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## Utilities Management EA Update 03-03-2022

### **EA Meeting 23/2/2022**

The SBU met with Utilities Management to continue negotiations on the 23/02/2022.

The meeting was conducted over Microsoft Teams, to ensure COVID safety. The meeting lasted 1hr and 45 minutes. The Forced Availability Clause and the Issue Resolution Clause were the only 2 claims discussed.

The SBU had committed to seek feedback from the Workplace Delegates that would be impacted by the proposed Forced Availability Clause, to see if there was a Clause that the workers could agree to.

UMPL put 2 conditions on any clause the SBU could propose:

1. the company must be able to “require” the workers effected, to return to work outside of hours.
2. the Clause must not include any extra remuneration, except what is currently contained in the EA.

After meeting with the Workplace Delegates from the groups that would be affected (those that have availability in their Role Description or Indicative Task), we gathered feedback to deliver to UMPL. It was very obvious from the outset that the workers were not interested in any further obligations in relation to working hours, because of an underlying torrent of feedback about under-resourcing. Workers feel that their areas are now much less resourced than they have been in the past and this has resulted in more obligations on current workers, than workers have had in the past.

In most areas Availability roster rotations are shorter than what they have been in the past. More people are on availability rosters than have been in the past (layered rosters, multiple rosters per area) and there are now minimum manning obligations which make it harder to get leave – to the point that UMPL are now starting to refuse Long Service Leave.

The feedback was delivered to UMPL with 3 possible options, none of which met the company’s criteria. We suggested that UMPL could beef up the Major Incident Allowance, they could install a Resourcing Clause (similar to that in the CitiPower/Powercor EA) or they could add a Comprehensive Availability Roster Clause in the EA that covers all workers obligations in relation to their rosters. None of these suggestions would include Mandatory or Forced Availability.

The next claim discussed was the Issue Resolution Clause. UMPL wish to replace the current Gold Standard Issue Resolution Clause with the minimum standard. This would restrict what can be disputed (to only issues contained in the EA or in the National Employment Standards) and it would remove our Status Quo Clause. Our Members are not keen on either of these changes for good reason. We discussed this claim briefly and said we would try to find a Clause that meets the requirements of both parties. Since the meeting, we have sent a possible Clause to UMPL to try to move this claim forward.

### **FWC Appeal against 2 EA’s**

Our Appeal against UMPL splitting the current EA was heard by the Fair Work Commission on Friday the 25<sup>th</sup> of February. The Hearing lasted almost 3 hours, with our Barrister presenting our case strongly. At the end of the hearing there were some notes that were requested by the 3 Commissioners in attendance, with a time limit on those notes and responses set at Close of Business Friday the 4<sup>th</sup> of March. After that date the Full Bench of the FWC will work on a decision, we expect that to be handed down in a matter of weeks. We will keep our Members informed of any developments as they happen.

## **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**