

RIG WORKERS VOICE



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YOUR Right to Collectively Bargain

The new Fair Work Act 2009 brings with it a new set of rights for workers who have previously been denied the opportunity to collectively bargain and be represented by their union. From 1st January 2010 there will be no legislative provision for the making of individual agreements. That means employers have to negotiate employment conditions with their workforce collectively.

Individual Transitional Employment Agreements (ITEA's) may still be made up until 31 December 2009 but must have a nominal expiry date no later than 31 December 2009.

After 31 December 2009 employers are compelled to negotiate a collective agreement with employees. In practice a union only has to notify an employer of the desire to negotiate. If the employer refuses, an application for a 'majority support order' is lodged with Fair Work Australia (FWA). This is a ballot to verify that more than 50% of the workforce wishes to negotiate.

Employers must notify employees of their right to be represented in the bargaining process within fourteen (14) days of agreement to negotiate. Union members are presumed to be represented by their union unless they indicate that they wish to be represented by another bargaining representative.

In an effort to exclude unions from the process and bypass a proper negotiation process some employers rushed through non union collective agreements prior to the introduction of the Fair Work Act.

The new laws stipulate it's against the law for employers to try and rush through an agreement without a proper process. The Act stipulates that a request for a vote on a proposed agreement must be at least twenty one (21) days after the representation notice has been issued to employees.

As the end of the year is quickly approaching, it's time for workers on drill rigs to prepare to exercise your rights under the law to negotiate your conditions of employment.

After instruction from members the Offshore Alliance will notify employers of the request to negotiate and ensure that elected delegates from drill rigs are fully engaged in the process.

Discussions have already commenced with employers on some drill rigs.

Rig workers are encouraged to hold meetings on board respective rigs and discuss issues you'd like to see addressed in a new agreement.

If there is any information such as rates and conditions relevant to you in other areas of the offshore oil and gas industry that may assist in your discussions, don't hesitate to contact either Mahmut (Hammer) Melkic or Glen Williams on below contact details.

***Its important workers are on the front foot.
Employers will be developing their plans now.***

The Offshore Alliance is YOUR voice!!

For more information please contact Glen Williams on glen.williams@mua.org.au - 0401 271 740 or Mahmut (Hammer) Melkic on mahmut.melkic@awuwa.asn.au - 0419 907 035