



**Collieries'
Staff and Officials
Association**

Staff at the Coalface

22 April 2015

Your Redundancy Entitlements Clear First Hurdle

Age 60 Clause removed from the Award

The Fair Work Commission last Friday handed down its decision which removed the Age 60 cap on retrenchment pay from the Black Coal Mining Industry Award 2010. In its decision the Full Bench determined that the age based cap was discriminatory and had no legal effect from 2010. The removal of the cap on retrenchment pay in the Fair Work Commission ends the long standing dispute, giving certainty to older Staff that they will be treated the same as everyone else if they are retrenched.

The next hurdle

Employers argue to "take the axe" to your safety net redundancy pay scheme

The Black Coal Mining Industry Award 2010 is the safety net below which your contract or enterprise agreement can not go (unless you have signed an Award Free contract – see 12 January Staff at the Coal Face).

If your safety net changes you are vulnerable to change. Recently the Coal Mining Industry Employer Group who represent every employer in the coal mining industry, argued to change your long standing safety net entitlement to retrenchment pay.

The coal employers argued in the Commission that your industry retrenchment pay should stop or be capped at 9 years of service. The cap would mean that the maximum Award safety net payment of retrenchment pay for any Staff or Deputy, regardless of length of service would be 18 weeks.

The Fair Work Commission concluded that there was not enough evidence before them to persuade them to

Improving safety, salaries and work lives.

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“take the axe”, to your safety net redundancy scheme but left the door open for the employers to put together a case at a later date.

If the employers do proceed with a case anyone with more than 9 years' service is vulnerable. Those with 15 years' service could lose 12 weeks safety net retrenchment pay, increasing to 22 weeks loss for those with 20 years of service.

Risk assess the dangers to your retrenchment entitlement

Should employers continue their campaign to cut your safety net retrenchment pay, we are going to need to work together to combat their attempts to “take an axe” to your redundancy scheme.

As a first step, you and your colleagues need to complete a two minute online survey to risk assess your redundancy entitlement. How vulnerable is your redundancy entitlement to a change in Company policy or a change in the Black Coal Award? Is your redundancy entitlement in your contract at all? [Click here](#) to complete your risk assessment.

With so much uncertainty in the industry at the moment, there has never been a more important time for Staff to be in their Union. [Click here](#) to join with other Staff to protect your industry entitlements.

REMINDER

CHANGING AND CHALLENGING TIMES AHEAD FOR COAL - WHAT DOES THIS MEAN FOR YOUR FUTURE?

CONFERENCE SATURDAY 13 JUNE 2015

As you would be aware, coal prices have dived internationally, and the lower prices have had an impact on Australian mines. As an ever increasing spotlight is shone on operational costs at every mine, we're hearing from members every day who are being retrenched or concerned about their future job security.

At the same time, we're seeing coal companies taking advantage of the current weak market conditions to try to strip back conditions like redundancy pay for the long term.

Please email us on infocsd@professionalsaustralia.org.au or call Kathleen on 02 9269 0688 for more information on attending conference

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