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PLUMBING AND PIPE TRADES EMPLOYEES UNION / CEPU PLUMBING

DIVISION VIC BRANCH (PPTEU)

AND

AE SMITH & SONS PTY LTD (AE SMITH)

RE: ALLEGED INCORRECT ACCRUAL OF ANNUAL AND SICK LEAVE AS

PER ENTERPRISE AGREEMENT

23 JULY 2019

015-2019

STATEMENT

[1] The PPTEU notified a dispute on 17 July 2019 alleging the incorrect accrual of Annual and Sick Leave entitlements as per the Enterprise Agreement.

[2] The Panel convened a Conference of the parties on 23 July 2019.

[3] The applicable Enterprise Agreement is “*AE Smith & Sons and CEPU – Plumbing Division Victoria Branch Enterprise Agreement Victoria 2015*” (the Agreement). There is no dispute that the Agreement applies to this matter.

[4] It became apparent from the submissions of the parties that the fundamental issue concerning the various allegations, including some additional matters raised in Conference, arises from the confusion associated with employee entitlements as they are currently presented on the payslips that are issued to employees. This was also acknowledged by management.

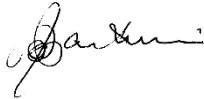
[5] Whilst there is also some incongruity with the provisions of the Agreement and the National Employment Standards, of which the parties are aware, it is not immediately apparent that employees are being short changed in terms of their proper entitlements. There is a question in relation to RDO's as raised by the PPTEU which AE Smith has undertaken to examine and respond. Importantly however it is obvious that greater clarity of entitlements as shown on payslips is very likely the solution to these concerns.

[6] Accordingly the Panel has directed as follows:

1. That AE Smith review the manner in which entitlements are reflected on payslips with a view to presenting the entitlements on pay slips similarly to what is submitted by the PPTEU occurs with the rest of the industry (for example, accrual of annual leave at 2.77 hours per week as against the varying accruals currently shown by AE Smith, actual hourly site allowance x hours worked etc). The objective is to remove the level of confusion presently being experienced by both employees and management.
2. That AE Smith provide appropriate and satisfactory evidence to demonstrate to the PPTEU that the correct accrued entitlements, in particular, sick leave, are being credited to the employees.
3. That the parties meet within a week of today's date to review the above matters in a genuine endeavour to settle all matters.

4. That the PPTEU advise the Panel no later than 5.00pm on Friday 2 August 2019 as to the status of the matters and whether or not a further Conference or Hearing before the Panel is required.

[7] The Panel encourages the parties to settle these matters promptly and in good faith.



Peter Parkinson
Chairman



Tony Cordier
Panel Member