

Transmission of Business It's a matter of Choice!

Choice in the event of Transmission of Business at Canon is the number one issue on the bargaining table.

What exactly is Transmission of Business?

A Transmission of Business (ToB) occurs when there is a transfer of business from one employer to another. The Fair Work Act describes what is required to determine whether business has transferred and if it has then the ToB rules apply to employees who may be affected by the transfer of business.

What does Canon say?

Canon spent a significant amount of time telling you that it was unlawful for you to make a claim for choice in the event that there was to be a ToB.

As previously reported to you, the ASU said that's not true and just to prove the point we obtained legal advice. That advice said to bargaining for "a provision of the type you are seeking is permissible".

So what about choice?

Your claim seeks that in the event of a ToB, Techs would get the choice to either transmit or take a redundancy.

This means that if your work was transferred to another company you would have the choice on whether to go to the new company or take the redundancy.

If you were to go to the new company the collective agreement you currently work under goes across to the new employer. The agreement continues to cover your employment until its expiry date.

Your agreement may continue to cover your employment but what happens if it is a small business that takes over, the risks are enormous. That is why choice is so important, it will allow you the ability to weigh up the risks and make an informed choice on your future.

What happens now?

If you have further questions on the negotiations contact your ASU Delegate, NCC Rep or your local ASU Organiser.

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