



BRIEFINGS //

QANTAS Pilot Council

TO // Qantas Short Haul and Long Haul Pilots

FROM // AFAP Qantas Pilot Council

DATE // 6 February 2025

RE // AFAP Qantas Pilot Council Briefing No.2 2025

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A friendly reminder, if you are not yet a member but would like to receive our briefs, please email: membership@afap.org.au with the subject line "Please add me to the QPC mailing list".

Short Haul Bargaining Update

Late last Friday night we received a draft copy of the proposed Short Haul agreement from the Company. The AFAP has been excluded from the drafting process until this point.

Qantas initially advised we had until Tuesday close of business to respond to the document. The AFAP raised legal issues with the document on Tuesday (see below). Yesterday the AFAP advised Qantas that due to our pilot representatives being on duty overseas, we would only be in a position to provide our response to the document by Friday 7 February. Qantas has now agreed it would receive the AFAP feedback on the document and intends to release the document for the access period on Monday after meeting with the AFAP.

Rest assured that the AFAP SH EA team have been working hard on our Explanatory Document and feedback on the document which we will release to our members after meeting with Qantas. Our priority is that SH pilots are informed prior to voting on the proposed document.

Fair Work Act Compliance Issues

On Tuesday this week the AFAP legal team wrote to Qantas Industrial Relations (**Qantas IR**) to raise *Fair Work Act 2009* (Cth) (**Act**) compliance issues with respect to the proposed agreement. The concern is these issues if not addressed may result in the Fair Work Commission (**FWC**) refusing to approve the agreement in the event it is voted up by SH pilots.

If the proposed agreement is voted up but found by the FWC to not comply with the requirements of the Act a further round of bargaining would be required followed by a further access period, ballot and approval process.

The first issue we raised is the proposed disputes procedure (which is a rollover of the current procedure) does not comply with the requirements of s.186(6) of the Act by precluding the AFAP's right to initiate a dispute in its own name, and instead requires a pilot to initiate the dispute in their own name with the AFAP as their representative. This approach means a pilot will always have to identify themselves when raising a dispute, whereas if the AFAP initiates a dispute in its own name the affected pilots can often remain anonymous, which protects pilots from risk of retribution.



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This issue has arisen following a FWC decision in December last year. In the approval process for the PHI Helicopters EA, the AFAP raised concerns with the disputes procedure not providing a right for the AFAP to initiate a dispute in its own name. The Employer refused to provide an undertaking to address this non-compliance with the Act and the approval of the agreement was refused.

Qantas IR has rejected the AFAP suggested amendment to explicitly grant a union that is party to the agreement the right to initiate disputes. In response Qantas IR has instead proposed a limited right for unions party to the agreement to initiate disputes. Therefore, this issue will need to be determined by the FWC in the event pilots vote the proposed agreement up.

Second, the First Officer under Training (FOT) salary falls well below the Award by over \$46,000 per annum. This raises concerns about compliance with the Better Off Overall Test (BOOT) in s.193 of the Act. Qantas' argument is that trainees are not covered by the *Air Pilots Award* until they check to line. The AFAP have provided detailed reasons why the FWC may reject this view and Qantas have again refused to address this issue. Again this approach has created a risk that the EA is not approved by the FWC.

Crew Security Screening Working Group

The AFAP has taken the initiative to set up a Working Group (WG) to improve and standardise aircrew's experience through airport security. Our ultimate goal is to achieve expedited crew access (ECA) similar to the Known Crewmember program in the USA. We have information and resources through our IFALPA connections at ALPA-I, however, our challenges here in Australia need local knowledge and interaction with the Government and operators.

Each council has been asked to provide representatives to sit on the WG. We are looking for one or two members who can join QPC committee member Josh Chalmers on the WG. This is a great opportunity to be involved in shaping aviation policy and improve a part of our job that has long been a problem for pilots nationwide.

Any pilots interested in participating should contact the AFAP Qantas Pilot Council by email at qpc@afap.org.au.

Questions

For any enquiries regarding Short Haul bargaining or other matters at Qantas please contact your QPC representatives via email at qpc@afap.org.au or the AFAP legal and industrial team of Senior Legal/Industrial Officer Pat Larkins (patrick@afap.org.au), Senior Industrial Officer Chris Aikens (chris@afap.org.au), or Executive Director Simon Lutton (simon@afap.org.au).

Regards,

AFAP Qantas Pilot Council

Michael Egan – Chair
Mark Gilmour – Vice- Chair
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