



ALAEA Quarterly News

- December 2022

The latest news, views and announcements

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Qantas Group EA Roadshows

- by Steve Purvinas

In principle agreements have been reached at Jetstar, Network, Qantas mainline, and Eastern Line. The four agreements settled within weeks of each other. Employee approval ballots will be run by the airlines in the second half of January. Final agreement drafting is taking place now with the proposed EAs to be distributed to employees 7 days before ballots open.

ALAEA officials are currently conducting member meetings in all workplaces across the country. The meeting schedule includes 50 member meetings. At meetings, the negotiation process and proposed terms are explained in full by the officials who negotiated on our behalf.

All four proposals contain the group wages policy plus better training and job security provisions. Thus far the announcements have been well received by members at all four airlines with ¾ of the meetings concluded. Written summaries cannot be released for legal reasons.

A key aspect of achieving good results was strong member support for protected industrial action. Until then, the companies would not budge on any claim made by the ALAEA. The long negotiation period was an intentional tactic used by the ALAEA because industrial action was not possible during the pandemic downturn.



I have received a request from my employer to provide a witness statement: what should I do?

- by Sean Morgan

Quite often employees are summoned to the office of a Human Resources representative ('HR') for an interview where they are informed that HR is aware that they (the employee) may have witnessed the misconduct of another employee (e.g., they may have witnessed a fight or argument). If confronted with such a situation, it is imperative that you urgently make contact with an ALAEA Representative and request that they attend the interview as your support person.

As per the examples above, HR interviews involve an employee being asked numerous questions in relation to what they may have seen or heard. When confronted with such a situation the law requires that an employee must always answer the questions of the employer's HR truthfully. Answering questions untruthfully is serious misconduct and is a valid reason for dismissal.

Such interviews invariably result in HR generating a witness statement from the answers an employee provides, with a request that the employee review what is written followed with a request to sign the document. The question arises for members - 'do I have to sign?' In most instances, the answer is NO, YOU DO NOT HAVE TO SIGN. However, when requested to sign, the response to HR should always be:

'THANKYOU. I WILL TAKE THE STATEMENT AND FIRSTLY GET LEGAL ADVICE FROM THE ALAEA AND COME BACK TO YOU.'

I am the subject of a disciplinary investigation - the do's and do not's in GA

- Sean Morgan

Our experience suggests that when a member in GA is informed by their employer that they are the subject of a misconduct investigation it generally occurs after being called into the office (without notice) where the member is then subjected to a bombardment of questions. It is akin to an ambush.

If a member in GA is ever confronted with this situation the key is not to panic. Remain calm and get on the front foot and assert your right to have the ALAEA present as your representative/support person. Do not be pressured with threats of termination etc. **CONTACT US IMMEDIATELY.**

During the interim, do not answer any questions. Advise your employer to put all questions in writing and that you will respond once you have spoken to us.

Progressive Licencing

- by Steve Re

It has been 11 years since CASA introduced CASR Part 66 licences, to satisfy Australia's large airlines. It did so to the detriment of a very large proportion of the General Aviation sector. Mounting pressure from the ALAEA and the industry has forced CASA to finally address the problems caused by the EASA style licence.

This has been continually raised as a priority by the Part 66 Technical Working Group from as far back as 2018. However, CASA's Airworthiness Branch Management continually put any regulatory development further and further down the priority list, in favour of Part 43.

The good news is that CASA CEO, Pip Spence has stepped in and has now deemed this work to be a priority and work has commenced to allow incremental attainment of licence privileges. The first stage to achieve this is to make minor amendments to the existing regulations to allow new licences to be issued with exclusions. For example, the equivalent of an A/F rating with engine and electrical exclusions (think Group 1), or Electrical with instrument and Radio exclusions.

Although many might say that utilizing exclusions is not ideal, it has the advantage of achieving the desired outcome in a much shorter period of time. There is much work to do, and CASA commenced industry consultation on 16 December. We encourage members where possible to engage with process to ensure CASA is aware of what the industry needs and legislates accordingly.



Toll Helicopters EA Negotiations

- by Noel Speers

Negotiations are continuing for a replacement Agreement covering our members at Toll Helicopters.

Through the negotiation process, the parties have continued to narrow the list of outstanding claims to be settled. The ALAEA is hopeful we can reach agreement on an EA package that can be put to a formal vote during the first quarter of 2023.



Professional Negotiators

- by Steve Purvinas

Toward the end of negotiating the four Qantas group wage offers, some members were suggesting that the ALAEA needed to employ professional negotiators to settle the deadlocks. We reject that concept. There are no readily available 'professional negotiators'. The ALAEA negotiates with legal support, industry knowledge, and lengthy experience in this field. We are the professional negotiators.

In 2007, we did hire a former Fair Work Commissioner to break a long-unsettled EA dispute, after the airline would not budge on any claim. The 'professional negotiator' presented our claims differently and was met with the very same stonewalling as when we presented the same claims. The use of the former Commissioner simply did not work.

CHC - Members Vote Down Inferior EA Offer

- by Brad Stewart

After a 14-day ballot closing on 11 December 2022, members voted down an inferior EA offer. The ALAEA working with the AWU (and other bargaining agents) have been campaigning hard for wage equality at CHC. Over the years individuals have cut their own deals and in one case quoted to the ALAEA, an engineer with the same type, same exclusions, same skill set, received approximately \$12, 000.00 per annum more than the LAME next to him/her, performing the same job. With inflation booming CHC only offered 5%, 3% and 3% over a 3-year duration. Members also categorically rejected the wage component.

CHC have changed management earlier this year and have consistently ignored bargaining agents, changing the EA to suit themselves with minor cosmetic changes. We are considering applying for a Protected Action Ballot in the Fair Work Commission.

NNSWHRs EA submitted for approval

- by Noel Speers

The Northern NSW Engineers EA No 2 has recently been voted up with strong majority support and has now been submitted to the Fair Work Commission for approval.

International Work

- by Steve Purvinas

The ALAEA has been active with the International Civil Aviation Organization (ICAO). ICAO is a United Nations agency that sets the standards across our industry. They hold a triannual assembly where aviation proposals are presented and considered by the countries. We attended the 2022 assembly, and a report of those activities accompanies this newsletter.

Cathay Pacific EA negotiations underway

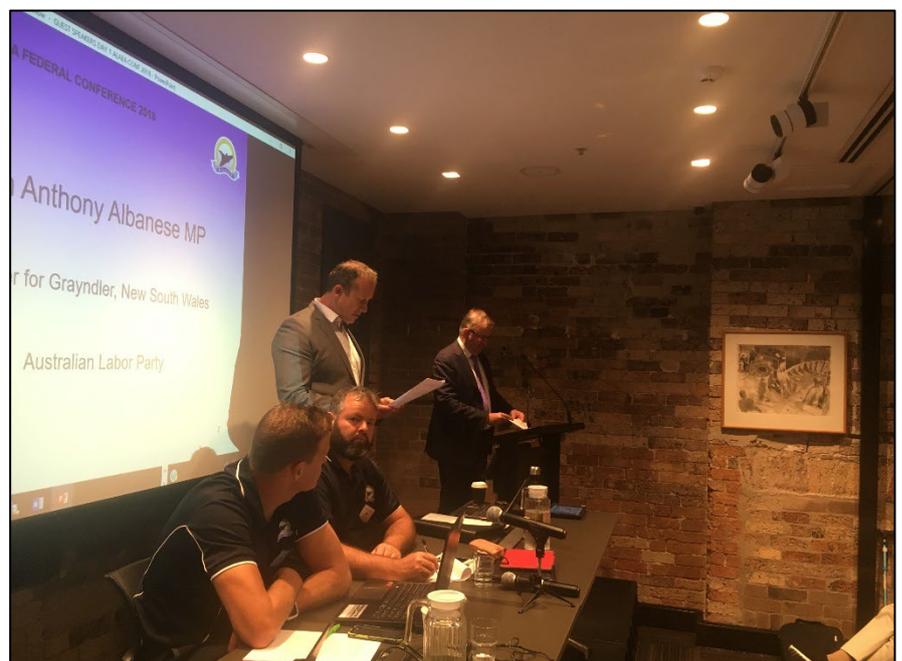
- by Noel Speers

Negotiations for a replacement Enterprise Agreement for Cathay Pacific engineers have recently commenced. The ALAEA has worked with EA reps from the various bases on the development of a bargaining log of claims. The Covid pandemic interruption means this next Agreement will be the first since the 2018-2020 EA was approved by the Fair Work Commission on 8 May 2020.

FWA Changes

- by Steve Purvinas

Fair Work Act changes were recently passed. We are yet to fully analyse the new laws but understand they are primarily targeted to assist low paid workers. Some of the laws are not in our favour and we will need to redesign how we negotiate with employers. In future, EA negotiations will be time limited before the FWC can step in and end negotiations. We may need pua ballots at the commencement of every set of negotiations.





Enterprise Agreement Negotiation Watch

Enterprise Agreement	Status
Airbus Darwin	Expires April 2023
Alliance Brisbane	Expires May 2023
Alliance Nth Qld	Expires Oct 2024
Alliance Perth	Expires Aug 2024
Babcock	Expired Mar 2020 In PIA
BAE Systems Australia	Expired Jul 2018
Bristow Helicopters	Terminated by FWC 17 August 2021
Carbine Services	Expires Jun 2022
Cathay Pacific	Expired Dec 2017
CASA	Expired Nov 2019 Govt increases applied
CHC Helicopters	Expired Aug 2022
Cobham Base	Expired Jun 2021
Cobham Line	Expires Jun 2025
Eastern Line	Expired Dec 2019 In principle agreement
Eastern Tamworth	Expired Jun 2021 Negotiating
Emirates	Expires Sep 2025
Hawker Pacific Overhaul QLD	Expired May 2020
Hawker Pacific Sale	Expires Sep 2024
Heston	Expires Mar 2023

Enterprise Agreement	Status
Jetstar	Expired Apr 2021 In principle agreement
Jet Aviation Sydney MRO	Expires Mar 2025
LifeFlight	Expires Jun 2025
Network	Expired May 2020 In principle agreement
Northern NSW Helicopters	Expires Jun 2026
Northrup Grumman	Expired Jun 2019
Panasonic	Expires Jun 2023
PHI international WA	Expires Dec 2026
Qantas LAME	Expired Jan 2019 In principle agreement
Qantas Tech Salaried Staff	Expired Dec 2018 In principle agreement
REX	Expires Jun 2025
RFDS Eastern	Expires Dec 2022
RFDS WA	Expired Oct 2021 Negotiating
Sunstate	Expired Dec 2018
Toll Aircraft Maintenance	Expired Jun 2021
Toll Helicopters	Expired Oct 2021 Negotiating
United	Expired Jul 2019 Negotiating
Virgin Tech	Expires Apr 2023
Virgin Australia Regional Airline (VARA)	Expired Feb 2021 In PIA

Part 43

- by Steve Re

It appears the potential effects of Part 43 are slowly dawning on the industry. More and more smaller maintenance organisations and LAMEs are realizing there is a lot more they need to know about the finer details and are not seeing how the much-hyped benefits will eventuate.

We understand that the many CASA staff who have concerns about the new regulation and its implications, have been warned not to make any negative comments publicly - so much for Just Culture! It is understood that CASA still intends to push the legislation through early next year. On 16 December they published a [Summary of Consultation \(SoC\)](#). The SoC is an intriguing document. It generalises the feedback received and explains that its actual purpose was to see if the proposed legislation reflected CASA's policy. To that end it dismisses many of the safety concerns raised in the process as no more than "perceived" concerns.

But significantly the SoC also states that they, (CASA) *haven't* canvassed the views of affected parties during industry engagement. It is worth having a read of the "Next steps" on the final page of the SoC to try and get an understanding of where this project is heading. CASA have far from explained how they will deal with the feedback from the submissions. Next year will be interesting.

Babcock MCSA EA update

- by Noel Speers

In early November, members at Babcock overwhelmingly voted to support the Protected Action Ballot after the ALAEA lodged an application to the Fair Work Commission. Since then, ALAEA members have commenced a protected action industrial campaign to press the company to settle key bargaining claims. This followed an earlier mediation conference held in October before Deputy President Hampton of the Fair Work Commission. Whilst the campaign continues, the positive news is the parties have reached an in-principal settlement on a number of the key issues including salary and allowance annual increases, duration and revision to the bottom part of the years of service structure.

However, still to be resolved is the crucial item of a revised salary model. The ALAEA have requested the Company convene an in-person meeting be held with our negotiating team to try and reach a resolution on this final item. It is likely a meeting will occur in January.



Produced by
Brad Stewart and
Steve Purvinas
Australian Licenced
Aircraft Engineers
Association





ITF ICAO ACTIVITY REPORT

Author

Stephen Purvinas
ALAEA Federal Secretary

Preamble

This document is prepared as an ALAEA Executive report on meetings conducted in Montreal in September and October 2022. The first meetings from 6 September to 8 September included the International Transport Workers Federation (ITF) Aviation Executive Board meeting (the ALAEA Federal Secretary is a member of this Board). The Board meeting was followed by two days of the ITF Aviation conference 2022.

The second meetings from September 25 September to 5 October included the 41st International Civil Aviation Organisation (ICAO) Assembly. ICAO is a United Nations (UN) branch and Assembly is conducted under UN rules and conventions. 193 member states (countries) attended along with other invited organisations including the ITF.

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ITF Aviation Executive Board Meeting

The Executive Board met on the morning of 6 September to review the upcoming work agenda for the ITF Secretariat. Budgets were reviewed as well as the upcoming ICAO Assembly. The main business involved the vacancy of the Executive Board chairperson position since the departure of Joe Tiberi from the TWU (US). Edgardo Llano, General Secretary of the Asociación de Personal Aeronáutico (APA, Argentina) was elected unanimously as the new chairperson. Sara Nelson, International President of the Association of Flight Attendants (AFA, USA) was appointed to Edgardo's vacant vice-chair position.

ITF Aviation Conference

The ITF conference commenced in the afternoon of 6 September. The meeting was opened by ITF General Secretary Stephen Cotton and chaired by Edgardo Llano. Attendees from various unions across the globe were present with notable absences from many Asian affiliates who were unable to obtain Canadian visas. Australian attendees were:

Stephen Purvinas	Australian Licenced Aircraft Engineers Association
Teri O'Toole	Flight Attendants Association Australia
Stephen Reed	Flight Attendants Association Australia
Mike McNess	Transport Workers Union Australia

The meetings continued for three days including presentations from some unions about local issues with an international interest. ICAO Assembly working papers were presented to the delegates for consideration.

The key conference document was titled 'ITF – A New Deal for Aviation' included as attachment A of this report. This document outlined the post Covid labour shortage crisis and urgent measures needed by the industry to correct the problem. The document was unanimously adopted by the conference delegates.

On day two the conference split with ground staff meeting as its own group. This group received a presentation from ICAO on a new proposed ground handling manual as written by

ICAO with ITF input. The manual is available from ICAO at \$140 US. The ICAO manual seems to be a set of guidelines to be followed by all states incorporating human factors into all aspects of groundwork.

ICAO Assembly Planning

Work in preparation for each Assembly is undertaken by a sub-committee of ITF Aviation called the ICAO working group committee. This committee is open to delegates globally with the Australian Licenced Aircraft Engineers Association (ALAEA) working with the group since its inception. Meetings are held several times each year to review ICAO work and planning for our upcoming submissions.

The days leading to Assembly see a select group of delegates who will attend Assembly meet to review our submissions, plan our lobbying efforts, and review papers submitted by members states and other delegations.

ICAO Assembly – General

Assembly is held in Montreal triennially. 2022 saw the 41st sitting of this UN body. There are 193 member states who contribute to future law making by submitting working papers to ICAO. Those papers are put to the floor and require two supporting states to support any paper. If a paper does not receive support from two other states, the paper lapses. A supported paper can then have objections that are recorded in final reports. This work adds to *The Convention on International Civil Aviation (1944)* ('Chicago Convention') to which Australia is a party.

The ITF holds observer status at Assembly. We are able to present papers and they still require two state approval. We are also able to intervene and comment in support of or opposition to papers presented by other observers or member states.

ITF ICAO Working Group

The ITF ICAO team who attended the 41st Assembly was:

Gabriel Mocho Rodriguez	ITF Secretariat – Lead Observer	Argentina
Rhea Chatterjee	ITF Secretariat – Alternate Lead	India
Shauna McCormack	ITF Secretariat	Ireland
Bayla Sow	ITF Secretariat - Africa	West Africa
Stephen Purvinas	ALAEA	Australia
Chris Witkowski	AFA	United States
Stephen Schembs	AFA	United States
Robert Hengster	Ver.di	Germany
Enrique Carmona	CCOO	Spain
Anneli Nynerg	PARAT	Norway
Mila Shamku	European Transport Workers Federation	Belgium
Arnaud Michel		France
Christophe Laratte		France
Damien Gaudin		France
Sergio Dotta		Argentina
Julián Ariel Moscatelli		Argentina
Rodrigo Borrás		Argentina
Kris Major	Virtual attendee	United Kingdom



ITF ICAO 41st Assembly Delegation



Engineering Delegates



Asia-Pacific Delegates

ICAO Assembly Australian Government Delegation

Attending for the Australian Government were:

Pip Spence	Chief Delegate	Civil Aviation Safety Authority
James Wolfe	Alternate Chief	Department of Infrastructure and Transport
Dr Jonathan Aleck	Delegate	Civil Aviation Safety Authority
Jeffrey Street	Delegate	Civil Aviation Safety Authority
Frizo Vormer	Delegate	Department of Infrastructure and Transport
Erica Sung	Delegate	Department of Infrastructure and Transport
Matthew Pedler	Delegate	Department of Infrastructure and Transport
Rebecca Udvardi	Delegate	Department of Infrastructure and Transport
Ross Adam	Delegate	Australian Permanent ICAO Representative
Samual Lucus	Delegate	Former Permanent ICAO Representative

ICAO Assembly ITF Working Paper 354

Our first working paper was titled - ATTRACTING AND DEVELOPING THE AVIATION ECOSYSTEM'S WORKFORCE TO ENSURE THE INDUSTRY'S LONG-TERM SUSTAINABILITY AND RESILIENCE. This paper was primarily written by the ITF Secretariat in conjunction with nine other organisations including the International Labour Organization (ILO).

It focusses on 'Great Resignation' in aviation post Covid. A copy of the paper is attached as Appendix B. Working paper 354 was supported by a number of countries including USA, UK, Colombia, Costa Rica, Dominican Republic, Bolivia, Nigeria and Kenya.

ICAO Assembly ITF Working Paper 203

Our second working paper was titled - HEALTH CRISIS RESPONSE PROGRAM TO MITIGATE THE SPREAD OF INFECTIOUS DISEASE ASSOCIATED WITH COMMERCIAL AIRLINE TRAVEL. This paper was primarily written by the American Flight Attendants Association with assistance from the Australian Licenced Aircraft Engineers Association.

It focusses on preparation for future events like Covid. A copy of the paper is attached as Appendix C. Working paper 203 was supported by a number of countries including USA, Nigeria, France, Mexico, Spain, and Senegal.

ICAO Assembly ITF Working Paper 415

Our third working paper was titled - THE SUCCESSFUL DEVELOPMENT OF A SUSTAINABLE AVIATION INDUSTRY NEEDS A JUST TRANSITION TO A ZERO CARBON FUTURE. This paper was primarily written by the ITF Secretariat.

It focusses on the change to carbon neutral flying with the need to transition current aviation employees to new aircraft. A copy of the paper is attached as Appendix D. Working paper 415 was supported by a number of countries including France, Senegal and Switzerland.

ICAO Assembly Mental Health Working Paper presented by Australia

Working paper 256 was presented by Australia and titled - MEDICAL CERTIFICATION AND MENTAL ILLNESS. It was written primarily by Jeffrey Street from CASA.

It focusses on mental health issues encountered by aviation workers. A copy of the paper is attached as Appendix E. It proposes methods for employees to be able to report and correct these concerns without fear of employment loss. The ITF intervened in support of this Australian paper which was adopted by the Assembly. Australia will lead the way in the

development of a new approach to mental health issues. In further discussion with Jeffrey Street, the Australian Licenced Aircraft Engineers Association will assist CASA with this work post Assembly. ALAEA Federal President Rodney Wyse and Qantas Councillor Stephen Fotoulis should be involved.

Russia Removal from ICAO Council

ICAO has a 36-member council made of key Aviation states. This is all G7 countries plus four industry leaders including Australia. Other council seats are elected by geographical region and developing countries.

Russia has held a seat on council since ICAO was first established. To be re-elected, the leading eleven countries need support of a majority of Assembly attending nations. Russia failed in its bid to convince enough states to support their seat gaining only 70 of 183 votes.

Gender Equality Working Papers

Assembly considered numerous papers on gender equality. This subject is of interest to the ITF, in particular working paper 48 titled - MEASURES TOWARDS GENDER EQUALITY AT ICAO AND THE GLOBAL AVIATION SECTOR BY 2030. It was presented by the Council of ICAO.

The ITF's gender equality champion Shauna McCormack intervened and spoke in favour of this paper. A copy of the paper is attached as Appendix F.



Shauna intervention on Gender Equality Paper

Cargo Liberalisation

Debates within ICAO often focus on a trend towards liberalisation. This means opening up air traffic routes to countries beyond bilateral agreements. An example would be the route between Australia and the United States. Any Australian or US carrier would have access to this route and airlines such as Singapore Airways would not. Smaller countries, including gulf states, with little or no domestic flying are often trying to open the airways through liberalisation. This Assembly saw the focus of this debate shift to cargo movement.

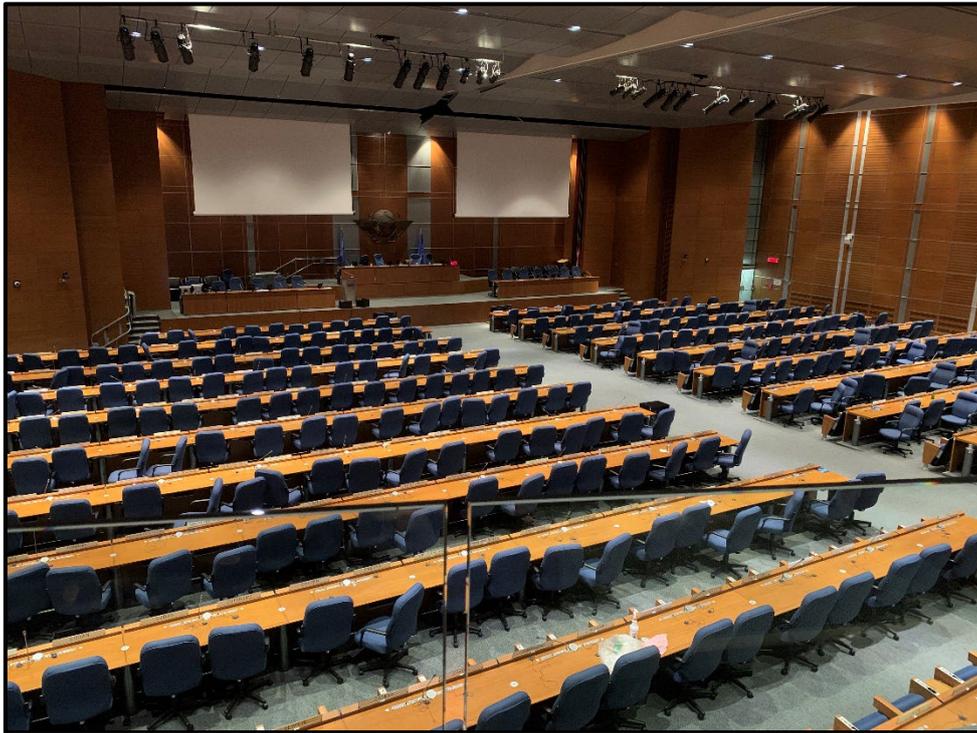
Working paper 164 was an attempt by Qatar to tamper with existing arrangements by allowing more foreign investment in carriers other than those from Qatar. As a special measure, Qatar only supplied a copy of the paper in Spanish. This rouse was noticed by a number of member states and general opposition to the paper prevailed. Generally the cargo liberalisation movement was met with lukewarm reception and an assumption that no change will occur once Assembly action items move to the lesser Air Traffic Regulation Panel (ATRP) meetings.

Future Assembly Planning

This is the fourth consecutive ICAO Assembly attended by the Australian Licenced Aircraft Engineers Association. This long-term work is important because ICAO sets the laws which all countries should adhere to. ITF Attendees at the 41st Assembly are already discussing plans for the 42nd sitting of this body. We can do better.

Early work should occur with papers being considered now and written twelve months before the 2025 event. Whilst our three papers were all supported, there is opportunity for us to present a greater body of work. In order to do so it is imperative that those involved maintain contact with government attendees and develop papers in conjunction with them. This way we are assured of state support in the main Assembly sessions.

Our continued connection as aviation unions is also vital. From Assembly, our work with good friend Enrique Carmona (CCOO Federación de Servicios a la Ciudadanía Spain) has led to an offer of mutual co-operation between our unions. A copy of their Alliance with an American union is attached as Appendix G. This can form the basis of our agreement with them.



Yours Sincerely

Stephen Purvinas

Australian Licenced Aircraft Engineers Association

Federal Secretary