



# DIRECTIONS

*Fair Work Act 2009*

s.158 - Application to vary or revoke a modern award

**Application by [REDACTED] and Others**

(AM2023/30, AM2024/1, AM2024/2, AM2024/3)

## **RAIL INDUSTRY AWARD 2020**

Rail industry

VICE PRESIDENT ASBURY

BRISBANE, 19 JANUARY 2024

*Application to vary, revoke or make a modern award – Rail Industry Award 2020.*

## **BACKGROUND**

[1] The Applicants apply to the Fair Work Commission (Commission) under s. 158 of the *Fair Work Act 2009* to vary the Rail Industry Award 2020, or make a new modern award, to cover their roles as Protection Officers in the rail industry.

[2] The Applicants have requested that their names and personal information not be published on the Commission's website to protect their identities. Given the stage of the applications and that further information is required before they can be progressed, I granted the requests and asked for the names and personal information of the Applicants not be published until a framework for the matter to be progressed is identified.

[3] Further to the Case Management and Directions Hearing conducted on 15 January 2024, it is necessary for the Applicants to provide information about the work they are required to perform to determine whether they are covered by the Rail Industry Award and if so, whether the Award should be varied to clarify the coverage and appropriate classification levels for Protection Officers.

[4] The following Directions are issued:

## **DIRECTIONS**

1. By no later than **4:00 pm AEST (QLD) / 5:00 pm AEDT (NSW & VIC) on Monday, 29 January 2024**, the Applicant in AM2024/1 is to file in the Commission a **statement of evidence** setting out the following information:
  - a) The work duties performed by the Applicant as a Protection Officer;
  - b) A job description for Protection Officers in the rail industry;

- c) The legislative provisions that govern the role of Protection Officers in the rail industry; and
  - d) A list of the companies known to the Applicant that engage employees in the role of Protection Officer.
2. All documents referred to in a statement of evidence are required to be attached as an Annexure to that statement and numbered accordingly.
3. A further Case Management and Directions Hearing will be conducted three weeks after the material is filed in accordance with these Directions. A Notice of Listing will be issued and published on the Commission's website.
4. The names and personal information of the Applicants will remain redacted on the Commission's website, until the further Case Management and Directions Hearing is held and further steps for the progression of the applications are determined.



VICE PRESIDENT

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