



Yesterday the 1st of August 2019 your officials from the AMIEU were on Lobethal's premises.

Among the points openly discussed with members and the workforce were:

How can TFI implement the 10 hour day?

The company are relying upon clause 12 below

12. OUR MUTUAL FLEXIBILITY TOWARDS HOURS OF WORK

In response to operational fluctuations, we reserve the right under this Agreement to introduce or vary, with one (1) weeks' notice, one of the following three (3) working arrangement options. You agree that these hours are reasonable in the three options below. Average weekly hours will be averaged over each month.

Whilst we do not agree with the company on the interpretation of that clause, when looking at your dispute procedure there is no arbitration (meaning no judge ruling / decision) to go argue the matter (see below clause 31.4)

Step 4: When steps 1 to 3 are exhausted, either party may then apply for a hearing in the Australian Industrial Relations Commission to conciliate but not arbitrate the dispute.

What can we do?

As we have been negotiating for many years now knowing that the main issue was around the 10 hour working option and getting an agreement that is better than the minimum conditions (passing the BOOT TEST) we still suggest that ***you terminate the currently agreement.***

TFI has again reissued the Notice of Employee Representational Rights letter (NERR); they are still committed to bargaining and the fact of issuing this notice commits them legally to bargain.

Our ultimate goal is to have an agreement in place that passes the BOOT TEST and sees the site on much better wages and conditions.

In the event that an agreement is reached prior to the termination of the agreement then we simply will be fully under the new agreement. However, if agreement is not reached and the current agreement is terminated then you will work under the "Meat Industry Award 2010" and receive all your minimum entitlements along with better consultation processes for when they are wanting to change things (such as shift arrangements). It also allows either party to lodge disputes within the commission and where needed have the issue arbitrated.

As the current agreement is so outdated we will need members to be the applicants (the Union office itself cannot do it without the members). We would prefer if approximately 10 members joined together on the application to ensure that the application is heard all the way to the judgment.

Please contact the office and ask to speak with Sharra if you are interested in standing up and being a part of the action.



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What about the members who have received a letter stating they are on unpaid shut down?

Again we disagree with the wording being used by the company.

Here we would say you have been **stood down** as they cannot supply you with any meaningful work. However, when holding our discussion in the lunch room the company had informed workers that they are also looking at possible positions within their Holco Site and Virginia farms.

We encourage all members to ring in a speak with HR to explore those options and get further information on these positions (e.g. what type of work is it, what is the rate of pay, where is it located etc.).

We also encourage our members to ring HR on a regular basis and ask if there is any positions available and keep a record to the times you call and the response you get from the company.

We also strongly advise our members to not resign from the company as you may be forgoing your rights to a redundancy package after 2 months of no work. Having said that we understand the difficulties of accessing assistance through Centre link whilst still employed and the pressures of finding alternate work to get you through this “unpaid shutdown”.

If you wish to discuss your situation further please do not hesitate in calling the office to have a discussion about your personal situation.

Terminate the agreement now!



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