



## Enterprise bargaining—How does it work?

This is an important year for AEUNT members, as it's the year that your terms and conditions of employment come up for renewal. AEUNT are a party to four EBAs in the Northern Territory which cover AEUNT members employed by Charles Darwin University, Northern Territory Education Department and Batchelor Institute.

## What is an EBA?

An EBA is an agreement made at a workplace level between employers and employees and their union, about your terms and conditions of employment.

## Why have an EBA?

Although Awards cover minimum pay and conditions for an industry, enterprise agreements can cover specific arrangements for a particular workforce.

Normally, everything that is in an Award is also a minimum standard in an EBA. EBAs are never allowed to offer less than is contained in the base standards provided by the National Employment Standards.

## What does an EBA cover?

Enterprise agreements can include a broad range of matters such as:

- ◇ rates of pay
- ◇ employment conditions e.g. hours of work, allowances, meal breaks
- ◇ how and when employees and their representatives will be consulted
- ◇ dispute resolution procedures

They cannot, however, include anything unlawful (such as discriminatory or objectionable terms).

## How do I get a say?

Over the next coming months the AEU will be holding workplace meetings and sending out surveys to AEU members seeking feedback on what you would like to see negotiated in your next EBA. It's important that members attend meetings and fill out these surveys so that the AEU negotiating team has a clear understanding of the issues that need to be brought to the negotiating table.

## What is the process?

- ◇ AEU officers will consult with members through workplace meetings and surveys to understand the matters to be negotiated.
- ◇ The AEU executive will appoint a bargaining team for each of the negotiations.
- ◇ Once consultation with members has concluded the AEU negotiating team will formulate a log of claims to be endorsed by AEU members.
- ◇ Once the log of claims is endorsed by AEU members the negotiating team will begin negotiations with your employer.
- ◇ The process of reaching an Agreement can take many weeks or months of discussion and a great deal of industrial knowledge and expertise in negotiations to work through issues of importance to each side.
- ◇ Once the negotiating parties have reached *in principal agreement* on the terms and conditions of your EBA it will be put to employees to vote yes or no if you are happy with the EBAs terms and conditions.



## What happens if an 'in principle' agreement is reached?

If *in principle agreement* isn't reached the employer will put the agreement out to vote to employees for employees to decide if they accept the agreement or not. More than 50% of employees need to vote yes for an agreement for it to be accepted. If *in principle agreement* isn't reached the AEU will recommend to members to vote No to the proposed agreement.

## What happens if the agreement isn't accepted by employees?

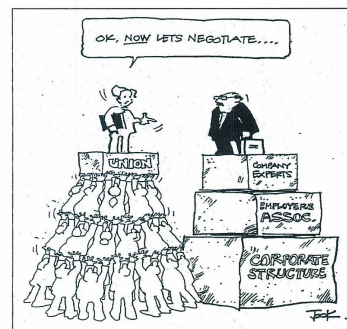
The AEU will consult with members to understand the outstanding issue with the EBA. The negotiating parties will return to negotiations and try to negotiate an alternative outcome that is acceptable to employees.

## What happens if the negotiation comes to an impasse?

Members have a number of options if an impasse is reached such as, lobby members of parliament, campaigning to win better conditions, take Protected Industrial Action.

## What happens once the majority of employees vote in favour of an agreement?

Once an EBA is accepted by a majority of employees it's sent to the Fairwork Commission for approval to ensure that it complies with the *Fair Work Act*. When approval is given by the Fairwork Commission, the EBA comes into force and applies to employees covered by the agreement in the workplace.



## Did you know?

- ◇ Union members are in a stronger position to secure higher pay and conditions through collective bargaining. The more workers that are in a union, the better chance they have of getting a good deal.
- ◇ Employees that are under a union collective agreement earn on average \$100 a week more than other employees.
- ◇ Union members also get better sick leave and holiday leave entitlements and are more likely to receive long service leave and paid maternity leave.
- ◇ Union members are better trained, have better working conditions, work fewer hours and have more job security.

## References and further information

AEUNT website: [www.aeunt.org.au](http://www.aeunt.org.au)

Fairwork Commission: [www.fwc.gov.au](http://www.fwc.gov.au)