



## Form 73A – Notice of WHS dispute

Work Health and Safety Act 2011, section 102B



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

<b>BETWEEN</b>	
Australian Rail, Tram and Bus Industry Union, Queensland Branch	
v	
Queensland Rail Transit Authority v/a Queensland Rail	

<b>1. Particulars of party making application to deal with the dispute</b>			
<b>Name:</b>	Australian Rail, Tram and Bus Industry Union, Queensland Branch		
<b>Phone number:</b>	0738394988	<b>Fax number:</b>	
<b>Mobile number:</b>			
<b>Email address:</b>	industrial@rtbu.com.au		
<b>Name of contact person:</b>	Carla Jones		
<b>Direct phone number of contact person:</b>		<b>Mobile number:</b>	
<b>Email address of contact person:</b>	carla.jones@rtbu.com.au		

**Workplace where dispute exists**

Queensland Rail's Stations Network, South East Queensland

**WHS matter subject of the dispute**

*schedule 1*


1. An RTBU Member raised a formal complaint about bullying behaviours by their Manager directed towards the Member. 2. Queensland Rail are refusing to investigate the Member's complaint appropriately. 3. Queensland Rail lacks any adequate policy to deal with bullying or harassment complaints. 4. This is resulting in disparate outcomes and little consistency in how complaints are investigated and what actions are taken to remedy these unlawful and unsafe behaviours. 5. As such, Queensland Rail has failed to provide a safe system of work for our Member. 5. Further, they have failed to discharge their duties under ss 17, and 19 of the Work Health and Safety Act 2011 (Qld). 6. The parties have been unable to reach a solution to this WHS dispute.

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**

<b>Organisation:</b>	Queensland Rail Transit Authority t/a Queensland Rail		
<b>Phone number:</b>		<b>Fax number:</b>	
<b>Email address:</b>			
<b>Name of contact person:</b>	Michael Reeves		
<b>Direct phone number of contact person:</b>	0407770695	<b>Mobile number:</b>	
<b>Direct email address of contact person:</b>	Michael.Reeves@qr.com.au		

**Signature of person notifying the dispute**

<b>Signature:</b>	
<b>Name:</b>	Peter Allen
<b>Position/Capacity:</b>	Secretary, Australian Rail, Tram and Bus Industry Union, Queensland Branch
<b>Date:</b>	08 / 10 / 21

**Work Health and Safety Act 2011**  
**Complaint about a Work Health and Safety or Electrical Safety Issue**  
Date: 07/10/2021, Ref **57347**



**Details of person making complaint**

Reporter: **MS NATALIE NEIDECK**

Telephone: **0419769128**

Email: **OFFICIALS@RTBU.COM.AU**

Relationship to the workplace: **UNION ORGANISER**

Postal address: **Level 1  
457 UPPER EDWARD ST  
SPRING HILL 4000 QLD  
AUSTRALIA**

**Questions answered before complaint submission**

Question	Answer	Special Notes
Do you approve Workplace Health and Safety Queensland or Electrical Safety Office raising the issue with the relevant parties?	Yes	
Do you approve Workplace Health and Safety Queensland or Electrical Safety Office making the parties aware that the issue has been raised by you?	Yes	

**Details of business or undertaking directly associated with the Work Health and Safety or Electrical Safety Issues**

Legal name: **QUEENSLAND RAIL TRANSIT  
AUTHORITY**

ABN: **71132181090**

Trading name: **QUEENSLAND RAIL**  
Business Address: **305 EDWARD ST  
Brisbane**

ACN:  
Telephone:  
Mobile:  
Email:

**Details of Issues**

Address where issue identified: **305 EDWARD ST  
Brisbane**  
Date aware of the issue: **21-Sep-2021**

Issue location description:  
Date issue last apparent: **07-Oct-2021**

Description of issue: **QR lacks a policy for bullying and harassment complaints. This is resulting in disparate outcomes and no consistency in how complaints are investigated and followed up.**

**RTBU member Alexandra Earthling put in a formal complaint of bullying behaviour towards her by her manager, but QR are refusing to investigate her complaint appropriately. As a result of this they are not managing the risk of further psychological harm to her.**

**Therefore Queensland Rail are failing to discharge their duty of care under the WHS Act.**

Issue raised with person conducting the business or undertaking directly: **Yes**

Outcome from raising the issue with the workplace: **Thus far we have been unable to resolve the dispute, and are requesting assistance from worksafe queensland.**

**HSR details**

Workplace has HSR: **No**

**Other agency or person details**

Other agencies involved in resolving the issue: **No**

Any other person conducting businesses or undertakings involved in resolving the issue: **No**