



## BREAKING NEWS: Fair Work Commission rejects Aerocare’s dodgy agreement AGAIN

**Today the Fair Work Commission has again rejected Aerocare’s dodgy enterprise agreement, saying it does not meet minimum legal requirements.**

The Agreement was originally rejected by the independent umpire back in August, and the ASU said at that time that Aerocare needed to sit down with us and negotiate a fair deal for its hard working staff. Instead, Aerocare tried to delay doing a fair deal with legal tricks and manoeuvres.

Today, hardworking Aerocare union members have been vindicated yet again – the Full Bench of the Fair Work Commission dismissed Aerocare’s appeal, and found that there was no legal basis on which Aerocare could exclude casual employees from the Agreement. Vice President Hatcher, Deputy President Binet and Commissioner Cambridge said:

*It is clear that the casual employees were excluded from coverage because of their status as such, and to that extent their exclusion can fairly be characterised as discriminatory.*

*The practical consequence of Aerocare’s choice of coverage was that casual employees were denied the only realistically available opportunity to participate in bargaining for and voting upon a new enterprise agreement.*

The Fair Work Commission also said that because of their decision about casual employees, they did not think they needed to make a decision about all of the other reasons Aerocare’s agreement was not approved back in August, because whatever happens the Agreement **cannot be approved** however they have given an opportunity for Aerocare and the unions to respond to that. We will have to wait and see whether Aerocare chooses to waste even more money on lawyers and legal tricks, or whether they will finally accept the decision of the Fair Work Commission.

The company also has other proceedings in the Federal Court to interpret the Award --- this is just another attempt to slow things down – the ASU is also trying to knock these proceedings out as we know all you want is a fair legal deal. We will keep you posted on how this goes too.

We now need to put pressure on Aerocare to come back to bargaining table and negotiate a fair deal for all of its employees. You can help us by showing your colleagues this bulletin, and joining the ASU today: [www.asu.asn.au/asujoin](http://www.asu.asn.au/asujoin)

### More information

If you have questions or queries make sure you contact your local ASU representative.

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