



your united team of collective strength



Utilities Management EA Update 25/10/2022

UMPL Continue Testing Legal Principles

UMPL's proposed Enterprise Agreement took over two years to negotiate, was endorsed by the SBU, put to a vote by UMPL and supported by an overwhelming majority of employees.

The agreement is ready to be approved by the Fair Work Commission.

UMPL made an application requesting that the FWC approve their agreement on **04/10/2022**. But, then on the same day, bizarrely asked the commission to delay the agreements approval until mid-December 2022.

The reason given by UMPL, a multibillion-dollar, multinational company, is that their payroll system is not able to handle the required pay rate changes – changes the company has had two years to prepare for and has previously been able to accommodate following the approval of a new agreement.

The CEPU has never before encountered such an unprofessional and unprepared response to the implementation of an *agreed* Enterprise Agreement. It stretches credulity that a large, profitable, highly resourced company like UMPL is unable to process and apply pay increase like every other company does in the normal course of its business operations.

The companies request to delay pay increases and associated backpay is unreasonable and unfair to the employees who voted to accept the agreement on the understanding that increases and back pay will be applied in the usual way. The application of annual pay increases and payment of back pay has not been an issue for UMPL in the past.

Aside from delayed payments to current employees, the SBU is particularly concerned that workers who have, or are planning to, leave the business will miss out on their back pay altogether (this has happened to 4 members that we know of already).

Workers who are retiring have their superannuation payments calculated on the pay rates applied to their final payments. This means that employees who are retiring or planning to retire this year will also be significantly financially disadvantaged by UMPLs management incompetence.

If UMPLs proposal to delay the approval of the EA until mid to late December would negatively affect you, we need to hear from you ASAP.

The Fair Work Commission this morning gave UMPL until the close of business this Friday to file written submissions in support of their request to delay pay increases and back pay. The Unions then have three days to submit our argument as to why UMPL should be treated like any other employer and be required to honour the agreement made with their employees.

Please email your Union Organiser if you have, or would be, financially disadvantaged by UMPLs unprecedented request to delay your Enterprise Agreement.

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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