



your united team of collective strength



Utilities Management Pty Ltd EA Update 29/11/2022

Systematic and Deliberate breaches of the Enterprise Agreement

The company released a newsletter yesterday that said they will not be paying backpay that employees are entitled to under the new Enterprise Agreement until December 14 (even this was not definite in the company's communication) as they still have 'issues' with their payroll systems.

As far as the SBU is concerned:

- This is a breach of the EA for every worker who is underpaid wages.
- This is a breach of the EA for every worker who is not paid their back pay.
- This is a breach of every employment contract across the business, as the employment contracts include the UMPL EA's or their replacements.

The hypocrisy is, that UMPL will still expect all workers to follow their policies and procedures, and the Fair Work Act while they blatantly ignore the law. Paying workers correctly is a basic requirement of all employers. The fact that a multibillion-dollar, multi-national corporation cannot get that right, should mean that the regulator will hand out harsh penalties.

We will be lodging proceedings in the FWC as soon as we can substantiate that there is an underpayment resulting in the breaches I have outlined above. This is the legal function that we have available to us to remedy the situation.

It is understandable that employees will be frustrated and deeply disappointed with this situation. The CEPU has been contacted by a number of members who are angry and have told us they want to take action in response.

The reactions and responses of individual employees are a matter for those individuals – but protected industrial action is not an option currently available to workers now that the Enterprise Agreement is approved and binding on all parties. Any collective actions taken in response could potentially be seen as unprotected (and therefore illegal) Industrial Action.

Also, please do not direct your frustrations at the workers in payroll. This is an issue of UMPL not complying with their obligations.

The Union does not endorse or recommend any retaliatory actions that are outside of the law, as a response to the repeated, deliberate and systematic breaches of the law that have been committed by your employer.

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

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