

QF:040/2007

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# ❖ NOTICE ❖

**TO: QANTAS MEMBERS**

**RE: EBA INDUSTRIAL ACTION BALLOT**

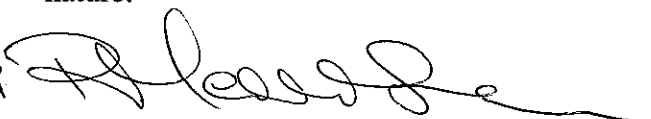
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Commissioner Raffaelli from the AIRC has blocked access for Qantas members to vote on protected action to black ban Qantas aircraft VH-OJO and VH-OJQ. The following extract form part of his decision -

*"It seems to me that if the old claim remains, that being the securing of and maintaining aircraft maintenance work in Australia that the problem with that is that if the real genesis of the claim or the purpose of the claim is to keep work in Australia, in order to or for reasons of safety concerns, then this does not pertain to the employer/employee relationship, although it nonetheless remains a worth cause."*

*"I find that on the facts before me there is either the pursuit of a claim for illegitimate purposes of the Act, however worthy it might seem to the man or woman in the street, or there has been no genuine attempt to reach agreement on at least that so called significant part of the agreement, being 30 August demand. Consequently, the Commission does not have the statutory capacity to grant the application. On that basis, the proceedings are concluded."*

To clarify the arguments the Commissioner made it clear that the securing of maintenance in Australia to make it safer is not an allowable item to be negotiated in our EBA. He even agrees that aircraft safety might seem like a worthy cause for the man or woman on the street but recent changes to workplace laws places restrictions on us pursuing worthy causes. It was disappointing to hear the decision but at the end of the day other options are available and we will continue to explore them and always fight for worthy causes that benefit our members and the industry in general. Our focus will now turn to other means to ensure that aircraft maintained in facilities that staple wiring, miss lightning strikes and defective flight control cables, certify for flight control operational tests on days where there is no power to the aircraft and allow paint overspray from aircraft in adjacent bays are checked sufficiently. Discussions with senior Qantas management over these and other outsourcing issues will take place tomorrow. Now more than ever the ALAEA requests that members work strictly to the maintenance manual, put safety before schedule and consider the system in its entirety when certifying for tasks of a complex or safety of flight nature.

RP 

**STEPHEN PURVINAS**  
Federal Secretary

*"To undertake supervise and certify for the safety of all who fly."*