

# CSR & Holcim Staff Association

## Member Update – April 2020

**Topic:** Member Update – Proposed Eligibility Rule Change for CSRHSA  
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**Date:** 1 April 2020

Dear Members,

Twelve months ago the Executive Council of the CSR & Holcim Staff Association proposed to change the membership eligibility rule of the Association (Rule 5 – Membership). The rationale for considering a change to the eligibility rule was:

1. The current eligibility rule does not clearly allow prospective salaried employees to join the Association to obtain advice on their contract of employment during their recruitment stage.
2. The current eligibility rule does not clearly allow terminated employees who were CSR & Holcim Staff Association members at the time of termination to be represented by the Association in unfair dismissal or general protection proceedings.

On 15 January 2019, in accordance with Rule 52 – Alteration to Rules, a written proposal to change the eligibility rule was provided to all Executive Council members. On 1 March 2019 the six Executive Council members voted unanimously to change the eligibility rule. On 11 March 2019 the Association lodged an application to change the eligibility rule with the Fair Work Commission.

In August 2019 the AMWU and ASU unions lodged objections to the proposed eligibility rule change, which resulted in several hearings before the Fair Work Commission and subsequent negotiations with these unions. On 21 December 2019, in accordance with Rule 52 – Alteration to Rules, a written proposal to change the eligibility rule was provided to all Executive Council members. On 4 February 2020 the nine current Executive Council members voted unanimously to change the eligibility rule of the Association to:

*“Any prospective, current or former salaried employees having made application for membership as prescribed in Rule 6 must, except as otherwise provided for in these Rules, be admitted to membership of the Association.*

*Provided that for the purposes of this Rule:*

- (a) *a prospective salaried employee shall mean a person who has made application to be employed by the Company at a yearly rate of pay but is not yet so employed; and*
- (b) *a former salaried employee shall mean a salaried employee whose employment has been terminated by the Company and is challenging that termination before a tribunal or court.*

*A prospective salaried employee's eligibility for membership shall lapse should his or her application for employment by the Company be unsuccessful.*

*A former salaried employee's eligibility for membership shall lapse should the challenge to his or her termination fail.”*

On 12 February 2020 the Association signed a Memorandum of Understanding with the AMWU and ASU agreeing to the eligibility rule being changed as above. This week the Association will lodge a new application under with **Section 159 of the Fair Work (Registered Organisations) Act 2009** with the Fair Work Commission to change the eligibility rule of the Association.

**\*\* Please place a copy of this Member Update on your Notice Board at work \*\***

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