



Loading rights at risk for local government workers

Local government workers who are employed as a permanent part-time and receive 25 per cent loading in lieu of annual leave and public holidays could lose the extra pay in their pockets under an application by Banyule City Council to Fair Work Australia (FWA) to scrap the provision.

ASU Assistant Secretary Igor Grattan has announced that the union will do everything in its power to retain the loading provision for affected members, launching its own submission through FWA against Banyule's application. If Banyule's application is defeated, it could open the doors to retaining this provision in not only all local governments across Victoria, but also in other states, including Tasmania and possibly some parts of Western Australia.

"With the implementation of the National Employment Standards from Fair Work Australia on January 1, 2010, a provision exists in the Act that you cannot trade off any of the minimum standards, which is what Banyule Management is arguing is the case. The problem is that the people who currently enjoy their 25 per cent loading may be forced to lose that right and take pro-rata leave instead. Banyule are arguing that the provision for loading should be scrapped from their agreement because it is at odds with the National Employment Standards."

"If this provision is taken away, we are talking a quarter of people's wage. A lot of these people work 40 weeks a year and, understandably, the dollar is more beneficial to them than the leave," added Igor.

"This ruling, which is currently still in the hands of FWA for a decision, could affect home care workers, school crossing supervisors, leisure centre staff, child care workers, librarians and anybody else who is employed as a permanent part-time worker," said Igor, who said that members were keen to hold on to their loading rights for years to come.

"At the very least, ASU members want their 25 per cent loading to stay during the life of this EBA and will be aiming to factor it in to the next."

"It is therefore imperative that the ASU wins this Test Case against Banyule to keep the provision alive. If we lose the Test Case, the 25 per cent loading will be gone. The ASU will lodge its response in the coming weeks."

"People are happy to work in these positions if they are financially rewarded for it. If this provision is taken away, it will become very difficult to find people who would want to work in these jobs, and some may not be afford to pay bills," said Igor.

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