

A busy time at Maurice Blackburn

Your reps went to the Fair Work Commission (FWC) on 18th April 2016 for a conciliation about the release of information about what bonuses have been paid. The firm is still limiting access to this information but we are considering a revised offer from them. It is still not all that we want.

We have also asked the FWC to conciliate about a number of outstanding matters which the firm does not want to deal with in bargaining i.e.

- A fair and transparent bonus scheme
- A fair disciplinary investigation process
- Consistent gym membership
- Car parking and lunch rooms

The FWC recommended we meet again with the company before the next conference which is on 29th April 2016.

We already had an EBA meeting on 19th April programmed and we have also locked in 26th April for another meeting.

Some progress made on other claims

Our meeting on 19th April 2016 sees us edging closer on some of the outstanding claims for example:

- Paid parental leave
- Access for family violence leave
- The provision of breast feeding facilities
- Trainee Lawyers clause

We are still some way apart on a number of things including:

- Fixed term employees
- Union rights and delegates' communications
- Increasing the span of hours
- Changing personal leave accrual
- Grievance procedure

We don't have responses from the company on:

- Swap leave for pay
- IT rostering and on call rates
- A written disciplinary investigation process

Show us the money

At our meeting on 7th April 2016 we discussed members' responses to the pay offer from the firm. The company's bargaining reps said our response would be considered at a meeting of the Board on 26th April 2016 and no response would be forthcoming until after the meeting.

That isn't what's happened. At the FWC on 18th April the bargaining reps flagged a "revised" offer which they have again confirmed verbally at our bargaining meeting on 19th April as a further year on the EBA with an expiry date of December 2019 and a pay rise in July 2019 of 2.5% for all staff (including trainee and 1st year to 3rd year Lawyers).



We don't have this in writing yet and have asked for it so we can be sure what is on offer.

This revised offer is well below our expectations – particularly coupled with the wage freeze for Lawyers for 2016, 2017, and 2018 and the low offer for other staff.

We have told the company that this revised offer is unlikely to be accepted and that the Board should consider our original discussion on 7th April 2016.

We still await a response from the Board on our overtime survey and we have asked them to reconsider their refusal to discuss the new bonus scheme trial with us.

Meanwhile on other matters...

Consultation

Despite having a consultative committee in the current agreement for many years this group has rarely met. Now the firm wants to limit the participation of your ASU delegates to 3 delegates. Given the large number of offices in most states and territories in Australia we think that to be truly represented and consultative there should be reps from all states/territories where there are offices.

HR disagree with our view on true consultation. As a result they now refuse to participate in any consultative committee meeting.

Workplace Gender Equality Report (WGEA)

We wrote to Greg Tucker on 11 April 2016 asking to be consulted about the firm's 2015-16 workplace gender equality report which has to be submitted in the next 2 months. We don't have a reply yet.

We also have a number of outstanding questions about the 2014-15 report that remain unanswered. This is very disappointing.

Who's the employer?

We should also flag with members that we have raised with the firm the Colquhoun Trust and whether this entity is an employer and if it is, which staff it employs.

A number of staff have told us that the Colquhoun Trust appears as the employer on their payslips.

The Fair Work Act and regulations provide that payslips must contain a range of information. Regulation 3.46 indicates that an employer's name has to be on a payslip.

If the Colquhoun Trust is an employer then at the moment we don't believe we are bargaining with anyone representing the Trust nor has a notice of employee representative rights to start bargaining been served as far as we know. It may turn out it is not an employer – we just need to know.

We will keep you posted as we get more answers.

Need more information?

If you have queries contact your local ASU delegate/NNT member or organisers.

Now more than ever it is time to join the ASU – you can join the ASU on line at www.asu.asn.au/asujoin.

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