



**MARYBOROUGH CITY COUNCIL**

# Union Bulletin

News and information for members of the Australian Services Union  
18 November 2004

## **ASU LODGE DISPUTE IN COMMISSION AGAINST MARYBOROUGH CITY COUNCIL**

As previously reported the Australian Industrial Relations Commission has declined to certify the Maryborough City Council agreement because of a recent High Court Decision about what can be in a certified agreement.

The ASU has held discussions with Council regarding the required changes to the document in order for the revised EBA to again go to ballot so that it can be certified and those issues that can not be in a certified agreement will become Council policy. The parties have agreed to the changes and the document will go to ballot on 30 November 2004.

The ASU and local delegates have not had successful negotiations with council in relation to the payment of the wage increase and back pay to go ahead despite this delay. The ASU notified of other Council in a similar position whereby these councils have made the payment despite the delay in having the agreement certified.

Council have made a clear decision based on advice from the LGAQ that not only should the not pay the proposed wage increase and back pay, but that Council will not pay the recent safety net payment of \$19.00 per week payable from the first pay period as at or after 21 September 2004 to maintain wages at 12 ½ % above the award rates as determined by the existing agreement (the document in which council and employees must adhere to until either party withdraws from the agreement or replaces this document).

The ASU on behalf of its membership has lodged a dispute with the AIRC in relation to Council failure to apply provisions of clause 31 of the current agreement which requires Council to maintain wages at 12.5% above the award wage. The ASU has lodged this dispute as this payment is a mandatory payment Council is required to pay. The hearing is listed for conciliation before Commissioner Spencer at 2 pm on Wednesday 24 November 2004.

**For further info contact ASU Negotiator for the MCC EBA 2004  
Jennifer Earl at ASU connect on 3844 5300**