

9th March 2010



25 Stoney Creek Rd Bexley 2207 NSW
Ph: (02) 9554 9399 Fax: (02) 9554 9644
Email: alaea@alaea.asn.au
Web: www.alaea.asn.au
ABN: 84 234 747 620

❖ NOTICE ❖

TO: ALL MEMBERS

RE: VIRGIN PROTECTED ACTION BALLOT

Members are hereby advised that ALAEA members working for Virgin will shortly be participating in a ballot for Protected Industrial Action (PIA) against Virgin Tech. In brief, discussions commenced in Jan 2009 when a meeting was held between the parties, Virgin then refused to meet again until September 2009 after we had sought intervention by Fair Work Australia to force management back to the table. Since that time Virgin has been extremely economic with regards to regular meetings and although some progress has been made, it has been slow and the airline continues to hand over Engineering functions to baggage handlers.

Virgin members are advised that by 4pm Friday 12 March 2010 the ALAEA must lodge details with the Australian Electoral Commission detailing members who can participate in the ballot. Any former members or Virgin Engineers who are considering joining the ALAEA to take part in this process need to complete and fax to our office a membership application by midday this Thursday 11 March 2010. Failure to do so could see you acting in the capacity of a strike breaker contrary to the majority of Virgin Engineers who may take action to deliver job security and a fair wage and conditions package for all.

The parties met again yesterday and for the first time Virgin presented a document that they claim will be the basis for a new Agreement. The document was heavily weighted towards a management perspective with clauses that would force employees to comply with unfair policy changes, bypassed union representation with an internally appointed committee, allows the airline to roster you whenever they want, required employees to be contactable at all times outside of work, allows them to change your home base, requires employees to manage health concerns through management and reverts your pay from fortnightly to monthly. We rejected all these clauses.

The most alarming aspect of the day came when Laura Jones explained that the dispute resolution clause that had previously been agreed would not allow us to have disputes arbitrated or determined by Fair Work Australia. This came despite previous assurances that this would be the case. At the end of the day they are still attempting to make the new Agreement worthless, the ALAEA will now be proposing a new dispute procedure that will validate the content of the final document.

The ALAEA were advised yesterday that Virgin were extremely confident that a NO vote would prevail when the outcome of this ballot is declared. The Airline indicated that they would run a scare campaign and it is possible that some aspect of the process may be misrepresented by management

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

over the coming weeks. It is pertinent that some of the plans should PIA be required be shared with members from the outset now so we can all understand the legalities of what may take place.

To be successful, the ballot requires a minimum of 50% of those on the roll to return a paper. It also requires greater than 50% of the returned papers to have a yes box ticked. The result will be declared on the 7th of April. If the action is approved by members, it is then the responsibility of the ALAEA to advise members and Virgin when any action would take place with 3 business days notice.

The question on the paper is to endorse a campaign that could include up to 5 different forms of action. If approved each of those actions would form part of our armoury but would not necessarily be used. At anytime, if members feel that a union is going too far, members can individually or collectively decide to ignore PIA advice from their union and continue to work as normal. The five actions we are seeking to be approved are standard and appear on all our ballots. They are –

Higher duties bans - We only use these these bans selectively and on limited occasions however there may be a situation where this limitation could be effective.

Bans on travel for work – Again, normally used selectively but could become a handy tool as Virgin operate with a number of unmanned ports.

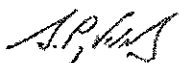
Overtime bans – This action is most commonly used and highlights staffing shortages. In the Virgin case it would be likely that we would commence our PIA campaign with this mild form of disruption. Members taking overtime bans would be reminded that the purpose is not to cut an airlines overtime bill by rushing other tasks to get through a workload. We take this action to impact the long term maintenance plans for an airline by failing to complete all scheduled work due to low staff numbers.

Stop Work meetings – This action is self explanatory and would see members walk away from work for a set period of time to meet and discuss matters with ALAEA Officials.

Work stoppages for up to 48 hours – It is rare that stoppages would exceed 5 hours and we would only arrange longer stoppages if members in local bases indicated strong support to do so. Longer stoppages would only occur if endorsed by a further private ballot at a stop work meeting. eg. If a member was getting married and management decided to be difficult and not allow leave on his wedding day or honeymoon, it may be that members in that port decide that their action in support of the new agreement be taken over 48 hours commencing the day the member is getting married.

The ALAEA will be giving Virgin ample time to settle this dispute before PIA is able to be taken. The outcome of this Agreement however will not contain unfair clauses that take away reasonable workplace rights. If any member has further questions please do not hesitate to email me on –

fedsec@alaea.asn.au



STEVE PURVINAS
Federal Secretary