



Update on Fair Work analysis of the Emirates Enterprise Agreement 2017

The Fair Work Commission wrote to Emirates on 26 February about their application to certify a new Agreement. In their correspondence they raised 6 concerns about Emirates' Agreement not meeting the National Employment Standards.

The areas where the Commission says the Agreement might fall below standards or not make sense are, as follows:

- Conditions for Shiftworkers
- Dispute procedures
- Notice of termination.

The ASU also opposed the certification of your Agreement on the grounds that Emirates' Voting Process was not run properly. The Commission has agreed to hear our concerns and we will keep you up to date with proceedings.

The National Employment Standards (NES)

The NES is a mandated set of minimum standards for your employment. At work you are protected by these standards. If your Agreement falls below these standards, then it is up to Fair Work to tell Emirates that they could be in breach of the *Fair Work Act 2009*. Either way, they can make a faulty Agreement unenforceable.

The ASU is not surprised that the Commission has shown concern. All bargaining reps have consistently expressed concerns about whether Emirates' Agreement will meet even the bare minimum requirements. We also said that to avoid any delays for certification of the Agreement, they should be very careful about the drafting process.

What's next?

The Commission has requested that Emirates consider the concerns raised, come up with a proposal to deal with the issues, consult with the ASU and other bargaining reps then respond with a proposal. To date, the ASU is aware that Emirates intends to seek undertakings. However, Emirates has not written the undertakings and we await their urgent advice on the details.

Not a member yet?

If you are not an ASU member – now is the time to join – you can do this on line at:

<https://www.asu.asn.au/asujoin>

If you want more information contact your local ASU delegate or Organiser:

Branch	Official	Contact
VIC PS	Imogen Sturni	0433 339 656
NSW & ACT Services	Tom Patton	0424 547 131
NSW US	Josh Paterson	0419 761 320
QLD Together	Billy Colless	0419 736 886
SA&NT	Dale Beasley	0497 555 875
WA	Phil Smith	0429 159 083