

## **Utilities Management EA Update 5-7-2022**

### **UMPL will choose who can and can't apply for internal vacancies**

The SBU met with the UMPL bargaining team on 4-7-2022 to continue bargaining for a single Utilities Management Pty Ltd (UMPL) Enterprise Agreement.

The meeting was attended by the UMPL Bargaining Team, 3 Enerven Independent Bargaining Representatives and the full SBU team. The meeting was quite brief, the UMPL Bargaining Team ran through the Enerven Draft and showed some changes that have been made since the last meeting. The proposed Enerven EA is still missing key details and is not in a state that could be voted on, in our view the contents still constitutes a cut to workplace conditions. UMPL then responded to the claims from the SBU on the UMPL EA. Most responses were pre-scripted and read from a computer screen, when questioned, the company had trouble answering questions without notice. This is the type of negotiation that we have come to expect from the UMPL Bargaining team.

UMPL rejected all of the SBU claims in relation to the UMPL EA. This included the new claim to correct resourcing issues across the business. Through discussions, the UMPL IR Manager said that workers do not have the right to apply for internal vacancies, UMPL will make the decision who gets to apply for internal vacancies. This is a major change in stance from the company. It goes against the Fair Treatment Clause in our current EA and it is also at odds with the company's own "HR and Ethics Policy". In this situation it's easy to see that a company policy really means nothing, if the company itself won't even follow it. This decision by UMPL could remove any workers opportunity of career progression. In the case where the company chooses to not allow a worker to apply for an internal position, the worker's only opportunity to challenge the decision is by taking the company to court. This is a hideous position to wedge a worker in and makes us question the company's ethics all together.

### **FWC issues a statement as a result of UMPL Bargaining Actions**

UMPL made an application to the FWC in relation to the SBU newsletters. UMPL alleged that the newsletters were misleading and asked the FWC to write orders that would make the SBU to issue retractions/corrections as a result. The FWC decided against any orders and issued a statement. In the proceedings it was made clear that the comments made in the newsletters were from the SBU's perspective and were in many instances, correct given the circumstances. The Deputy President made it very clear that the Unions have the right to represent members in the way they see fit. Communication between the Unions and their members is a critical element in bargaining an Enterprise Agreement. The statement can be found [HERE](#).

### **Industrial Action Continues to Escalate**

Industrial Action has been pivotal in our current campaign to achieve a fair outcome on a future EA. The company only needs to move on a few critical claims for the SBU to be able to accept the outcome as reasonable. The critical claims are big ticket items that the company has not wanted to move on thus far. Industrial Action needs to continue and escalate to provide the pressure that is required to get the company to move on these claims. As usual, if any EA goes out to a vote, all employees need to assess all EA's (because there is no certainty which EA will apply to which employee) before casting their vote.

2 EA's is a step backwards, especially taking the current Enerven EA Draft into consideration. If there are different 2 EAs, one of the two groups of workers will be worse off than the other – that is, there will be a 2-tier system.

The SBU continues to reject the claim of an Enerven EA and are fighting for one EA for all of UMPL.

## **SAME WORK, LESS PAY, WE SAY, NO WAY**

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