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Great staff  
we deserve a great agreement



## ASU delegates identify problems with annual leave loading – back pay maybe on the way

**During the course of the negotiations for a new agreement for Virgin Ground Crew your ASU National Negotiations Team members asked Virgin management to review and check the way annual leave loading has been paid to shift workers.**

Clause 29(c) of the annual leave clause in the current Virgin Australia Ground Crew Agreement 2010 says:

(c) Team members are entitled to a minimum of 17.5% annual leave loading or average shift penalties whichever is greater.

This is known as annual leave loading and is designed to ensure that shift workers in particular don't suffer any loss of income when they go on leave.

### What's gone wrong?

Your ASU NNT detected that Virgin may not have been paying average shift penalties if these are greater than 17.5%. This appears to have occurred in a number of locations. For most shift workers, average shift penalties are likely to be greater than 17.5%. When we raised this issue Virgin management went away to investigate and told your ASU delegates on 14<sup>th</sup> February 2013 that after their initial investigation management confirm that there had been underpayment on annual leave loading in some areas.

Management are investigating the full extent of the underpayments and how long this has been happening and what exactly has occurred.

We are yet to confirm if underpayments have occurred for the whole time the company has been operating or only since the current agreement started.

Legally the company only has to honour claims dating back as far as 6 years, we of course would want them to pay all that is owing – it is not clear yet what stance the management will take.

### What next?

The ASU will establish a process to help ASU members identify if you have been underpaid and will assist members to recoup any money owed.

We know that Virgin management will also communicate with staff about how the process is going but we know how complex and confusing this can be so for ASU members a resource will be available to get the best outcome.

Don't rush to the phones just yet – more information will be coming soon. In the meantime your ASU delegates and representatives are pleased to have been able to identify and act on the issue for members.

### STAY INFORMED

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If you are not an ASU member now is a good time to consider joining which can be done at [www.asu.asn.au/asujoin](http://www.asu.asn.au/asujoin).