



your united team of collective strength



Utilities Management EA Update 26/11/21

Fair Work Declares Protected Action has been Notified Correctly

Yesterday afternoon, Thursday the 26th of November 2021, UMPL took the CEPU SA Branch to the Fair Work Commission in an effort to get the Fair Work Commission to prevent Union Members from taking Protected Industrial Action. We WON – again!

The Fair Work Commission agreed with us. Our notifications have been in line with our obligations and are valid in that they contain the required information as per below:

Nature of intended industrial action:

- *An unlimited number of stoppages on the performance of work for up to and including 4 hour periods (except for emergency situations)*
- *An unlimited number of stoppages on the performance of work for up to and including 8 hour periods (except for emergency situations)*

In line with the resolution of Members at the mass meeting held on the e 11th of November 2021, the CEPU commenced serving UMPL with notices of intention to take Protected Industrial Action on the 18th of November 2021.

We are legally required to provide 5 days' notice of Industrial Action which means the first day available for Industrial Action is today, Friday the 26th of November 2021.

The CEPU will continue to issue UMPL with notices of intent to take Industrial Action every weekday until our Members resolve to cease Action.

The determining factor in deciding to cease Industrial Action will be making some actual progress toward a position **the SBU is able to endorse**, for a new Single Enterprise for all UMPL workers.

What does this mean our Members can do?

- Our Members can take Action in the form of a work stoppage (not come to work or not continue to work)
- Our Members can choose the time and day of any stoppage (weekdays only, not weekends)
- Our Members can choose the length of their stoppage
- Our Members can choose not to participate in any stoppages at all

Effectively this gives our Members the right to not attend work on a weekday until the notices stop being submitted (or an Enterprise Agreement is accepted) or to attend work as normal each day, or anything in between.

What do our Members need to do to partake in Industrial Actions in the form of work stoppages:

- Not attend work for a period that they have decided to participate in a stoppage
- Ensure their time sheet reflects exactly the times that they have worked/not worked
- Ensure any time that was a work stoppage is booked to pay code 1037 – strike un-paid

Our Members **do not need to notify anyone of their intention to take Industrial Action**. We have already made those notifications on behalf of our Members in accordance with our obligations. Fill your time recordings out after your work/non-work periods, or as you normally would, there is no obligation to change your current time recording processes as a result of exercising your right to participate in Industrial Action.

What is an agreement the SBU can endorse?

From the very outset, we have maintained that we do not want to lose conditions through these negotiations. We have lost a lot of conditions that are outside of the EA (such as BBIP, minimum manning, rights to leave during availability), so there is no way further conditions in our EA should be allowed to be removed.

UMPL have maintained a rigid position through this process and have not bent at all on any of our *critical* claims. Their current offer does not address any issues with:

- Availability Rostering
- Job Security
- Continuous Shift Worker Issues
- Day Worker/Shift Worker changeover without Agreement.

We want a fair and reasonable outcome on the conditions that are in our claims AND we want a fair and reasonable outcome on a wage rise **with back pay**.

CitiPower/Powercor offers 3.5% plus a boost in Conditions to Vic Power Workers

Victorian Power Workers are about to vote on an offer that contains 6 monthly 1.75% pay rises (fully back paid) and a raft of other increases in conditions in a proposed EA.

These extra conditions include:

- Mandatory apprentice intake numbers for each year
- Adverse weather clause has "air quality" added and payment will cut in at 36 degrees
- 0.5% extra super paid
- Full review of all single person work practises
- Has "Site Allowance" clause improved for increased use (large project sites)
- Personal leave before/after public holiday no longer needs proof automatically
- New clause to address overtime worked the night before an RDO
- New clause added to allow workers to claim credit of RDO if called in on an RDO
- A 0.25% increase, included in the wage increase, for their efforts during COVID

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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Timeline of Bargaining for the UMPL EA

The following of the meetings held to try to reach an agreement:

- 1st Meeting - 26-6-2020
- 2nd meeting – 14/7/2020
- 3rd meeting – 4/8/2020
- 4th meeting - 17/9/2020
- 5th meeting – 28/9/2020
- 28-9-2021 EA put out to a vote by UMPL (offer 1), 2% pay rise, 1 year roll over.
workers rejected the EA offer
- 6th Meeting - 2/11/2020
- 7th Meeting - 17/11/2020
- 1-12-2020 Same EA offer put out to a vote by UMPL (offer 2), 2% pay rise, 1 year roll over.
workers reject the same offer for a second time
- 8th Meeting - 5-2-2021 - At this meeting which lasted 3 minutes total, SA Power Networks uni-laterally declare that negotiations have ceased. Unions do not agree.
- 22-2-2021 SBU Unions Lodge a Protected Action Ballot Application, UMPL object on the grounds that they have “ceased bargaining”. Union’s force UMPL back to the table.
- PAB Order issued on 3-3-2021
- 9th Meeting 23-3-2021
- PAB Results returned a successful outcome for all unions on 25-3-2021
- 10th Meeting 12-4-2021
- 11th Meeting 19-4-2021
- 12th Meeting 13-5-2021
- 13th Meeting 25-5-2021
- 14th Meeting 8-6-2021
- 18-6-2021 UMPL make an offer (offer 3), 2 tiered wage system, 80% for new workers, etc
workers reject the 3rd offer
- 15th meeting 17-6-2021
- 16th Meeting 14-7-2021
- 17th Meeting 22-7-2021
- 18th Meeting 6-9-2021
- 19th Meeting 16-9-2021 UMPL announce Enerven want their own ea (NERR released)
- 20th Meeting 23-9-2021
- 21st Meeting 7-10-2021
- 22nd meeting 21-10-2021

Last meeting was on the 4-11-2021, UMPL rejected the SBU counter-offer except for 2 claims.

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