



Form 73A – Notice of WHS dispute

Work Health and Safety Act 2011, section 102B

INDUSTRIAL REGISTRAR
20 MAY 2021
QUEENSLAND

NOTICE is hereby given under section 102B of the *Work Health and Safety Act 2011* to deal with a dispute.

BETWEEN

Australian Rail, Tram and Bus Industry Union of Employees, Queensland Branch

v

Aurizon Operations Limited t/a Aurizon

1. Particulars of party making application to deal with the dispute

Name:	Australian Rail, Tram and Bus Industry Union of Employees, Queensland Branch		
Phone number:	(07) 3839 4988	Fax number:	
Mobile number:			
Email address:	industrial@rtbu.com.au		
Name of contact person:	Lucas Kennedy		
Direct phone number of contact person:	(07) 3839 4988	Mobile number:	
Email address of contact person:	lucas.kennedy@rtbu.com.au		

Workplace where dispute exists	
<i>limit</i>	<i>attach</i>
Aurizon's Toowoomba Depot	

WHS matter subject of the dispute
<p>1. A Female Locomotive Driver was sexually harassed by a fellow male employee in late 2019. 2. The sexual harassment left the woman with a psychological injury. 3. The female employee raised a formal complaint with the employer. 4. The employer washed their hands of the matter as they believed, incorrectly, that the sexual harassment occurred outside of work. 5. The employer has permitted the harasser to move to the same workplace as the victim. 6. The employer has provided to the victim a letter which provides directions on how to deal with the harasser's conduct and how to raise a complaint should his behaviour resurface. 7. The employer has a duty to eliminate all risks and hazards in the workplace. 7. This includes the specific risk and hazard posed by the harasser working in the same workplace as their victim. 8. The employer is within their power to move the harasser away from the victim to another workplace. 9. The employer has refused to eliminate this risk to the female worker.</p>

Is a decision made by an inspector to exercise, or not to exercise, compliance powers under part 10 to assist in resolving the dispute subject to review under part 12? YES NO

Particulars of the other party/parties to the dispute			
Organisation:	Aurizon Operations Limited t/a Aurizon		
Phone number:	(07) 3019 2540	Fax number:	
Email address:	nadine.morris@aurizon.com.au		
Name of contact person:	Nadine Morris		
Direct phone number of contact person:	(07) 3019 2540	Mobile number:	
Direct email address of contact person:	nadine.morris@aurizon.com.au		

Signature of person notifying the dispute	
Signature:	
Name:	Peter Allen
Position/Capacity:	Secretary, RTBU - QLD Branch
Date:	20 / 05 / 21