

**AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION**



**SUBMISSION TO INQUIRY BY SENATE EMPLOYMENT, WORKPLACE  
RELATIONS AND EDUCATION COMMITTEE**

**INQUIRY INTO WORKFORCE CHALLENGES IN THE TRANSPORT  
INDUSTRY**

**JANUARY 2007**

## EXECUTIVE SUMMARY

The transport industry is an important industry in Australia. It is fundamental to the movement of goods and people. It is a significant source of employment. It is a diverse industry comprising a number of modes and having a presence in all urban, regional and rural areas. It is also an industry that has undergone major change in recent years.

Given those characteristics it is worth taking a break periodically to have a look at what is happening and where it is going.

The Australian Rail, Tram and Bus Industry Union (RTBU) welcome this inquiry by the Senate Employment, Workplace Relations and Education Committee. The RTBU has members involved in the broad operation of railways, tramways and buses in Australia.

In that context the RTBU notes that the Committee has a broad brief to address workforce issues in the transport industry. In our view there has been a tendency in government and amongst employers to focus on other aspects of the industry at the expense of the workforce. To the extent that the workforce has been taken into account, it has been predominantly about how to reduce it or to make it more adaptable to the whims of employers.

Despite our concerns or reservations, in places outright opposition, and campaigns for alternatives, RTBU members have been swept up in ongoing programs of corporatisation, contracting out, privatization, rationalization and other means of change that, in many respects, have turned the industry on its head. No more so than in their impact on the workforce.

In this submission, the RTBU seeks to outline the changes that have occurred in the rail, tram and bus sector of the broader transport industry. A greater emphasis is given to the rail sector as it is by far the largest of the three modes of transport. It will be seen that the changes have been deep and significant.

With respect to the railways, a feature of which has been the massive decline in employment, an important determinant of future employment is the role that is assigned to it. In particular, will the railways be seen as making an important contribution to the alleviation of the problems of climate change, congestion, pollution, oil prices etc? In the past, policy has been determined by an ostensibly narrow based “market” approach (whilst ironically government financial arrangements strongly favoured road operations over rail operations). But recent events – particularly issues of climate change and oil prices – may (and in our view, must) cause a rethink amongst policy makers. In such a situation, the demand for rail services should only increase and with it, employment.

It is the view of the RTBU that the rail sector faces a number of important workforce related issues. There is a skills shortage amongst certain occupations and emerging skills shortage amongst certain other occupations in the absence of change. This situation stems from an over reliance on the existence of skills that are a product of training regimes that no longer exist. It is also a product of an ageing workforce. As a

generalization, there is a dearth of training by current employers. This has led to, amongst other things, accusations by some employers of “body snatching” or “headhunting”. The position of employers on future skills demand and supply remains unclear, but what is clear is that it is their responsibility to ensure an adequately trained workforce and at present there can be little confidence that such will be the case. Certainly the resorts to labour hire agencies or temporary migration are hardly panaceas – indeed ultimately they can only exacerbate the problem.

The rail sector shares certain characteristics with other parts of the transport industry. It is predominantly a shift work industry, 24 hours a day, 7 days a week. There are certain occupations that are frequently, albeit temporarily, away from home. For many, these are not attractive features when searching for worthwhile employment. In this regard, it is our view, that the contemporary attitude of many employers is unhelpful. The RTBU experience in many cases is that employers are pushing an agenda that involves a more flexible use of labour within this hours regime. By flexible, of course, we mean the right of the employer to exercise sole discretion over the actual working time of employees. This position is not helped by a Federal Government that actively promotes the capacity of employers to increase their control and discretion over the workforce.

Contemporary Federal Government policy makes a negative contribution to confronting workforce challenges in the transport industry. The fact of the matter is that industry in general is facing an increasing skills divide, productivity has fallen, and employees are confronted by employers with an array of powers handed to them by the Federal Government.

One feature of the rail – and one that it also shares with other parts of the industry – is a career path that resembles a pyramid with a large base and a steep rise to its apex. For example, occupations such as locomotive drivers and terminal operators comprise a significant part of the workforce. This feature presents a challenge to the notion of a career path, particularly as employers dismantle other parts of their operations and narrow the scope for employment opportunities. One of the responses to this feature has been the development of a culture of camaraderie and mateship. However, according to a report by the Australasian Railway Association, this culture is having a negative impact on the railways as a future place of employment. The RTBU disagrees.

Employers in the bus sector where the RTBU has members reveal a number of common characteristics.

Privatisation and contracting out have been experienced in recent years. In some places, Adelaide and Perth, the entire publicly owned system was contracted out. Elsewhere, the performance of maintenance and certain other functions are no longer performed in-house

Employment, particularly of bus operators, has increased as a consequence of expanding services or an increased demand for existing services. It is anticipated that the demand for bus operators will continue in the foreseeable future. . This increase in employment has been offset, to a degree, by the reduction in employment in the maintenance and administration areas. Whilst a feature of the

employers is their ageing workforce, there appears to be a trend emerging amongst employers to employ new employees who are in their thirties or forties

The narrowing of the scope of work performed by employers has had a negative impact on an already narrow career path. Like the railways, employment by bus operators tends to be dominated by bus operators. Thus, there are a lot of employees with not a lot of scope for movement within the same employer.

The tramways are confined to three cities, of which the dominant location is Melbourne. Melbourne has a large tram network, whilst Adelaide and Sydney have relatively small networks. In recent years, the networks have either expanded or are actively seeking to expand.

Like the railways and the bus operations, employment in the tramways is skewed heavily towards the tram operator. And, with the exception of the Sydney Light Rail, which is a relatively new operation, long term employment has been a historical feature and consequently the workforce is an ageing one. Training is undertaken by the employers.

This submission argues that the transport industry faces a number of challenges if it wants to have a workforce that is appropriately skill and wants to work in the industry. At present it is problematic whether the industry will meet those challenges.

## INTRODUCTION

Structural change has been a major feature of Australian industry over the past 25 years or so. Whilst no industry ever stands still, the rate and nature of that change over that period has been dramatic and has had (and continues to have) a momentous impact on those employed in industry. The transport industry is no exception. It can safely be said that the transport industry in 2007 bears no resemblance to the transport industry in 1980. Whilst much change has already occurred, there can be no suggestion that it has come to an end. Indeed, various forces pushing for further change remain at work.<sup>1</sup> Whether the change is good or bad, productive or non-productive, whilst critical, does not detract from the existence of that change as a matter of fact.

In the midst of this change, it is a worthwhile exercise to take pause on a regular basis and to consider the changes, the impact of the changes and the challenges they present to industry. For that reason, the Australian Rail, Tram and Bus Industry Union (RTBU) welcomes the establishment of an inquiry by the Senate Employment, Workplace Relations and Education Committee into Workforce Challenges in the Transport Industry. Whilst the transport industry has been the subject of a number of inquiries over the years, the RTBU is unaware of any inquiry that has taken the focus of this inquiry and applied it to the transport industry in particular.

The terms of reference indicate that the Inquiry has a broad brief. As the explanatory material states:

“The committee has broad terms of reference to look at current and future employment trends in the industry; industry needs and the skills profile of the current workforce; current and future skill and labour supply issues; strategies for enhance recruitment, training and retention; and, strategies to meet employer demand in regional and remote areas”<sup>2</sup>

The explanation goes on to see the inquiry’s purpose as follows:

- to address the scope of the problem of labour and skill shortages affecting all sectors of the transport industry and the likely consequences of serious labour shortages;
- to review labour supply research undertaken for the transport industry, to canvass the views of industry, consumers and unions in regard to recruitment and employment practices in the industry;

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<sup>1</sup> See for example the agenda of the Council of Australian Heads of Government (COAG) [www.coag.gov.au](http://www.coag.gov.au)

<sup>2</sup> Senate Employment, Workplace Relations and Education Committee, INQUIRY INTO WORKFORCE CHALLENGES IN THE TRANSPORT INDUSTRY: INFORMATION ABOUT THE INQUIRY, [www.aph.gov.au/Senate/committee/eetctte/transport employment/info.htm](http://www.aph.gov.au/Senate/committee/eetctte/transport%20employment/info.htm)

- to alert Parliament to the projected labour shortage in the transport industry which will seriously affect the distribution of all goods and most travel services in the next ten years; and,
- to make recommendations on Commonwealth-led coordination of improved training delivery for the sector, and address issues related to employment incentives and disincentives that are characteristic of the industry.<sup>3</sup>

In summary form, the terms of reference appear to come down to the issues of whether there are/will be enough appropriately trained persons in the right place at the right time who are competent to work in the transport industry and who will want to work in the transport industry. Depending upon the answer to those issues, the inquiry will address what needs to be done and what role the Federal Government can play.

It will be the submission of the RTBU that, in general and, of course, with respect to that part of the transport industry where our members are employed, employers have given insufficient attention to the needs of the workforce. The focus has, in many respects, been on either reducing (“downsizing”) the workforce or endeavouring to mould the workforce to its expectations and/or immediate needs. Whilst the immediate needs of the various employers vary, and the outcomes are not always identical. It will be our submission that overall there has been a negative impact on the workforce.

In addressing the terms of reference, this submission will take the following form.

Firstly, there is a need to understand the composition of the RTBU and its place in the transport industry. The composition of the RTBU is explained by providing a description of the formation of the RTBU in 1993 and a summary of its objectives and activities. From there the submission describes the industry as it applies to members of the RTBU. This part of the submission will be largely confined to those parts of the transport industry where RTBU members work.

In this context, it will be seen that in terms of modes of transport, the RTBU, as our title states, has members employed by employers of rail, tram and bus operations. By far the largest of these operations is the railways. Given the different modes of transport, this submission will address each of them separately.

Initially, the submission will address the railways. Of the three modes of transport covered by the RTBU, the railways are by far the largest. Whilst this does not make it any more or less important, it does mean that there is a lot more to say about it than the others.

The contemporary state of the railways did not emerge in a vacuum. To understand it in its current form requires, in our submission, an understanding to the changes that have occurred over the past 25 years or so. There is no doubt that that the changes have, in many respects, turned the industry on its head in a very short space of time.

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<sup>3</sup> loc.cit

The submission then takes a look at the contemporary state of the railways. It is in this part of the submission that we shall identify the characteristics of the current workforce and the deficiencies in the labour and skills arrangements.

To consider what may be the future requirements for labour and skills in the railways requires a consideration of what is likely to be its future use. The railways have a real potential as a source of employment growth. But this potential depends critically on what policy makers and the community deem to be the role for the railways. Into this policy consideration come important areas such as environmental factors (global warming, pollution etc.), oil prices, congestion in the cities and sustainable development. Whilst the pursuit of policies to alleviate these problems would be to the advantage of employment in the railways, history shows that, despite their urgency, there is no guarantee that such policies will be pursued beyond the rhetoric. This issue is addressed together with some additional views on the future of labour and skills in the railways.

Having addressed the railways, the submission will also look at the trams and the buses (to the extent the RTBU is involved).

Before going into the body of the submission, there is a need to refer to a significant barrier to addressing these issues. That barrier is the absence of an adequate data base. The problem is that the type of data necessary to give this important issue the attention it deserves is simply not available. This is not to say that there is no data available but rather it is simply insufficient for the task at hand. The paucity of data in this area is neither a novelty nor confined to the transport industry. In 2003, this same Senate Committee noted:

“...there is a need for a significantly upgraded information base on current and future skills needs for both VET planning and other purposes.”<sup>4</sup>

The Report of the Senate Committee went on to make a number of recommendations that, if adopted and implemented, would significantly improve the data base and consequently the quality of decisions.<sup>5</sup> That unfortunately appears not to have occurred and we are left to deal with its legacy.

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<sup>4</sup> Senate Employment, Workplace Relations and Education References Committee, BRIDGING THE SKILLS DIVIDE, Australian Government, Canberra, 2003, p.21

<sup>5</sup> Ibid. pp38-40

## **THE RTBU AND THE TRANSPORT INDUSTRY**

The RTBU was formally registered as a union of employees under the then Industrial Relations Act 1988 (Cwth) in February 1993. This followed the amalgamation of four previously separate unions which were also registered under the Industrial Relations Act 1988.<sup>6</sup> The four unions involved in the amalgamation were:

- The Australian Railways Union
- The Australian Federated Union of Locomotive Enginemen
- The Australian Tramway and Motor Omnibus Employees Association
- The National Union of Railway Workers of Australia

The history of each of the separate unions (with the exception of the National Union of Railway Workers of Australia) can, in one way or another, be traced back to the 19<sup>th</sup> century and the nascent railway and tramway systems around Australia.

Each Union took the opportunity to become registered at a federal level in the wake of the creation of a federal industrial relations system through the enactment of the Conciliation and Arbitration Act 1904 (Cwth).

For the purposes of this submission, what is important about the composition of the RTBU is that its membership base is not determined on an occupational level, or company level, or state level, but rather on whether the member is employed in or in connection with the railways or tramways or by one of a number of urban public owned bus operators. This is reflected in the constitution of the RTBU which, in summary terms confines the Union's membership to:

- employees employed in or in connection with the railway industry;
- employees employed in or in connection with the tramway industry;
- employees employed in various publicly owned urban bus operations.

An important point of clarification necessary at this point is what is meant by the "railway industry". This is so because entities such as the Australian Bureau of Statistics (ABS) adopt, in our submission, a narrow definition of the railway industry for the purpose of gathering statistics on such matters as employment.<sup>7</sup> The definition of "Rail Transport" as used by the ABS excludes a number of areas of work that the RTBU regards as integral to the rail industry and in which the RTBU has members. These areas are<sup>8</sup>:

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<sup>6</sup> The technical process of amalgamation involved amending the rules of one of the unions to combine all four unions (including a name change) followed by the disamalgamation of the other three unions.

<sup>7</sup> See for example, Australian Bureau of Statistics, LABOUR FORCE AUSTRALIA, August 2006, cat. no. 6202.0, Australian Government, Canberra, 2006

<sup>8</sup> See AUSTRALIAN AND NEW ZEALAND STANDARD INDUSTRIAL CLASSIFICATION 1993, available at [www.abs.gov.au](http://www.abs.gov.au)



- Repair of rolling stock or locomotives.
- Constructing or repairing railway permanent way
- Providing catering services

The ABS definition of “rail transport” refers to the following:

“This class consists of units mainly engaged in operating railways (except tramways) for the transportation of freight or passengers, in operating terminal or depot facilities for receiving, dispatching or transferring rail freight or cargo, or in providing services allied to railway transport”<sup>9</sup>

The RTBU, on the other hand, has a broader definition of the railway industry. The Union’s coverage does not only apply to employees employed in the physical operation of trains i.e. driving, loading/unloading freight, shunting, train examination, signaling, train control, station work and other related activities. The RTBU coverage includes employees involved in the maintenance and administration of the railways.

With respect to maintenance, this includes the maintenance of rolling stock (wagons, carriages and locomotives) and infrastructure (permanent way, signals and communications, building and bridges etc.). The RTBU also has members who undertake construction work from time to time.

Administration functions cover the whole gamut of white-collar occupations across administrative and professional work.

This definition accords with that adopted by the Australasian Railway Association (ARA) in establishing the boundary of its activities. It defines the railway industry – at least for the purpose of employment – as “organizations operating in the areas of:

- >transportation of freight
- >transportation of passengers
- >management of rail infrastructure
- >rail signals and communications
- >maintaining and repairing rolling stock
- >construction and maintenance of rail infrastructure”<sup>10</sup>

This definition is reinforced by a perusal of the ARA’s member companies on its web site.<sup>11</sup>

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<sup>9</sup> loc.cit

<sup>10</sup> Australasian Railway Association, THE CHANGING FACE OF RAIL: A journey to the employer of choice, Australasian Railway Association, Canberra, 2006, p.21

<sup>11</sup> [www.ara.net.au/full.php](http://www.ara.net.au/full.php)

Thus, for the purposes of this submission, reference by the RTBU to the “railways” is used in the context of this broad definition.

A similar situation exists in the tramways and to our membership in the bus operators. Again, RTBU membership is not confined to persons who are only involved in the physical movement of trams or buses.

In the tramways, RTBU members are also engaged in the maintenance of trams and the tramway infrastructure, together with members in the administration area.

Similarly in the buses, RTBU members are involved in the maintenance of buses and the administration functions.

Unlike many Unions with an occupational membership base and hence a base that is not solely determined by the employment levels in any one particular industry, the RTBU’s membership base, whilst broad, is confined to particular parts of the broader transport industry.

Together with a broad membership across the three modes of transport, the RTBU takes an expansive approach to its role in the rail, tram and bus industry. This is consistent with the objectives of the Union which amongst other things calls upon the Union to:

“....

(b) to take all necessary steps and actions under any relevant legislation or otherwise, for the purpose of securing satisfactory industrial and working conditions without discrimination, in respect of the remuneration, the hours of labour and other conditions in or in relation to employment in the rail, tram and bus industry;

(c) to provide for the protection and safety of its members and members of the public in the course of or in connection with its members’ employment;

.....

(e) to improve the social and economic position of its members”<sup>12</sup>

The objectives quoted here form part of 28 separate objectives in the rules of the RTBU. They, when read in the context of all the rules, identify a role for the RTBU that goes beyond a narrow range of issues to do with immediate wages and working conditions.

The combination of an industry focus and a broad set of objectives means that the RTBU takes a very keen interest in broader issues affecting the rail, tram and bus industry.

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<sup>12</sup> Australian Rail, Tram and Bus Industry Union, RULES OF THE AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION, Australian Rail, Tram and Bus Industry Union, Redfern, 2006, Rule 5

## **THE RAILWAYS**

### **Recent History**

Up until the 1980's the rail industry was characterized by a small number of large employers. It was also an industry which undertook a wide range of functions that bore a relationship to, or were a part of the operation of a railway system.

A critical factor in the composition of the rail industry at that time was that, with the exception of the haulage of minerals in the Pilbara region of Western Australia, railways were publicly owned and operated. In 1983, for example, there were essentially six employers in the rail industry; five of whom were owned and operated by State Governments and a sixth that was owned and operated by the Federal Government. The employers were:

- State Rail Authority of New South Wales
- State Transport Authority of Victoria/Metropolitan Transport Authority of Victoria<sup>13</sup>
- Queensland Railways
- State Transport Authority of South Australia<sup>14</sup>
- WestRail (WA)
- Australian National Railways Commission (Federal Government)<sup>15</sup>

These rail employers operated on what can be defined as a vertically integrated model. That is, each employer both owned and operated the relevant railway network and maintained that network (on behalf of the respective Government). For example, the State Rail Authority owned the track and infrastructure network in New South Wales, it maintained that infrastructure and simultaneously it operated the passenger and freight trains that worked over the network.<sup>16</sup>

Being vertically integrated, amongst other things, meant that the various employers performed a broad range of functions. Without attempting to be exhaustive, those functions included:

- The provision of rail passenger services, including urban, interurban, intrastate and interstate services.

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<sup>13</sup> The Victorian railways were composed of two separate entities. The State Transport Authority operated the country and interstate operations and the Metropolitan Transport Authority operated the metropolitan operations.

<sup>14</sup> The State Transport Authority of South Australia only operates/d the Adelaide suburban rail network.

<sup>15</sup> The Australian National Railways Commission operated interstate passenger trains (the Indian Pacific, the Ghan and the Overlander), non-metropolitan passenger and freight operations in South Australia/Northern Territory and freight operations in Tasmania.

<sup>16</sup> The State Rail Authority also owned, maintained and operated the standard gauge rail line from the New South Wales/Queensland border to Acacia Ridge in Brisbane.

- The provision of rail freight services including parcels (“less than container load”), bulk (e.g. coal, wheat ), non-bulk, (e.g. containers), livestock, motor vehicles, and liquids. This freight would be transported either within states or between states.
- The maintenance and overhaul of locomotives
- The construction, maintenance and overhaul of rolling stock such as wagons and carriages.
- The operation of workshops that in addition to the above construction, maintenance and overhaul activities would comprise foundries, printing, sawmills, tarpaulin making, and a number of other related functions.
- The installation and maintenance of signals and communications equipment, including telephones and more recently, jelly-filled cable and optical fibre.
- The installation and maintenance of the permanent way.
- The installation and maintenance of bridges and buildings.
- The provision of hospitality and retail services on passenger trains and at railway stations and canteens at various locations.
- The extensive provision of design and engineering work.
- The provision of administrative, supervisory and managerial work

The above range of work shows that in many respects the railways were a self sustaining operation. Virtually all its needs were provided in-house.

This work was performed by a large workforce, with the rail industry being one of the largest employers in Australia at the time. In 1983, employment was as follows

<b>EMPLOYER</b>	<b>AVERAGE NUMBER OF EMPLOYEES 1983</b>
<b>STATE RAIL AUTHORITY OF NSW</b>	<b>40,367</b>
<b>STATE TRANSPORT AUTHORITY/METROPOLITAN TRANSPORT AUTHORITY OF VICTORIA</b>	<b>20,905</b>
<b>QUEENSLAND RAIL</b>	<b>25,945</b>
<b>STATE TRANSPORT AUTHORITY OF SA</b>	<b>3,458</b>
<b>WESTRAIL (WA)</b>	<b>8,600</b>
<b>AUSTRALIAN NATIONAL RAILWAYS</b>	<b>10,706</b>

The total number of employees at that time came to 110,009.<sup>17</sup>

The employees were primarily covered by a number of federal rail based awards which provided an extensive range of classifications.<sup>18</sup> These awards included:

- The Railways Traffic, Permanent Way and Signaling Wages Staff Award 1960<sup>19</sup>
- The Railways Metal Trades Grades Award 1953<sup>20</sup>
- The Locomotive Enginemen's Award 1966<sup>21</sup>
- Railways Salaried Officers' Award 1960<sup>22</sup>
- Railways Miscellaneous Grades Award 1960<sup>23</sup>
- Railways Professional Officers Award 1974<sup>24</sup>

A perusal of each of these awards will readily show the range of work performed by employees in each of the railway systems. For example, the Victorian part of the Railways Traffic, Permanent Way and Signaling Wages Staff 1960 provided 108 classifications in 1984.<sup>25</sup> The Railways Miscellaneous Grades Award 1960 went further, with 191 classifications.<sup>26</sup>

Other important characteristics identified at the time were that the rail industry was male dominated (94% of the workforce in 1984 were male), the mean age of the workforce was 37.9, and that there were significant changes afoot in the mix of classifications (mainly comprising an increase in tradespersons and a corresponding reduction in specifically designated rail classifications).<sup>27</sup>

The mid 1980s was a watershed period for the rail industry. The ensuing years saw a radical change in its composition and operation. Putting to one side any debate on the basis or rationale for such change, the following points provide a summary of the tools that drove it.

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<sup>17</sup> The source of the figures in the table and the total number of employees is: Australian Railway Research and Development Organisation (ARRDO), CHARACTERISTICS OF THE RAIL TRANSPORT WORKFORCE: Information Paper 2, Australian Railway Research and Development Organisation, Melbourne, 1985, table 3.1, p. 12

<sup>18</sup> Employees of Queensland Rail and WestRail (with the exception of some salaried officers) were covered by awards of the respective State Industrial Relations Commission.

<sup>19</sup> Now known as the Railways Traffic, Permanent Way and Signaling Wages Staff Award 2002 (AW817741)

<sup>20</sup> Now known as the Railways Metal Trades Grades Award 2002 (AW817167)

<sup>21</sup> This award was ultimately split into separate awards for the State Rail Authority of NSW, State Transport Authority/Metropolitan Transport Authority and Australian National Railways.

<sup>22</sup> Now known as the Railways Salaried Employees (Victoria) Award 2002 (AW815560). Separate salaried awards were made for the employers in WA, NSW, SA and Tasmania.

<sup>23</sup> Print C2984

<sup>24</sup> Print C1263

<sup>25</sup> See Print F5172, November 1984

<sup>26</sup> See Print F5176, November 1984

<sup>27</sup> ARRDO op. cit. pp.12-28

### Corporatisation.

Over time the respective Government owners of the railway systems introduced legislation to operate their system on a “commercial” basis. This included the establishment of independent boards of directors and guidelines that demanded a financial return to government.

### Rationalisation

Many railway employers began to execute a savage program of rationalizing or closing or discontinuing operations that were not regarded as economically viable. For example, many branch lines were closed, railway workshops were all but closed (and in a number of cases closed down in total and on a permanent basis), and the transport of small or LCL freight was discontinued in most railway systems.

### Contracting-Out

This was taken up on a large scale, particularly in the maintenance area. For example, the whole of the permanent way maintenance function in Western Australian was contracted out in the mid 1990's. Large scale contracting out of rolling stock and carriage maintenance was also undertaken.

### Privatisation

Privatisation was particularly extensive in the transport of freight by rail. By 2002, of the five publicly owned rail employers who had been involved in the transport of freight by rail, only one remained (that being Queensland Rail). Interstate rail passenger services such as the Indian Pacific, the Ghan and the Overlander had been privatized, as had the provision of urban and intrastate rail passenger services in Melbourne.

### Vertical Separation

The separation of ownership from operation was also introduced. This meant that an entity could not both own the infrastructure and operate trains on it simultaneously. Its rationale was based on a decision to open up the railways to “competition” where new players would pay a fee to run their trains over the existing infrastructure. In this scenario, a situation where a rail operator also owned the infrastructure and set the fee for other operators was deemed to be anti-competitive and structures were established to prevent that outcome.

It will be observed that most of the abovementioned changes were not unique to the railways. They were common occurrences across a range of industries from the 1980's onwards and continue to this day.

As mentioned in the introduction, these changes effectively turned the rail industry on its head as the structure and composition of the rail industry changed dramatically, so did its workforce. It has gone from an industry with a small number of large employers to a large number of employers with a significantly lower workforce. It has also gone from an industry where a small number of employers engaged in a wide range of functions to a large number of employers engaged in a narrower range of functions. The separation of operations work from maintenance work is a case in point.

Perhaps the most obvious change in the workforce was the dramatic fall in overall employment levels. According to the ABS, the rail industry employed 38,800 in August 2006.<sup>28</sup> The Australasian Railway Association (ARA) determined that the rail industry in 2005 employed 44,100 employees.<sup>29</sup> In the RTBU's view, the ARA figure is more accurate as it adopts a broader and more realistic definition of the industry. Nevertheless, on either account the decrease in aggregate employment has been dramatic. By comparison with the ARRDO figure of 110,009 in 1985, aggregate employment in the railway industry declined by either 60% (ARA) or 64.7% (ABS).

Another obvious change has been the disappearance of large areas of railway activity. In the past 20 years the railway workshops have been decimated. For example the workshops at Eveleigh, Chullora, Newport, Midland and Islington have either closed or are mere shells of their former selves. Large freight centres such as Darling Harbour, Melbourne Yard, Dry Creek and Mile End no longer exist. The list goes on.

With these changes has come a significant change in the range of classifications. For example, there are no longer guards on freight trains and the number of shunters and other associated classifications involved in freight centres has diminished.

There are three other factors that need to be included as having an impact on the railway workforce in recent years.

Firstly, there is the impact of technological change. This is particularly the case with electronics and computerization. The development of advanced signaling and communications systems has had a major impact on the jobs of persons employed in those areas – not only in respect of the number of employees but the ability to centralize the function. For example, signal boxes all over the country now lay idle whilst the train control centre for much of the freight system has been centralized in Adelaide. Further, as with industry in general, the introduction of computers has had a significant impact on the various administrative tasks. For example, the manual compilation of consist notes for the various containers and other cargo has been replaced by a computer program with a consequent impact on employment.

Secondly, the late 1980's and early 1990's saw the introduction of what became known as the structural efficiency principle (SEP). This was a process led by the

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<sup>28</sup> Australian Bureau of Statistics, LABOUR FORCE, AUSTRALIA, DETAILED, QUARTERLY, AUGUST 2006, Catalogue No. 6291.0, Australian Bureau of Statistics, Canberra, 2006

<sup>29</sup> Australasian Railway Association, AUSTRALIAN RAIL INDUSTRY REPORT 2005, Australasian Railway Association, Canberra, 2005, p.24

Australian Industrial Relations Commission (AIRC) directed to “modernizing” classification structures in Federal Awards. According to the AIRC<sup>30</sup>

“That new principle will provide incentive and scope within the wage fixation system for parties to examine their awards with a view to:

- Establishing skill-related career paths which provide an incentive for workers to continue to participate in skill formation;
- Eliminating impediments to multi-skilling and broadening the range of tasks which a worker may be required to perform;
- Creating appropriate relativities between different categories of workers within the award and at enterprise level;
- Ensuring that working patterns and arrangements enhance flexibility and meet the competitive requirements of the industry;
- Including properly fixed minimum rates for classifications in awards, related appropriately to one another, with any amounts in excess of these properly fixed minimum rates being expressed as supplementary payments;
- Updating and/or rationalizing the list of respondents to awards;
- Addressing any cases where award provisions discriminate against sections of the workforce.”

The operation of this principle was reinforced in the 1999 National Wage Case Decision.<sup>31</sup>

The practical application of this principle was mixed and varied. An enterprise focus was taken to its application such that a range of different outcomes emerged. There were some exceptions in cases where parts of the workforce followed models that were developed in other industries.<sup>32</sup>

But the application of the SEP accompanied as it was by the other changes, did produce useful outcomes in some cases. For example, it facilitated the making of a new classification structure in the National Rail Corporation (NRC) in 1993. The NRC took over the interstate freight activities of the various state owned and operated rail systems and the Australian National Railways. With the encouragement and assistance of the then Federal Government, a tripartite process was established to develop the appropriate career paths and classification structure for the employees of the NRC. The resulting structure established a number of classification streams, an

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<sup>30</sup> National Wage Case Decision August 1988, AUSTRALIAN INDUSTRIAL LAW REVIEW, Vol. 30 No.11, 25 August 1988, p. 287 @289

<sup>31</sup> National Wage Case Decision, August 1989, AUSTRALIAN INDUSTRIAL LAW REVIEW, Vol. 31 No. 16, 31 August 1989, p.301

<sup>32</sup> For example, the new classification structure inserted in the METAL INDUSTRY AWARD 1988, was followed. This classification structure provided for tradespersons and associated classifications in the mechanical, electrical and vehicle components of the rail industry.



internal relativity structure, a career path, a clear set of competencies and a wage structure that complemented the acquisition and use of competencies. A further advantage of this system at the time was that a timetable was established for employees to acquire the necessary competencies for advancement.

Unfortunately, as time went on, the spirit and intent of the new classification structure began to wane as far as the RTBU was concerned. For example, the classification structure created a stream for what were/is termed, “Terminal Operators”. Employees in this stream performed a variety of functions – shunting/ marshalling, train examination, loading/unloading containers, and the requisite administrative tasks. Each of these functions comprised a separate unit of competency. As each employee obtained an additional competency (combined with certain core competencies) he/she moved to the next level in the classification structure and accordingly to a higher pay level. Thus, each employee would be multi-skilled to the extent possible and thereby capable of performing virtually all functions in the terminal. In return the employee would receive a wage rate that increased with the acquisition of each new unit of competency.<sup>33</sup>

A new classification structure such as that in the National Rail Corporation represented a significant change to the way in which work had been performed and as reflected in the various Award classification structures. The traditional classification structures were very much modeled on a Taylorist framework – functions were broken down into a large number of simple and separate tasks. In the case of the railways there could be up to 6 different classifications involved in the task of shunting/marshalling, each separate load lifting machine constituted a separate classification, administrative work was performed solely by clerks and train examination was a separate function. Thus, the multi-skilling inherent in the National Rail Corporation structure (and others) was a significant change from the traditional rail operation.

The classification structure comprised a package arrangement. Whilst the employers got multi-skilling, the employees got a better career path, training structures and higher wage rates to reflect the multi-skilling. But it was not long before the system came under some stress. A number of managers began to complain that the workforce was over skilled; that there were employees who had competencies that the employer did not need. To deal with this perception, the managers began to put the breaks on training as it was through training that they could control the composition and range of competencies available in the workplace. This, of course, met with a hostile response from the RTBU members. It was not acceptable that the employer could obtain what they wanted out of a new system whilst attempting to place limitations on the benefits that accrue to employees from that new system. It was also seen as somewhat ironic that the employers who had been advocating multi-skilling for some time began to change their minds once it was made available. The problem as the RTBU saw it was that the managers wanted multi-skilling; they simply did not want to pay for it.

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<sup>33</sup> The classification structure can be found in the NATIONAL RAIL ENTERPRISE AGREEMENT 1993 (Print K6982, dated 5 March 1993)

It needs to be observed at this point that the development of entirely new classification structures as occurred in the National Rail Corporation was not a consistent theme across the industry. Some employers tended to concentrate on rationalization at the expense of constructively engaging in the structural efficiency process. To the extent that the structural efficiency exercise was introduced at the same time as mass rationalization, it had a tendency to be linked with that rationalization and this became a barrier to the process

The final factor that has impacted on the railway workforce in recent years has been the notion of enterprise bargaining. The RTBU experience with enterprise bargaining is that the employers want to use it to increase their capacity to exercise control over their workforce. This outcome is reflected in a number of pressure points applied by the employers – the use of casual, part time and temporary employment, the use of labour hire and contractors, the ability to unilaterally establish the hours of work of employees and to amend them at will, the discretion to grant leave; and the discretion to instruct the employee to perform a broad range of functions. The demands from employers regarding these issues not unexpectedly differ in their range and scope depending upon the needs of the employer, but nevertheless a major objective of the employers is to have and control flexibility in the workplace.

This description of the recent history of the rail industry reveals an industry that has gone through a period of tumultuous change and nobody can predict with any degree of accuracy what is likely to happen in the near future. It is an industry that has seen a significant reduction in employment and significant change in the way that labour is utilized in the workplace. This in turn has had a significant impact on the way in which the workforce operates and how it is treated.

## **The Impact of the Contemporary Rail Industry on its Workforce Characteristics and Requirements**

Before going further, an earlier caveat needs to be repeated. The ability or capacity to contribute to a debate on the characteristics and requirements of a workforce is, in many ways, only as good as the data that can nourish that debate. With respect to that part of the transport industry of interest to the RTBU, a dearth of valid data is a real and genuine constraint.

Keeping that in mind, there are a number of issues that require elaboration under this heading.

### **The Demand for Railway Services**

The size and composition of the railway workforce will, of course, depend upon the nature and extent of the task performed by the industry.

Some have a pessimistic outlook on the role of the railway industry as a future source of employment. The submission by the Department of Employment and Workplace Relations to this Inquiry, for example, states:

“Notwithstanding the increase in Rail transport employment over recent years, the longer term trend is towards a lower level of employment in the industry. This long term decline in rail employment is due to a number of factors including widespread privatization, low profit margins, outsourcing and labour shedding, as well as an increase in the capital intensity of the industry. In general, Rail transport passenger has been in long term decline. Further, while rail as a whole has broadly maintained its share of overall freight movement, it has lost ground to road in the growing non-bulk market, particularly on the east coast inter-capital corridors.”<sup>34</sup>

Based on ABS data, the Department of Employment and Workplace Relations anticipates that the rail industry will shed another 3,800 employees in the 5 years to 2010-11.<sup>35</sup>

This is a view based on a narrow conception of the railways as a means for the transport of bulk and long haul freight coupled with urban rail systems. It is an assessment which, amongst other things, in our view, is based on a very narrow economic model of transport.

But in recent years a number of matters that should be beneficial to the growth of the rail industry have come into sharper focus and are undoubtedly going to receive increased political attention in forthcoming years.

The first issue concerns the environment. The RTBU and its predecessors have long been pushing an agenda that promotes rail usage for environmental and efficiency purposes.

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<sup>34</sup> Department of Employment and Workplace Relations, SUBMISSION TO THE INQUIRY INTO WORKFORCE CHALLENGES IN THE TRANSPORT INDUSTRY, Australian Government, Canberra, 2006, p.6 footnote omitted.

<sup>35</sup> Ibid. p.8

For example, in 1990 we stated:<sup>36</sup>

“International experience has demonstrated that railways are economically the most efficient mode for freight and passenger transport over medium to long distances. In terms of primary energy consumption, rail transport is several times more efficient than road transport. A significant modal shift from road to rail in the transport sector is therefore crucial to national and state strategies for the reduction of Greenhouse gas emissions.”

A host of other matters that have brought the need for railways into a sharper focus were highlighted by a recent inquiry by the House of Representatives Standing Committee on Environment and Heritage. In its report, Sustainable Cities, it stated<sup>37</sup>:

“Australian cities have largely been constructed around the automobile, creating a culture heavily reliant on private automobile access. Impacts are:

- environmental (such as urban sprawl, smog and air pollution);
- economic (from providing urban infrastructure across a more dispersed geographical area); and
- social (including isolation, economic stratification of areas and reduced access to public services.”

The Committee went on to recommend that the Federal Government:

“... significantly boost its funding commitment for public transport systems, particularly light and heavy rail, in the major cities.”<sup>38</sup>

The RTBU also recently released a report on a public transport blueprint for Sydney. Prepared for the RTBU by the Institute for Sustainable Futures at the University of Technology Sydney, it makes the comment<sup>39</sup>:

“Until now, transport policies for cities such as Sydney have been dominated by a number of assumptions, all of which have been brought into question. These assumptions include the idea that we can continue to rely on an unending stream of cheap and easily accessed oil to fuel our transport needs, that our quality of life can be measured by a simple reading of raw Gross Domestic Product numbers and that the consequences for both the natural and human environment of public and private consumption choices may be safely ignored.”

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<sup>36</sup> Australian Railways Union/Australian Conservation Foundation, MOBILITY IN A CLEAN ENVIRONMENT: Towards a New National Commitment to Australia's Railways, Australian Railways/Australian Conservation Foundation, Sydney, 1990, p.i

<sup>37</sup> House of Representative Standing Committee on Environment and Heritage, SUSTAINABLE CITIES, Australian Government, Canberra, 2005, p.59

<sup>38</sup> Ibid. p.70

<sup>39</sup> Rail, Tram and Bus Union, MOVING ON; The RTBU's Public Transport Blueprint for Sydney: Policy Paper, Australian Rail, Tram and Bus Industry Union (NSW Branch), Sydney, 2006, p.vii

In a recent speech, the Chief Executive of Pacific National stated:

“Rail makes so much sense: Rail is 9 times more energy efficient than road: Road transport is responsible for 94% of the total transport related fatalities while rail is only responsible for 1.5%; Road transport produces 12% of Australia’s total greenhouse gas emissions while rail only produces 0.3%.”<sup>40</sup>

These figures are not a revelation. They have been known for some time but appear to have been studiously ignored by policy makers. Perhaps the politics were not right – if that was the case, then the circumstances are, or should be, changing rapidly.

These problems have been exacerbated by the Federal Government implementing policies that favour the road trucking industry relative to the rail freight industry. For example, in the last federal budget rail received only 10% of total land transport funding. From 1974 to 1999 the Federal Government allocated an estimated \$58 billion on all roads, of which \$24.6 went to the national highway system. For the same period the allocation to rail capital works was \$2.2 billion. This skewing of funding in favour of the road industry has made it difficult for the rail industry to compete on reasonable terms.

Contemporary environmental problems such as climate change, contemporary social and economic problems in Australia’s large urban conurbations such as congestion and pollution, and other problems such as oil supply and prices will require a bigger task for the rail industry if they are to be overcome. This suggests that over time, employment in the rail industry should increase and not contract as suggested by the Department of Employment and Workplace Relations. But, of course, this will not happen unless the correct policy settings are put in place. History suggests that there will be a battle to see rail given its rightful priority. However, it may be that Governments at all levels will now – particularly with the seriousness of climate change – give more attention to this industry and to what it can provide. Of course, in the absence of a crystal ball, any prediction will remain essentially that.

#### The Composition of the Rail Workforce

The ARA employment figure of 44,100 in 2005 can be, according to the ARA, be subdivided into 59% (or 25784) working in passenger services, 35.8% (or 15,777) working in freight services, and 5.2% (or 2539) being labour supplied by “suppliers”<sup>41</sup>

These figures are then further subdivided as follows<sup>42</sup>:

Passenger train crews – 17.2% of total employment

Customer services for passengers – 14% of total employment

“Other” passenger services – 13.3% of total employment

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<sup>40</sup> Speech by Mr. Don Telford, quoted in Carter M. Telford’s Way, RAIL EXPRESS, Sydney, December 2006, p.12

<sup>41</sup> ARA Industry Report 2005, op.cit. p.24

<sup>42</sup> loc. cit

Maintenance for freight services – 11.6% of total employment

Freight train crews – 10.2% of total employment

Maintenance for passenger services – 8.8% of total employment

There has been a general concern expressed about the ageing of the workforce in the rail industry. The ARA identifies the average age of the Australian worker at 38.6, whereas the average age for the rail worker is 41.3.<sup>43</sup> The ARA also sees an even older workforce amongst train drivers and signalers.<sup>44</sup>

The ageing of the rail workforce is not unique. A recent report by the Department of Employment and Workplace Relations states that: “population ageing will impact on all major industries and occupations across most Australian regions.”<sup>45</sup> Further, to the extent the federal government is successful in encouraging workers to remain in the workforce for longer periods of time, the impact of an ageing workforce will remain.

Further, given the actions taken by the rail employers over the past 20 or so years, it is hardly surprising that the workforce is ageing. As the figures on aggregate employment show only too well, the workforce has been contracting at a rate of knots rather than expanding. Employers have been terminating employees rather than employing them. The age profile of the workforce very much reflects that position – the current workforce is largely made up of those who escaped the mass redundancies of the late 1980’s and 1990’s. Any recruitment that has occurred has not altered that situation to any serious degree.

Another characteristic of the rail industry is that the workforce is overwhelmingly male. As noted earlier in the ARRDO figures, in 1984, males made up 94% of employees in the rail industry. Whilst data shows that the figure has fallen to 84% on August 2006, there remains a heavy imbalance remains.

### Skills, Skill Shortages, Training and Career Paths

The ARA has identified two categories where there are skill shortages and another category where a skills shortage is likely to emerge. Shortages exist amongst engineers and tradespersons with a pending shortage amongst managers and supervisors.<sup>46</sup> It is noted that the shortage of skilled trades is not confined to the rail industry.

The RTBU submits that the ARA position understates the position on skill shortages.

It is our experience that there is a shortage of locomotive drivers. Whilst we acknowledge that there is no hard data, information coming to the RTBU is highly indicative of such a shortage.

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<sup>43</sup> ARA The Changing face of Rail, op. cit. p.30. The average age for railworkers is taken by the ARA to be that of the average age in the transport and storage industry.

<sup>44</sup> Ibid. p. 31

<sup>45</sup> Department of Employment and Workplace Relations, WORKFORCE TOMORROW: Adapting to a More Diverse Labour Market, Australian Government, Canberra, 2005, p.3.

<sup>46</sup> ARA, The Changing Fact of Rail, op. cit. pp.35-36

For example, a major rail employer has implemented a “bond arrangement” for all new trainee locomotive drivers. To that end, the employer compels its trainee drivers upon employment as trainee drivers, to sign an agreement to the effect that if they leave the employer during a period of 3 years upon completion of their training they will be obliged to pay the employer a certain amount of money. The amount to be paid diminishes the longer the locomotive driver is employed. When the RTBU took up the matter with a view to removing it, the employer complained that they were not prepared to go to the expense of training locomotive drivers only to watch them leave to take higher paid employment as a locomotive driver elsewhere. If there was not such a demand for drivers this situation would not arise. This problem is also recognized by the ARA<sup>47</sup>:

“A number of operators do report concern that they bear the brunt of the cost of training drivers whilst other employers enjoy the result, as drivers are attracted to work elsewhere for more money upon gaining qualification.”

Further, from time to time we hear a complaint from employers that locomotive drivers who have been terminated for safety breaches are finding it easy to get the same job with a competitor. Indeed there have been examples where drivers who have been terminated for safety breaches have obtained a job in another company only to see that company taken over by the company that initially terminated them. Thus, the employee effectively ends up back where he/she started from. There is no doubt in our view that the ease of finding alternative employment as a locomotive driver is an indication of a skills shortage.

Also, employers have mentioned from time to time that it is difficult to find locomotive drivers.

Further, it is our view that the rail industry is currently absorbing workers who had worked in the industry in the past and are relying on the training they received at that time. For example, we have observed that many employees who are working in infrastructure maintenance were initially employees of one of the public sector railway employers and undertook their training during that time. As these employees retire or move on for other reasons, the skills base diminishes and there is little evidence that it is being replenished at the necessary rate.

These points highlight an important characteristic about the contemporary rail industry and industry in general.

As the ARA report states:

“...the industry demonstrates a combination of dependence on a few government operators to train the rest of the industry, and a general reluctance to invest in the development of the workforce for fear of failing to realize their investment.”<sup>48</sup>

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<sup>47</sup> ARA, *The Changing Face of Rail*, op. cit. p. 35

<sup>48</sup> *Ibid.* p. 3.

At a broader level, the Senate Inquiry on the “skills divide” notes with respect to trades training:

“The major factors are the decline in trades training associated with the privatization of public utilities and ‘mean and lean’ strategies of large private enterprises, which previously provided a steady pool of skilled labour for small and medium enterprises.”<sup>49</sup>

In other words, the traditional pool of training and labour supply – large public sector enterprises – has or is drying up. The privatized organizations are not prepared to invest in training and either hope they can find persons who have been trained elsewhere or rely on the residual workforce that was trained in the public sector.

The skills shortage with locomotive drivers is a case in point here. Much of this problem is with the drivers of freight trains. The source of the shortage can be traced back to the change in the ownership structure of the industry. Under public ownership, the employers undertook the training for drivers of both passenger (urban, interurban and interstate) and freight trains. The training process was usually structured in such a way that the drivers were trained and qualified to operate both forms of train operations. Upon privatization, the public employers (with the exception of Queensland Rail) ceased their involvement in freight operations and with it the training of drivers of freight trains. Shortly thereafter, and combined with an increased in the movement of freight by rail, a shortage of drivers begins to emerge.

In making this observation, it needs to be kept in mind that many of the skills required by the rail industry are unique to that industry. Skills inherent in the driving of locomotives, shunting, signaling and train control and a range of work performed in infrastructure maintenance can be classified as unique to the railway industry. If the railway industry does not take up the challenge here, then no one else will do it for them

If the current approach to workforce training and recruitment is to continue, the skills shortage in the rail industry is only likely to worsen.

This is not to say that the employers do not undertake any training. They clearly do. But what they do is, in our submission, insufficient to meet the current and future needs of the industry.

Simultaneously, it is our experience that the training is becoming increasingly enterprise specific. To that extent the employee becomes locked in to his/her employer as they only possess skills to the order and degree as the employer deems necessary to its activities. For example, if an employee is to perform train examination work, it is desirable that they possess a range of competencies relevant to that work. But there is no guarantee that an employer will enable the employee to possess that range of competencies. The employee may only be trained in those competencies or parts of competencies that the employer believes it wants to perform the task at hand. To that end the employee will be denied an AQF qualification and may find it difficult to find alternative work as he/she lacks the skills required elsewhere.

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<sup>49</sup> Senate Committee, Bridging the Skill’s Divide, op. cit. p.17



This position is reinforced when one considers the use made by the rail industry of the Transport and Distribution Training Board (TDT). Over the years the TDT has developed a number of training packages for the rail industry. These packages are based on units of competency that have also been developed for the rail industry. The certificates of competency provide for recognized qualifications in rail operations, rail passenger services and rail civil infrastructure. Between 1999 and 2001, the number of enrolments for those certificates was 478 out of a total of 32, 544 enrolments in all certificates offered by the TDT.<sup>50</sup>

With regard to the TDT the ARA states:<sup>51</sup>

“Many believed that the lack of a nationally recognized training standard was a major problem for the rail industry. Whilst there is a TDT Training Package available for rail operators and rail infrastructure, it is not consistently recognized by operators or by regulators.”

This is an curious statement. The TDT and its predecessors have been in existence since the early 1990’s. Amongst other things it focuses on a national level and has developed units of competency and training packages. The packages were developed in consultation with the industry. But for some reason they are not recognized. One would have thought that if a national training standard is necessary, the industry would have taken some action on that front.

Employers may well argue that they are not in the game of training employees in skills the employer does not require. In our view this is muddleheaded thinking. Firstly, it fails to take into account the actual skills necessary to properly perform the job and increase the efficiency of the workplace. In other words, it’s a throw-back to Taylorism. Secondly, it fails to make use of the skills potential of the employee. Thirdly, to the extent that the skills base in the industry becomes deeper and wider, the industry and the employers are better off. As such, the current practice is proving itself to be counterproductive for the industry as a whole.

With respect to career paths, the railway industry has traditionally been an industry that provided for ‘lifetime employment’. Persons would enter the industry at a relatively young age and spend the rest of their working life as a rail worker. The changes as detailed above have put a dent in that position although it has not entirely eliminated it. Where rationalization wiped out large swathes of activities that had traditionally been a part of the industry, it took with it the opportunity to look at a broader range of career paths within the industry. As the workforce shrank, it diminished the strength and height of career paths. In other words the career paths became narrower and smaller and less in number.

Like its counterpart tram and bus industries, the rail industry employment structure is very much like a pyramid that is large at the base and then progresses steeply to its apex. In other words there are large numbers of employees in classifications such as drivers and terminal operators and station employees. But when you look at where

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<sup>50</sup> Transport and Distribution Training Board SKILLS AHEAD 2003-2008: Strategic Industry VET Plan for Transport and Distribution, Transport and Distribution Training Board, Melbourne, 2003,p.99

<sup>51</sup> ARA, The Changing Face of Rail, op.cit. p.48

they go from there the options within the railway industry are somewhat narrow. At the same time, much of the work is what can be described as “railway specific”. Train driving and shunting are typical examples. Other than the railway industry, there would be no demand for that work. That work is work of a skilled nature and the RTBU has sought that it be paid accordingly. For obvious reasons there is a tendency for many rail workers to remain in the industry and to form close and strong working relationships with their fellow workers.

To the extent that a career path in the rail industry is not seen as being confined to a single employer, there is the problem of employers only training employees for the specific skills that are immediately required by the employer. This has a negative impact on the portability of skills and, as mentioned is not only counterproductive for the employers but counterproductive for employees.

### Labour Hire and Contracting-Out

The RTBU has held concerns about the use of labour hire agencies and contracting out for some time.<sup>52</sup>

It is our submission here, as it was to the House of Representatives Committee that labour hire agencies and out-sourced organisations are not known for their commitment and expenditure on training. As Hall, Bretherton and Buchanan state<sup>53</sup>:

“Labour-hire operators and outsourced service providers invariably state that they cannot afford to invest in training, given the tightness of the margins, the competitive environment in which they operate and the pressure to keep labour costs to a minimum.”

However, Hall et. al. do not place the entire fault at the feet of the labour hire agencies or outsource providers. The employer utilizing them has to share the burden. In this regard, Hall et. al. say:<sup>54</sup>

“Employers using labour-hire or outsourcing have tried to shift the burden of training onto the labour-hire firm or the outsourced provider. However, these organizations are in turn trying to minimize any investment in training. At the same time the government’s role in direct provision of generalist and comprehensive trade and vocational training has declined in favour of support for a training market and user choice.”

The House of Representatives Report recognized that a problem does exist. Accordingly it recommended<sup>55</sup>:

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<sup>52</sup> See for example, Australian Rail, Tram and Bus Industry Union, SUBMISSION TO INQUIRY INTO INDEPENDENT CONTRACTORS AND LABOUR HIRE AGENCIES BY THE HOUSE OF REPRESENTATIVES STANDING COMMITTEE ON EMPLOYMENT, WORKPLACE RELATIONS AND WORKFORCE PARTICIPATION, Australian Rail, Tram and Bus Industry Union, Redfern, 2005

<sup>53</sup> Hall R., Bretherton T., and Buchanan J., “Its not my problem”: THE GROWTH OF NON-STANDARD WORK AND ITS IMPACT ON VOCATIONAL EDUCATION AND TRAINING IN AUSTRALIA, National Centre of Vocational Research, Leabrook, 2000, p.viii

<sup>54</sup>loc. cit.

“... that the Australian Government Departments of Employment and Workplace Relations, and Education, Science and Training, through the National Skills Shortage Strategy, develop a program of skills development and a best practice guide targeted at the labour hire industry. The development of this program and guide should be in consultation with the Recruitment and Consulting Services Association as the peak industry body, labour hire agencies and relevant employee bodies.”

To our knowledge, the Federal Government has not chosen to take up this recommendation of the Committee.

The railway industry has seen an increased use of labour-hire companies in recent years. They have been used in a wide range of functions across the industry, In that respect, the RTBU has received reports of cases where employees of labour-hire organizations have turned up to work in circumstances where they do not have the requisite qualifications. Persons who have been trained to drive two car passenger trains in Europe or have only been trained to drive small locomotives used in sugar mills have turned up in places where they would be expected to drive a locomotive hauling thousand of tones of freight. In another case, a number of employees of a labour-hire agency turned up at a location on the basis that they would be used to load and unload containers from a train. It was subsequently discovered that none of them had the requisite crane driving tickets. It was then expected that the employees of the direct employer would provide the training.

The ARA, it is noted, also sees a link between outsourcing and the skills deficit. In that regard the ARA has stated<sup>56</sup>:

“The trend toward the outsourcing of skills has anecdotally been identified as an explanation for the shortage.

In the recession of the 1990’s as operators downsized or outsourced aspects of the operations, many skilled employees left the operator and joined consultancies. This resulted in a significant loss of skills from the operators, and causes a reliance on outsourcing or use of contractors when the skills are required.

It is also common for rail operators to outsource non-core activities such as rolling stock and infrastructure maintenance duties

Whilst this activity redistributes the source of skills, they are not generally lost to the industry. The outsourcing of skills by the operator, does however assume the capacity of the industry to supply. As can be seen from previous outsourcing, the source of skilled labour comes from operators and rather than solve their problem, may exacerbate it.”

This quote reflects the critique by Hall et al of the problem of skills development that are a consequence of the nature of labour hire services in Australia. Nobody - labour

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<sup>55</sup> House of Representatives Standing Committee on Employment, Workplace Relations and Workforce Participation, MAKING IT WORK: Inquiry into Independent Contracting and Labour Hire Arrangements, Australian Government, Canberra, 2005, Recommendation 5, p.72

<sup>56</sup> ARA, The Changing Face of Rail, op.cit. p.31

hire company, outsourced company or the parent company – is prepared to accept responsibility for training and skills acquisition. Each sees it as the expenditure of monies for the benefit of someone else and the expenditure of monies they do not have.

The RTBU submits that to the extent that labour-hire and outsourcing are used, they will, in general, only exacerbate the skills shortage and lack of training in the rail industry.

A further problem inherent in the use of labour hire agencies is their tendency to employ persons on a casual basis and therefore provide little security of employment. To the extent this occurs it will act as a disincentive for persons to work in the industry.

#### The Australasian Railway Association Report<sup>57</sup>

In mid 2006, the ARA released a report that considered issues in relation to attraction and retention of employees in the railways. This report makes a number of comments.<sup>58</sup>

Of particular interest is what it has to say about the railway “culture”. The report states:<sup>59</sup>

“Members of the rail industry report a strong sense of camaraderie amongst work colleagues. This is indicated as particularly satisfying to employees who intended to remain in the industry for 10 years or more. Participants in interviews and focus groups also repeatedly reported that the rail workforce is traditionally a very ‘loyal’ workforce.

The strong sense of camaraderie and loyalty between co-workers serves to strongly reinforce the culture both within individual organizations, and within the industry as a whole. The rail culture has been further reinforced by the traditional trend of employees having a long tenure in the industry, and often spending their whole working life in the industry.”

Further, the report states<sup>60</sup>:

“Research indicated that employees who would recommend rail as a career report the highest satisfaction about their co-workers, and the safety focus of the industry.”

These comments portray a industry with a strong sense of mutual support amongst its employees, with a strong focus on safety and with a tendency to remain in the industry for long periods of time. In most places these cultural traits would be seen as positive.

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<sup>57</sup> ARA, The Changing Face of Rail. Op. cit

<sup>58</sup> To the extent those points have been identified and commented on elsewhere in this submission, they shall not be repeated here.

<sup>59</sup> ARA, The Changing Face of Rail, op.cit. p. 51,70

<sup>60</sup> Ibid. p.3

But this report is not so sure. It goes on to say<sup>61</sup>:

“The strong culture that is very attractive to the existing workforce, is quite unattractive to the emerging workforce that rail requires in the future.”

The culture is regarded as an impediment to attracting and retaining the next generation of employees.<sup>62</sup>

The report goes on to argue that there is evidence that the turnover amongst new recruits in the rail industry is five times higher than in any other industry.<sup>63</sup> This, according to it, is due to a number of reasons; one of which includes an incompatibility with the current culture – that employees must “enculturate or leave.”<sup>64</sup>

If true, this places the rail industry in an invidious position. This is because it leads to the conclusion that the reasons why the rail industry retains employees are the same reasons what it can’t attract them. It is also, in our submission a sleight on the existing workforce (and in particular long term employees) as it implies that employees imbued with their culture are, as far as their employers are concerned, fast becoming “dinosaurs”.

The RTBU rejects this position for a number of reasons.

Firstly, there is a dearth of evidence to support the position in the report that the culture as defined is such a negative force for potential employees. Whilst the document refers to “evidence” at no point does it actually produce it. In the absence of such evidence, particularly as it goes to such an important point, any conclusion can only be viewed with skepticism.

Secondly, the report itself provides a more probable answer to the reason why young people do not stay in the industry. These include a “lack of career path”, a “lack of development opportunities” and “remuneration.”<sup>65</sup> These are all matters that lie at the feet of the employers and have little to do with the so-called “culture”

Thirdly, this position appears to be based on what are alleged to be the attitudes of Generation X and Generation Y.<sup>66</sup> It is alleged that their views differ significantly from the “baby boomers” – they being the persons who comprise the ageing workforce and identify with the railway culture. In this regard it is argued that Generation X and Y “seek rapid career progression”, are “highly mobile”, and are “no longer seeking job security” but rather “see developing a flexible set of skills through multiple career changes” as the way of the future.<sup>67</sup> They are also allegedly more individualistic.

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<sup>61</sup> loc.cit

<sup>62</sup> Ibid. p. 34,51

<sup>63</sup> Ibid. p.2

<sup>64</sup> Ibid. p.51

<sup>65</sup> Ibid. p.43

<sup>66</sup> Ibid. p.55

<sup>67</sup> loc. cit.

Whilst these characteristics are often attributed to Generation X and Y, it is a contested area. Oliver, for example, identifies an Australian survey where job security was seen as the main priority for such employees.<sup>68</sup> Further, figures on job tenure do not identify a tendency for increased turnover. As Buchanan states<sup>69</sup>:

“Aggregate data on job duration however, indicates that jobs have, if anything, become more rather than less stable.

... the percentage of workers who have been in their jobs for less than a year rose slightly from 23.1 percent between 1975 and 2000. Over the same period those remaining in their jobs for more than 10 years rose from 20.8% to 24.4 percent of employed persons.”

To add to this, Oliver, after perusing the literature on Generation Y and conducting a survey on their attitudes concludes that<sup>70</sup>:

“There is no consistent pattern that demonstrates young people have become more individualistic and less interested in Unions.”

What this material demonstrates is that there is no clear position on the attitudes of Generation X and Generation Y and that the stereotypes often portrayed are contested and should not be used as a basis for policy making.

Finally, the fact that certain young employees do not remain in the industry for more than a couple of years may be the product of their expectations more than anything else. Oliver points to research that shows that young people, especially university graduates, have high, indeed too high, expectations and that it takes about 5 years employment before the expectations and reality begin to coalesce.<sup>71</sup> Nevertheless, the existence of high expectations would not be unique to Generation X and Y – it has a cross generational effect.

It is our submission that the industry should not get itself bogged down in sociological analyses of the “culture” of the industry. The reasons for the failure to attract new employees are open and easy to identify. Indeed this report identifies a number of those factors eg, lack of a career path, remuneration etc.

On the other hand the report makes an important point about the impact of change on the industry. It says<sup>72</sup>

“Changes in the economy and industry regulation have seen the industry respond with somewhat more of an economic model that focuses on short-term operational delivery over a model of long-term development.”

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<sup>68</sup> Oliver D., An Expectation of Continued Success: The Work Attitudes of Generation Y, LABOUR AND INDUSTRY, Vol. 17, No. 1 August 2006, p. 65

<sup>69</sup> Buchanan J. PARADOXES OF SIGNIFICANCE: Australian Casualisation and Labour Productivity, Working Paper No. 93, Australian Centre for Industrial Relations Research and Training, Sydney, 2004, pp.4-5.

<sup>70</sup> Oliver D., op. cit p. 69

<sup>71</sup> Ibid., pp. 67-68.

<sup>72</sup> ARA, The Changing Face of Rail, p.4

Whether it is a consequence of changes in the economy and industry regulation is a moot point, but the contemporary characteristics of the rail industry certainly accord with a “focus on short term operational deliver over a model of long-term development.”

It is in this context, in our submission. that the industry has tended to ignore issues of training, skills and workforce development and to simply rely on what was in place at the time the significant changes began to take effect. As time goes on, this reliance begins to sit of very shaky foundations. But as yet the railway industry has failed to come to grips with the issues and more so, the solution.

### The Position of the Federal Government

It is our submission that the position of the Federal Government is effectively to put the training agenda into the hands of the employers as that position is reflected by particular employer groups such as the Australian Chamber of Commerce and Industry (ACCI). For example, prior to its publication the Federal Government forwarded a draft report on a review of the Skills Councils to the ACCI for comment. Neither the Unions nor the States were place in a similar position despite having the same interest in the contents of the report.<sup>73</sup> The Federal Government has abolished the Australian National Training Authority (ANTA), introduced so-called user choice, pursued an agenda of Australian workplace agreements in the training sector and put the Industry Training Boards under threat.<sup>74</sup> The employers, as represented by the ACCI see themselves as being in a partnership with government on identifying skill shortages. Ironically but not unexpectedly, the ACCI, in identifying reasons for skill shortages is able to attribute blame or causation to virtually everybody other than the employers.<sup>75</sup>

With respect to industrial relations, the submission by the Department of Employment and Workplace Relations to this Inquiry reads like an advertisement for Workchoices. The submission perpetuates the myth that individual contracts facilitate mutual workplace flexibility whilst awards are rigid and remote. In particular, it advocates, in the absence of any evidence that individual contracts would better suit the characteristics of Generation Y employees.<sup>76</sup> The Federal Government alleges that its Workchoices legislation sets up the best of both worlds for employers and employees. This includes increased productivity and enhanced flexibility for both the employer and the employees.

It is the submission of the RTBU that the position of the federal Government on both training and industrial relations matters are essentially based on an endeavour to see

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<sup>73</sup> Senate Standing Committee on Employment, Workplace Relations and Education, HANSARD: Senate Estimates Hearing, Wednesday 1 November 2006, pp.81-82.

<sup>74</sup> See Australian Council of Trade Unions, SUBMISSION TO SENATE INQUIRY INTO THE SKILLING AUSTRALIA'S WORKFORCE BILL 2005 AND THE SKILLING AUSTRALIA'S WORKFORCE (REPEAL AND TRANSITIONAL PROVISIONS) BILL 2005, Australian Council of Trade Unions, Melbourne, 2005

<sup>75</sup> See Australian Chamber of Commerce and Industry, ADDRESSING SKILL SHORTAGES: AN INDUSTRY-GOVERNMENT PARTNERSHIP, Issues Paper, Australian Chamber of Commerce and Industry, Canberra, April 2006

<sup>76</sup> Department of Employment and Workplace Relations, op.cit. p. 25,31

the practical application of its ideology rather than advance the cause of the employees in the rail industry. Its view not only ignores the practical reality of power relationships in the workplace but openly seeks to skew that relationship even more in the direction of the employers.<sup>77</sup> Employers desirous of attracting and retaining labour are hardly likely to do so when they are given the power by the Federal Government to wield a “big stick” at their employees and adopt a position of using it.

Just as bad are the following features that have accompanied the Federal Government’s broader industrial relations policies.

- Since 2000, productivity has fallen in Australia. In the 1990’s productivity increased at an average annual rate of 2.3%. Since 2000 the average annual rate has fallen to 1.5%. It has also fallen below the OECD average of 1.8%.<sup>78</sup>
- The skills gap in Australia has grown in recent years.
- Through enterprise bargaining and other means made available by the Federal Government<sup>79</sup>, employers are constantly pushing to obtain greater levels of control over the working lives of employees including the flexibility to dictate their working hours.

Each of these points reveals the contradiction inherent in the current position of the Federal Government and reinforces the view that to follow its direction will only lead the industry down the wrong path.

To add insult to injury, one of the Federal Government’s solutions to the skills crisis is to allow employers to bring in labour from overseas. In recent times there has been a litany of examples of where both the visas and the overseas employees have been abused by employers. So much so that the Joint Committee of the Houses of Parliament on Migration has recently established an inquiry into temporary business visas. The RTBU has made a submission to that Inquiry.

The position of the RTBU is that temporary business visas must be confined to persons with the type of skills that are either not available or in excess demand in Australia. This position is also highly dependent upon a regime for the training and education of persons in Australia for the acquisition of those skills and measures to prevent the abuse of persons on those visas. With respect to labour agreements, they

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<sup>77</sup> On the changing nature of power in the workplace as a consequence of Workchoices, see Westcott M., Baird M., Cooper R., Reworking Work: Dependency and Choice in the Employment Relationship, LABOUR AND INDUSTRY, Vol. 17, No. 1 August 2006, pp.5-17

<sup>78</sup> These figures are taken from Eslake S., More secure, but all the poorer, SYDNEY MORNING HERALD, 10 January, 2007

<sup>79</sup> For example, the Federal Government is working assiduously to give employers more power to unilaterally determine occupational health and safety arrangements in the workplace. See, Australian Rail, Tram and Bus Industry Union, SUBMISSION TO INQUIRY BY SENATE EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION COMMITTEE INTO THE PROVISIONS OF THE SAFETY, REHABILITATION AND COMPENSATION AND OTHER LEGISLATION AMENDMENT BILL 2006, Australian Rail, Tram and Bus Industry Union, Redfern, 2007



should not be used other than in limited circumstances and only after tripartite agreement.<sup>80</sup>

### Working Arrangements

As this submission indicates, a traditional feature of the railway industry has been one of long term employment. It was also an industry where full time employment has been the norm with more or less certainty in the hours of work.

In recent years, much of this has come under intense pressure from employers.

Forms of employment now go beyond full time employment to include part time, casual and temporary employment. At the same time, there has been the introduction of contract labour and labour hire agencies that provide employees to certain direct employers on a regular basis.

In addition, there is the notion of contracting out. This is particularly prevalent in infrastructure maintenance. For example, a contract for infrastructure maintenance over a particular geographical area may be let for a pre-determined period of time. At the end of that period the contract is re-let and there is no guarantee that the company that currently performs the work will win the new tender. The RTBU is aware of examples where employees have continued to do the same work on the same piece of infrastructure but under a number of different employers, all of whom want to introduce altered practices.

Compounding the negative effects of the application of numerical flexibility on employees, employers in the rail industry are continually pushing for changes to the hours of work arrangements. These changes are designed to give them greater flexibility in the use of labour for a lower cost. For example, in recent enterprise agreement negotiations with a rail employer, the employer pushed for a situation where an employee could work a train from Sydney or Melbourne to Perth and back again. The employee would be absent from his/her home for up to 7 days. Rest periods during the journey would be taken in a van attached to the train behind the locomotive. This change was successfully resisted by the RTBU but it is an example of the types of change being pursued and how that change is solely in favour of the employer.

Whilst forms of employment other than full time employment are not undesirable of themselves, problems arise when they are motivated by a cost cutting agenda and where the savings to the employer are a consequence of shifting the cost to the employee/s.

The RTBU is engaged in a constant struggle to protect members against the endeavours of employers to “save a few quid” at the expense of its employees – and in doing so being told that it is in the interests of both parties that this be done. On the other hand, no employer has approached us looking for genuine “mutual flexibility” over work arrangements nor have employees approached us saying such offers have

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<sup>80</sup> Australian Rail, Tram and Bus Industry Union, SUBMISSION TO THE JOINT COMMITTEE ON MIGRATION INQUIRY INTO TEMPORARY BUSINESS VISAS, Australian Rail, Tram and Bus Industry Union, Redfern, 2007

been made by an employer. Whatever the arrangement, when it all boils down, the employer wants and demands the final word.

The cause of the employers is being aided and abetted by the Federal Government through Workchoices and other related legislation and policies. This is because, as mentioned earlier, the Federal Government is intent on swinging the balance of power in the workplace even more in favour of the employer.

To the extent that change is uni-directional in favour of the employer, it will act as a disincentive for potential employees to apply for a position. Potential employees are hardly likely to be attracted to employment where the employer exercises an inordinate degree of control over what they do and when they do it.

## **BUS OPERATIONS AND THE RTBU**

The RTBU has members employed by a number of government owned bus operators. They are:

- State Transit Authority of New South Wales
- Western Sydney Buses
- Brisbane City Council
- Metro Tasmania
- Hobart Buses

In addition to the operation of buses in the state capitals of Sydney, Brisbane and Hobart, services are also provided in Newcastle, Launceston and Burnie. Up until the mid 1990's the RTBU also covered the government bus operations in Adelaide and Perth, but upon the contracting out of those services, and given the constitutional limitations on coverage in the bus industry, the RTBU's coverage was discontinued.

The role of these employers is to provide urban bus services to the residents and visitors of the cities mentioned above. This includes peak and non-peak services, the provision of buses for school students, special events (sporting events etc.) and for hire by various groups and organisations

### State Transit Authority of New South Wales

Sydney is by far the largest market for urban bus services in Australia. Together with the operation of buses in Newcastle, the State Transit Authority of New South Wales (STA) employees some 4,500 persons<sup>81</sup>. Of those 4,500 persons, some 3,500 or 78% are employed as bus drivers (or as they are referred to, "bus operators").

Employment in the STA is increasing and, in our view, should continue to increase. This follows an increase in the demand for its services both in terms of a higher intensity in those areas that have traditionally been served by STA and an enlargement in the area that is being served.

The STA is constantly employing new bus operators. The RTBU experience is that training schools are being commenced on virtually a weekly basis.

Each new bus operator is initially employed on a traineeship. Following an induction session of 4 days, the trainee will spend a period of time with a driver trainer. That time will be spent both in and out of traffic. The traineeship lasts for a period of 2 years upon which the employee is fully qualified and certificated.

Whilst persons may apply for and obtain a licence to drive a bus from a number of registered training organisations, such a licence is deemed insufficient by STA to

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<sup>81</sup> State Transit Authority, ANNUAL REPORT 2005/06, State Transit Authority, Sydney, 2006, p.6

permit a holder to operate one of its buses. Any new employee regardless of the type of licence held is required to complete the traineeship.

Whilst STA has been steadily increasing its employment of bus operators, it has been offsetting that increase by reductions in employment in other parts of its activities.

The STA Annual Report refers to decreases in employment amongst its “wages maintenance” employees and its “maintenance salaried/supervisory” employees.<sup>82</sup> In other words, in the trades and non-trades groups and the administrative and supervisory groups involved in the maintenance of buses, STA is shedding labour. Much of this reduction can, in our experience, be attributed to the contracting out of maintenance activities by STA.

In addition to the maintenance activities, STA is reducing employment in its “corporate” area. Its annual report states that through voluntary redundancy, employment in that area was reduced by 7% in 2005/06.<sup>83</sup>

If we take into account that the majority of employees are bus operators and consider that employment elsewhere in State Transit has been shrinking, it leads to the conclusion that career development for bus operators within State Transit is limited. Other than some supervisory positions and even less middle management positions in the bus operations area, there is virtually no scope for advancement.

Whilst the overwhelming majority of bus operators are employed on a full time permanent basis, there are bus operators who work on a part time or casual basis. The use of part time and casual employment is a phenomenon of the 1990’s. Historically, bus operators were all employed on a full time permanent basis.

Whilst we do not have any figures, experience tells us that the turnover of bus operators is very high. This, in our view, can be attributed to a number of reasons.

Firstly, the duration of the traineeship is a problem. During that period the trainees are on a wage that is lower than the wage for a bus operator. There is a strong view that the level of the wage is such that employees will opt to look elsewhere before the completion of the 2 year period.

Secondly, a number of operators have other qualifications eg trades or professions, and regard their work as a bus operator as a “fill in” during troughs in employment in their normal field of work. When that work picks up they will return to it.

Thirdly, in recent years, STA has increased the “cut-off” point for recruitment. A number of new employees come from entirely different backgrounds, eg teaching and finance. It is our view that there is a tendency for these people to leave after a relatively short period of employment.

Fourthly, the job of a bus operator is not an easy one. It involves working in peak hour traffic that is particularly congested whilst simultaneously dealing with commuters. In

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<sup>82</sup> Ibid. pp. 33-34

<sup>83</sup> Ibid. p. 30

that regard the work can be difficult and stressful. At the same time it necessarily involves working shifts and weekends on a regular basis.

Finally, to the extent that STA has an ageing workforce and a relatively high number of employees approaching retirement age, this will have an impact on the turnover rate.

These factors also help to explain why State Transit has an ageing workforce. It is our estimation that if an employee can make it through the first few years, they tend to stay for the long term. Another factor that will help explain the ageing of the workforce is that in recent years STA has shown an inclination to employ persons who are in the 30-40 year bracket.

### Brisbane City Council

The Brisbane City Council provides an urban bus service to the residents of Brisbane. It employs around 1,700 employees. Of those 1,700 employees, around 1,400 or around 82% are employed as bus operators.

The RTBU experience with the Brisbane City Council (BCC) shares many similarities and some dissimilarities, with the STA experience.

Like the STA, employment in BCC for bus operators has been increasing steadily in recent years and it is anticipated to keep on increasing for the foreseeable future. For example, two new bus depots are in the pipeline and are anticipated to be operational in the next couple of years. Some of the planned expansion is hamstrung by infrastructure limitations. The increased demand for services is a product of a combination of factors such as intensifying the workload on current routes, introducing new services and the “Busways” system.

Unlike the STA, the BCC has retained its involvement in bus maintenance activities. Indeed it is in partnership with a private sector company and involved in the construction of buses for its services.

Issues going to recruitment and retention share many similarities to those in the STA.

Bus operators are recruited from the general public through the placement of advertisements in the relevant press. Training is undertaken by the BCC within the BCC. The RTBU has observed a tendency in the BCC for the recruitment of persons in their thirties and forties and with a background in professional or middle management positions.

With the overwhelming majority of employees being employed as bus operators, the scope for a career path is limited. Like the STA the situation is comparable to a pyramid with a large base and narrowing sharply to a peak.

The workforce is also an ageing one. Once people get used to it there is a tendency to work as a bus operator for a long time. The existence of an ageing workforce has been exacerbated by the tendency in recent years to recruit employees who are in their thirties and forties.

The 1990's also saw the introduction of casualisation into an service that had historically provided for full time permanent employment. It is estimated that roughly 20% of the current bus operator workforce at the BCC is employed on a casual basis.

The RTBU estimates that the labour turnover amongst bus operators is between 8% and 10%. Whilst we are not aware of any studies being conducted to analyse the turnover rate, the RTBU believes that some of the reasons include employees leaving whilst trainees due to the low wages and employees' experience on the job producing an different outcome to what they expected.

### Metro Tasmania

Metro Tasmania provides an urban bus operation to the residents of Hobart, Launceston and Burnie. It employs 450 persons (or 381 full time equivalent positions). The overwhelming majority (75%) of employees are in Hobart, followed by Launceston (20%) and Burnie (5%).<sup>84</sup> The RTBU estimates that about 320 of those employees are bus operators. Accordingly, bus operators comprise some 71.1% of the total number of employees. Overall employment has remained relatively steady in recent years

Metro Tasmania also operates another company, being Metro Coaches (Tas) Pty. Ltd., which trades under the name of Hobart Coaches.<sup>85</sup>

Metro Tasmania performs limited bus maintenance work. For examples its employees perform general servicing work. It is estimated that this part of Metro Tasmania's business employs around 20 employees. There has been a tendency to contract out heavier maintenance work. Bus overhauls are performed by private companies and in December 2005, it contracted out the operation of its bus body repair and maintenance activities.<sup>86</sup> It is estimated that Metro Tasmania employs some 20 employees in its maintenance operations.

An external recruitment agency is used for the employment on new bus operators. New recruits into the bus operator stream undertake a 3 month period during which time they learn to operate a bus to the required standard. Bus operator training ultimately leads to the attainment of a certificate which places them at level 3 in the Australian Qualifications Framework (AQF). The average duration of time taken to attain the AQF3 qualification is 18 months

All new bus operators are initially employed on a casual basis. When a vacancy become available in a full time position, that position is firstly offered to employees employed on a part time basis. In the event that no part time employee takes the position, it will be offered to the casual employees. In the event that it is taken by a part time employee, a casual employee will then fill the part time position and the casual position will be filled through recruitment through the external recruitment agency.

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<sup>84</sup> About Metro. [www.metrobus.com.au/html/about.html](http://www.metrobus.com.au/html/about.html)

<sup>85</sup> Metro Tasmania, ANNUAL REPORT 2005/06, Metro Tasmania, Hobart, 2006, p. 4

<sup>86</sup> Ibid. p.6

Like STA and the BCC, Metro Tasmania has an ageing workforce and a relatively high turnover rate. The current turnover rate is around 10%.<sup>87</sup> It is the view of the RTBU that there is a strong relationship between the two, namely that the turnover rate is very much a product of the ageing workforce and the number of retirements occurring as a result.

The ageing workforce is also indicative of the fact that employees tend to be long term employees. Nevertheless the RTBU has observed in recent times that Metro Tasmania, like its counterpart operations in New South Wales and Queensland has adopted a tendency to recruit persons in their thirties and forties.

In summary it can be seen that a number of consistent features run through the bus employers' workforces. The major form of employment is the bus operator; employment is generally long term, the workforce is ageing, turnover is high, the job has a number of stressors, the career path is limited, and employers are now tending to recruit from an older age group.

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<sup>87</sup> Annual Report, p. 9

## TRAM OPERATIONS AND THE RTBU

The operation of tramways and light rail systems for urban public transport in Australia is relatively small compared to the railways and bus operations.<sup>88</sup> Melbourne is the only city in Australia with an extensive tram and light rail network.<sup>89</sup> Other than Melbourne, only Adelaide and Sydney have a tram/light rail network.

In recent years the tramway and light rail network has been expanding, or about to expand, or would like to expand. Melbourne has extended its network to suburbs like Bundoora, Box Hill and Vermont South. Adelaide is in the process of extending its network to North Terrace. In Sydney, there is a debate in progress about the possibility of extending its system.

The operator of the Melbourne system is Yarra Trams. It became an operator of part of the tramway system upon its privatization by the then Kennett Liberal Government in the late 1990's and it became the sole operator in April 2004 when the operation of the public transport system in Melbourne was consolidated by the Brack's Labor Government.

Yarra Trams employs 1,800 employees. Of those 1,800 employees, 1,100 are employed as tram drivers. Another 275 employees are "frontline" staff.<sup>90</sup> In that respect, tram drivers comprise 61% of Yarra Tram's workforce. When combined with the "frontline" employees, they comprise 76.4% of the workforce.

In terms of growth, Yarra Trams estimates that over the next 5 years it will take an additional 22 million passenger trips.<sup>91</sup>

Yarra Trams utilizes a recruitment agency – Skilled Engineering – for the purposes of recruiting tram drivers. Consistent with the STA, BCC and Metro Tasmania, Yarra Trams appears to be adopting a tendency to employ persons in their thirties and forties. As we understand it there is a view that more mature adults are regarded by Yarra Trams as better suited to the duties of a tram driver.

Upon being employed, the new employee enters the tram driving school. This involves a 6 week period of classroom training combined with both in traffic and out of traffic driving under a the guide of an instructor. At present there is no formal qualification. Discussions have taken place between the RTBU and Yarra Trams for the development of a Level 3 AQF certificate but as yet no outcome has been reached.

The career path for a tram driver is a limited one. The position immediately above the tram driver is the Depot Starter. This position is responsible for the dispatch of tram in a timely and efficient manner and for communication relevant messages to the tram driver.

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<sup>88</sup> With the benefit of hindsight and given the current public transport problems in some cities, the decision to close a number of tramway systems in Australia's major cities may now be something of regret.

<sup>89</sup> The Melbourne tramway network of 249 kilometres of double track is the third largest tramway network in the world.

<sup>90</sup> These figures are taken from Yarra Trams: Facts and Figures. [www.yarratrams.com.au](http://www.yarratrams.com.au)

<sup>91</sup> Loc. Cit.



There is also a classification known as Authorized Officers. These would fit in to the category of “frontline” officers within Yarra Trams. Employees in these classifications perform customer service duties, revenue protection duties such as ticket inspecting and other associated duties.

Whilst these other classifications exist, the career path for a tram driver is a narrow one. Like their counterparts in the rail and bus industries, there is a pyramid with a broad base and very steep lines to the apex. Most tram drivers will only ever be employed as tram drivers for as long as they remain employed by Yarra Trams.

Nevertheless there is a tradition amongst tram drivers of lengthy employment in Yarra Trams and its predecessor. It is not unusual for tram drivers to have 20 or more years’ employment in that position. This in turn helps explain why Yarra Trams also has an ageing workforce.

The RTBU understands that the average annual turnover in Yarra Trams is in the order of 5%. But as the workforce ages this turnover rate can be expected to increase. Consequently, given an increase in turnover combined with an expanding network, Yarra Trams can be expected to face a requirement to recruit relatively large numbers of tram drivers in the foreseeable future.

In addition to the actual operation of trams, Yarra Trams undertakes the maintenance of the tram infrastructure. The infrastructure covers the tram tracks, the overhead and associated infrastructure. There is an ageing workforce employed in these maintenance activities. It has been estimated that the average age is 51.7 years. Accordingly, there will be an increase in the turnover rate in years to come as many employees reach retirement age. In recent years, work has been done on developing a new classification structure in this area to facilitate career development going forward. However, there is a problem with ensuring that employees are given the opportunity to undertake the necessary training and thereby take advantage of the new structure.

The maintenance of trams is also performed by employees of Yarra Trams. This work utilizes both trades and non-trades employees in the areas of mechanical, electrical and vehicle work. These employees perform the periodic maintenance work and most unscheduled maintenance work. Major overhauls have been contracted out to the United Group. Further, with the introduction of new trams, there is an arrangement for the companies who construct them – in this case Siemens and the United Group – to maintain them as well.

The tramway network in Adelaide is publicly owned and operated. The employer is the State Transport Authority of South Australia, known as TransAdelaide. By comparison with Melbourne the network is small. At present the trams operate between Victoria Square (in the central business district) and Glenelg. Steps are being taken to extend the tram line from Victoria Square to the Morphett Road end of North Terrace.

Employment has remained steady in this part of the operation of TransAdelaide, although the extension of the network may provide an opportunity for the creation of further employment.

At present there are 43 employees involved in the operation of the trams. The training period for a tram operator is around 6 weeks and the work is performed in-house. In recent years, new employees have tended to be redeployees from other parts of TransAdelaide.

TransAdelaide also undertakes the maintenance of the trams. Some 15 employees are engaged in that type of work. The only exception are the recently introduced new trams which, like the trams in Victoria, were subject to a supply and maintain contract. The trams were constructed by Bombardier.

The career path for tram operators is small and narrow. Other than some supervisory positions there is not a lot open to them.

There is a tendency for the tram operators to be long term employees and as a consequence it is an ageing workforce. Figures from TransAdelaide which take into account both its rail and tram operations show that of a workforce of 531 employees, 318 (60%) are aged 40 or over.<sup>92</sup>

The new player on the block is the light rail system in Sydney. It opened in August 1997 and operates on a single route from Central Station, through Chinatown, Darling Harbour and the Casino, and on to the inner western suburb of Lilyfield.<sup>93</sup> The network is owned and operated by a private company, Metro Transport Sydney.<sup>94</sup> It operates 7 vehicles with 5 cars per vehicle.<sup>95</sup>

From an employment perspective, Metro Transport Sydney employs around 70 employees. Of these 70 employees, some 24 are employed as tram operators, 15 as customer service operators and 6 as traffic controllers. It also undertakes maintenance of the vehicles. There are a number of employees employed on a casual basis. The work includes shift work and weekend work. Training is undertaken by the company on an in-house basis.

There is currently a debate about expanding the light rail service, particularly through the central business district to Circular Quay. Whether that happens remains to be seen. There has also been some discussion about extending the line beyond the current terminus at Lilyfield.

One of the problems of expanding urban public transport services is the access to land and infrastructure. This has been seen as a problem in Melbourne and is a problem in Sydney. As available land becomes of the essence in congested cities, this becomes a major barrier to the expansion of these services.

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<sup>92</sup> TransAdelaide, ANNUAL REPORT 2005-06, TransAdelaide, Adelaide, 2006, p. 47

<sup>93</sup> About Us: Metro Transport, [www.metromonorail.com.au/aboutus.asp](http://www.metromonorail.com.au/aboutus.asp)

<sup>94</sup> loc.cit

<sup>95</sup> See Technical Details, [www.metromonorail.com.au](http://www.metromonorail.com.au)

In summary, whilst the tramways are tending to expand their operations and with it employment, the nature of the work is such that the skills are narrowly defined to the work of operating a tram/light rail vehicle. As such, skills' training is provided by the employers upon employment and the career path is subject to limitations.

## SUMMARY AND CONCLUSION

With respect to the railways, this submission describes an industry that has gone through a period of tumultuous change and the current environment remains unstable. The industry has been deeply affected by micro-economic policies that have manifested themselves in a number of forms – rationalization, contracting-out, corporatisation, privatization and labour market reform.

These changes have, in turn, had a dramatic impact on the workforce. From a large employer of labour that performed a wide range of functions and predominantly on a full-time basis, the current picture reveals a much smaller workforce performing a narrow range of functions and through a variety of forms of employment. Another noticeable change has been the movement from a small number of publicly owned employers to a large number of smaller employers and significant involvement of the private sector.

It is our submissions that whilst the changes have been part and parcel of government policy, workforce considerations, other than redundancy programs, have largely been “left out in the cold”. To the extent labour was a consideration the emphasis was on reducing the size of the current workforce. Whilst the new players in the industry and the “slimmed down” existing players could rely on the residual of skills that emanated from a period of complete public ownership with its strong emphasis on training, and whilst the job was getting done, attention was focused in other areas.

Elsewhere the training agenda was changing. The current Federal Government, aided and abetted by certain employer groups has been battling to wrestle the training agenda from the industrial relations environment (where it was a critical part of the composition of classification structures), undermining a national and industry approach to training and to transfer any costs associated with training from the employers to the employees. This employer dominated enterprise focus on training and the acquisition of skills is producing both a skills shortage and a misallocation of skills. That there is a skills shortage in Australian appears to be beyond contention.

In the railways, the shortage of engineers and skilled trades is recognized by the employers. There is, in our submission, not doubt that the shortage extends beyond those occupations. Locomotive drivers are a case in point. The shortage is likely to spread to other parts of the industry, if it hasn't already, unless the employers seriously address the dearth of training.

Part of the problem also stems from the type of training being provided. The RTBU has observed a trend towards the provision of enterprise specific training that only caters for the immediate needs of the employer. For that reason, the role of the TDT and the attainment of qualifications based on an AQF system has tended to be ignored or underplayed by rail employers.

Regardless of what one estimates to the size of the railway workforce in the foreseeable future, a combination of skills disappearing as their current holders move into retirement and the failure to adequately replace those skills is a recipe for major blockages in the industry. As the workforce in the railways is of above average working age, as the railway industry requires certain skills that are unique to its

operation, and as there appears to be a general reluctance amongst employers to train new employees, the outcome speaks for itself. It is an outcome that is not an attractive one.

It is all the more critical, in our submission, because with the proper policy settings in place, demand for labour in the railways should increase. The imperatives of climate change, congestion, pollution, oil prices and other associated issues promote the use of rail as one means, and a significant means, to positively address them. Whilst these issues are not entirely new and it is acknowledged that traditionally policy makers have effectively ignored the railways as comprising part of the solution, it is submitted that the extent of the problem has moved to a higher level. In that context, we submit that pushing rail to one side is no longer an option (if it ever was).

It is now at the point where the rail industry can no longer afford to quibble and procrastinate over its training and skills requirement. The objection that other employers will engage in “bodysnatching” or “headhunting” will ultimately lead to a cessation of hostilities because of an absence of appropriately trained persons to engage in a battle over.

The focus on short term profit and cost considerations will inevitably be self-defeating. As the lack of an appropriately trained workforce and labour supply becomes a deeper problem, the price of both living with it and overcoming it will increase sharply.

The traditional wellspring of skills in the rail industry has, as a result of privatization either dried up or is running dry. The beneficiaries of the privatization process have an obligation to replace that source. There are no benefactors out there to pick up the responsibility for them. To the extent that an industry training organization, the TDT, is there to assist, much of the rail industry has chosen to ignore it. The employers need to rethink their approach in this regard.

The situation is not assisted by the approach of the current Federal Government to the acquisition of skills by the workforce. The fact is that the dearth of skills has become deeper in recent years. Its current approach to both training issues and industrial relations issues in general, in our submission, cannot assist in overcoming the problems and indeed will only make them worse.

As noted in our submission, the RTBU rejects the proposition by the ARA that the railway “culture” acts as a deterrent to recruitment. The rail industry workforce is an ageing one. Whilst there are a number of reasons for this, a major one is that employees tend to remain in the industry for long periods and, in the absence of recruitment, the age profile is a logical consequence. Further, the structure of the workforce is such that the movement through a career path is limited. Also, as noted, the industry requires a number of skills that are unique to it. Add to that the fact that the railway industry is one where shift work is predominant, that operates 24 hours a day and where certain employees can spend a lot of time away from home. This combination of factors has helped produce the culture of camaraderie and mateship that is referred to by the ARA. In our submission this is a positive feature of the railway industry and not one to be put down in the manner it has. That people would find such a culture off-putting is difficult to understand. Interestingly the ARA says

little about what culture is thinks would be appropriate. We doubt if it will find a workforce that thinks that internal competition on a daily basis is the way to go.

It is also the submission of the RTBU that if the railway industry employers want to attract employees they must re-think their current push for a one-sided process of flexibility and top-down control. Many employees already work shift work covering 24 hours a day and 7 days a week. That in itself can be a deterrent to attracting employees. But when that feature is made worse by a push by employers to have discretion as to how those hours of work are actually worked and altered, the deterrent factor can only increase. Added to this is a situation where employers want to exercise discretion over that range of duties an employee may perform whilst they are at work regardless of whether the employee regards it as reasonable or whether it is taken into account for the purposes of payment. Also in this context, consideration must be given to the use of labour hire companies. Whilst they may be necessary from time to time, the overuse of them only exacerbates the skills problem and the failure of the industry in the recruitment stakes. In that regard it is a truism that persons would prefer to work for the direct employer with a combination of training and job security rather than a labour hire company on casual employment and no training.

The tram and bus sectors share a number of characteristics with the rail sector. Features such as privatization and contracting out have been applied with respect to trams and buses. Large numbers of employees in relatively few occupations, long term employment, ageing workforces and skill sets being work specific are feature characteristic to all three modes of transport. At the same time, the bus sector appears as an expanding one in terms of employment of bus operators. Simultaneously it is a contracting sector in terms of employment of maintenance and administration occupations.

The transport industry, as it concerns the RTBU, faces a number of challenges into the future. The emphasis of the employers must switch from a predisposition towards reducing employment to ensuring that they will be able to obtain an appropriately skilled labour force that is desirous of working in the transport industry.

The industry must move beyond a reliance on others to do the training, or the use of labour hire companies or pushing the problem onto some else through contracting out or working the current workforce harder to make up for a shortfall that is either here or is inevitable.

This in turn requires the employers to move beyond a narrow focus on economic issues. It also in our submission requires the employers to look at the needs of the industry as a whole rather than solely their place within it. In the current environment, the RTBU view is that unless there are some major attitude changes, the likelihood of such an outcome is problematic.

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