

3/11/19

Senate Transport Industry Enquiry 2019.

To Whom It May Concern.

Thank you for the opportunity to provide information to the enquiry in to the Australian Road Transport Industry. Unfortunately exploitation of drivers is rife within the industry and in many circumstances drivers are being used to subsidise the low freight rates in the industry.

Background:

I have been involved in the transport industry for the past 30 years as a professional driver and a logistics coordinator. I moved to Logistics in November 2017 but returned to driving in July 2019 due to conflict between Chain of Responsibility and the demands of customers on deliveries.

I have also been a driver's representative at two different Companies over a 16 year period, experiencing Enterprise Bargaining negotiations.

Following are the points I wish to raise:

Wages (factual not an opinion):

The transport is covered by two awards, Transport and Distribution and Long Distance Drivers Award 2010 which is the one I am most familiar with. Following are common incidents that exist in the transport industry that are happening right here and now:

- 1) Casual employees being paid the same hourly rate as full time employees with no loading as required by award.
- 2) Drivers not accruing or being paid Rostered Days Off.
- 3) Companies required drivers to sign individual contracts with the Long Distance Drivers Award 2010 as the agreement base.
- 4) Companies once these contracts are signed change the rates in the contract at will to suit their management and cash flow. Whilst they have a clause in regards to consultation between the parties, this never happens.
- 5) Drivers financially penalised for loading below the maximum gross weight. These penalties are not included in the employment contracts and the money is taken from the driver's wages without any written consent.
- 6) Companies will use the Overnight Allowance as part of the hourly rate rather than over and above the award rates.
- 7) Companies refuse to pay an hourly rate as required by the Long distance Award 2010 for trips within the 500km radius of the base, paying the kilometre rate is a substantial saving.
- 8) Companies paying the kilometre rate now refuse to pay of the truck odometer or the GPS tracking unit instead calculate the trip Post office to post Office. Pick up and deliveries in regional areas can be long distances from any post office and drivers are not being paid for these additional kilometres. These payments are not by the kilometre but "trip money" which is not recognised in the Awards.

- 9) Company Managers and Owners are the “Masters of Bullying”, common conversations end with “if you don’t like it/ don’t do it you can get your gear out of the truck and p... off. Drivers who dare question management decisions are punished by reducing the amount of work they are allocated.
- 10) Driver’s rights to consultation has greatly diminished. The Transport Workers Union refuse to represent individual drivers with only groups of employees up for consideration hence they are slowly making themselves obsolete.
- 11) The usual excuse from Companies that the Awards are too complicated, but the reality is they only want to pay the minimum they can get away with and ignore the rest.

Superannuation (factual):

- 1) Drivers, who’s wages are paid by the kilometre are not receiving their super payments based on the kilometres travelled rather based on a weekly base wages rate. The difference between the two is quite substantial.
- 2) Transport Companies have been masters of not paying superannuation with a former employer going into administration owing employees up to \$100k in unpaid super. This company still owes me \$8000 in unpaid super.

If required I could provide evidence of the above information.

Best regards

Graeme Walker