

FAQs – Changes to State Transit Regions 7, 8 and 9

What has been announced?

- On 24 October 2019, the New South Wales Government announced that State Transit's three regions – Regions 7, 8 and 9 – would be put out to competitive tender by early 2020 as part of wider changes to the Sydney bus network.
- Part of the tender will be inviting the world's leading public transport operators to bid for bus contracts across metropolitan Sydney.
- New private operator(s) are expected to commence running services by mid 2021.

What does this announcement mean for State Transit staff in Regions 7, 8 and 9?

- All bus drivers and maintenance staff covered by awards in Regions 7, 8 and 9 will be offered employment with the new operator(s) on the same award terms and conditions, including the transfer of accrued entitlements, recognition of service and continuity of superannuation entitlements and with a two-year employment guarantee.
- Operational staff who are covered by the Senior and Salaried Officers Award will also be offered employment with the new operator(s) on the same award terms and conditions, including the transfer of accrued entitlements, recognition of service and continuity of superannuation entitlements and with a two year employment guarantee.
- Non-operational Senior and Salaried Officers Award staff may also have the opportunity to apply for a role with the new operator(s), but this is not guaranteed and will depend on the needs of the new operator(s).

What opportunity will non-operational Salaried and Senior Officers Award staff have to apply for roles with the new operator(s)?

- The new operator(s) will be required to identify if they have any vacancies that are comparable to current State Transit non-operational roles.
- Any vacancies will be advertised through an Expression of Interest process.
- If you are successful in being appointed to a comparable role with the new operator(s), you will receive the same transfer arrangements as other transferring award staff. Details about the transfer arrangements can be found at www.stayinformed.com.au/statetransit.
- State Transit and TfNSW will also work with non-operational staff to maximise your redeployment opportunities, both within the Transport cluster and more broadly in the NSW Public Sector as part of the Government's Placement Strategy.
- We will engage with you over the coming weeks to talk about this process further.

Will Award conditions and accrued entitlements carry over to the new operator(s) for transferring staff?

- Yes. Award conditions will carry across to the new operator(s), as will accrued entitlements such as annual leave, sick leave, long service leave and superannuation. Service with State Transit will also be recognised.
- The Engineering and Maintenance Award will be renegotiated this year, by 31 December 2019, while the current Bus Operations Award and the Salary and Senior Officers Award will be renegotiated by 31 December 2020. The length of the new Awards and any other changes will be approved in accordance with Wages Policy and subject to the agreement of the parties.

How long will Award conditions and employment be protected?

- Under the two year employment guarantee, both the transferred award conditions and your employment are protected for the two years.
- In addition, under the transfer of business rules of the Fair Work Act, Awards in place at the time of the transfer must stay in place until a new federal enterprise agreement is negotiated with the relevant staff and their representatives or for up to five years, whichever comes first.
- This means that all award conditions, including any pay increases in the Award due after the transfer date, must be recognised by the new employer.

Will I be offered the same type of employment as I have now?

- Yes. Staff who are guaranteed employment with the new operator(s) will be offered the same job at the same level and with the same status.
- Agreed part-time or flexible employment arrangements in place at the time of transfer will continue under the new operator. Any variation to these arrangements will be subject to the terms of the relevant Award or Enterprise Agreement in place at the time.

Can you ensure current employees will not be impacted by changes to rosters? Can the new operator(s) dictate our rosters and shifts?

- Any changes to working arrangements, including changes to rosters, will be made in accordance with the relevant Award or Enterprise Agreement and policies in place at the time.

Will I stay in my current superannuation scheme?

- Yes. Staff will continue to be a member of their current superannuation scheme, including defined benefits superannuation schemes such as SASS (State Authorities Super Scheme) .

Will there be redundancies as part of the transition to the new operator(s)? What happens if I don't want to work for the private operator(s)?

- There will be jobs for the majority of Award staff with the new operator(s).
- Under government regulation, you will not be eligible for a redundancy payment if:

- you reject an offer of comparable employment with a new operator(s), or
- you are notified of an available comparable role with an operator(s) and do not apply for it.

What is comparable employment?

- Comparable employment is where:
 - your prior service with State Transit is recognised by the new operator(s), and
 - the work you will perform for the new operator(s) is similar to the work you performed for State Transit, and
 - the terms of any Award or Enterprise Agreement that would apply to your role with the new operator(s) are substantially similar to and, overall, no less favourable than the terms of your State Transit Award, and
 - the role with the new operator(s) would not involve an unreasonable increase in your journey to work.

What will happen to buses and other State Transit assets?

- The government will continue to own all buses and depots in Regions 7, 8 and 9 and will continue to regulate fares, timetables, routes and bus stops, and ensure strict safety and operational standards.

What do I need to do?

- You do not need to do anything at this stage. State Transit will continue to provide bus services in Regions 7, 8 and 9 until the new operator(s) commences in mid 2021.

When and how will staff transfer to the new operator(s)?

- The new operator(s) of Regions 7, 8 and 9 are due to commence by mid 2021.
- The details of the transition process will be worked out in consultation with staff and unions.
- State Transit and Transport for NSW are committed to ensuring staff remain informed and will consult and update staff and union representatives as the tender process continues and during the transition process.

How will staff be consulted over changes resulting from the tender announcement?

- Staff will be consulted and kept informed about the tender and transition to the private operator(s).
- A regular consultative group with the unions is also proposed, which would meet throughout the tender and transition process.
- Regular updates on the transition will be provided to staff through a range of communications, including the Blink staff app, the weekly CEO message, Digital Depot, intranet, a dedicated website www.stayinformed.com.au/statetransit, information sessions and staff notices on depot notice boards.
- Your managers will also be kept informed.
- Staff who have questions can also email stayinformed@transport.nsw.gov.au .

What did the government announce about changes to other bus contract areas?

- The government has announced it will re-tender the 10 privately operated Sydney Metropolitan Bus Service Contracts (SMBSCs) in a number of tranches when they start to expire.
- These contracts cover the greater Sydney metropolitan area and have been run by the private sector for many years.

Why is the government tendering the remaining State Transit contracts?

- The tenders will create an opportunity for a new generation of bus contracts that will transform the current model of service delivery, to one with multiple types, including high capacity routes and local and on demand travel.

How will the government select the new operator(s) for all of these regions?

- The government is inviting proposals to operate these regions through a competitive tender process.
- This will be via an open market process.
- The government intends to make a decision on the successful operator(s) of Regions 7, 8 and 9 by late 2020 with services to commence by mid-2021.

Will the government continue to have an ongoing role with buses?

- Yes. The new operator(s) will have a contract with Transport for NSW.
- Under the contract, the government will set minimum service standards and performance indicators, but the operator(s) will have a level of autonomy to plan and run services.
- The government will continue to own the buses and other assets such as depots, and will continue to set fares and timetables, and regulate strict safety and operational standards.
- Private operator(s) will have to meet high performance standards for safety, reliability, customer satisfaction and cleanliness.

Who will the new operator(s) be accountable to?

- The new operator(s) will be accountable to the government through its contract with Transport for NSW.

Who will set the fares for the new operator(s)? Will they go up?

- The government will continue to make the final decisions on fares as they do now. Passengers will continue to use their Opal cards as they do today.

How can you guarantee a private company would keep servicing all local stops?

- Buses in Regions 7, 8 and 9 will operate under a contract with Transport for NSW which will include minimum service standards.

- The new operator(s) will have a level of autonomy to work with the community and undertake the consultation process required to design a network that meets local needs but the government will always have the final say.

Will the new operator(s) listen to us about how to provide public transport services?

- The focus of the new operator(s) will be to deliver services and grow patronage that meets the needs of public transport users. We expect any new operator(s) to work closely with staff to deliver the best services possible for customers. The new operator(s) is expected to deliver services to meet greater Sydney's needs.

Will the new operator(s) keep the existing depots? Will I have to change where I travel to work?

- Changes to working arrangements, including to schedules and depots, will be done in accordance with the relevant Award or Enterprise Agreement and policies in place at the time.

Will the new operator(s) be a Registered Training Organisation (RTO)?

- The current RTO for State Transit is Transport for NSW. The new operator(s) will have an obligation to honour the terms of any traineeship/apprenticeship current at the time of transfer.
- The need for ongoing traineeships will be a matter for the new operator(s) to consider. If the new operator(s) is not an RTO, it would engage an external provider in accordance with its needs.

Will I be able to keep my Employee Opal Card under the new operator(s) and, if so, will I be able to use it on the new operator's services? If I keep my Employee Opal Card, will service under the new operator(s) count towards eligibility for a Gold Pass?

- Employee travel passes and the ability to accrue service for the Gold Pass will transfer to the new operator(s) for a period of three years. This will include the ability to use the employee travel pass on the services of the new operator(s) over that period.

Will I be able to keep my Employee Opal Card if I am not offered employment by the new operator(s) and, if so, will I be able to use it on the new operator's services?

- You will be eligible to keep your Employee travel pass while you are employed in an award or enterprise agreement role within the Transport Service (TfNSW or Sydney Metro), Sydney Trains or NSW TrainLink and service for the Gold Pass will continue to accrue. This will include the ability to use the employee travel pass on the services of the new operator(s) over that period.

Will I be able to transfer to another State Transit Region? For example, I currently work in Region 7 – can I transfer to Region 8 or 9 ?

- Requests for transfers between regions or depots will continue to be managed in accordance with State Transit's staffing needs and policy until further notice.