

Media release

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Fair Work Commission backs AWU, workers after Esso tried to erode pay and conditions

The Australian Workers' Union and leading workplace advocates Maurice Blackburn Lawyers today welcomed a decision by the Fair Work Commission to block Esso from terminating a long-standing workplace agreement, saying it was a significant victory for hard-working oil and gas workers and their families.

Esso has been trying to strip away the pay and conditions of off-shore Bass Strait oil and gas workers, and today's decision is a significant victory for the workers and their unions, the Australian Workers' Union, the Electrical Trades Union and the Australian Manufacturing Workers Union.

Union members have for many years worked on a seven day on, seven day off roster under long-standing agreements.

Esso has been trying to end the agreement, which could have meant 265 workers would have been required to work up to 14 days straight without a break. If Esso had been successful, it would ultimately have had the ability to reduce worker pay by up to 60 per cent.

FWC Deputy President Val Gostencnik this morning said Esso's attempts to terminate the agreement were unfair.

"The unfairness to AWU member employees resulting from the weakening of their bargaining position and the corresponding strengthening of Esso's, that would be brought about by terminating the Agreement, weighs significantly in my conclusion," Deputy President Gostencnik said.

AWU Victorian Secretary Ben Davis said Esso should respect the decision and get on with looking after its workers.

"After five years of hard bargaining, industrial action, and court cases it is time for Esso to finally offer its employees a fair deal," Mr Davis said.

Maurice Blackburn Principal Lawyer Kamal Farouque said:

"This is a huge win for union members, their families and the Gippsland community. Esso has aggressively sought to eliminate long standing pay and conditions of offshore workers. The Fair Work Commission has comprehensively rejected Esso's case."

“Importantly, the Fair Work Commission found that workers had made important family and personal arrangements around the long-standing 7 day roster. The detrimental personal impact on some employees and families by the introduction of a 14 day roster, was a factor that the Commission took into account in rejecting Esso’s case.

“Many employers have tried to terminate enterprise agreements as part of a bargaining strategy to reduce key working conditions. This decision gives employers pause to think before they try on these aggressive industrial tactics.”

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