



SWISSPORT NEWSLETTER

Fair Work Commission finds that Swissport Agreement is worse than the bare legal minimum

In a Decision on 20 December 2019, the Fair Work Commission found that employees covered the Swissports Aerocare Collective Agreement 2018 ('2018 Agreement') would not be 'better off overall' compared to the Airlines Award. The Airlines Award is the absolute legal minimum for people working in the Airlines Industry.

There's a long list of problems with the 2018 Agreement, but here are the key problems:

- 2018 Agreement wage rates may be less than Airlines Award rates of pay;
- Part-time employees aren't paid overtime when they work outside their daily rostered hours or when their shifts are changed at short notice;
- Casuals aren't paid overtime when they work more than 12 hours;
- Shift penalties, Saturday and Sunday rates are lower than in the Award;
- Employees can be asked to work splits but are not paid overtime for the second half of a split shift.

The Commission has asked Swissport to give a number of legal promises called undertakings to correct the problems it has identified with the 2018 Agreement by 9 January 2019.

What happens next depends on what Swissport decides to do. Swissport could keep playing legal games to avoid paying you the bare legal minimum. But you'll have to keep waiting for a pay increase until Swissport loses again.

Swissport should do the right thing and give the undertakings requested by the Commission. This means you get your back pay and a fair and legal enterprise agreement.

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