



What is Enterprise Bargaining?

Every few years unions such as the AEU negotiate new enterprise agreements (commonly known as EAs and formerly as EBAs) on behalf of members. The AEU NT is a party to four enterprise agreements, covering members employed by Charles Darwin University, Batchelor Institute and the Department of Education.

What is an Enterprise Agreement?

An EA is an agreement made between employers and employees about terms and conditions of employment. The union acts as a bargaining agent for workers in the process. The legal underpinning for enterprise agreements is the federal *Fair Work Act*, which provides rules about what can and can't be included.

Why have an Enterprise Agreement?

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 EA, and the agreement will provide superior conditions that typically cannot be changed without the consent of employees under its coverage.

What does an Enterprise Agreement cover?

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

- * Rates of pay
- * Employment conditions such as hours of work, allowances and 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 have a say on what is in my Enterprise Agreement?

The AEU is a member-driven union and as such develops an agenda for bargaining based on the issues important to our membership. Many of our claims arise from discussions at the workplace level, which are then forwarded to our Executive or annual Branch Conference. The union office also surveys members on numerous matters to better understand the collective priorities of the membership.



How does the bargaining process work?

AEU officers consult with members through workplace meetings and surveys to understand the matters to be negotiated. The AEU NT Branch Executive appoints a bargaining team for each of the negotiations. Once consultation with members has concluded, the AEU negotiating team formulates a log of claims for endorsement by members.

The log of claims is tabled by the bargaining team when formal negotiations commence with the employer. The process of reaching 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 principle agreement on the terms and conditions of a new EA it will be put to employees to vote on whether to accept the deal.

What happens if in principle agreement isn't reached?

If in principle agreement isn't reached the employer may put the agreement to a ballot of all employees to decide if they accept the agreement or not. More than half of employees who participate in the ballot need to vote Yes for an agreement for it to be accepted.

If in principle agreement isn't reached, the AEU will recommend members vote No.

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

The AEU will consult with members to explain the outstanding issues with the proposed EA. The negotiating parties may return to negotiations and try to negotiate an alternative outcome that is acceptable to employees.



What happens if negotiations come to an impasse?

Members have a number of options if an impasse is reached, such as:

- * Lobbying members of parliament
- * Commencing a public campaign of rallies, protests and so on
- * Taking protected industrial action like strikes (if approved by Executive and the membership)

What happens once a majority of employees vote in favour of an EA?

Once an EA is endorsed by a majority of employees it's sent to the Fair Work Commission for approval to ensure it complies with the *Fair Work Act*.

The new agreement comes into force shortly after it is approved by the Commission.

COLLECTIVE
BARGAINING

