

20 January 2012 – Notice 1/2012



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**TO: QANTAS AND FORSTAFF LAME MEMBERS**

**RE: QF EA CERTIFICATION PROCESS**

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The ALAEA has been receiving regular enquiries regarding the Qantas Enterprise Agreement and when the Fair Work Australia Full Bench will make the Workplace Determination which brings the agreement into effect. We were hoping it would be towards the end of this month but a few minor complications have given the Commission some matters to consider carefully before the Determination is approved.

On the 19<sup>th</sup> of December both Qantas and the Association appeared before the Full Bench and, unusually, both parties were essentially presenting the same case seeking an outcome in line with the agreement discussed at our national membership meetings held over November and December. Beyond that a comprehensive submission was made by the airline supporting the agreed position which will hopefully answer all the queries raised by the Full Bench. A copy of the transcript from the day is on our website and attached to the email which accompanied this notice.

Firstly the Commission needed to determine whether it had the legal jurisdiction to simply pass on as an outcome the terms which were submitted by the ALAEA and agreed to by Qantas. Assuming that would be allowed they then needed to make sure that the terms passed the better off overall tests within the Act and that all the clauses are legally allowable.

A final complication arose when it became apparent that one LAME had broken away from ALAEA representation and nominated himself as a bargaining agent. Although the two main parties are in agreement about the outcome, it would be proper and appropriate for the Full Bench to canvas the views of the individual agent. He did not appear before the Commission and it is assumed that the Full Bench will be verifying his views by some other means.

From Christmas Fair Work Australia closes for anything other than urgent matters for a number of weeks. When they are back we don't know how long it will take for resolution however the minor hurdles before certification appear to have been adequately addressed. Keep your fingers crossed for a short wait as opposed to a long one. A message will be sent as soon as we know any further.

A link to the FWA Transcript can be found in the Latest News section of the ALAEA website.

**STEVE PURVINAS**  
Federal Secretary

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