

Fair Work Commission Considering ARTC NSW EA

Categories : [Bulletins](#)

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Combined Unions ARTC Enterprise Agreement Negotiations 2016 Newsletter 29 -

As reported in our last newsletter, the combined unions have raised a number of concerns with the Fair Work Commission in regards to the approval of the Enterprise agreement after it won majority support by just 18 votes.

The Combined Unions wrote to ARTC to try to find a way to have the EA approved sooner, however ARTC refused to discuss any options other than outright approval.

Both parties have presented their submissions and witness statements to the Fair Work Commission and have agreed for the commission to consider the matters from that documentation. The commission will advise an outcome once the process has taken place. The timeframe is unknown however we would expect that it would be no more than a few weeks.

The unions submitted the following for the commission's consideration;

Approval for the agreement should be subject to the following “

1. In order for the Commission to be satisfied the Agreement meets the requirements of sections 186 and 187, the Commission must require ARTC to provide sufficient information on:
 1. Whether the group of employees covered by the Agreement has been fairly chosen; and
 2. The components used to calculate employees' TRPs, including the Network Controllers.
2. The Commission must require undertakings from ARTC, pursuant to section 190 of the Act, confirming that unpaid carer's leave of two days per permissible occasion will be available to employees in addition to paid carer's leave.
3. The Commission must deem that the model consultation term applies to the Network Controllers covered by the Agreement.”

Once we are notified of the commission's decision we will get the information out to members as soon as possible.