TWU NSW Members' Service Centre on weekdays between 8:00am and 4:00pm on 1800 729 909.

**Your membership matters.** Transport workers like you keep this country moving.

*Richard Olsen,  
State Secretary*

**For over 130 years the Transport Workers' Union of NSW has been giving transport workers and their families a voice. Your power to improve your yard and your community comes directly from your membership.**

## MEMBERSHIP MATTERS.

**NSW and ACT Members walking side by side in 2019 have:**

- ✓ Delivered union enterprise agreements in hundreds of yards across NSW and the ACT, improving and locking in job security, safer working conditions and better pay for transport workers.
- ✓ Maintained our pressure on the top of supply chains to help lift safety, conditions and wages across the transport industry with our various campaigns.
- ✓ Run hundreds of legal cases, involving unfair dismissals, disputes, workers compensation issues, underpayment claims, owner driver contract disputes and industrial action. The TWU has helped recover hundreds of thousands of dollars for members in unpaid wages.
- ✓ Delivered first-class health and safety and workplace rights training to workplace leaders, to build safer, stronger TWU yards.
- ✓ Maintained our Journey Insurance for all financial members, so that you are protected when travelling to and from work.

# LIFTING INDUSTRY STANDARDS



**NOTHING CHANGES FOR THE TWU,** no matter what legislation is in place we are prepared and ready to do what we need to do for our members.

If you are a dodgy employer or a client placing too much pressure on the transport industry, then we are coming to get you. We will see that you are held to account, we will see that you take on your shared responsibility for a safer and fairer transport industry.

We are in yards making sure that the transport industry is paying workers fairly for a fair day's work. We are hunting down the employers who prey on the vulnerable workers, the casual student worker or the visa holder, those who are most often exploited. We are taking on the gig economy because we know it will expand from the bike riders to trucks. Heineken in Germany is already moving beer via Uber Freight. We know that Daniel Mookhey in NSW and Tony Sheldon in the federal parliament will continue to watch this issue.

Across the industry, wage theft is diabolical, and the fines to prevent this from occurring are inadequate. I am still mystified that road deaths are still on the climb. There are still companies that



are not coming to the table to ensure their supply chain is safe.

We are stepping up the fight for accountability in the industry and we note that organisations like NatRoad and the ATA are finally beginning to understand that the industry needs to take their share of the responsibility.

There is always a benefit to being part of the TWU. Our 2020 plan is building strength. We have a big year coming where we are making claims on the industry to ensure that the idea of the same job for the same pay is

**IF YOU ARE A DODGY EMPLOYER OR A CLIENT PLACING TOO MUCH PRESSURE ON THE TRANSPORT INDUSTRY, THEN WE ARE COMING TO GET YOU ... WE WILL SEE THAT YOU ARE HELD TO ACCOUNT.**

the same fight.

We must ensure that all who work in transport are not being exploited. Jobs mean the bills get paid and we must make sure that members come home safely.

Your involvement in the 2020 fight means we will lift the standards for all who work in our industry.

All the very best to all members this festive season.

*Tony Matthews  
TWU President*

# GETTING READY FOR 2020



**WE HAVE CONTINUED THE FIGHT ACROSS NSW, TAKING A STAND ENSURING MEMBERS ARE PAID THE SAME PAY FOR THE SAME JOB.**

**IT IS THE END OF A STRONG YEAR** for the TWU in NSW, my thanks and appreciation for the ongoing support you show your union. We are stronger for the work you do to support and build up members.

We have stood tall against dodgy bosses and sought the dignity and respect that workers deserve through better pay and conditions.

## **2019 has prepared us for TWU 2020 Campaign.**

We held the line for jobs free from harassment when Linfox Armaguard created ArmaDrama by sacking four members in an unprecedented attack. Those members are now back at work with the support of the TWU legal team and officials.

We have made real change through our crack down on wage theft, taking companies like Metromix to court to ensure members received their unpaid wages. We have negotiated on behalf of owner drivers that were significantly underpaid.

We have ensured safer workplaces through development and training of members as Health and Safety Reps. They are taking up strong conversations with managers to ensure everyone gets home safely.

We have continued the fight across NSW, taking a stand ensuring members are paid the same pay for the same job. We are continuing to focus on lifting owner driver rates right across the transport industry. The TWU has made applications for change with the General Carriers Contract Determination, we are looking to improve the earnings of car carriers and we have sought an upgrade for the Excavated Materials Contract Determination.

We have continued the fight across NSW, taking a stand ensuring members are paid the same pay for the same job.

We take on the threats that transport workers face every day from those at the top who keep playing games with a broken industrial relations system. We will go into 2020 prepared to lift the standards for a safer and fairer transport industry.

For the past five years the TWU has been working on its 2020 plan. Over 200 enterprise agreements impacting 38,000 workers across the transport industry have been aligned to expire in 2020.

Our members will use the power of the agreements, to maximise negotiations. We have launched the most concerted push in our Union's history to bolster members bargaining power and put safety and fairness at the heart of our industry. Workers will unite across the aviation and road transport industries.

We are demanding safer and fairer industry rates for all workers, funded by the clients. We are joining the fight. What about you, what about your yard?

As we come into Christmas and the festive season, I want to wish all our members and their families the very best for the future. We look forward to 2020 with you.

The TWU, it's our union and our future.

*Richard Olsen,  
State Secretary*

# 2019: WHAT A YEAR!

## Bus Region Six.

**WE ARE A YEAR ON** from the privatisation of Region Six. With 300 members in the Region, we are building strength. Members have taken on and won some great victories and new members are coming over to the TWU. Yes, there is a legal stoush with the RTBU, but it's simple, they need to be able to change their rules to represent people in the private bus industry. We say "good luck" to the RTBU, but if we can punch them in the nose we will. The TWU has honoured its agreements, we need to have one union to take on the companies, because with two unions in the fight, the only people that will suffer are the members. The TWU Fight is true, and we have not seen any fight from the RTBU.

## Ready to work

The Sydney Bus Regions, 7, 8 and 9 that are being prepared for privatisation in Sydney, have been visited by TWU Bus



Delegates. We have taken the message that we are opposed to privatisation but if it becomes private we are ready to take on any company that comes in. The TWU is a strong union and we are able to represent the drivers, our message, "we are here and ready as the union for the Private Bus Industry."

## Sydney Airport Corporation Limited



**WE HAVE SERVED A CLAIM** on Sydney Airport Corporation, taking the message to them via a number of rallies. We are trying to prevent everything from spiralling to the bottom for workers. We need the Sydney Airport Corporation to force companies on their airport site to set a minimum standard for workers, so that the bottom does not keep getting lower. Workers are spending monstrous amounts of money, to catch the train into Sydney Airport yet can only get in some cases 22 hours a week work. Workers at Aerocare (now Swissport) were sleeping under carousels at Sydney Airport because they could not afford to go home between split shifts. We will be back, we will inconvenience what we need to, to make sure people are being looked after at Sydney Airport.

## Cabin Services

**TEILO TULAFONO** is the official at Sydney Airport looking out for Cabin Services Australia and catering staff. Teilo has supported has brought around thirty casual staff into fulltime jobs, with around 30 more to go.

TWU Official, Ho Lau, has already played a massive part in what the TWU has achieved, he will be taking over the care of a range of yards at the Airport supporting more and more members, enabling them to be a part of what TWU Members stand for, a safer and fairer workplace for all with respect, job security and a strong collective voice that stops the race to the bottom in the aviation industry.



## WASTE 2020

We have ongoing campaigns in waste, letting Councils know that we are going to fight to ensure waste workers can have the security of a long term career, something that Councils currently will not allow. With wins at Central Coast Council and Penrith Council, the fight will continue. Waste workers are not going to feel like that every time there is a new tender, they have to re-apply for their job.

*Mick*

# JETSTAR ACTIONS

**AT JETSTAR**, members have spoken out, “we just want to be heard, we are sick of being ignored. Everyone’s come together. We’re pretty much 100 percent unionised, strong more than ever.”

With Jetstar workers taking protected action at Sydney Airport and Airports across Australia, we know it is outrageous when Jetstar won’t listen even when those workers have spoken to them about unsafe jobs. Jetstar have too few workers lugging around thousands of kilos of baggage and having to service overlapping aircraft.

Jetstar workers are not asking for the 24 million dollars a year that the parent company CEO receives. They’re not asking for the over 3 million dollars a year that the CEO of Jetstar receives. Members want Jetstar managers to come out to the general public and explain why they rejected what are modest claims, about job security, minimum hours of work, a modest pay claim and about the safety of workers and the Jetstar flying public.

**Jetstar workers spoke to the TWU about conditions at Sydney Airport. Anonymously they told us:**

Workers are forced onto part-time hours, leaving some struggling to pay the bills on pay as low as \$429 a week.

“It’s not a guaranteed thirty hours a week, a lot of what we get relies on overtime, a lot of it relies on weekend work where you don’t spend time with your family”.

Understaffing and the use of untrained, casual workers is causing high injury rates.

“A couple of my workmates have got back issues. Some have to have surgeries on shoulders and collar bones and some of them have poor mental health due to the work conditions put on them, they’re constantly flat out. You come to work, working your backside off, constantly fatigued.”

Workers are asking for a 4% pay increase, more guaranteed hours and better rest breaks.

“Up until now Jetstar has failed to come to the party with any of our demands. This hasn’t come around because we have chosen to do this, this has happened because we have been basically forced to, by management, to do this.”



## THE CLAIM ON SYDNEY AIRPORT CORPORATION

**AT SYDNEY AIRPORT** you can find issues across many yards. Who governs what can happen? It’s the top of the supply chain and at the airport that is the Sydney Airport Corporation Limited (SACL). We will take them on, they should come and talk to us.

Whatever it is you do at the airport, whether you are being attacked by peregrine falcons in a Qantas hangar, dealing with aircraft cleaning, working for inferior pay, handling baggage, enduring understaffing, working as cabin crew, or enduring a lack of job security, the TWU will be continuing the fight to ensure companies at Sydney Airport will work with us to provide a safe and fair workplace for all members.

We are asking, what’s outrageous, the answer, airport wages. The TWU has served a claim on every major airport in the country, including Sydney and Canberra, and what it’s saying is that airports must accept they are the top of the supply chain. They are the entity that can control what happens in their premises. Our claim is saying that all aviation workers should get paid the same for the job they do.



# 2020: THE POWER FOR CHANGE

Is your yard 2020 ready, have you made a pledge, signed the petition. Contact your official or the Members' Service Centre on 1800 729 909 for how you can be involved.

Wealthy companies at the top of supply chains are making big profits by cutting costs in transport. This means jobs are being downgraded. Insecure jobs are on the rise and wage theft is rampant. 2020 means a safer and fairer Transport Industry.

The TWU has a plan to turn this around. It involves transport workers from every sector of the industry coming together to fight as one.

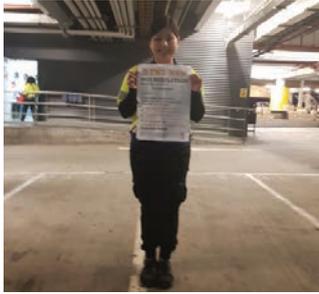
We will unite across sectors to stop the race to the bottom in transport.



In 2020, over 200 transport enterprise agreements across aviation and road transport will come to an end at the same time. These agreements cover 38,000 transport workers at the airports and on the roads.



# CHANGE IN MEMBERS' HANDS



We have a powerful tool to make transport a better industry. It means we can take mass industrial action to demand better, safer jobs. It means we can hold wealthy companies to account for the quality of jobs in their supply chain.



# TAKING ACTION @ JETSTAR



Friday 13 December 2019. TWU members at Jetstar take action at stop work protests across Australia.



Flight	Gate	Status
Jetstar JQ501		Cancelled
Jetstar JQ719		Cancelled
Qantas Australia VA800	39	Gate Closed
Qantas EY823	39	Gate Closed
Jetstar JQ400		Cancelled
Jetstar JQ952		Cancelled
Jetstar JQ780	53	Final Call
Jetstar JQ810		Cancelled



# ALDI IT IS TIME TO COME ON BOARD FOR SAFETY!

**DRIVERS AT ALDI** have told us of emergency exits blocked, fire equipment hemmed in, chaotic food storage, rotting meat left lying around, filthy floors, faulty electrics, poor lighting for truck drivers delivering goods and a flooded yard outside a loading dock.

The stories that drivers have relayed to us are even worse as they show just how bad the daily issues are in the Aldi supply chain. They show that Aldi is ignoring drivers who speak out about safety and they point to serious systemic problems in the Aldi supply chain.

Drivers who raised fatigue problems at Aldi have told us they were told: "Maybe you need to go faster"; "everyone else is doing it, you are the only one with a problem" and "it's your job to manage your fatigue".

Instead of listening and talking to drivers about the problems in its supply chain, Aldi is taking lengthy, costly legal action through the Federal Court. It is doing this to try to silence drivers and to stop them raising the issues outlined above and from speaking out.



**Uniontown support for the TWU outside Aldi in Wollongong**

Drivers, however are not going to stay quiet.

We have held national protests against the supermarket giant demanding it come to the table to talk about putting in place proper safety systems. From Perth, to Sydney, Melbourne to Adelaide protesters told Aldi that safety

is not for sale.

We need the likes of Aldi to be held to account so they can no longer deny and ignore the obvious problems in their supply chain. We need regulation so that standards are lifted across our industry. Aldi, it is time to come on board for safety!



**At Aldi HQ in Minchinbury, maintaining the pressure on ALDI to take on their share of responsibility for a safer transport industry.**

# STRENGTH IN ACTION FOR TWU MEMBERS



The TWU NSW Legal Team has remained an integral support for members throughout the year. Here are a few of their wins on behalf of members.

## GERRY BAKER

Gerry Baker was a hardworking employee of Toll Transport, whose position controlling freight in Bankstown Tower was removed after the Bankstown fleet of trucks was transferred to another yard (Bungaribee) and Bankstown Tower was closed down.

Gerry had worked for over a decade with Toll performing numerous duties akin to a supervisor, and could always hold his head high. With Gerry's position gone, Toll – without consultation – forced him into a mundane role that required him to sit and sort envelopes.

Toll told Gerry that he was a dockhand and that these duties were suitable. Gerry reached out to the TWU for help, and we took his fight to the Fair Work Commission. Toll backed away and offered him a list of new duties that Gerry is happy to perform, and he's currently working for Toll in the new duties that the TWU pressured Toll to give him.

## HY-TEC

Hy-Tec Industries Pty Ltd, a large concrete company, terminated seven of our members on the grounds of redundancy. There was no consultation, something Hy-Tec was legally obligated to do under a fresh new enterprise agreement that members recently had approved.

The TWU took Hy-Tec to the Fair Work Commission, and the Commissioner expressed a view that Hy-Tec treated our members unfairly. Hy-Tec lawyered up, but the Commission was not impressed by Hy-Tec's conduct towards our members. Dismissing workers following a half hour meeting, Hy-Tec had members believe that they would be further consulted as a part of Hy-Tec's restructure.

Seven of our members have now made unfair dismissal claims against Hy-Tec seeking compensation for their unfair treatment, and the TWU is also preparing for further litigation against Hy-Tec for their poor treatment of our members. The TWU is committed to showing that Hy-Tec cannot simply ignore the Agreement that members fought hard to have put in place.

## QUARRIED MATERIALS CONTRACT DETERMINATION

The TWU Legal team continue to work in the Industrial Relations Commission updating various contract determinations across the Transport Industry.

In November we saw updates go through for the Quarried Materials Contract Determination. The application by the TWU means that quarried material contract carriers covered by this Determination will receive a pay rise, they have not had a pay rise since February 2014. The TWU also achieved some changes to the benchmarks in the rise and fall formula which will make future applications for wage variations a more quicker and more streamlined process.

# EMBARRASSING BACKFLIP FOR TOLL MANAGEMENT



**TOLL SHOULD NOW THINK TWICE BEFORE ATTACKING TWU MEMBERS AGAIN.**

**IN NOVEMBER** the TWU took Toll to court after they disgracefully suspended two owner driver TWU delegates from their contracts.

After hearing arguments from the TWU, the Commission made a strong recommendation that Toll immediately reinstate the delegates. Toll reluctantly accepted the recommendation and the TWU delegates are now back at work. This was an extraordinarily embarrassing backflip for Toll.

The delegates had been stood down after members had taken a collective action at Toll Bungarribee because the company failed to talk to them about changes. Toll had demanded that owner drivers return E-Tags provided by the company to use on Sydney's road network.

Drivers asked under the terms of their contract agreement that the company hold off on the change whilst a meeting was set up to discuss the E-Tag removal. Toll management refused. No discussion, just removed. No



consideration of the impact on the income earned by drivers.

A TWU Official went to speak to management on behalf of members to try and resolve the problem but was kicked off the site by management.

The owner drivers walked out with the Official, but waited ready to work when and if Toll management wished to honour the contract agreement.

Toll refused to speak to the Official or the members, instead they took the

members to the Industrial Relations Commission for taking a stand.

TWU members wanted a conversation, Toll management refused.

Then they tried to punish our delegates for the collective action of the members, by standing them down.

However, the return of two delegates shows how members have the strength where they need it. Toll should now think twice before attacking TWU members again.

# 2020 IN THE BUS I

The 2020 campaign is under way and TWU bus members are actively taking part. Members in the bus industry in NSW are looking to the top of their supply chain, the NSW Government for accountability towards a safer industry. Members want standards lifted across the industry to ensure all bus operators and workers can operate safely and fairly. Yards are ready to act.



Bus Delegates from across the Industry, taking a stand for Industry Standards – the Same Job Same Pay Same Fight



Members at CDC Blue Mountains have made the pledge towards a safer and fairer industry in 2020, is your yard ready?



Busways Glendenning Delegates – In 2020 will be holding the State Government accountable for the safety of workers in the Bus Industry

# INDUSTRY IN NSW

## DELEGATE PROFILE: GREG TSOLAKIS

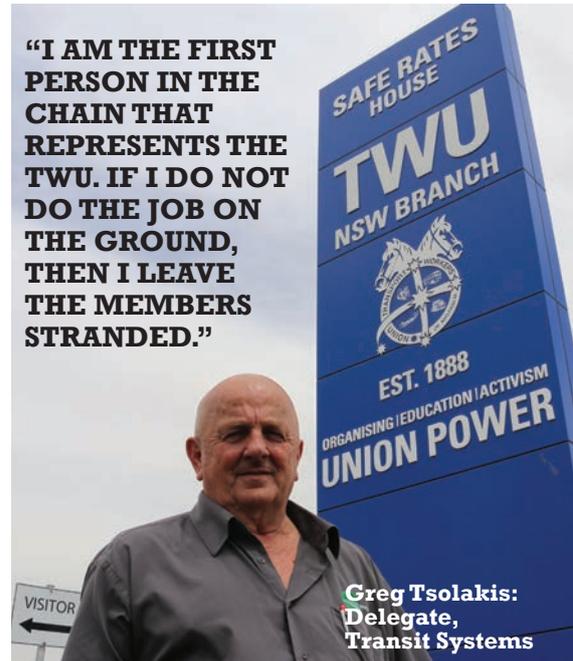
**GREG TSOLAKIS** has been a union member for over 12 years, he has worked in the transport industry driving both buses and trucks.

“I believe that in the workplace as a working man the only support that you have is through your union. It is all for one and one for all and the only way you can achieve that is through your union. It binds us all together”.

Greg says as a delegate he has had great support from TWU Officials and leadership. He says the advice he receives is “spot on” when he rings for advice. Greg recently got involved in sorting out a backpay claim for members that went back to 2017. After the company investigated, members received a significant pay out.

Greg says the TWU has the network in place to support drivers, “I have an enormous trust in the TWU. There is always solid advice and solid representation from the Union and its Members’ Service Centre, from the top, Richard Olsen, down to the Organisers.” Greg also paid tribute to his co-delegates who represent the diverse range of communities at the Smithfield yard.

Greg told TWU News that as a Delegate, “You have got to look for everything, there are things that companies can sometimes overlook when it comes to provisions in the Enterprise Agreements. There can be oversights, and if you don’t monitor the situation, then nobody is held to account and drivers lose what is rightfully theirs.”



**“I AM THE FIRST PERSON IN THE CHAIN THAT REPRESENTS THE TWU. IF I DO NOT DO THE JOB ON THE GROUND, THEN I LEAVE THE MEMBERS STRANDED.”**

**Greg Tsolakis:**  
Delegate,  
Transit Systems



He believes in the importance of union membership, saying that strong ongoing membership in a yard sends the right message to managers who often treat workers with the wrong attitude.

Greg makes sure he communicates regularly with all the members in his yard. His advice, “don’t starve the members of information, particularly when it comes to meetings held with managers. They are not just a member; they are entitled to be a part of everything that happens.” He says by making sure members are involved, he has moved the yard membership up to around 96%.

Greg finished his interview with TWU News saying “I am the first person in the chain that represents the TWU. If I do not do the job on the ground, then I leave the members stranded.”

## ASBESTOS AT CDC

**TWU TRAINED** Health and Safety Representatives are in yards looking out for members every day. In bus yards members must get home safely at the end of a shift.

At CDC in Northmead, HSR Vijaypal Singh has been on the case about asbestos in his yard. Vijaypal has consulted with managers and has held yard meetings to ensure members are aware of the issue and that a resolution is being sought.

The TWU is working with Vijaypal to find a solution.



**Vijaypal Singh**

# THE TWU 2



Authorised by Richard Olsen, State Secretary,

[FACEBOOK.COM/TWUNSW](https://www.facebook.com/TWUNSW)

# 2020 FIGHT



## TAKING THE 2020 PLEDGE AT CLEANAWAY

**CLEANAWAY** have opened a new depot at Eastern Creek, where the company sorts bottles from the return and earn scheme in NSW. Despite members already present in the yard, Cleanaway has told us we do not look after that site, watch this space. We will be keeping an eye out for injuries and breaches on the site. We have regularly attended the site to talk to members and have been dealing with managers to make sure we can meet them in the lunchroom.



## SUEZ NEW HEADS OF AGREEMENT

**HAVING SO MANY AGREEMENTS** that cover those who do the same job across the state, seems a little crazy. With that in mind members at Suez have been working together with managers to build and develop one heads of agreement.

Members are working towards one standard, collective heads of agreement which ensures those who do the same job, are paid the same. Members are developing an industry standard agreement which gives the TWU more power to fight for a better deal.

Industry standards in an agreement provide a step up for councils and other clients of the waste industry. We know

that with industry standards, dodgy companies that dwell at the bottom of the market will have to provide a standard that prevents cut throat behaviour and ensures better safety standards for those working in the waste industry.

### MEMBERS HAVE WON A NUMBER OF COMMITMENTS FROM SUEZ

- ▶ The company will reduce the amount of labour hire used in Suez yards.
- ▶ Company training programmes will increase, mentored by older, experienced drivers. This means a better career for drivers.
- ▶ Suez stands behind the standardisation of agreements
- ▶ Delegates are now involved in a range of committees across Suez, ensuring a safer and fairer workplace.

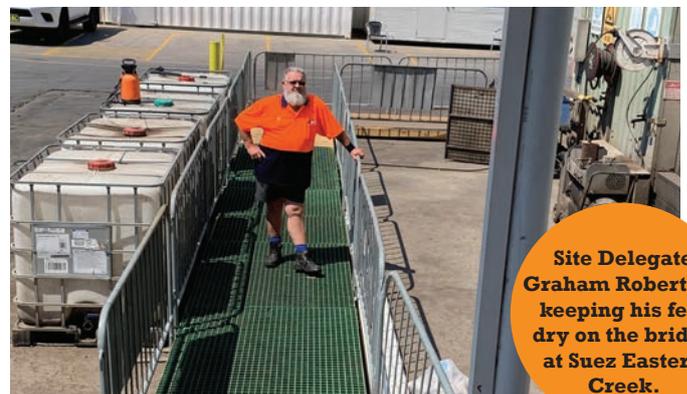
We still have a fight on our hands as we prepare for the year 2020. Delegates will be spreading the word throughout the industry to share the power of the union.



## BRIDGE OVER TROUBLED WATERS AT SUEZ

**FOR 18 MONTHS**, members at the Eastern Creek Suez yard have been up to their ankles in mud. When it rains in the yard a muddy dirty puddle about 9 metres wide was formed. Going to the toilet, walk through the mud puddle; fuel a truck, stand in the mud puddle; go to the office or meal room, walk through the mud puddle.

Not good enough... the cure was to invite a manager to come stand in the puddle with members to discuss what the problem was for those who had to deal with it every day it rained. Managers tried a range of pumps to keep the yard clear, but have opted for a bridge, which keeps members' feet dry!



Site Delegate  
**Graham Robertson**  
keeping his feet  
dry on the bridge  
at Suez Eastern  
Creek.

# ARE YOU AN HSR OR DEPUTY HSR?

## CHOOSE THE TWU FOR YOUR HSR TRAINING!

### COURSE AIMS

This course will provide information and skills that will assist HSRs to carry out their role and functions under the WHS legislation including:

- An understanding of the Work Health and Safety (WHS) legislation
- An understanding of how it applies to their role as elected Health and Safety Representatives (HSRs) and deputy HSRs
- The knowledge and skills necessary to use their additional powers under the WHS legislation to issue Provisional Improvement Notices and direct that unsafe work cease
- How the WHS legislation will influence health and safety outcomes in their workplace

- 1** The Transport Workers' Union of NSW is a SafeWork NSW and Comcare approved training provider (ATP) for the purposes of Health and Safety Representative (HSR) training.
- 2** Our trainer is industry qualified to deliver all HSR courses, having more than 10 years of experience with safety.
- 3** The TWU is a worker focused organisation, which takes pride in delivering quality training. Our focus is to train effective HSRs with an end result of creating safer workplaces.
- 4** All HSR training packages have been approved by SafeWork NSW and Comcare Authority.
- 5** The TWU NSW is the only union running safety training from beginning to end in-house. This means we train our officials, delegates, members, HSRs and DHSRs at the TWU with a TWU trainer.
- 6** The TWU training rates are very competitive. The cost of the 5 day HSR training course is only \$900, GST inclusive. Your employer or the PCBU must pay for the course costs.
- 7** The TWU will also deliver a one-day HSR refresher course, offered to all HSRs and Deputy HSRs once 12 months has lapsed from the time of their initial course.

## YOUR RIGHTS AS A HSR

### TRAINING

You have a right to attend the 5 day HSR training course with an ATP once a request has been made to your employer or person conducting a business or undertaking (PCBU)\*.

### PAYMENT

Your employer / PCBU must pay you for the whole 5 day duration of the course as a regular day worked and must pay the ATP for the course costs.

### CONSULTATION

You also have a right to request your ATP in consultation with your employer / PCBU.

### TWU HELP

TWU officials can help you with this process.

\* Person conducting a business or undertaking

For more information about HSR training or to enquire about our courses go to our website or call us today on 1800 729 909.

# THE TWU MEMBERS' SERVICE CENTRE WORKING FOR YOU

The **Members' Service Centre** is here for you, ready to answer any questions you have about your rights whether it relates to your entitlements or even HR issues. The MSC team can assist with representation when you have a grievance, disciplinary matter or a pay dispute.



You can help us too when your circumstances change, call the Members' Service Centre on **1800 729 909** with any new details that relate to your membership of the TWU.

- ✓ Change of credit / debit card or bank account details
- ✓ Address changes
- ✓ Phone Number Changes
- ✓ Change of job or workplace

**No issue is too big or small for the MSC Team and we are dedicated to delivering quality service and advice to each and every member across the transport industry.**

**WHATEVER THE PROBLEM, OUR MEMBERS' SERVICE CENTRE IS THERE FROM 8:00AM EACH WEEKDAY TO HELP ANSWER YOUR QUESTIONS ON 1800 729 909.**

## A STRONG YEAR SUPPORTING MEMBERS

Represented over **150 members** either stood down or unfairly dismissed.

Retrieved nearly **\$500,000** just in back wage claims and redundancies.

We know members need to **stick together** more than ever, show cause letters and unfair dismissals are on the increase.

### WAGE THEFT – A MEMBER'S STORY

A TWU owner-driver member for over 31 years came to the MSC not very sure if he could be helped or not. The MSC took up the case for them chasing down a significant underpayment.

The member was engaged as an owner-driver on a 50 hour contract but was paid only 38 hours as normal. His hours had been reduced without any consultation. We call that wage theft. The member had been a contractor for thirty years, and this act by the company cost him money on his superannuation, and his annual leave loading.

The fight lasted 8 weeks, negotiations initially trying to get the company to admit their error. A significant win though with a settlement amount of over \$60,000.

**The member can now retire with dignity.**

# SAFETY WATCHDOG ISSUES NOTICE ON JETSTAR

**THE TWU HAS WRITTEN** to Jetstar urging the company to expand investigations into safety at all airports. SafeWork NSW gave the airline notice that its ground operations are dangerously understaffed with workers at risk of “serious injury” from being crushed by aircraft. The workplace safety regulator issued a notice to Jetstar at Sydney airport warning of understaffing and crews being allocated to work on two aircraft at one time. The notice highlights “inadequate safety procedures” around operational aircraft leaving workers at risk of being “crushed, ingested, or other”.

In a letter written by State Secretary Richard Olsen we have said to Jetstar,

“We are deeply disturbed to learn that SafeWork NSW has found that Jetstar has *“inadequate workplace safety procedures”* that fail to ensure a crew of workers are allocated specifically to an inbound or departing aircraft at the terminal ensuring the crew remains on the aircraft until all tasks are completed before they are allocated to another aircraft to perform similar tasks.

“This is a completely unacceptable state of affairs and reaffirms the TWU’s reasons raising concerns regarding safety with Jetstar previously. The TWU takes the safety of its members extremely seriously and we are committed to working with businesses across the country to ensure that safety is the paramount consideration in all their operations.”

# WORKING SAFELY THIS SUMMER

**It is Summer and NSW is facing unprecedented conditions with bushfires around the state and smoke blanketing our workplaces.**

Air Quality Index Levels of Health Concern	Numerical Value	Meaning
Good	0 to 50	Air quality is considered satisfactory, and air pollution poses little or no risk.
Moderate	51 to 100	Air quality is acceptable; however, for some pollutants there may be a moderate health concern for a very small number of people who are unusually sensitive to air pollution.
Unhealthy for Sensitive Groups	101 to 150	Members of sensitive groups may experience health effects. The general public is not likely to be affected.
Unhealthy	151 to 200	Everyone may begin to experience health effects; members of sensitive groups may experience more serious health effects.
Very Unhealthy	201 to 300	Health alert: everyone may experience more serious health effects.
Hazardous	301 to 500	Health warnings of emergency conditions. The entire population is more likely to be affected.

If you’re working in one of the areas that is heavily affected by bushfire smoke, especially if you’re working outside or in an area that is open, and you’re concerned about your ability to safely perform your work speak to your Health and Safety Representative (HSR). Health and Safety Representatives can direct work to cease if there is an immediate or immanent risk to a worker or workers. Don’t forget as a worker you also have a right under safety legislation to cease unsafe work as an individual if you do not have an HSR in your yard.

Every transport worker has the right to a safe workplace, no matter where you work.

Bushfire smoke contains a mixture of gases and very fine particles that can be hazardous to health. Those most at risk are firefighters and outdoor workers. The short-term health

hazards include making asthma and chronic bronchitis/emphysema worse. People who suffer from chronic bronchitis/emphysema or heart conditions are at an increased risk and should take additional precautions. Asthmatics may need to use their medications more often.

The World Health Organization Guidelines for good air quality is called the Air Quality Index (AQI) An AQI less than 50 indicates that the air quality is good. At this low level, a person can spend time outdoors and air pollution will pose very little risk to their health. As the AQI number increases, so does the risk to human health.

**If you have concerns about exposure in your workplace contact your HSR or get an HSR elected in your yard. Contact the TWU Members’ Service Centre on 1800 729 909.**

# MEMBERS WIN WITH SANTONE!

**TWU Members are able to access the services of Santone Lawyers who are dedicated to delivering best quality legal services to every client, in a practical, professional and cost efficient manner.**

At Santone Lawyers, each inquiry is handled directly by the approachable and focused Principals Carmine and Tina Santone, who personally manage all matters from start to solution.

Their depth of experience has ensured significant wins for members from yards across the state.

Wins have included injury payouts, common law claim payouts, surgery disputes and more. Members who have been assisted come from yards like, Qube, Prixcar, dNata, Qantas, Boral Airport Fuel Services and Premier Illawarra.

**Carmine Santone talks to delegates at Conference 2019**



**IF YOU WANT TO FIND OUT HOW SANTONE MAY BE ABLE TO HELP YOU, CALL OUR MEMBERS' SERVICE CENTRE ON 1800 729 909.**

## Dispute with your insurer?

**WIRO helps you to:**

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- assist you in obtaining property reports including pest, building and strata inspection reports and providing advice based upon their contents;
- draft your property sale contract;
- liaise with property agents and mortgagees; and
- attend to all conveyancing procedures including the preparation of the transfer and arranging settlement.

## SANTONE LAWYERS

Santone lawyers are proud to be the preferred lawyers of the TWU.

We recognise that not only do members and their families depend upon sound, trustworthy legal advice in respect to workplace matters, but there are other circumstances outside of work whereby it is important to have reliable legal assistance. We gladly can offer a range of services, at a discounted rate to members, for legal matters such as conveyancing.

If you are thinking of selling or buying a property make sure that you contact us to obtain our fixed fee quote.



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As a valued Union Shopper member you can now get exclusive access to a new online shopping site with The Good Guys Commercial.

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**1300 368 117**  
[unionshopper.com.au](http://unionshopper.com.au)

# ANOTHER BIG YEAR

**THANKS TO EVERYONE**, TWU Officials and Delegates for all the hard work over the course of 2019 which has meant the Sub-branch is well placed for 2020. From all of us we want to wish members a safe Christmas and happy new year.



**Congratulations! Robert Hood, Linfox Goulburn, Sub-branch Delegate of the Year with TWU NSW Secretary Richard Olsen and Sub Branch Secretary Rob Pirc.**

## LINFOX GOULBURN AMBUSH

**THE TWU 2020** campaign is about holding the economic employer to account. Here's a story that shows why 2020 is important. Linfox has approached the TWU about moving their Goulburn drivers from an hourly rate system to a cents per kilometre rate system.



**Linfox Drivers at Goulburn ready to take on 2020**

The TWU negotiated on behalf of members to negate some of the impact of this change over. It meant that company drivers were maintained and

they could negate some of the losses. Members feel they have been forced into a corner because of the change which impacts them to the tune of around \$20,000 a year.

## DIONS ENTREPRISE AGREEMENT



**MEMBERS VOTED** up an Enterprise Agreement, a 75% yes vote. The agreement contains one hundred percent protection of entitlements. Fair wage increases and an increase in superannuation have been included. Delegate Peter McNamee supported members in Negotiations.

**Dions Members make the 2020 Pledge**

## LINFOX SOUTH 32 CONTRACT

**WE ARE LOOKING FORWARD** to the new year. Delegate elections will be held and we look forward to where we can start working through a list of issues on the South 32 contract. In the new year elections will also be held for Health and Safety Representatives. Issues that have been rearing their head include rosters, disciplinary actions and a number of sackings that have already occurred since Linfox took over the contract from K&S.



## GOOD NEWS AT TOLL INTERMODAL

Jon Soper Delegate and Roland Ward, Co-Delegate at Toll Intermodal can take a bow for the role they played in the removal of an outside hire truck company, Kashmir, from their yard. Kashmir were found to be employing drivers under an ABN basis. It was a two year battle with Toll who were subcontracting to Kashmir, to ensure that the company was complying with the heads of the Agreement. Members sought to ensure that Subcontractor drivers who are doing the same job, are paid the same pay based on the site rates rule. John Soper said "We want the rates to be fair because that means locally all drivers are safer and paid right."

In another good news story John Soper has also taken on Toll exposing them for deducting annual leave incorrectly over several years. All members will be reimbursed by Toll due to the great work of the delegates.

## SOUTH COAST EQUIPMENT SCRAP CARTING CONTRACT

South Coast Equipment has maintained their hold on a contract which will see around 50 employees kept on the books and paid well above award conditions. An enterprise Agreement was negotiated that satisfied members and allowed the company to remain financially competitive.

*Rob*

If you have an issue or want to get involved contact your Sub-branch on: 4229 1753 or email [wollongong@twunsw.org.au](mailto:wollongong@twunsw.org.au)

# PREPARING FOR 2020

**IT'S BEEN A VERY BUSY YEAR** for everyone in the Newcastle and Northern Sub-branch for 2019, and the "2020 Campaign" is going to make next year even bigger still. With the Liberal government constantly re-writing industrial legislation that effectively makes life much harder for our transport industry members, it's time we all made a collective stand.

We all know that it's no accident, that when it comes to reasonable wages and conditions the gap between union rates and non-union rates is getting higher.

The TWU have taken on the task of the 2020 campaign. Our industrial laws need to ensure we are all in the fight supporting each other or risk eroding hard fought and won wages & conditions.

We have strong leadership throughout NSW and indeed Nationally, but we can't win without YOUR collective help. Tens of thousands of members across Australia will be calling for the Same Job, Same Pay in the Same Fight.

At the end of 2019, congratulations to all of our Sub-branch staff, Sue and Maria, Official's Ray and Daryll, all our executive members and a special thanks to our Veterans led by Les Fetch as president. To all Sub-branch members & delegates, thanks for 2019, Merry Christmas to you and your family's for 2019. I'm looking forward to a great year in 2020.

## LET'S STAND TOGETHER



TNT Carrington, Ready for 2020

Our Newcastle executive chairman Doug Fox, who is also head delegate at TNT Carrington said "It's not good enough to stand by and watch while our standards are eroded. For far too long our long standing TWU agreements have been under threat by corporate greed, and Liberal governments that support that greed. This continues to make it hard for our major companies like TNT to compete in a level playing field. If we do nothing, then nothing will change, it's a fight we all need to have."

Doug said "As the Newcastle executive chairman, I call for your support across the Transport Industry, lets stand together for the sake of fair wages, fair conditions and safety for all."

## LINFOX FUEL DRIVERS IN NEWCASTLE ARE 2020 READY



**TWU DELEGATE**, Rod Proudlock says "Whilst our rates are among the best in the industry, it's time to focus some attention on the dodgy companies who must be held to account for their undercutting behaviour and taking of short cuts on health and safety. The only ones that can truly make this happen are the clients at the top of the chain who write and enforce the contracts. It's on them."

## AUDITING OUTSIDE HIRE RATES AT TOLL WARNERVALE



**DELEGATES** Gary Madden and Mick Roger pictured at Toll Woolworths yard in Warnervale are in the process of an audit after discussions with members uncovered concerns about sub-standard rates. The delegates have concerns that members employed via "outside hire" have been potentially underpaid on the Woolworths Contract. Gary told TWU News, "Regardless of the outcome, just having the ability to audit suspected breaches written into our agreements is a very useful tool. Without having the fight to include delegates rights and audits included in our agreement, it would be much harder to hold them to account, and it's just another example of why we need the 2020 campaign to succeed. "Same Job, Same pay, Same fight".

## SUEZ AND SAFEWORK

Strong work in the Suez yard in Newcastle, with the Delegate, Dylan Thompson and TWU Officials working together to ensure safe trucks are on the road. A SafeWork NSW Inspector was able to conduct an investigation and issue improvement notices which means a safer yard for members.

Mick

If you have an issue or want to get involved contact your Sub-branch on: 4969 3900 or [newcastle@twunsw.org.au](mailto:newcastle@twunsw.org.au)

# TOLL IPEC WIN



**TOLL IPEC MEMBERS** have endorsed a 2020 claim whilst securing a win with a local agreement. Members have used their collective power to bring back the transportation allowance in the ACT. John Chick, Local Delegate has been thrilled to report back to members that through their hard work and through remaining united, management have had to respond by putting a discussion back on regarding meal allowances. The meal allowance will be included in the local agreement for 2020.

# PARAMEDICS SIGNIFICANT WIN

**TWU MEMBERS** in the Ambulance Communication Centre and the non-emergency patient transport sector have secured a new agreement.

- It includes a 10.85 percent wage offer over four years, backdated till 2017
- A composite wage has been secured
- This agreement builds on the work previously completed by emergency delegates who have also secured two project officers who will be focussing on implementing and developing the ACT Ambulance Service Workforce Plan.
- Two Liaison Officers who will be focusing on industrial matters monitoring workforce engagement and consultation.
- Establishment of the TWU Management Forum to mentor and agree on the development on the ultimate outcomes of the Workforce Plan.



**Darren Neville, Peter Deck and George McDermid met with Minister for Police and Emergency Service Mick Gentleman**

- Guarantees that wages will be maintained for officers injured outside of work.

Paramedics are well aware of the increasing demands on their workforce and have been working with the ACT government to secure this agreement outcome.

# RANGERS VOTE TO TAKE ACTION

**TWU MEMBERS** working as Rangers in the ACT have met to declare war with their current management following allegations of bullying, intimidation and harassment directed towards casual Rangers.

Full time Rangers have said “enough is enough” and have called on the Government to take action, otherwise they will walk off the job.

*Klaus*

If you have an issue or want to get involved contact your Sub-branch on: 6280 9353 or email [info@act.twu.com.au](mailto:info@act.twu.com.au)

# ARE YOU 2020 READY?

Next year will be one of the biggest years our union has ever faced. Next year we will be saying: enough is enough, we demand a better, safer industry.



We're not just going to ask for higher wages for certain workers in specific industries.

We don't want to just tinker with legislation here and there to make things a little easier for some workers.

We are aiming to begin lifting standards for all, right across the board. And to do that we want those right at the top with the money and power to pay.

**OUR 2020 FIGHT** is about better jobs, a fairer economy and a more humane society.

In our industries, power is concentrated at the top of supply chains. Multi-billion dollar retailers, oil companies, manufacturers and airports set the terms and pay too little for the work that gets done for them. As a result, transport is suffering.

In road transport, rates are way off step with real life with drivers pushed to speed, drive long hours and skip their rest breaks just to put food on the table. They are forced to drive dodgy trucks that puts their lives and the lives of others at risk because financial pressure means delays to vital truck maintenance. Even good transport companies are under pressure and so in order to have sustainable transport companies we need clients to pay more.

Transport is Australia's deadliest industry with statistics so far this year showing a big increase in truck driver

deaths. Safe Work shows 51 transport workers have been killed between January and November - that's 14 more than for the same period last year. The effect of this on our workplaces, our families and our communities is devastating.

At the airports, workers are employed on a casual basis for years; workers are bought in for three-hour shifts; and workers are guaranteed as little as 60 hours a month. Meanwhile Australia's four main airports, Perth, Sydney, Melbourne and Brisbane made \$2.2 billion in profit last year.

What we need are industry-wide standards. We need safe rates of pay and conditions for every worker, every time. We need transport companies winning contracts because they prove they are a safe, responsible operator - not because they undercut their rivals. We need the top of the supply chain to be paying their fair share and being held to account.

With our 200 enterprise agreements expiring in June next year we will have a chance to begin harnessing our collective power and raise our voices.

We will unite right across the airports and road transport industries. Baggage handlers, cabin crew, waste workers, oil tanker drivers, concrete drivers, tippers, drivers in the retail supply chain, drivers of armoured cash vans and others will come together, ready for action.

We will demand the lifting of standards. We will demand secure work.

We will disrupt the companies that disregard our health, security and livelihoods.

And we will strike to achieve our aims.

2020 will be an exciting year. We need to make sure our yards are strong. We need to keep reaching out to those not in the union with the story of 2020. Tell them to join the union and fight for the future.

*Michael*

# TWU VETERAN KEITH MCGUCKIN

**TWU Veteran Keith McGuckin has been a member of the TWU since 1971, almost 50 years.**

He's seen a lot of things change, witnessed some fabulous wins and taken the hit from some disappointing losses. Keith was a delegate at Mayne Nickless (now known as Toll). As Delegate, the win that stands out for him followed the fight for the first pay increase of 5x 5 x 5 for 15% over 3 years. Former secretary Steve Hutchins led the charge. Members faced a lot of resistance from the company and claimed that the payrise would send them broke. Keith notes "they were still able to make their millions after paying the workers."

Keith was involved in paving the way for safety while he was a delegate. "It was the union that pushed and developed safety for safer workplaces" he said.

Keith's involvement in the fight for safety began when he saw issues happening with mates being injured at work. He took up the TWU safety training offered to delegates.

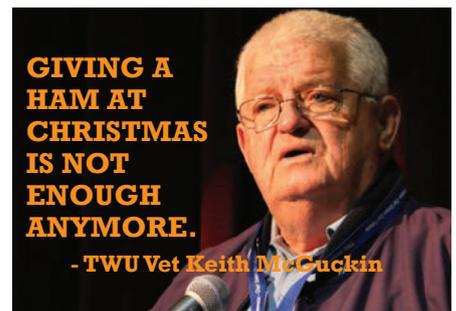
"The training equipped us delegates with knowledge about our rights which prompted a group of delegates to form a safety committee. The members voted and gave their employer 24 hours to allow them to form the committee or they would take industrial action. Even today under Toll, the company continues to uphold reasonable safety standards for workers and I am very proud of my part in that".



Keith says he when he retired he maintained his membership and got involved with the 1888'ers to continue the physical and emotional contact with the TWU. His veteran membership means he can engage with the people that had taken part in similar battles, "swapping stories with TWU comrades that have experienced similar working conditions in the transport industry, celebrating the wins and losses".

TWU Veterans want to pass the knowledge onto the younger generations and share the stories about successful campaigns that gave current members the working conditions they have today. Keith warns that we need to maintain vigilance to protect the conditions that were fought for so they won't be lost.

Keith said, "a delegate can't do it all by himself, without activists standing



behind their delegates, nothing can happen. Activists help identify common issues and will help stand up to the propaganda that companies put out to employees."

Some final words from Keith, "Companies like to promote that their employees are all one family but they then don't want to give a pay rise." He notes that giving a ham at Christmas is not enough anymore as the cost of living is rising more than ever before.

## BECOME A MEMBER OF THE 1888 CLUB

The TWU Veterans Club has been renamed the 1888 Club to commemorate the first year the union began, and is the club for TWU members who are now retired from the transport industry. They bring many years of experience and expertise in fighting for workers' rights, and over the years the club has joined in on rallies and actions to show their ongoing support for the work of TWU members.

If you or someone you know is a retired TWU member and wants to join the 1888 Club, call our Members Service Centre for more information on 1800 729 909. **Come be a part of the fight as it continues into the future.**



# You said it on Facebook:

14 November 2019:

The TWU has forced Toll in to an embarrassing backflip on suspended TWU Delegates. They have been reinstated.



**Trevor Anderson**

As one of the delegates stood down I would like to thank everyone from Union House for their support for my co delegate, Tippi and myself, especially thank you to Michael, Gavin, Rob and Richard.



**Emily McMillan**

Great work! Solidarity with all the delegates and members taking this fight on.



TWUNSW.ORG.AU

**TWU FORCES EMBARRASSING TOLL BACKFLIP - SUSPENDED DELEGATES RETURNED TO WORK - Transport Workers'...**

8 November 2019:

This morning just after midnight Distribution Centre staff Union members at the Woolworths SRDC walked off the Job.



Join your industry group! Visit [twunsw.org.au/campaigns/2020-vision](http://twunsw.org.au/campaigns/2020-vision)



**Wade Cattley**

Good stuff guys, stick it to 'em !! I drove past this morning and gave a few blasts of the air horns in support, got a few cheers from the crowd



**Dario Damjanovic**

United we will never be defeated proud and beside you in unity from a proud CFMEU member

30 October 2019:

TWU is in Uniontown showing Aldi what union power looks like. Transport workers are losing their lives because companies like Aldi are squeezing transport companies dry.



8 August 2019:

UPDATE: Hy-Tec yesterday LOCKED OUT hard working drivers who are seeking a fair deal.

At 6:15 This Morning - TWU members at Hy-Tec Concrete on the Mid and North coasts of NSW walked off the job.

Hy-Tec are continuing their highway robbery and refusing to negotiate a fair deal that means local workers are paid the same rate as their Sydney counterparts. Same Job Same Pay.



**Robert Norris**

Good stuff. Show the rest of our industry how's it done.

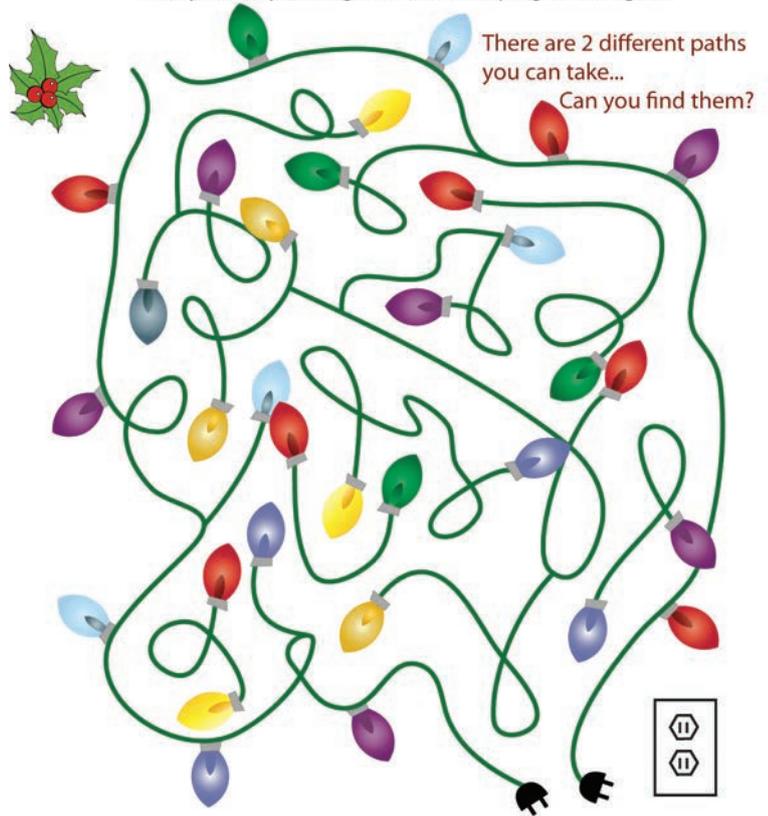


Find out what's happening around the yards, check out great photos and join the conversation with other members @ [facebook.com/TWUNSW](https://facebook.com/TWUNSW)



## Holiday Lights Maze

Find your way through the maze to plug in the lights

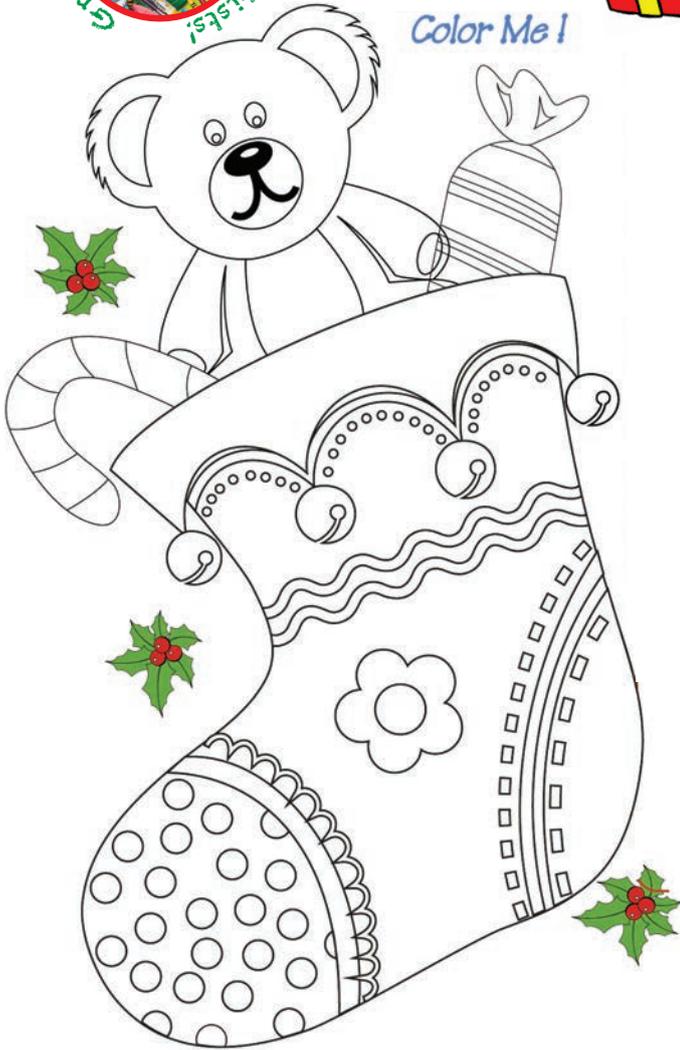


There are 2 different paths you can take...  
Can you find them?

What do you get if you cross Santa with a duck?  
**A Christmas quacker**

Why did nobody bid for Rudolph and Blitzen on eBay?  
**They were two deer**

Who delivers presents to baby sharks at Christmas?  
**Santa Jaws**



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COOKIE ☆ TREE ☆ REINDEER

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A	R	X	C	A	N	D	Y	W
W	T	R	E	E	A	K	E	M
R	E	I	N	D	E	E	R	A
S	C	O	O	K	I	E	X	N



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