

File/Our Ref: 76.623 LW:fa
Your Ref:
Please quote in reply



By your side

Friday 24th April 2020

Greg Shelley
Head of HR - Asia Pacific
Swissport Pty Ltd
greg.shelley@swissport.com

Dear Greg,

Re: Redundancies at Swissport

We write on behalf of our members covered by the *Aerocare Collective Bargaining Agreement 2018* ('the Agreement').

The ASU was disappointed to learn from media reports Wednesday that Swissport was considering making 80 percent of its workforce redundant. Swissport has obligations to notify and consult the ASU about the proposed redundancies under the *Fair Work Act 2009* (Cth) ('the Act') and the Agreement. Please confirm to us that no decision has been made to terminate the employment of any of our members.

Swissport's course of action is particularly disappointing given the Federal Government's announcement of the JobKeeper Payment Scheme. The ASU wrote to Swissport on Monday, 6 April 2020 about the JobKeeper Payment scheme, offering our support to the company and seeking urgent discussions about the implementation of the scheme. We are disappointed that we have received no response to that letter. We have also worked aviation ground-handlers, including Swissport, to lobby for government support during the pandemic.

The ASU is working collaboratively with other aviation industry employers to protect jobs. We hope you will take up the offer of our assistance. We ask for a meeting with senior management representatives as a matter of urgency.

S 531 of the Act

Under s 531 of the Fair Work Act, Swissport is obliged to notify and consult with the ASU where it has decided to make 15 or more employees redundant.

As soon as a decision is made, please provide us with:

- (i) the proposed dismissals and the reasons for them;
- (ii) the number and categories of employees likely to be affected; and
- (iii) the time when, or the period over which, the employer intends to carry out the dismissals.

This notice must be provided as soon as practicable after making the decision; and before the employee is dismissed.

After giving us notice, you must then consult with us about measures to avert or minimise the proposed dismissals and measures to mitigate the adverse effects of the proposed dismissals.

If Swissport does not comply with s 531, we reserve the right to seek orders under s 532 of the Act.

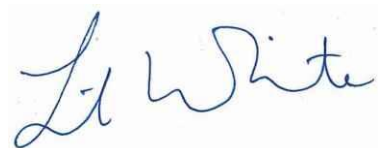
The Agreement

The Fair Work Act Model Term applies to employees covered by the Agreement. Under the model term, Swissport must consult with the affected employees and their representatives, the ASU, once it has made a decision to introduce changes that will have significant effect on its employees, including termination of employment. As part of this consultation, Swissport must provide us with the following under Cl 5(b):

- (i) all relevant information about the change including the nature of the change proposed; and*
- (ii) information about the expected effects of the change on the employees; and*
- (iii) any other matters likely to affect the employees.*

We ask for your reply by Close of Business, Monday, 27 April 2020. We also ask that you contact Michael Robson, ASU National Industrial Officer on 0428 447 114 to organise discussions.

Yours faithfully



Linda White

ASSISTANT NATIONAL SECRETARY

Cc – Swissport Organisers