

CEPU disputes SAPN's Investigation without confidentiality 09/08/21

As you may have read, in today's HR News, the CEPU have used the Issues Resolution Procedure to dispute SAPN's high profile investigation into Line Workers.

In SAPN's newsletter today, they say they don't know why we are opposing or questioning the investigation. This is a result of wilful ignorance of the issue. We have communicated formally and laid out our concerns on multiple occasions, as well as publishing a newsletter laying out our concerns. There cannot be any misunderstanding of our concerns, by any reasonable person. We will raise our concerns again in the FWC on Tuesday with EMA Legal, who are representing SAPN in the dispute.

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 consultancy (EMA Consulting). 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.

The CEPU aren't questioning the right of SAPN to hold investigations into breaches of the Code of Conduct, of course SAPN has the right to investigate issues. What we are questioning is the open and well advertised nature of this investigation. Newsletters sent to the whole company about it, workers names being put up on the E-whiteboard with "INVESTIGATION – Information Gathering" next to them and the interviews being conducted on people who haven't been accused of the intimidation, casting a wide net not investigating allegations. This is a form of victimisation and intimidation put upon workers who haven't got anything to do with the situation, the company has said these workers are a "random sample" of Line Workers.

If SAPN have reports of bad behaviour, they should know exactly who to question about what. This broad net "fishing exercise", or "Information Gathering" exercise, is not fair or reasonable and that is why we have concerns. As a result of our concerns, we lodged a dispute in the FWC as we are entitled to do.

If you are asked to participate in an investigation meeting with EMA Consulting!

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.