

14 February 2013

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QIEU Members – Bargaining Update

Your ASU Delegates met with the QIEU General Secretary on Tuesday afternoon to table your claim seeking parity with IEUA Clerical Staff both in NSW and Victoria.

This would mean an additional one week's annual leave, bringing the total to five weeks annual leave per year. This additional one week's annual leave would be taken during school vacation period.

We also advised QIEU of the intention of members to apply to Fair Work Commission for a Protected Action Ballot for a 2 hour stop-work meeting, should no progress be made on this issue.

Unfortunately, QIEU has rejected the claim as they believe clerical staff have ample leave available to them. QIEU noted the previously rejected claim for a 9 day fortnight or 19 day month in November, 2012 and believe that this is a new claim. We advised that this is a counter claim as a result of the rejection of the previous claims. However, QIEU have stated that they believe that negotiations were completed in December, 2012. Delegates were also advised at this meeting of the intention to call a clerical staff meeting at 4:00 pm that day, to which union representatives were not invited.

At the 4:00 pm meeting on Tuesday afternoon, the QIEU General Secretary stated his intention to ballot members on the Agreement on Thursday, 21 February, 2013.

Members have now requested information from the ASU in order to consider further the question of progressing a Protected Action Ballot.

1. Q
What are the consequences if we vote Yes to the Agreement?

A
You are agreeing to the Agreement as it is presented.

This means that you are forgoing the claim for the extra week of annual leave that was the subject of the meeting on 5 February, 2013 that included applying to Fair Work Commission for a Protected Action Ballot for a 2 hour stop-work meeting.

2. Q
What are the consequences if we vote No to the Agreement?

A
Negotiations would need to continue with the employer with the assistance of Fair Work Commission if necessary. It will of course mean that any pay rise will also be deferred.

3. Q
Can QIEU terminate the Agreement and if so can we go back to the Award?

A
Under s219 of the Fair Work Act – **Employers and employees** may agree to terminate an Enterprise Agreement. It goes on to state in s220: (1) *An employer covered by an Enterprise Agreement may request the employees covered by the Agreement to approve a proposed termination of the Agreement by voting for it. The QIEU cannot terminate your current Agreement without a majority vote of staff covered by the Agreement.*

As you are now all aware, the Officers of QIEU have passed a motion in support of the clerical staff.

Resolution 4

We the members of the QIEU Officers Workplace Chapter value the contribution of our Clerical Staff and support the work of their representatives on the Clerical SBU. Furthermore, we support all Clerical Staff as they exercise their rights within their current negotiations with the employer.

We have been advised by QIEU that no further union meetings may be held in work time. Therefore, you are invited to an off-site meeting at St Paul's Tavern on Friday, 15 February, 2013 at 5:15 pm to allow you to further discuss this impasse.

Senior Industrial Advocate Jan Sheppard will be in attendance.

YOUR COLLECTIVE AGREEMENT – YOUR SAY

Together We Win!