



# Update for ASU members at Emirates

## ASU members have contacted us about Emirates' proposal for Stand Downs for the period 1 April to 30 June 2020.

Since our last Bulletin circulated on 26 March 2020, the ASU and ALAEA had been seeking a meeting with Emirates to discuss their contingency plans for staff as the COVID-19 outbreak escalates. A number of conflicting and confusing broadcasts were sent to all staff from Dubai and the situation has been very confusing for ASU members.

Finally, Emirates convened a meeting with the Unions on 24 March 2020 to clarify their proposal for Stand Downs for the period 1 April to 30 June 2020.

### Emirates proposal for Stand Downs for the period 1 April to 30 June 2020

- Staff in grades 04 to 08 will be paid 75% of their basic salary and grade TE will be paid 50% of their basic salary.
- Continue to accrue leave as normal.
- All fixed allowances will be paid in full.
- Superannuation contribution will continue at the standard Superannuation Guarantee contribution rate.
- Company contribution to BUPA subsidy will continue.

During the stand down period, Emirates is requesting the following;

- Professional development through online training – Emirates requests that staff complete their MLZ online courses which are accessible from home.
- Administrative / Operational Work – As and when required **staff may be required to perform work** at the request of their manager. Emirates confirms that this should not be more than the hours for which you will be paid at 50% or 75% of basic salary - 82 & 123 hours per month. For most staff it might mean you will be paid to perform no work at all in a month.

Although Emirates should know its legal obligations to its employees, the Unions have reasoned that when an employee is called upon to work during a Stand Down period, the Stand Down notice would effectively be cancelled for the period you are called upon to work. This means that in any given pay period during the Stand Down, you should at least be paid for the hours of work you complete.

If a Company does not pay you for the work you perform then they expose themselves to future claims. We've all seen Company after Company in the news recently having to back pay millions of dollars to employees due to underpayments for work performed.

However, the Unions agree that Emirates' revised proposal sent to all staff today is generous because Stand Downs are usually not paid.





## Stand Down and advice for ASU members

Stand downs are a provision available to the Company under the *Fair Work Act 2009* (Cth). The Act provides for stand down without pay and means that staff members remain employed but are not required to attend work.

The ACTU's advice is that unpaid stand downs are permitted once all other options have been exhausted.

Emirates' proposal on stand downs is that they will be necessary because there will be no useful work for a significant number of staff for the period 1 April to 30 June 2020. They are offering to pay reduced salaries for the initial stand down period. They have also asked you to return feedback on their proposal by 5.00pm AEDT on Friday, 27 March 2020 by emailing your line manager.

Emirates' proposal is a good one. The ASU believes that the decision for individual employees rests on 2 principle considerations:

- What happens after 30 June 2020? We don't know but the ASU would continue to request that the Company consult with your ASU and we would update you as new information is provided to us.
- While I am being paid 50% or 75% of basic salary and other entitlements, what happens if the Company asks me to work more than 82 or 123 hours per month respectively? Emirates must give staff certainty that if they are called back to work, their hours of work will not exceed the maximums outlined for you in their proposal.

Having said that, you could always accept Emirates offer, keep very good records of your daily hours of work and decide if you want to make a claim on the business at a later date – you would have up to 7 years to make that decision under the current legislation.

## The ASU is by your side

The ASU has a network of representatives across Australia. Contact your local representatives for assistance.

### ASU Organisers:

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