

Utilities Management EA Update 28/10/2021

SBU Continues Challenge to Separate EA's

On Wednesday the 28th of October 2021, the SBU appeared in the Fair Work Commission to challenge the separation of the Enerven and SAPN Enterprise Agreements. The Conciliation hearing ran for approximately 3 hours. In a conciliation, the FWC attempts to get the parties involved to agree on an outcome.

UMPL again sought to be represented by a Barrister and instructing Solicitor in this FWC matter, rather than use their own Human Resources team. This was given provisional approval by the FWC.

While it is of course a decision for UMPL as to how it seeks to represent itself at the FWC, it would appear to us that while UMPL is trying to reduce your wages and remove conditions at work in the interests of gaining so-called business efficiencies, this same rationale is not used on other areas of the business. It is disappointing to see UMPL again try to use their power as a multi-billion-dollar corporation at the expense the UMPL workforce and the service you provide to the community.

In the conference, UMPL were sticking to their plan to run 2 EA's side by side to cover all employees (no clear and definite scope or anything to stop transfers) and the SBU maintained their opposition to the separate but transferrable Enterprise Agreements. Since the parties could not find agreement, even on the changing or better defining of the scopes (UMPL wish to be able to move workers back and forth) the FWC have set the dispute down for a full court hearing, on the 18th of November 2021. Between now and then there will be more court proceedings lodged to help our case in resistance to the dividing of the current UMPL Enterprise Agreement.

In the proceedings we asked the FWC to order UMPL to stop the Enerven EA Meeting from proceeding because we believe that these meetings are not legal or valid. Unfortunately, the FWC did not write orders to stop these meetings. We will be taking advice from our lawyers as to whether we can attend these meetings without harming our chances in legal proceedings against the separation of Agreements.

What's Next?

We have lodged a "Scope Order" in the FWC, and further "Good Faith Bargaining" applications will be lodged in relation to the UMPL and the Enerven Bargaining. We have enlisted a barrister who will represent us in these proceedings. In the meantime, we need to gather statements from workers who are concerned over the splitting of EA's to present to the FWC. If you have any concerns over the splitting of EA's (concerned if you will be moved to an EA that you didn't have an opportunity to bargain or vote on, or any other concerns that a split EA will bring about a negative impact for you) then please call us so we can raise your concerns in the FWC. This is an opportunity for the workers to take the steps to protect your Industry.

We will be planning a half day stoppage, that *all* members need to participate in to attend a mass meeting. The date and location will be communicated shortly.

The next UMPL EA Meeting is scheduled for 04/11/2021, where UMPL will respond to the SBU proposal.

SAME WORK, LESS PAY, WE SAY, NO WAY

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