

Ergon Energy Demonstrate their Priority is NOT to Reach an Agreement

Ergon Energy released information to all employees on Thursday 24 November, 2011 in relation to the taking of protected industrial action and the possible proportion of payment that may be deducted. The release of this information occurred after an unsuccessful negotiation meeting.

The information provided by Ergon Energy in relation to the proportion of pay that may be deducted from an employee is not consistent with the Fair Work Act 2009 ("the Act"). The Act provides that an employee or their representative (your Union) may make an application to Fair Work Australia for a determination about the proportion of payment that can be deducted.

In considering this, Fair Work Australia must give consideration to:

- a) whether the proportion the employer is seeking to deduct is reasonable having regard to the nature and extent of the partial work ban; and
- b) fairness between the parties taking into consideration all the circumstances.

The combined unions will dispute any deduction of payment from our members that is unreasonable when considering the nature of the partial work ban being taken.

It is now more important than ever that members participate in the protected industrial action ballot being conducted by the AEC. Your Union will resist any attempt by Ergon Energy to unreasonably deduct payment for partial work bans and will make all necessary applications available to us under the Fair Work Act to ensure you are not treated unfavourably by your employer.

If you have any questions in relation to the protected industrial action please contact ASU Delegate, Maree Bock on 0458 284 937 or your ASU Organiser, Ashleigh Saunders on 07 4922 3071 or alternatively email: members@qld.asu.net.au

YOUR COLLECTIVE AGREEMENT – YOUR SAY