



21 March 2013

Mr Peter McIntyre
Managing Director
Transgrid
PO Box A1000
Sydney South 1235

Dear Peter

Our position for the record as to TransGrid regarding changes to employee conditions referred to by Trans Grid as “business efficiencies”.

This letter is provided in reply to your letter of the 25th February 2013. In your letter, you ask us to state the position of the unions with respect to whether we believe that TransGrid is in breach of its Enterprise Agreement obligations with respect to its unilateral action under the TransGrid “business efficiency program” and in particular TransGrid’s variation of standard hour for vacant positions.

Our position, which has been consistent and has been stated many times to TransGrid management, is that there is an arguable case that TransGrid have not complied with their Enterprise Agreement consultation obligations in that they have held discussions about proposed changes to employee conditions.

We understand that management at TransGrid don’t think that they have an obligation to consult because you don’t believe that your “business efficiency changes” are “significant” and subject to consultation obligations as defined under clause 5.2 of the TransGrid Employee Agreement 2010. We don’t agree. However, we also don’t believe that the identification of this impasse takes us very far in relation to the substantive issues at the heart of this dispute.

As we have stated many times, TransGrid’s attempt to run a technical legal argument does nothing to deal with the significant levels of employee concerns about unilateral changes to employee conditions and in particular the appearance of an attempt to undermine the long standing condition of a 9 day fortnight. I’m advised that the issue of the 9 day fortnight was a very significant issue in the last round of bargaining. TransGrid management have acknowledged that this is an issue of some concern to employees.

We remain opposed to a unilateral change applied by management to vacant positions without consultation. We believe that TransGrid should withdraw all proposed changes with respect to the variation of standard hours for vacant positions and should raise issues with respect to these matters in the context of our EBA discussions which are due to commence within the next few months.

For the record, Unions NSW and TransGrid unions seek to work constructively with management, to solve issues as they arise. In other parts of the industry, the issue of working hours has been raised by management and power unions have worked through issues in a constructive way to resolve outstanding issues. We can’t see why this will not work at TransGrid and call on management to work constructively with us to work through our challenges.

In relation to the forced relocation of employees, we request that TransGrid advise us of how many people are effected, what offers have been made and on what basis are the offers being made. We will continue to talk to TransGrid about our concerns with respect to the relocation issues.

Yours,

A handwritten signature in black ink, appearing to read "Adam Kerslake". The signature is written in a cursive, slightly slanted style.

Adam Kerslake
Deputy Assistant Secretary