

We need to revote on EBAIt's not all bad news

Unfortunately the Fair Work Commission hearing for the approval of our JTG Services Agreement raised an issue with the Notice of Bargaining (which is the notice that starts bargaining) which now means the company has to reissue the notice and start the formal process again before our agreement can be approved by the commission.

What happened?

Despite an overwhelming majority of staff approving the ASU negotiated JTG Services Agreement, the Fair Work Commission has said that a change in the law in December 2012 obliged the company to reissue the Notice of Bargaining which had been originally sent in April 2012. The effect of such a decision means that Commission would not approve the JTG Services Agreement.

Both the company and the ASU do not believe this is a correct decision but rather than appeal this decision we thought it would be quicker to withdraw the approval application and reissue the bargaining notice and re vote on the agreement, as an appeal could take 6 months.

The Commission also suggested some "tweaking" of some clauses in the agreement which we believe will not disadvantage staff but will rather make the interaction between Fair Work Laws and the agreement clearer and in one document.

What happens next?

Your NNT think it is extremely important to have an approved registered current

agreement so we agree that the process should restart.

Shortly the company will reissue the Notice of Bargaining which needs to be out for 21 days before an agreement can be made. Once this time has expired a new agreement will be available for staff to vote on, incorporating minor changes suggested by the Commission. We are working on the time table with the company.

Will the back pay be delayed?

After a request from your ASU NNT, the company has agreed to pay the first back pay and pay rise that was due on 30th April 2012 on 4th June 2013. The pay increase and back pay due on 30th April 2013 will be paid as soon as the Commission approves the new agreement which we expect to be late June 2013 or early July 2013.

This is good news as legally the company does not have to pay any back pay until the agreement is approved and it is in recognition that everyone agreed on our EBA deal and we just have to jump through a few more technical hoops to get it approved.

Who you can contact

If you have queries or questions contact your local ASU organiser or NNT member.

ASU Organisers		
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