



Cloudbreak Aviation Services

19 July 2013

www.qld.asu.net.au

To all former Cloudbreak employees

Thank you for your patience. The ASU is continuing to pursue your outstanding wages and other entitlements from Cloudbreak.

The ASU continues to pursue your back-pay against the rates of pay and conditions contained in the Toll Dnata/ASU Collective Agreement as this Agreement requires contractors to be paid the same rates of pay as Toll Dnata Staff.

In communications with ASU Victoria Branch, Toll Dnata said that they have done all they can to ensure that the EBA is complied with and ensured that Cloudbreak workers were paid in accordance with the Toll Dnata rates of pay from 6 May, 2013 until the Toll Dnata contract ended.

However, it was a different situation for Sydney and Brisbane, with Cloudbreak not extending their agreement to pay their staff in accordance with the relevant Toll Dnata/ASU Collective Agreements applicable in NSW and QLD.

At the same time, the ASU sought assistance from the Fair Work Ombudsman because the union did not agree that Cloudbreak was 'Award free' as the company had claimed.

The ASU has just received written confirmation from the Fair Work Ombudsman that the Airline Operations Ground Staff Award 2010 DOES apply to Cloudbreak employees undertaking special assist duties – both Customer Service Assistants and Team Leaders.

The Fair Work Ombudsman will now initiate an investigation into the alleged breaches of workplace laws by Cloudbreak Aviation Services. The FWO has appointed a senior investigator to this matter. The union will cooperate fully with this investigation and will provide information about back-pay owed and the other employment costs that should be reimbursed to staff, including the cost of uniforms and ASIC cards. As a former employee of Cloudbreak you could also be contacted by the Fair Work Ombudsman's office. They are an independent body and you should feel confident about telling your story to them if you are contacted.

Make sure you stay in contact and remain a member of the ASU while these matters are being pursued for you. This kind of investigation can involve a lengthy process but the ASU will ensure that all the issues are pursued for you.

Additionally it is important that you check immediately with your Superannuation Fund to establish if Cloudbreak have paid all of the Superannuation Guarantee employer contribution payments into your fund. This is required by legislation.

Please confirm with ASU Lead Organiser, Valda Graham if Cloudbreak have paid or not paid, into your fund as soon as possible to assist in future investigations.

Please remember to tell the union if any of your contact details change. For further information or assistance please contact your Union Office on **1800 177 244** or via email at: info@qld.asu.net.au

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