



## Negotiations Begin at Aero-Care

ASU reps met with Aero-Care representatives Greg Shelley, Gavin Lister & their outside Industrial Relations adviser Dan Houlihan on Friday 17<sup>th</sup> May in Sydney to start the negotiations for a new Aero-Care EBA after the company's first proposed EBA was not approved by Fair Work Australia in April 2012.

ASU Reps present were Linda White ASU Assistant National Secretary, Jo Justo (Qld Branch) and Jocelyn Gammie (NSW Branch).

We covered a lot of ground during the 2 hours we had for the meeting. We examined the proposed company Agreement (EBA) as carefully as time allowed and pointed out a number of problems we still see with the draft proposal.

We told the company reps that we believe that the proposed EBA still has significant problems meeting the legal tests against the minimum Award standards in the Airline Operations – Ground Staff Award 2010.

### What issues did we raise?

The ASU has requested information from the company as we are entitled to do under the law, to help us better assess the company's responses & provide our response. The company has refused our request but at the meeting said they were going to consider this further after we

explained why we need this information.

We raised a number of issues about the proposed EBA including:

- The rate of pay includes shift penalties, allowances, annual leave loading, casual loading & other things – we are not convinced that rate of pay compensates for all these entitlements. (Schedules)
- ASIC – not clear that company pays for this (Clause 6)
- EBA provides for 3 hours min shift – the Award says 4 hours is the shift minimum. (Clause 9).
- Higher duties pay in the Award is for any time worked on higher duties while EBA says only paid after 4 hours more worked. (clause 7)
- EBA seems to allow split shifts – this is not available in the Award. (Cl.9.3.4)
- Casual rates should include 25% additional pay on the Agreement rates – Aero-Care says 25% only on Award rates. (Schedules & Cl. 9)
- Voluntary additional hours are not paid as overtime if they are overtime hours. (Cl.10)
- Change of shift times – we say 2 days' notice not 2 hours' notice is what should be given. (Cl.11.5)
- Shift work meal breaks should be paid not unpaid. (Cl.11.7.1)



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- Definition of shift work needs to be consistent with the Award.
- Redundancy – the current definition is inconsistent with the Award & the law on this issue & could mean no one would ever be entitled to redundancy pay. (Cl.20)
- Hours of work & payment of overtime & weekend work is unclear and may not meet the Award test. (Schedule A Clause 2.2)
- Cannot deem “excessive” personal leave – contrary to law. (Cl.18.5.11)
- Should be paying a laundry allowance of \$4.92 per week not insisting on \$50 cleaning fee on termination. (Cl.19)
- Various allowances in the Award are missing from the EBA – laundry allowance, meal allowance, First Aid allowance, traveling time, uniform allowance etc. (see Award Claus 21 for list)
- Classifications – the ASU is going to review more closely the operation of the classification structure.

The ASU also discussed our claims for the EBA – the pay rise, the insertion of the ability for casual

employees to convert to permanent after a qualification period, better redundancy pay, consultation clauses, and a better dispute setting procedure. A copy of our claim is available on our website.

### What Next?

We hope to have a new date for further discussions soon – the company is to get back to us for a meeting in the next 2 weeks.

We have promised to send more material to the company which we will do soon.

If you have questions or queries about the EBA now is the time to contact your local representatives.

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### Want more information?

You can get more information about the Aero-Care negotiations on the ASU dedicated Aero-Care page. [http://www.asu.asn.au/media/airlines\\_aero-care/](http://www.asu.asn.au/media/airlines_aero-care/)

