

Maurice Blackburn responds to our claims

Your ASU National Negotiating Team (NNT) met face to face with the firm's negotiators for the first time on 7th & 8th December 2015 in Melbourne. This was our fourth meeting and it was great to have the whole team together in the room.

On the first day of negotiations we discussed the firm's claims which were received on 3rd December. Your NNT got direction from members on 7th December in members' meetings about our response which was conveyed to the firm on 8th December 2015.

We also had the opportunity on 8th December 2015 to get the firm's response to our claims which is detailed in a table attached to the bulletin.

The firm seems to be willing to negotiate on some matters but there are a lot of matters they oppose.

New bonus system coming

We learned that the firm intends to roll out a new bonus scheme in January 2016 to 4th year lawyers and above and then progressively to other staff in 2017.

We asked to be consulted about the new scheme prior to implementation and this was refused. We believe this refusal is inconsistent with the commitments that the firm signed up to in the current EBA to consult about workplace issues. We have again written to the firm to seek talks on this issue before implementation of the new scheme.

Wage information available

After a number of months we now have wage information from the firm which we can share with members. We have some reservations about the accuracy of some of the data (which is not internally consistent) but unfortunately the firm says they cannot address these concerns until 28 January 2016 – 4 months after we first made the request for the information.

We also got information about the spread of percentage pay rises which we know many staff want to know about. Make sure you contact your local ASU delegate if you are interested in this information. You need to be an ASU member to access this information.

We need your feedback

During the discussions on our claims the firm representatives made some representations that we need to check with members to assist us to rebutt their assertions.

For example the firm says they have never rejected an application by an employee for a flexible work arrangement.

ASU •
Maurice
Blackburn

EBA Bulletin # 9
11 December 2015

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We want to test that assertion with you and check if that is the case.

We also need additional information from staff about the procedure of overtime (paid and unpaid), and the operation of the trainee lawyer clause among other things. Early in the New Year we will be in contact asking you to provide us feedback about these and other issues.

Next meeting

The firm reps cancelled the meeting on 21st December 2015 but we have insisted on a meeting on 15 December 2015. Then the next meeting will be on 28th January 2015. We hope this meeting is face to face but the firm seems reluctant to fly in delegates for these meetings. This is disappointing as your team feel we can achieve so much more discussion if everyone is in the same room.

Campaign badges

We have produced a couple of EBA campaign badges – which you may have seen around. These are available from your delegates.

Got questions?

If you have queries contact your local ASU delegate/NNT member or organisers.

Now more than ever it is time to join the ASU – you can join the ASU on line at www.asu.asn.au/asujoin



ASU Organiser	Branch	Contact
Nick Herbert	New South Wales	0419 761 320
Jo Justo	QLD Together	0449 520 337
Jeanine Orzani	QLD Services	0417 714 767
Chiara Lennox	QLD Services	0427 712 410
Andy Lewis	Victoria	0409 778 890
Janet Giles	SA/NT	08 8363 1322
Rebecca Gillis	Western Australia	0417 969 502



**Maurice Blackburn Responses to ASU Log of Claims
8 December 2015**

Claim		Maurice Blackburn Response
Pay and Super		
1.	5% annual pay increases	NO RESPONSE until assess cost of rest of claims – expect response near end of negotiations
2.	Increase employer superannuation contribution to 12%	NO RESPONSE until assess cost of rest of claims – expect response near end of negotiations
3.	A fair and transparent system for the allocation of bonuses	OPPOSE - refuse to negotiate on bonuses – introducing a “new” bonus scheme in Jan 16 rolling out progressively and refuse to discuss the new scheme with ASU
Work/life balance and access to leave		
4.	A system for working flexi-time, time off in lieu, or a regular rostered day off	OPPOSE mandatory agreement to flexible work arrangements – say no requests for flexible work have ever been denied OPPOSE RDOs OPPOSE TOIL acquittal
5.	Increased paid parental leave	NO RESPONSE to increase in paid parental leave – until assess rest of claims, expect response near end of negotiations AGREE to half pay parental leave over long period OPPOSE paying super on govt. parental leave entitlements
6.	Access to family violence leave	AGREE in principle – further negotiation on clause
7.	Christmas shutdown leave available to all employees	OPPOSE – want to continue current system
8.	Fairer access to personal leave, bereavement leave, and annual leave	OPPOSE – annual leave date as nominated by employee - company want ability to veto OPPOSE – statutory declaration as evidence of sick leave company say it is not acceptable evidence OPPOSE – wellbeing leave and extension of bereavement leave entitlements
9.	Enshrine the ‘swap pay for leave’ policy in the agreement	AGREE subject to a aligning with current policy – ASU requested current policy

Claim		Maurice Blackburn Response
Fair Conditions		
10.	Provisions to assist parents to return to work after parental leave	OPPOSE - \$1000 payment for transition back to work OPPOSE – breast feeding provision in EBA – want in policy OPPOSE – flexible work proposal want in individual flexibility agreement. No response to maintaining existing pay when return to work after parental leave
11.	A fair disciplinary investigation process	OPPOSE – putting a disciplinary procedure in EBA despite firm’s advocacy for others – to relook at this but say it is in policy (ASU has asked for policy)
12.	Consistent gym membership policy for all employees	OPPOSE – but prepared to relook at this
13.	Health and wellbeing initiatives included in the agreement	OPPOSE consultation on wellbeing initiatives or acknowledging workload needs to be able to be achieved in ordinary hours
14.	Payment of full relocation costs of staff moving offices, including moving interstate	Only prepared to pay relocation costs if firm requests location change – not if an employee applies successfully for interstate post
15.	Improve access to car parking for employees in suburban offices	OPPOSE any assistance on car parking in non CBD offices
16.	Improve lunchroom facilities for employees in non-CBD offices	OPPOSE mandatory requirement for staff to have appropriate lunch room facilities
17.	A fairer and more transparent system for trainee lawyers/graduates	OPPOSE – they want current clause put in policy & out of EBA
18.	Such other claims that may arise during bargaining	No additional claims yet to consider
19.	Improve long service leave entitlements	NO RESPONSE until assess cost of rest of claims – expect response near end of negotiations