

13 September 2021

Mr. Peter McPherson  
Industrial Officer  
Unions NSW - Northern Region  
Suite 3 Ground Floor  
408 King Street  
**NEWCASTLE WEST NSW 2302**

By email: [pjmcperson@newtradeshall.com](mailto:pjmcperson@newtradeshall.com)

Dear Peter,

**RE: DELTA ELECTRICITY EMPLOYEES ENTERPRISE AGREEMENT**

I refer to the discussions between Delta and Union Officials on Friday 3 September 2021.

The current Delta Electricity Employees' Enterprise Agreement 2019 ('the EBA') expires on 31 December 2021. Under the *Fair Work Act 2009* (Cth) ('the Act') an agreement can be up to 4 years in duration, so an option exists to extend the current EBA for a further 12 months.

It was noted that the current COVID restrictions and lockdowns are adding additional complexities to the negotiations for a new agreement, in addition to Delta's preferred option to 'modernise' the EBA to reflect legislative changes and to ensure consistency across provisions within the EBA.

I note that the Unions have indicated that they are prepared to consider a 1 year extension to the current EBA and have requested that Delta put its 'best offer' forward in terms of an increase to the wages and allowance.

Delta believes that the extension can be achieved by way of a variation under Division 7, Subdivision A—Variation of enterprise agreements by employers and employees of the Act by varying the following:

Clause 2.4	Duration	Delete '2021' and replace with '2022'
Clause 4.2	Wages Rates	Insert additional column for 'First Pay Period on or after 1 January 2022'
Appendix 1	Allowances	Insert additional column for 'First Pay Period on or after 1 January 2022'

Noting the current subdued market conditions, projected revenues and expenditure and its underlying profitability over the coming 12 months I can confirm that I have Board approval to put forward an increase of 2.75% to wages and allowances for the period 1 January 2022 to 31 December 2022.

I would be grateful if the Unions would seek the views of their membership to the proposed variation, and if positive Delta will commence the steps required under the Act to seek a variation to the EBA.

Yours sincerely



**STEVE GURNEY**  
**COMPANY SECRETARY**

cc. Mark McGrath [mmcgrath@cfmeunsw.org.au](mailto:mmcgrath@cfmeunsw.org.au); Fergal Eiffe [fergal.eiffe@amwu.org.au](mailto:fergal.eiffe@amwu.org.au); Brad McDougall [bradm@etunsw.asn.au](mailto:bradm@etunsw.asn.au); Paul Sansom [psansom@usu.org.au](mailto:psansom@usu.org.au); Kathleen Studdert [KStuddert@professionalsaustralia.org.au](mailto:KStuddert@professionalsaustralia.org.au); Ian Braithwaite [ibraithwaite@psa.asn.au](mailto:ibraithwaite@psa.asn.au)