

MB to make offer to the ASU as EBA negotiations continue

Introduction

Since our last Newsletter sent to you on the 31 July we have had a number of meetings of the EBA negotiating committee which involves many ASU delegates from around the country.

Furthermore we have established two EBA negotiating Committee sub committees. One which deals with the drafting and re-drafting of particular EBA clauses such as overtime, redundancy, parental leave, annual leave and performance management and misconduct. The other sub-committee deals with the Classification Structure, Pay Bands and the issue of gender pay parity. Both sub-committees are doing important work which deals with member's conditions of employment.

Meanwhile, the claims in the ASU Log of Claims have been explained and discussed. In a recent meeting MB management advised the ASU that it is preparing and costing a total wage/EBA offer which it will present the ASU in December for Union consideration (more on this below). In the meantime the general EBA negotiations continue. Thus members should note that EBA discussions are occurring on a multi-layered basis.

Results of the member survey on bonuses and how best to deal with gender pay parity

Members will recall that in the last Newsletter we sought your views on a management proposal to abolish bonuses and convert them into an enhanced wage rate for those who have received bonuses. The great majority of members surveyed wanted to abolish bonuses and receive a higher wage. However, there was a significant minority of members who were opposed to abolishing the bonus system. We are still discussing the details of this proposal with management and this will form part of the MB Offer to the ASU.

On gender pay parity, the overwhelming majority of members surveyed preferred that structural issues be tackled to reduce the gender pay gap rather than giving women a slightly larger wage increase. This is a key task of the Classification Structure sub committee referred to above.

The MB wage/EBA offer to the ASU

As we negotiate and cost the various ASU Log items and while the Classification Structure Committee looks at costs of classification restructures and gender pay parity, MB management is preparing an Offer i.e. an EBA package, to be tabled for discussion at an EBA meeting in December. This will be considered by the ASU EBA Committee members and further discussed with management before any possible presentation to members in the New Year. This will be a dynamic situation and we shall keep members informed of any major developments. It is important to note that no wage figure has been discussed by MB yet, we need to wait for the offer to be presented.

Classification Descriptors Committee and the EBA Classification Structure sub committee

Members may recall that under clause 58 of the current EBA a Management/ASU Committee was established to re-write the current Descriptors found in Attachment A of the EBA. This work has been proceeding since August 2018 and is nearly completed. Now this body of work, which has been subject to extensive employee consultation, will also now be worked on by the EBA Classification Structure sub committee. Thus the Classification Descriptors and Classification Structures (see Appendix B of the current EBA) will be viewed as a whole. This has been no small task on behalf of the ASU committee members that have dedicated countless hours to meticulously going through each classification and descriptor.

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To this end the Classification Mapping will soon be released to employees by MB management for their consideration and feedback. This feedback will then be considered by MB and the ASU at the EBA discussions and then MB will respond to any employee/Union concerns.

EBA log item progress

Members will recall the member endorsed log of claims put to MB management at the beginning of negotiations. The ASU log of claims contained 25 items which have been the subject of ongoing discussions throughout the bargaining meetings to date. Recently, the ASU requested the log of claims be discussed again during bargaining so that negotiations stay on track and focused on our main aims. The ASU can now present a list of log items that MB have agreed to in principle and other items that we are still hotly debating.

Items agreed to in principle by MB (but subject to further discussion):

- Log item 3 – Paid super on unpaid portion of parental leave capped at 12 months;
- Log item 5 – Gender pay parity;
- Log item 8 – Increased parental leave;
- Log item 12 – Alternative Australia Day;
- Log item 15 – Provision to assist parents to return to work after parental leave with 'school age' definition being inserted into the clause;
- Log item 16 – MB Have made a commitment to review the fairness of the current policy and see what else can be offered to staff that are unable to access the gym in their office location; and
- Log item 20 – Equal hours worked across all offices with MB's aim being a 35 hour week worked across all offices nationally.

Items that require further negotiation with MB management

- Log item 22 – An increase to long service leave. MB Management have stated that they cannot locate any other workplace agreements in the legal sector that have above award conditions in respect to LSL. The ASU advised MB management that there are many examples to look at; and
- MB log item 1 – Coverage of the EA. Up until recent discussions MB management have consistently reaffirmed their position is to remove all staff at Senior Associate level or above off the EA, meaning all the terms and conditions of the EA will no longer be afforded to these staff. The ASU has heard resounding feedback from our members that this proposal cannot be entertained as it undermines the coverage the ASU has within the workplace as well as stripping senior, long service employees of rights they have fought for through successive EA negotiations.

Next Steps

As members have seen above the EBA discussions are occurring on a multi-layered basis and this will continue till at least Christmas, with the salient points being an Offer to be put to the ASU in December, progressing the issues of Classification Descriptors and Classification Structures, while we continue to negotiate the various Log items and clauses.

Want more information?

If you have a question, don't hesitate to contact ASU organisers or delegates:

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