

CSR & Holcim Staff Association

Topic: Award Modernisation – It's now up to you!

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Introduction

The purpose of this bulletin is to update you on our progress on the modernisation of the Refined Sugar Services Staff Award 2000 (the Award).

Under the Fair Work Act 2009, all enterprise awards must be “modernised” and approved by the Fair Work Commission (FWC) otherwise they will terminate and be replaced by appropriate modern industry awards. Applications to modernise enterprise awards had to be lodged by 31st December 2013, or else the Awards would automatically lapse.

The Association lodged the application to modernise the Award on the 11th April 2013. This action will temporarily keep the current Award open, pending a decision on the application by the FWC.

Why modernise the Award?

If the award was to be terminated, important statutory protection for some specific conditions, such as higher entitlements for redundancy, jury service, annual leave loading and rights to additional public holidays, would be removed. The Staff Association with support from Wilmar Sugar have lodged a joint application to have the Award Modernised. The Staff Association believe it is in the interest of all staff employees' for the Award to be maintained and modernised.

Progress to date

There have been two directions hearings in the FWC before Senior Deputy President Acton on 4th February and 4th March 2014. The latest directions are:

1. The Staff Association is to file in the FWC a draft of the modern enterprise award they seek, an outline of their submissions and any evidence on which they intend to rely in support of their application by COB 2 April 2014.
2. Any other party who supports the application is to file an outline of their submissions and any evidence on which they intend to rely by COB 9 April 2014.

3. Any party who opposes the application is to file an outline of their submissions and any evidence on which they intend to rely and a draft of any alternative modern award it seeks by COB 8 May 2014.
4. Those seeking to cross examine any witness must notify the others who have made submissions and the FWC of their intention by COB 15 May 2014.
5. All material filed will be published on the FWC website: www.fwc.gov.au.
6. The matter will be listed for Hearing before a Full Bench of the FWC following a review of the material filed.

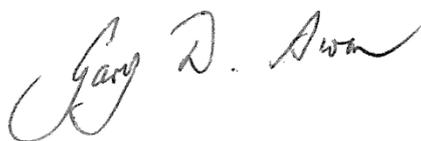
Plebiscite – It's now up to you!

In a joint (Staff Association and Wilmar) open letter to staff headed "Staff Conditions of Employment – Award Modernisation Process" sent out to all staff recently the process and timeline were explained. The parties have encouraged all staff to **read all** the information provided to you electronically and to participate in the voting process.

The Association recommends that you vote in the affirmative to seek a Modern Enterprise Award. The result of a plebiscite in the Telstra case was taken into consideration by the FWC when handing down its decision to allow the parties to seek a Modern Enterprise Award. Therefore the outcome of a successful vote is extremely important. Without a successful vote the FWC may be of the view that employees would prefer to be covered by a modern industry award. And that would impact on your current statutory protection for some specific employment conditions, such as higher entitlements for redundancy, jury service, annual leave loading and rights to additional public holidays would be removed.

The dates for the Plebiscite are over a three (3) day period commencing on Wednesday 19 March and concluding on Friday 21 March.

You will receive an email link with the voting question on Wednesday 19 March.



Gary Swan

Secretary, CSR & Holcim Staff Association