

## Bargaining Update – Where Are We At

**Some progress was made during the negotiation meetings of 29 & 30 November 2011 with Energex. We were able to reach agreement on several outstanding items. These include:**

- Recovery of Overpayments – clarification on rules;
- Payment of Underpayments – retain status quo;
- Grievance and Dispute Settlement Procedure – allows access to FWA for a dispute about wages and conditions of employment;
- Redeployment – provides a process for employees whose positions are made redundant whilst maintaining the existing salary maintenance provisions;
- Apprentices – maintain the current provisions;
- 3.5% wage increase – this is subject to agreement being reached on Energex's proposed productivity initiatives and the unions are continuing to seek backpay for our members;
- Overtime meal allowance – clarification around when this is paid for employees called into work prior to their normal start time;
- Control Centre – Agreed to jointly develop a combination of 12 and 8 hour shift pattern on a trial basis;
- Introduction of an annualised agreement for the trouble call team and information officers who are required to work shiftwork;
- Union Delegates Rights;
- FFA and Workplace Surveillance;
- Review of classification structure – Energex commit to discussions with the unions about identified issues with the classification structure;
- Pro-rata long service leave after seven years;
- Casual loading increased to 25%.

Although some of the outcomes above are encouraging the negotiations have reached a deadlock and there are a number of claims that remain outstanding. Additionally, Energex are continuing to seek the following productivity initiative which is unacceptable to the SBU:

- Authorisation and access and use of contractors

Also, as noted in our bulletin of 1 December, Energex has sought the assistance of Fair Work Australia to resolve several outstanding matters. These matters are:

- **Wages:** 3.5% wage increase offer by Energex is subject to agreement being reached on Energex's proposed productivity initiatives. Unions are also continuing to seek back pay to the nominal expiry date of the previous Agreement and increases to some loadings and allowances that Energex say they cannot agree to due to the government's wages policy.
- **Duration of the Agreement:** Energex are maintaining that the Agreement will be effective for three years from the 1st day of the month in which "in-principle" agreement is reached. The unions are seeking a three year Agreement from the nominal expiry date of the current Agreement.
- **Authorisation and access, and use of contractors:** Energex are continuing to seek the ability to use contractors to perform high voltage switching on Energex's assets as one of their productivity initiatives.

Your Union Representatives will be working hard through this conciliation process to reach an agreement.

*continued over page >>>*

## YOUR COLLECTIVE AGREEMENT – YOUR SAY

## *Bargaining Update – Where Are We At ... cont'd*

### **Issues with the Protected Action Ballot process**

In a follow up to our bulletin last week the applications put in by the QSU and ETU to complain to Fair Work Australia about their concerns that many members received their ballot papers too late to have any chance of returning them in time to be counted in the Protected Industrial Action ballot or did not receive a ballot paper at all were dismissed. Fair Work Australia determined that once the ballot order is in place authorising the Australian Electoral Commission to conduct a ballot, it will not interfere with the way that the ballot is conducted.

### **Outcome of our Protected Action Ballot**

We have received the results of our Protected Action Ballot. For the Protected Industrial Action ballot to be successful the following conditions must be met:

- the action was the subject of the ballot; and
- at least 50% of the employees on the roll of voters for the ballot voted in the ballot; and
- more than 50% of the valid votes were votes approving the action.

Unfortunately our return was not over the 50% requirement mentioned above therefore our ballot was not successful. However, it is our understanding that our members experienced similar problems to those in other unions.

### **Next Steps**

We will be contacting our members this week to gauge their views on the negotiations so far and the Protected Action Ballot process. We will also be organising member meetings for next week to discuss these matters.

We also hope to provide a full update of all the matters agreed to by the parties to members at the meetings.

**For more information about this bulletin please contact your local Delegate or getting in touch with the union office on 1800 177 244 or email: [members@qld.asu.net.au](mailto:members@qld.asu.net.au)**

## **YOUR COLLECTIVE AGREEMENT – YOUR SAY**