

3 July 2020



By your side

Ms Carol Jeffs
Chief Executive Officer
Cardinia Shire Council
PO Box 7
PAKENHAM VIC 3810

By email: c.jeffs@cardinia.vic.gov.au

Dear Ms Jeffs,

Re: Cardinia's decision to suspend Agreement negotiations

The ASU remains concerned that Cardinia Shire Council suspended negotiation meetings and has refused to reconvene bargaining for a new Enterprise Agreement despite persistent requests.

The ASU delivered our Log of Claims in good faith on behalf of ASU members on 11 March 2020. Since that time bargaining representatives have participated in six meetings: 29 January, 26 February, 11 March, 25 March, 08 April and 27 May 2020.

The ASU outlined by correspondence on a number of occasions since then why our members' interests are best served by resuming bargaining in good faith.

We understand that the budget for the next financial year was presented to Council last month and have previously proposed to resume negotiations after this happened to allow Council to have a better understanding of its financial position. Cardinia representatives rejected this request on 27 May 2020.

We now seek once more that bargaining recommences as soon as possible and ask that Council schedule a meeting at the earliest opportunity to resume discussions around a new Enterprise Agreement.

Should you refuse, the ASU will view this as a breach of the following good faith bargaining provisions outlined in *s228 of the Fair Work Act* and enforce the industrial rights of our members accordingly:

- (a) *"attending, and participating in, meetings at reasonable times"*
- (b) *"disclosing relevant information in a timely manner"*
- (c) *"responding to proposals made by other bargaining representatives for the agreement in a timely manner"*
- (e) *"refraining from capricious or unfair conduct that undermines freedom of association or collective bargaining"*



By your side

Please advise by close of business Tuesday 7 July 2020, of your response to this request. I look forward to your response. To respond, my email is: coconnor@asuvictas.com.au

Yours faithfully,

Cindy O'Connor
ASU Organiser

CC: Jenny Scicluna, General Manager, Cardinia Shire Council