

▶ Great airline
Great staff
we deserve a great agreement



It pays to belong to the ASU Annual leave loading back pay is coming but is it enough?

As previously advised during the course of the negotiations for a new agreement for Virgin Ground Crew your ASU National Negotiating Team members (NNT) identified a problem with the way annual leave loading has been paid to shift workers.

Clause 29(c) of the annual leave clause in the current Virgin Australia Ground Crew Agreement 2010 says:

(c) Team members are entitled to a minimum of 17.5% annual leave loading or average shift penalties whichever is greater.

This is known as annual leave loading and is designed to ensure that shift workers in particular don't suffer any loss of income when they go on leave.

The ASU was able to identify that that Virgin had not been paying the average shift penalties if these are greater than 17.5% and so there has been an underpayment of annual leave loading to some staff.

What has the Company done so far?

At our meeting on 25th March 2013, Management conceded that your ASU NNT members were right about the annual leave loading issue. Management have reviewed the annual leave loading payments made to GCC staff and part time staff at airports (not full time staff yet) for the last 3 years and they have identified staff who have annual leave loading owing ranging, they say, from a few dollars to several hundred dollars. Senior Management are still "reviewing" the results they say but soon they will let affected employees know about their individual situations.

The company is not being clear about whether the underpayments have occurred for the whole time the company has been operating or only since the current agreement started. We suspect that it is for the whole time that the company has been operating.

Legally the company only has to honour claims dating back as far as 6 years, what they should do morally is another issue. We have said to Virgin that they should pay all the money that is owing no matter how long ago the error occurred. The ASU has written today to Virgin and put this position again, we want a total review right back to when Virgin started flying.

Let's hope Virgin does the right thing and agrees to pay people all they are owed because of any company mistakes and that they don't rely just on technical legal obligations. Watch out for updates on this important issue.

What next?

We expect that the company will soon communicate with affected staff about how much they say you are owed. You should insist on receiving a detailed document with the calculations of what is owed – do not sign anything until you have checked the calculations

ASU members can get your ASU reps to check your entitlements and ensure that you are getting what you are owed or feel free to ask questions about this issue because it is complex! If you are not an ASU member now is a good time to consider joining which can be done at www.asu.asn.au/asujoin.

What about the Agreement negotiations?

Your NNT met the company representatives on 25th March to talk about what you want to see in the new agreement. The company has said it will come back to us next week with further responses to our proposals. We are not confident that the company is really listening to what you want from this Agreement but we will provide a full report back once we hear from them again.

STAY INFORMED

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