

IN THE FAIR WORK COMMISSION

Applicant: Inmarsat Solutions B.V.

RE: AG2022/3546 – Application for Approval of the Inmarsat Land Earth Station Enterprise Agreement 2022

8 September 2022

Written Undertaking under Section 190 FairWork Act 2009

Dear Commissioner,

Inmarsat Solutions B.V. hereby undertakes the following undertakings with respect to the [Inmarsat Land Earth Station Agreement 2022] (“the Agreement”):

1. **Definition of a shiftworker**

For the purpose of the additional week of annual leave provided for in the NES, a shiftworker is an employee, who is an afternoon or night shiftworker, rostered to regularly work on Sundays and Public holidays in which shifts are continuously rostered 24 hours a day for 7 days a week.

2. **Withholding of NES entitlements**

Notwithstanding Clause 8.4 of the Agreement, no employee shall receive a lesser entitlement to payment of NES entitlements upon termination of employment.

3. **Annual Leave**

Notwithstanding Clause 28.3 of the Agreement, an employee’s entitlement to annual leave accrues progressively during a year of service according to the employee’s ordinary hours of work and accumulates from year to year. This is consistent with the s.87(2) of the Act.

4. **Public Holiday**

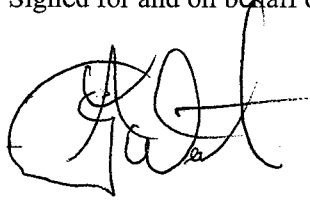
Notwithstanding Clause 31.5 of the Agreement, an employee may refuse to work on a public holiday if the request is not reasonable or if the refusal is reasonable. This is consistent with s.114(3) of the Act.

5. **Redundancy**

Clauses 5.1 and 9 of Schedule 1 to the Agreement will not apply where it permits the employer to not make severance payments in the absence of an order from the Fair Work Commission under s.120 of the Act.

These undertakings are provided based on issues raised by the Fair Work Commission in the application before the Fair Work Commission

Signed for and on behalf of Inmarsat Solutions B.V.:



Greg West
Senior Manager, Perth Teleport
Asia Pacific Ground Station Operations