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Volume 3 Number 10

**UFU OF A AVIATION BRANCH**



## **BRANCH NEWSLETTER**

### **RECRUIT RATES**

#### **THE REAL STORY ON OPS WATCH ITEM "STOP THE PRESS - MORE MONEY FOR RECENT RECRUITS", THE MONITOR 21<sup>ST</sup> AUGUST 2015**

Your Union sent a letter to the Industrial Relations Manager at Airservices Australia on the 9<sup>th</sup> June 2015 about salary rates for Recruit Fire Fighters. A copy of the Union's letter is attached to this newsletter.

Also attached to the letter was a page of calculations detailing the amount of fortnightly underpayments your Union alleges have occurred. A copy of these calculations is also attached to this newsletter.

The calculations were done from 2009 because under Federal legislation the time for which underpayment of wages can be claimed is a maximum of 6 years. Your Union found when investigating this matter that the underpayments had been occurring for at least the last 6 years and possibly longer.

As of the 21<sup>st</sup> August, Airservices had not responded to your Union's letter. On the 24<sup>th</sup> August your Union was contacted by Airservices apologising for the article in The Monitor saying it was premature and that Airservices was considering advice it had only recently received on the matter and when they had considered the advice they would be responding to your Union.

On the 26<sup>th</sup> August the Manager Employee Relations at ASA invited your Union to attend a briefing on this matter to discuss "what has happened, how it happened, and how we propose to deal with the matter going forward." That briefing is scheduled for this Wednesday, 2<sup>nd</sup> September and you will be advised of the "facts" of the matter by your Union after the briefing.

Please remember, your BCOM Delegates and Organisers are available to you at any time to give you the correct status of issues that your Union is dealing with on your behalf and should be your first point of call to get the facts on matters affecting you.



## United Firefighters' Union of Australia Aviation Branch

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9th June 2015

**E-MAILED**  
9/6/15

David Prior  
Industrial Relations Manager  
People and Culture  
Airservices Australia  
GPO Box 367  
Canberra ACT 2601  
Email: [employeerelations@airservicesaustralia.com](mailto:employeerelations@airservicesaustralia.com)

Dear David,

### Salary rate for Recruits – Airservices Australia [Aviation Rescue and Fire Fighting] Enterprise Agreement 2013 – 2017

Section 206(3) of the Fair Work Act 2009 provides as follows:

- (3) If:
- (a) an enterprise agreement applies to an employee; and
  - (b) the employee is not covered by a modern award that is in operation; and
  - (c) a national minimum wage order would, but for the agreement applying to the employee, require the employee's employer to pay the employee a base rate of pay (the **employee's order rate**) that at least equals the national minimum wage, or a special national minimum wage, set by the order;
- the base rate of pay payable to the employee under the enterprise agreement (the **agreement rate**) must not be less than the employee's order rate.

The Airservices Australia [Aviation Rescue and Fire Fighting] Enterprise Agreement 2013 – 2017 provides salaries for Recruit Firefighters. The Union has found that the rates for Recruits in the EA is less than the National Minimum Wage Order and means that Recruits have been and are being underpaid.

This obviously is something that has to be rectified and rectified to the extent of correcting the underpayments that have occurred including retrospective adjustments as necessary.

Attached are details that the Union has compiled including the period from July 2009 to July 2015. The Union believes this to be the relevant period in the context of the Fair Work Act 2009. The source for the minimum wage order amounts is the decision of the Australian Fair Pay

Commission Decision of 2009 [*Australian Fair Pay Commission Wage-Setting Decision 2/2009*] and the *National Minimum Wage Order* decisions from 2010 to 2015.

The Union looks forward to your advice on how Airservices Australia proposes to address this matter.

Yours faithfully

A handwritten signature in cursive script that reads "Henry Lawrence". The signature is written in black ink and has a long, sweeping tail that extends to the right.

Henry Lawrence  
Branch Secretary

National Minimum Wage Order		ARFF Agreement Rates		Difference
Date	Pfn Amount	Date	Amounts	
Jul-08	\$ 1,087.56	May-09	\$ 979.44	\$ 108.12
Jul-09	\$ 1,087.56	Nov-09	\$ 1,000.48	\$ 87.08
Jul-10	\$ 1,139.80	May-10	\$ 1,022.00	\$ 65.66
		Nov-10	\$ 1,043.96	\$ 95.84
Jul-11	\$ 1,178.60	May-11	\$ 1,066.43	\$ 73.37
		Nov-11	\$ 1,089.35	\$ 89.25
Jul-12	\$ 1,212.80	May-12	\$ 1,112.78	\$ 65.82
		Nov-12	\$ 1,136.70	\$ 76.10
Jul-13	\$ 1,244.40	May-13	\$ 1,159.05	\$ 53.75
		Nov-13	\$ 1,181.82	\$ 62.58
Jul-14	\$ 1,281.80	May-14	\$ 1,205.14	\$ 39.26
		Nov-14	\$ 1,228.72	\$ 53.08
Jul-15	\$ 1,313.80	May-15	\$ 1,252.86	\$ 28.94
		Nov-15	\$ 1,277.48	\$ 36.32