

SAPN call in external law firm to investigate employees 09/08/21

As you may have read, in last week's HR news SAPN has instigated a major investigation and engaged [EMA Legal](#) to conduct it. The CEPU has serious concerns regarding the approach being taken by SAPN in this matter.

Investigations conducted by SAPN are normally completely confidential, to the point that workers are regularly warned that they could be terminated if confidentiality is breached. This investigation is a significant departure from the normal SAPN process.

The company has announced via a companywide communication that an investigation into the whole workforce will be carried out by an external law firm. The CEPU is concerned that this could constitute an act of retribution by SAPN designed to intimidate employees who have exercised a workplace right to take protected industrial action.

If you are asked to participate in an investigation meeting with EMA Legal:

1. Contact your union to let us know
2. You have the right to decline
3. You have the right to ask for an agenda, including all questions that will be asked in the meeting
4. You have the right to representation if you choose to attend

If you are directed to participate in an investigation meeting with EMA Legal, contact your union for assistance.

The CEPU has written to SAPN (as per below) to formally notifying the company of "issues of concern" over this and have instigated the status quo provision of the Issue Resolution Procedure, Clause 11 of your EA.

Good morning,

The CEPU is formally notifying you of an issue of concern to employees under clause 11 of Attachment 2 of the Utilities Management Pty Ltd Enterprise Agreement 2018, namely, the current fishing expedition, which deviates from the investigation process that SAPN has previously followed.

Employees were notified publicly via 'HR News' on the 3rd of August that they may be pulled in for questioning by lawyers. A sample of employees from various depots were then notified on 6th and 9th August that they were being interviewed. There has been no evidence provided as to the basis of the investigation with respect to the individual employees and the public nature and advertisement of the interviews. This is an issue of grave concern to employees, particularly in light of the usual strict confidentiality placed on employees during investigation processes.

While this issue is being resolved, we remind you that the status quo must remain and accordingly the interviews will need to be rescheduled.

We are seeking to meet with you immediately to discuss these concerns.

Please contact your CEPU Delegate or Organiser if you have any questions or concerns regarding the above.