



SAPN/Enerven EA: Protected Action Ballot Order Approved by the FWC

The Fair Work Commission have determined that the requirements have been met to issue the Protected Action Ballot Order as requested by the CEPU, the ASU and Professionals Australia. This is the first time in over 15 years that the workers of the SBU have the ability to act collectively by using Protected Action in pursuit of their claims in an Enterprise Agreement.

The hearing for this matter last Thursday cannot be under stated. SA Power Networks enlisted the use of a private law firm who in turn used a Barrister from Melbourne. This Barrister has history representing the ABCC (who you may remember from the 1SAPN campaign) against Unions in other industrial disputes. It seems there is plenty of “fuel in the tank” to pay for high priced Lawyers/Barristers in the fight against workers’ exercising their rights, but no more “fuel in the tank” to give the workers in the negotiations.

This decision, by a Deputy President of the FWC, determines that an employer cannot unilaterally “cease” bargaining, and that SA Power Networks have been incorrect in their statements that bargaining has ceased. In our view, this statement was always a ploy to avoid the pressure of Protected Industrial Action moving forward. SA Power Networks now need to return to the bargaining table and start to genuinely bargain over the issues that are contained in the Log of Claims.

The Protected Action Ballot will proceed once we have received the Orders from the FWC. We will have voting instructions out later this week.

For now, we are asking all members to ensure their contact details are correct with their respective Unions and ensure that your colleagues are aware that only Union members can partake in Protected Action, if any colleagues aren’t a member of a union, they should join now.

For more information regarding the SAPN/Enerven enterprise agreement negotiations, contact your relevant union workplace delegate or your Union Organiser:

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PLEASE SHARE THIS UPDATE WITH YOUR WORKMATES