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Utilities Management EA Update 23-12-2021 **FWC decision on separate Enerven EA handed down**

Deputy President Anderson of the Fair Work Commission handed down his decision on the Single Bargaining Unit unions application for a *Scope Order* and *Bargaining Orders* relating to the Enterprise Agreement negotiations with Utilities Management Pty Ltd (SAPN and Enerven).

The published decision can be accessed here: <https://www.sapowerworkers.com.au/wp-content/uploads/2021/12/Scope-Order-Decision-231221.pdf>

Its long and legalistic, but in essence, the Commissioner has found in favour of UMPL's position that it is not unfair to issue a separate notice for a separate Enerven Enterprise Agreement. He used his discretion and dismissed both of the unions applications.

The CEPU remains concerned that separate agreements for Enerven and SAPN is a bad outcome for workers. Especially given that UMPL say they can direct employees to move between Enerven and SAPN at will. There is also still confusion about what agreement would apply to employees who currently do work for SAPN and Enerven.

Having two different agreements with different terms and conditions that can be applied to individual employees at the companies discretion is detrimental to employees interests.

The unions are taking legal advice regarding appealing this decision. Further information will follow in coming days.

SAME WORK, LESS PAY, WE SAY, NO WAY!

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

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