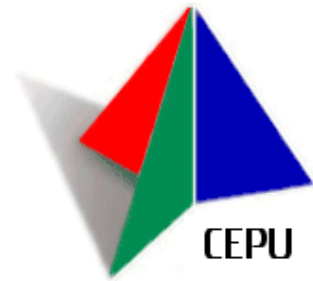


E-BULLETIN Telecommunications
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Telstra job cuts: Service Advantage

Use of new Work Choice AWAs to lower pay and conditions stands condemned

The outcry of the community and politicians continues over the Telstra plan to close call centre in Wollongong, Canberra, Newcastle and Launceston and then retrench and replace (R&R) many hundreds of current Telstra employees in the four centres that will be retained. (Perth, Townsville Sydney and Melbourne).

The centre closures and the "retrench and replacement" (R&R) exercise represents the biggest attempt by any Australian company to use the new Work Choices (WC) AWAs to lower the pay rates and working conditions of Australian workers.

The CEPU estimates that some 1,700 current Telstra and agency employees on Awards and pre Work Choices (WC) AWAs will be replaced by 1,200 new employees on the new grossly inferior WC AWAs.

The sensitive political nature of what Telstra is doing was highlighted this week with the Howard government minister for Communications, Helen Coonan, issuing a press release calling on Telstra not to close the Launceston Call Centre. Seeing that it was the Howard government that privatised Telstra in the first place and then provided Telstra with the Work Choices legislative weapon to undercut wages and working condition, how can the electorate take seriously any Government concerns for Telstra employees and agency workers hurt by Telstra's actions?

Service Delivery update

The CEPU is continuing consultation with Telstra over the 561 job cuts in Service Delivery. The CEPU believes that in the current environment no field CT should be compulsory retrenched. If a member is being targeted for forced redundancy he or she should contact the Union immediately.

AWA wage cuts legal says Government watchdog

The Government's own workplace watchdog, the Office of Workplace Services (OWS), has given its seal of approval to Telstra AWAs which cut wages by as much as \$14,000. What clearer indication could there be of what these employment contracts are all about?

As the CEPU reported to members a few weeks ago, Telstra recently put a group of young Communications Technicians who had just finished training on AWAs that gave them considerably less money and poorer conditions than other AWA-based staff (let alone award-based employees) doing the same work.

The CEPU wrote to the OWS about the contracts and has now been told by that Office that they are perfectly legal. It is just as the CEPU has always said. All these contracts had to offer in order to be legal was the five minimum conditions, including the present minimum wage of \$511 a week.

The new employers were asked to sign the AWAs just a few days before the Government's new "fairness test" was designed to take effect. But the union does not believe that that test will make any major difference to the basic unfairness of the take-it-or-leave-it AWA system, which gives employers all the power in determining wages and conditions.

The only answer is to get rid of AWAs altogether. That is what the CEPU, together with the rest of the union movement, is committed to achieving.

CEPU raises WiFi concerns

The CEPU has written to Telstra expressing concerns about the use of WiFi in the workplace. This follows a presentation recently given to the union on the "CT of the Future" in which it was explained that field staff would in future be able to work remotely from their vehicles using their tough book and a WiFi network.

The CEPU is aware of a growing level of concern internationally about this technology. For example, Lakehead University in Ontario, Canada has stopped using WiFi on its campus because of still unanswered questions about the effects of RF exposure.

Telstra advised the CEPU at the presentation that a full Hazard Assessment had been carried out in relation to the new use of WiFi by field workforce employees and the union has now formally requested a full copy of that documentation.

CSS: The fight continues

CEPU has not given up the battle to defend our CSS members who were forced out of that fund as a result of the Federal Government fully privatising Telstra.

The union has continued its campaign of lobbying CSS and TSS senior personnel, politicians and has had the matter raised in the Federal Parliament via the Opposition's Senator Nick Sherry.

CEPU met with Senator Sherry at the recent 44th National ALP Conference with a view to seeking commitments should a Rudd Labor Government be elected. In addition CEPU convened a further

meeting at the ACTU with the CPSU and APESMA to discuss ongoing strategies. All unions have sought high level legal advice in order to progress this issue.

A range of legal options have been traversed including a Class Action and Age Discrimination. It should be noted that each and every option would be expensive and difficult to run. Notwithstanding the union is attempting to secure the “Deed of Release 2004”. This Deed documents the payment by the Commonwealth to Telstra Super in respect of previously unfunded benefits of CSS members who have transferred to CSS and in between Telstra, TSS and the Commonwealth of Australia. We are attempting to obtain this document under Freedom of Information and if we are successful this would help in any future legal action.

Members will be kept informed of developments.

Telstra compensation claim form may be misleading

The CEPU has written to Comcare to alert it to a problem with Telstra’s workers compensation claim form. The move was taken after members raised concerns about eligibility for compensation for back injuries or stress-related conditions.

One of the questions (Q 17) on the current Telstra claim form asks the employee to state the medical condition they are claiming for as referred to on their medical certificate and then adds the words “not back injury, stress etc”. Members have asked whether this means they are no longer eligible for compensation for these injuries.

The answer is that they **are** still eligible: it is just that these injuries are given more precise medical terms when they are described on a medical certificate (e.g. disc prolapse, anxiety disorder) and it is these medical terms that have to be quoted on the compensation form.

The CEPU believes that the problem may simply lie in the way the Telstra form is worded. However, the union has urged Comcare to raise the matter with Telstra as a matter of urgency and to see that the problem is rectified so that Telstra employees are properly aware of their compensation rights.

ACMA cracks down on shoddy cabling work

The Australian Communications and Media Authority (ACMA) has at last taken some action against poor work practices in the customer cabling sector. It has issued its first infringement notice against a cabler whose work did not comply with the standards set out under the Cabling Provider Rules (CPRs). The cabler, who in fact was not even registered, will face a penalty payment of \$1320.

Despite well recognised compliance problems in the customer cabling sector, the ACMA has been reluctant in the past to impose penalties on individual cablers who are often being driven to take short cuts by their employers or by the pressures of the sub-contracting business. ACMA has preferred to use its powers to require cablers to make good faulty work rather than fine them. Unfortunately this has led some in the industry to see ACMA as a “toothless tiger”.

The CEPU recognises the pressures that individual cablers face in today’s industry. But the union also believes that protection of standards and skills in the industry is in its members’ best interests. Non-compliant work represents a safety issue for all those who work on telecommunications networks, both customer cablers and field technicians. And no-one except the employer gains when skills are downgraded in the industry.

Examples of non-compliant work wanted

The CEPU has for many years been urging the regulator to take a more active approach to maintaining skills and standards in the customer cabling area. Members can help support the union's efforts by documenting examples of any non-compliant customer cabling they see and forwarding the information on to the union. Contact your state branch or Ros Eason in the Divisional Office.

South African workers take on Vodafone

Workers at Vodacom in South Africa have won a major breakthrough in their running battle to improve working conditions at the telecommunications giant by gaining a commitment from the company to commence negotiations for a collective agreement.

Vodacom's global parent is Vodafone, the telecommunications multinational which is notorious for its anti-union stance. Vodafone is a relatively small player in the Australian market, but is Vodacom South Africa's largest mobile phone network with 30 million customers, making more than 5 billion Rand profit last year.

Members of the Communications Workers Union were to commence strike action in an effort to force Vodacom management to commence genuine negotiations around recognition, pay, hours of work and other conditions.

To avert the strike, Vodacom management agreed to negotiate with the CWU and the union has postponed action until later in the month to allow negotiations to proceed.

Vodacom workers are paid low wages, as little as 5000 Rand a month, work long hours and shifts and face difficulties accessing basic rights to maternity leave and occupational health and safety. In some instances, workers have been forced to repay the company for taking sick leave.

The CWU's Mfanafuthi Sithebe said that while the agreement to negotiate was only one step in the struggle with Vodacom, it had taken great courage from the employees to get to that point and that they remained strong in their resolve to gain better conditions.

Big drop in pay under WorkChoices

Wage increases in private sector collective agreements have dropped in the first year of WorkChoices from 4% a year to 3.5%. This is despite unemployment at near-record lows.

Across both the public and private sector, increases have also dipped, from 3.8% before WorkChoices, to 3.7% in March 2007.

More than a third of agreements in the March quarter of 2007 paid increases of 3.3% or less.

As members will be aware, WorkChoices is designed to make it harder for employees to achieve good results from collective bargaining. It is now harder than ever, for instance, to take industrial action in support of a collective agreement – a secret ballot has to be held first.

And it has become illegal even to ask for certain conditions, in such an agreement.

In the meantime, as shown below, company profits are at record highs as wealth gets redistributed away from working people and into the pockets of company executives and their shareholders.

Record high company profits after first year of WorkChoices

According to the Australian Bureau of Statistics (ABS), corporate Australia is doing very nicely under WorkChoices.

Recent ABS figures show that the profit share of national income has grown to a record high of 28.1% in the 12 months since WorkChoices was introduced, while the wages share has fallen to a 30-year low of 53.3%.

The ABS figures show a significant shift in the profit and wages shares from a year earlier. When WorkChoices took effect, the wages share was 53.6%, while the profit share was 26.9%.

So it's no wonder that the Australian business sector, led by the big mining companies, is worried about a Labor victory at the next election and has agreed to run a media campaign in support of WorkChoices. You can bet, though, that they won't be quoting these ABS figures.

ACTU launches health and safety charter

A new charter of workplace rights for occupational health and safety and workers' compensation which sets out the minimum health and safety and compensation standards was launched last week by the Australian Council of Trade Unions (ACTU).

The ACTU is calling on all state and territory governments along with the Federal Government to adopt these minimum health and safety and compensation standards and to end the "blame game" between different levels of government on the issue.

The Charter includes the right of workers to be represented by trade unions on health and safety matters, the right to receive 100 per cent income replacement for an injury, and an absolute duty of care on employers to provide healthy and safe workplaces.

The ACTU initiative is a response to recent changes to safety and compensation laws introduced by the Howard Government. As reported in earlier Bulletins, workers' rights, entitlements and protections are under threat from these moves.

The ACTU says that while state governments, business and unions agree that there is a need for a nationally consistent approach to health and safety across the country, the Federal Government is driving a race to the bottom.

The aim of the Charter is to provide a better, fairer and safer vision for health and safety in Australia and to assist all levels of government to harmonise their health and safety and workers' compensation legislation to the highest standards.

