

# ENTERPRISE AGREEMENT APPROVAL DELAYED



The Fair Work Commission (FWC) advised the TWU that it has identified some concerns with the Border Express NSW Enterprise Agreement (EA). BEX management must address these concerns before the FWC will approve the final Agreement.

## EA APPROVAL PROCESS

The FWC advised Border Express that unless the two concerns outlined below are addressed, the Agreement might not pass the Better Off Overall Test (BOOT) which may result in FWC not approving the agreement and consequently delaying your pay increase.

### WEEKEND PENALTIES

### PUBLIC HOLIDAYS (CASUALS)

#### Agreement

Sunday rates paid at **130%**

**250%** on public holidays

#### Award

Sunday rates paid at **200%**

**325%** (Good Friday and Christmas Day) and otherwise **275%**

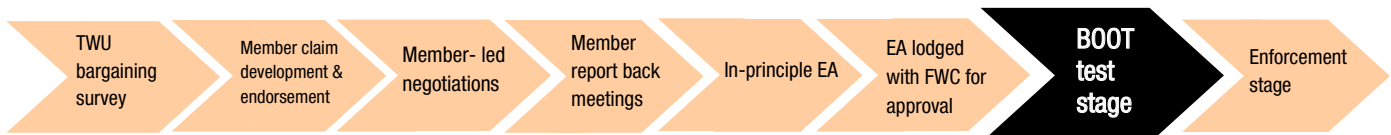
## PASSING THE "BOOT"

Once an EA has been lodged in the FWC, it is assessed and compared against the Road Transport and Distribution Award 2020 (Award). **The Award acts as a safety net.**

An EA must be better off than the Award. This is called the Better Off Overall Test, or the BOOT.

## NEXT STEPS

- ▶ The FWC has given Border Express by COB Mon 6 May to address these concerns by providing an undertaking or making a submission to demonstrate BEX workers have an Agreement that's better than the Award.
- ▶ We will keep you updated with any information as they come. If you have any questions, please contact your TWU organiser.



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