



ASU Aerocare/Swissport member update – we’re standing up for fair wages and conditions in court

Your union was at the Federal Court in Melbourne on 24 and 25 July 2018, standing up to Aerocare’s (now Swissport) attempts to cut wages and conditions in the airlines industry.

What is the case about?

Aerocare/Swissport has a business model based on paying its employees as little as possible. It has been trying to make enterprise agreements that undercut the minimum standards prescribed by law. Your union is fighting standing up for your wages and conditions.

What’s the problem with the Aerocare agreement?

Minimum wages and conditions in Australia are regulated by regulations called ‘Awards’. There is one award for each industry. Your award is the Airlines Award. This covers all airline workers in Australia. These are the minimum standards in your industry.

All agreements need to be review by the Fair Work Commission before they start operating. The Fair Work Commission checks that the new agreement provides pay and conditions that leave all employees ‘Better Off Overall’ than if they were being paid according to the ‘Award’.

Aerocare/Swissport tried to get an agreement that didn’t pass the BOOT past the Fair Work Commission in 2017 – but it failed. Since then Aerocare/Swissport has been trying new legal strategies to find a way around the BOOT. It’s not working, ASU Members keep winning!

What is the Federal Court Case about?

Aerocare has asked the Federal Court to decide whether or not the Airlines Award allows employers to roster employees for morning and afternoon shifts with an unpaid period in the middle (‘split shifts’). This is a problem because it causes fatigue and reduces your pay. No other airline or ground handler rosters split shifts. Dnata, Menzies, Qantas, Jetstar don’t have them – no one else has them.

Aerocare is asking the Federal Court this question because its 2017 Agreement was knocked back because it allowed them to roster split shifts.

What happened and what happens next?

Aerocare/Swissport tried to change its case at the last minute. The Judge told them that this was unfair, they have to argue their original arguments, even if they don’t think they will be successful. Then we heard evidence from union and Aerocare/Swissport witnesses.

The next step is for your union and Aerocare/Swissport’s lawyers to make submissions by the end of August 2018. This is our chance to make explain to the judge

why the Aerocare/Swissport case is wrong. After these submissions are filed we expect another hearing date later in the year. We will keep you posted about this.

What does this mean for me?

We can defend the minimum standards with our lawyers, but we can't win better pay and conditions in court. The only way to win better pay and conditions is for everyone at Aerocare to join their union and negotiate better wages and conditions. We need you and your work mates to join the Australia Services Union

More information

If you have questions or queries make sure you contact your local ASU representative.

Branch	Contact	Mobile
NSW/ACT Services	Linda Spiteri	0417 663 108
Tasmania	Kath Ryman	0429 004 237
Victoria	Matt Norrey	0407 873 050
QLD SNA	Jeanine Orzani	0417 714 767
QLD Together	Billy Colless	0419 736 886
SA/NT	Dale Beasley	0497 555 875
WA	Rebecca Gillis	0417 969 502

Join the ASU

To join the ASU, you can join online now at our secure form: www.asu.asn.au/asujoin