

CEPU - COMMUNICATIONS DIVISION

SA/NT BRANCH

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MARCH, 2008



EBA 7 UPDATE

In recent weeks we have not sent out any updates regarding the status of EBA7 as no further progress has been made.

Why we have taken our approach on EBA7 has been tabled with Post clearly and as yet we have not been given any further indications by Post on why they won't enter into an agreement that protects and enhances your entitlements into the future. Post's simple explanation that we have never had these before clearly doesn't go deep enough to explain to you as an employee of Post why they are taking this position.

Our position is based on Legal advice from our Lawyers Slater & Gordon Nationally and we have been commended by them on our stance on your behalf.

Part Timers Reminder - working additional hours you are entitled to have hours recognised for recreation leave as in time off or cashed out

We have received a number of complaints from members employed on a part-time basis by Australia Post in all work areas and working additional hours on a regular basis. Post is not notifying you of your right to actually request the additional hours be paid out when you put in your recreation leave applications. The result of Post's failure to inform employees of this is that many employees go on leave after working extra hours regularly and experience a significant pay drop for that period of leave.

The Branch intends to raise the matter with Australia Post locally.

Review of Hosiery Allowance

The 2007/2008 rate of reimbursement for eligible retail employees is currently \$280 per annum. This is unchanged from the previous year's rate and is calculated on the basis of the movements in the Consumer Price Index (CPI) for Clothing and Footwear.

The reimbursement rate has remained unchanged since July 2002 despite fluctuations in the Clothing and Footwear Index. The following table shows changes in the CPI since 2003 and the maximum reimbursement rate:

CONSUMER price index (Clothing and Footwear)		HOSIERY ALLOWANCE		
March Quarter	Percentage	Effective	Rate per Annum Based on CPI	Actual Rate per Annum Maximum Subsidy
		1 July 2002	\$280	\$280
2003	0.2%	1 July 2003	\$281	\$280
2004	-0.8%	1 July 2004	\$278	\$280
2005	-1.9%	1 July 2005	\$273	\$280
2006	-1.7%	1 July 2006	\$268	\$280
2007	0.2%	1 July 2007	\$269	\$280

Another Player Enters The Postal Arena

Members would be interested to see the advertisement on the last page of this newsletter from Mailpost. Mailpost is a private mail delivery company priding itself by its slogan "The Next Generation in Postal Services." It intends to commence operations in Australia on 8th April 2008 and has embarked on an extensive recruitment program by conducting roadshows in NSW and Western Australia. Roadshows in other states are expected soon.

CEPU Position on Australia Post's Future Delivery Design

Last week, Australia Post released its first SIB's regarding its vision for the future of the delivery network.

The CEPU has had two meetings with Post – one in late December and one in February – to understand where they're headed with their plans for Future Delivery Design (FDD).

We understand a number of issues sitting in the background are forcing Post to look at changing the way they deliver mail.

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These things include technological change and the constant threat of declining mail volumes – but also the cost pressures on delivering mail as petrol prices rise.

The union views these issues and the future of your wages and jobs seriously. So we're committed to genuine consultation, not just going through the motions of pretending to talk.

Post must be upfront about all details of its plans – with no surprises of forgotten details

And we want to make sure that through this process our members' jobs in Post are secure and safe.

In typical Post fashion management have put out their SIB on FDD, mid-way through the consultation process and without receiving formal responses from the union about FDD.

This is not good enough. Post needs to lift its game on the quality of its consultation -- providing proper detail about the proposals (eg job and income impacts and future job design/modelling)

Post needs to state: is its earlier, leaked version of FDD is off the table – the version that wanted to contract out nearly 2000 rounds

Post is continuing to contract out individual rounds, job splitting and implementing dedicated delivery with little or no consultation and in breach of EBA6 – this has to be addressed

And importantly, management needs to resolve the outstanding concerns the union has regarding the absence of a Common Law Agreement in addition to EBA7 – to cover non EBA7 matters such as contracting out – before we can consider FDD.

These are serious matters affecting Delivery members at all levels – and if Post is serious about working with employees and their union – they need to address these matters.

CEPU Recommends Abolition of Self-Insurance in Comcare Review

The CEPU prepared a submission for the Comcare review established by the Minister for Education, Employment and Workplace Relations, Julia Gillard on 23rd January 2008.

The terms of reference for the Comcare review invited submissions and recommendations on, among other things, whether Comcare provides appropriate OHS and workers compensation coverage for self workers employed by self-insurers.

The union's submissions included the following:

OHS

Recent Howard Government changes to the OHS Act have weakened workers OHS protections.

Changes have introduced a number of safety gaps by:

- Employer conducted elections for OHS representatives. But OHS representatives are worker representatives not employer representatives - employers have their own. The employer should not be given that level of influence over a worker representative.
- Replacing occupational health and safety agreements negotiated by unions and their members with health and safety management arrangements.

- Absolving Commonwealth self-insurers from State OHS laws. Government Business Enterprises (GBE) like Australia Post should be returned to pre-Howard government amendments where if there are State OHS laws where Commonwealth laws don't exist then the GBE are subject to the State laws.

Penalties for breaches of the OHS Act are sub-standard compared to State laws.

Workers are disadvantaged in the Comcare regulatory environment by the failure of Comcare investigators to prosecute employers for breaches of the OHS Act. Enforcement of employer health and safety obligations is seen as a last resort by Comcare investigators.

Workers Compensation

Howard Government amendments to the SRC Act and changes made to the workers compensation benefits have resulted in inferior benefits compared to employees covered subject to State schemes.

Changes under the Permanent Impairment Guide have effectively suppressed ratings for common industrial injuries. Many conditions no longer satisfy the 10% threshold for payment.

Journey claims should be covered by workers compensation for reasons including, the journey would not have been undertaken if the worker was not employed by the employer, the costs of claims are low and coverage would ensure that workers came within workplace rehabilitation and re-employment provisions of the Comcare Scheme.

Comcare self-insurers, such as Australia Post and Telstra, when compared to scheme contributing employers, on a percentage basis, accept less claims for compensation, have more appeals against self-insurer decisions lodged with the Administrative Appeal Tribunal (AAT), pay less compensation to injured workers and spend more money on legal, administration and regulatory matters.

Self-insurance provides incentives for self-insurers to suppress claims. The introduction of a network of facility nominated doctors (FNDs) by Australia Post to return injured workers to work for the purpose of reducing lost time injuries is alleged to be an example of a deliberate scheme designed to override workers compensation.

Over a period of 2 years between 2003 and 2005 there were 8000 referrals to FNDs. The cost of this service was \$1.42 million. Why? - FNDs are much less likely to find injured workers unfit for work than an employee's treating doctor.

Australia Post's lost time injuries have reduced under the scheme. The money that should have been spent on workers compensation is able to be spent elsewhere. The FNDs receive their payment. Injured workers are allegedly being sent back to work prematurely.

Self-insurance should be abolished. Current licensees hold their licence for a finite period with no guarantee of renewal and should not be renewed. Australia Post's Injury Management (Early Intervention) program must be scrapped and the alleged misuse of FNDs stopped.

Slater and Gordon Lawyers also submitted a submission to the Comcare review on behalf of the CEPU for which the union is extremely grateful.

Graham Lorrain
Branch Secretary.

12th March, 2008

