



- SECRETARY'S APOLOGY FOR LAST MONTH'S DELAY -

My sincere apologies for the cock-up in sending out the September's Meeting Notices and accompanying information via the internet. I am still having some difficulties in getting my head attuned to some of the technology we have in this Office, and our Internet Mailing List using 'Yahoo' is one such tool. However, I shall keep trying until I get it right.

For all members who receive their information via our Internet Mailing List, sorry for the delay in getting the information to you on time. Hopefully our hard copy mailing list got to you in a more acceptable time frame.

**John Lee
BRANCH SECRETARY**

- LET'S GET POLITICAL -

Some times we have to.

Our membership comprises a wide and diverse section of our society. Statistically half our membership are non ALP voters. This Newsletter is about workers' issues, and the Government is often the subject of our items. Obviously with 'Worstchoices', our commentary is at an all time high.

This Union, and the Union movement generally, have adopted a number of strategies. Your right to strike is non-existent. Try it and you may end up in jail. The Government have a 'KGB-like' Department to pursue you. There is a very narrow window at the end of an EBA, with almost impossible hurdles, where we can strike, but it's not a right - the Government can simply veto you. The alternative is to accept the boss's EBA. So we are necessarily involved in community, media and political campaigns to gain bargaining power for you. As you have seen, we unashamedly oppose 'Worstchoices', because that is the best way to restore your rights, protections, security, respect and dignity at work. We trust you agree.

**John Lee
BRANCH SECRETARY**

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CEPU NEWS

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AUTHORISED BY

John Lee, T&S Branch Secretary



Dear Member,

I published the article reproduced below in *italics* in our March, 2006, Newsletter which generated a surprisingly favourable response. The T&S Branch Committee of Management have considered the proposal for some four months and eventually took the following decision at their August Monthly Meeting :-

LEVY FOR "YOUR RIGHTS AT WORK" CAMPAIGN - T&S BRANCH.

"In accordance with Decision 19 of the Communications Divisional Executive meeting held on 20th - 22nd February, the T&S Branch (SA/NT) impose a levy of \$1-00 per week on each member for a period of two years commencing from 1st October, 2006, to support the 'Your Rights At Work' campaign.

The Branch Committee of Management will give consideration to waiving payment of the levy for any member who has a genuine conscientious objection by simply submitting a formal request in writing to the Branch Secretary."

The Committee of Management took a conscientious decision to commence the Levy from 1st October, 2006, being the beginning of the final billing quarter for the year, plus the added advantage that Telstra members would have just received a 2.5% salary increase resulting from their current E.B.A., which will hopefully soften the blow.

I hope you will support our endeavours to **DEFEND YOUR RIGHTS AT WORK.**

MEMBERSHIP LEVY BEING CONSIDERED - DEFEND YOUR RIGHTS AT WORK

The CEPU has been considering applying a Levy of \$1-00 per week for all members for a period of two years to help fund the campaign defending 'Your Rights At Work'.

The move for a levy has arisen because of the continuing costs to the Union movement as a whole, but particularly to this Branch, in relation to the fight against the Howard Government's vicious anti-worker Industrial Relations legislation.

The campaign includes :-

Several rounds of prime time television and other advertising.

Major campaigns in at least the marginal Federal electorates up until the next Federal election in 2007.

Organising of mass protests over the same period from time to time in all capital cities, including similar activities in major regional areas.

Distribution of specific information and meetings with members to develop a detailed plan to protect members' wages, conditions, and rights on the job.

The ongoing reorganisation and restructure of the Union to make it better able to do its job of protecting members wages, conditions and rights.

The Union cannot do justice to the campaign without extra revenue; thus the proposal for a \$1-00 per week Levy across the entire CEPU membership for a defined period of two (2) years will ensure we are in a position to fight to protect not only our members' employment conditions and wages, but those of our kids, our families, and in fact all workers, for the next 100 years.

Any decision would be binding on all members, and people would need to pay the Levy on top of their current dues to remain a financial member of the Branch.

The Levy would become part of your Union Dues for the two years and if claimed as part of your Union Dues, is fully tax deductible.

The Union will separately account for the levy income and expenditure which would be circulated to members, along with all other annual financial reports.

We ask that you support this vital initiative.

John Lee
BRANCH SECRETARY

- GPS UPDATE # 2 -

For all CEPU members in South Australia and Northern Territory, I can advise you that the Union is attempting to reach an Agreement with Telstra in relation to the installation and operation of G.P.S. Units in operational field vehicles. The objective of the Union is to protect our members' employment, health, safety, privacy and psychological well being. We still have not secured our objective.

Let me begin this 'GPS Update' with a direct quote from Telstra's 'Code of Conduct' Policy document :-

"Telstra expects you to know, understand and comply with the laws that apply to you:

As a member of society (such as theft, assault and possession of illegal substances).

As Telstra employee (including privacy, equal employment opportunity and occupational health and safety).

To your specific job and in the location in which you work.

Ignorance of the law does not excuse you from your obligation to comply with the law or this code.

QUESTION :

What if my manager directs me to perform a task that will involve me breaking the law, especially something that we all know the 'authorities' will turn a blind eye to? Shouldn't I just follow the direction of my manager?

ANSWER :

*No. No one can be directed to carry out an unlawful act and no one can justify an unlawful act by claiming to be acting under the direction of a Manager. **If you know that a particular act is illegal then you shouldn't do it or condone it.***

Yes, this is Telstra's 'Code of Conduct' Policy.

I believe it reasonable to assume that it therefore applies to ALL Telstra employees – not just Communication Technicians in the field, or their Team Leaders, but perhaps more importantly, to all Area Service Managers and Regional Service Managers who should be setting an example to all staff on the implementation of Telstra's Policies.

If we consider Telstra's 'Code of Conduct' Policy and the manner in which our N.T. members have been treated during recent weeks whilst the GPS Units have been deployed, one wonders what disciplinary action has been levelled at the N.T. A.S.M., or is it simply a matter of "that's OK mate" for him to abuse his staff, company policy and the law at this levels of management ??

Remember the bit about **"Ignorance of the law does not excuse you"** etc, etc.

The N.T. **"Surveillance Devices Act - 2000"**, at **Section 6** states, (my paraphrasing) :-

" A person may attach, install, use ... a surveillance device (tracking device) ... if the person whose geographic location is being determined or monitored ... or has control of the vehicle ... that is being tracked expressly or impliedly consents to the ... attachment, installation, use ... of the tracking device. "

This is the law in the Northern Territory !!!!

In short, the law doesn't give a toss whose vehicle it is. It doesn't matter if the vehicle belongs to Telstra, you the driver, or your grandmother. If anybody wants to install a tracking device in it, **CONSENT MUST BE OBTAINED FROM THE PERSON WHO IS IN POSSESSION OF, OR HAS CONTROL OF, THE VEHICLE BEFORE IT IS INSTALLED.**

How many members in the N.T. were asked for their consent to install the GPS Unit in their Telstra vehicles before the installation commenced? From information received in this Branch Office, very few - if any.

If the N.T. Manager has instigated the installation of a GPS Unit in any vehicle without the **expressed or implied consent** of the driver, he has committed an offence and should be reported to the police. He has broken the law.

It will be interesting to see what action is dished out by Telstra for these unlawful actions !!!

WHAT NEXT IN N.T. :-

For our N.T. members who submitted a letter to their Team Leader advising that they **DO NOT CONSENT** to the installation, use or maintenance of a GPS tracking device in their Telstra vehicle/s, you should have by now received a lovely letter from your Team Leader. (Isn't it funny how the Team Leaders now get allocated the 'dirty work' ?)

This letter regurgitates the same old rhetoric we heard during the roll out of Director, Connect, C.C. Points, and every other "new initiative".

However, we believe your Team Leader will now approach you and test your knowledge of the 'Telstra Values', specifically Integrity, Trust, Respect, Commitment and Teamwork. They may even DEMAND that you TRUST them on this issue and RESPECT their better judgement. If you indicate that you don't trust and respect them, you may be accused of being in breach of the 'Telstra's Values'.

Trust, Respect and Integrity are personal attributes which are **earned** - not demanded. Any 'brain fade' who demands Trust, Respect and Integrity of their staff has the same objectivity as someone taking a piss in a wetsuit. It initially makes them feel warm and comfortable, but it doesn't take long before they begin to stink.

If you are confronted with this situation, remind those who demand Trust, Respect and Integrity of the following: -

1. We had Agreements in previous years called 'Tullamarine', 'Director', and the like, which restricted the use of statistical data obtained on individuals being used against the individual for performance measuring. Telstra broke these commitments and used this data against individual staff members.

- 2. 'C.C. Points' was initially introduced to determine 'Standard Times' for various tasks. This process was not designed as a performance measuring tool, but it is used and abused today against individual staff members.
- 3. Why should I trust Telstra with a GPS Unit in my work vehicle after they have reneged on every other commitment to their staff in relation to abusing the data generated by these systems to the detriment of individual staff members ?? Telstra has failed me on too many previous occasions when I have placed my Trust in their Integrity.
- 4. Under N.T. Law, it is my preference not to have a GPS Unit installed in any Telstra vehicle allocated to me.
- 5. And by the way, please remove your wet suit.

WHAT NEXT IN S.A. :-

As advised in the **GPS UPDATE # 1** dated 1st September, 2006, there is no legislation in this state that supports our position on surveillance and tracking devices. Queensland, N.S.W. and Tasmania are also similarly hamstrung. However, we do recommend you place on record advice of your 'NON CONSENT' to the installation of these units through your Team Leader. The following sample letter will advise Telstra that you do not consent to the use of any tracking devices installed in vehicles or other objects provided by Telstra. Remember to keep a photocopy of the actual letter submitted for your record.

%%%%%%%%%%%%%%
Date

Dear (Team Leader)

This correspondence is to advise you that I **DO NOT CONSENT** to the installation, use or maintenance of a GPS tracking device, or any other tracking device, in any Telstra vehicle I have lawful control of, or any other object in my possession.

Signature

Name

Contact Number

%%%%%%%%%%%%%%
Guys, we know this issue is really creating major stress for everyone involved with it. We can not win this dispute by industrial means as the supportive legislation only applies in N.T., W.A., and Victoria. I can only recommend WE comply with the Law. Telstra has created this monster – not the Union. Who knows what will eventuate in the near future in relation to this most intrusive device.

Read additional articles on this subject on the following pages.

**John Lee.
T&S BRANCH SECRETARY.**

- TELSTRA FACT SHEET - GPS -

Telstra has distributed a so called 'Fact Sheet' to its employees which in part is a summary of their response to months of representations made by the CEPU on behalf of our members.

The CEPU Divisional Office makes the following response to the GPS issues raised in that 'Fact Sheet'.

HEALTH AND SAFETY :-

We were dismayed that the hazard assessment was dated 18th August, 2006, months after the installation of the GPS devices were installed in Telstra vehicles in Queensland. We have requested earlier copies of hazard assessments at the various meetings without success. It is worthy of note that there is a conflict with the hazard assessment and what Telstra is stating publicly that the unit is on continually 24 hours a day. In the hazard assessment documentation "Assumptions Made", it states quote : "GPS device is on when ignition key of vehicle is on. The GPS device is turned off a few minutes after the ignition key is turned off." Does this incorrect assumption throw the range of hazard assessment outcomes into doubt? The validity of the hazard assessment must come into question if the assumptions are not accurate.

E.M.E. TESTING :-

We are advised that independent R.F. assessment was undertaken in devices installed in Telstra vehicles. We are further advised that the outcomes from that testing have not been made available to the Occupational Health and Safety Representatives despite their request. Why would this be the case? It is our view that the outcomes from the tests must be made available to all Occupational health and Safety Representatives when requested. As raised on at least two occasions now, we do have concerns about the R.F. and the 20cm distance to the aerial. Why is the warning sticker on the black box hidden and can it be placed on the windshield near the aerial so as to alert unsuspecting passengers of a potential danger. Are you aware that in some cases vehicles have anything from 4 to 7 sources of R.F. in their vehicle?

E.M.E. IN SERVICE STATIONS / REFINERIES :-

Telstra advises that the Australian Institute of Petroleum (A.I.P.) has confirmed that as the GPS unit is fitted inside the vehicle there is no risk of static discharge and therefore no potential ignition source. On the information provided to the CEPU from the A.I.P. this is not clear to the Union. The union has requested Telstra to supply the specific letter or document which outlines this information. Can we assume that there is no problem even when the vehicle windows are wound down and fumes enter the vehicle.

ATTENDING TO URGENT PERSONAL OR FAMILY MATTERS :-

Clearly things have changed otherwise Telstra would agree that the GPS be switched of during an employees lunch breaks; after hours; on holiday; etc, and would not be used to 'heavy' employees in regard to performance and for disciplinary purposes.

To argue that nothing has changed with respect to vehicle usage is nonsense.

PRIVACY :-

As stated at numerous face-to-face meetings by the CEPU representatives, the Union did not start this campaign; the members came to us because of their very real fears. We reject any assertion that we have spread misinformation or been alarmist. **Quite frankly the employees we have spoken to do not trust their management in relation to misuse of the GPS information.** Telstra requested specific examples of where we believe that bullying of employees to have the GPS installed has occurred. We have supplied numerous specific examples. We have also raised examples where employees have requested a witness or a Union representative to be present at interview ".... to reconsider your opposition to installation of the GPS." In the most recent example in the Perth metropolitan area a member was clearly bullied in our view. The member was told that he could not have a representative in the meeting to discuss the installation of the GPS, and worse, when he asked for a 5 minute break to collect his thoughts this was also denied. It is our view that this type of behaviour is in breach of the Workplace Relations Act and the Occupational Health and Safety Act. The most recent letters to employees to have the GPS installed threatens their future employment if they do not agree. In our view, this is way over the top !!!!

Whilst we note the privacy response from the company we did also seek written assurances that the various State and Federal Government laws are being complied with in relation to the transfer of personal customer or employee data to an overseas country. This documentation has not materialised.

DISCUSSIONS WITH THE CEPU :-

The CEPU had raised the numerous concerns formally with Telstra months before the letter referred to in Telstra's briefing document. It is simply not true to state that the first formal letter was dated 8th September, 2006. Fortunately the Union has kept copies of all formal representation letters and the minutes from the various meetings with the company. These will be made available on request from any member. At no stage has any Official of the CEPU agreed to the installation of GPS devices in Telstra vehicles and we reject what we believe is a feeble attempt by Telstra to change history.

Burt Blackburne

DIVISIONAL ASSISTANT SECRETARY

**- CHANGES IN THE UNION - NEW -
- NATIONAL OFFICIALS -**

The reorganisation of the Union to meet the difficult times facing us all is continuing. Two new appointments have taken place at the National level of the Communications Division.

The new Divisional Secretary, Eddy Husic, has taken up his new position at the head of the Communications Division. Eddy is from New South Wales and comes with considerable experience in the CEPU and the labour movement and is well qualified for the job. We wish him well in the difficult times ahead.

Burt Blackburne, the Assistant Secretary of the T&S Branch - Victoria, has been appointed as the Divisional Assistant Secretary position with a primary focus on Telecommunications issues. Burt is well known in Victoria for his committed service to CEPU members, and we wish him well also in his new role.

Sharelle Herrington retains her position of Divisional Assistant Secretary and has a primary focus on Postal issues.

**John Lee
BRANCH SECRETARY**

**- AUSTRALIA POST EBA 7 - TALKS -
- BEGIN -**

Talks began in Melbourne on Thursday last week between the CEPU, CPSU and Australia Post regarding the EBA 7.

Australia Post began by outlining :-

Its view about the state of its business, both now and into the future (we're hoping to provide a summary of this shortly)
Its views about what should – and shouldn't – be in the next EBA.

As you know, Post has stepped out early through the sudden release of its SIB, spelling out what it thinks are the positives in its plans. However it was behind closed doors that we got to see the things that Post wants to drop from future agreements.

There are some positive elements to this proposal, however, we need to pay close attention to the detail - to see what might have been dropped and may potentially affect your take home pay.

After viewing the Post presentation, the CEPU was expected to outline the views of its members, regarding their preferences for the next EBA. However, after hearing some of the things that Post want to do, the CEPU and CPSU both agreed to postpone our presentations – because we felt we had to question Post further about some concerning elements of their plans. The CEPU has told Australia Post in clear terms – we do not accept management's proposed EBA and we have some serious concerns with it.

The elements that concern us are:

- 1 Their pay offer is too low – it is less than inflation and doesn't reward you for your help in making Post a profitable, world class service.
2. Post is hiding behind the Federal Government's tough industrial laws to do the following:
 - Extend fixed term employment for up to three years.
 - Remove any commitment to continuing to provide permanent jobs, promoting the use of casual, fixed term and agency staff and the contracting out of work.
 - Remove the commitment to provide tea breaks.
 - Remove any restrictions on the use of Facility Nominate Doctors (FNDs).
 - Remove the commitment not to split classifications and reduce pay levels for Mail Officers, Parcel Post Officers, Delivery Officers and Technical Officers.
 - Removing any requirement for consultation on the retail network, and allowing any corporate outlet to be converted or franchised.
 - Removing any commitment to retain technical work 'in-house'.
 - Further restrict Union access to workplaces and members.
 - Restrict their commitment to Occupational Health and Safety to the Howard Government's new Occupational Health and Safety laws which limit union involvement.
 - Vary the RRR provisions to allow management selection of individuals for retrenchment.
 - Refuse to give preference to existing permanent part-time employees when full-time work is available.
 - Refuse to give preference to existing fixed term staff when permanent work is available.
 - Take bonuses away from individuals who take – what Post believe – is unlawful industrial action.
3. The planned Australia Post dispute resolution process - in our view - is weak and ineffective. A good dispute resolution process should help sort out workplace problems that just don't seem to be getting solved at a local level. If that dispute resolution process doesn't provide access to an independent umpire, like the Australian Industrial Relations, then there's little confidence that the process will take your concerns into account and make fair decisions that balance management priorities with employee views.

We understand that we have only had one day of talks, and if Australia Post is genuine and fair, it will have to take into account your concerns and those of the CEPU and CPSU before any agreement is put to a member vote. We have also told Post that any documents or positions they put on the negotiating table, will be considered public documents.

Australia Post can't issue glowing SIBs full of praise for their own version of an EBA on one day, but expect the next day to hide their tough plans behind closed doors.

This is just an early report and we aim to keep you fully briefed on the talks as they continue.

We'll keep you posted on further developments - that will determine your future rights at work in Australia Post. As always we'd like to hear your opinion and feedback.

Please contact us via email at :- eba7@cepu.asn.au.

John Lee,
BRANCH SECRETARY

- RURAL TECH CONTRACTORS IN - **- FIGHT OVER PAY -**

More than 100 contractors working as telephone technicians in regional NSW for Telstra are facing cuts of between 25% and 50% to their contract pay rates.

The technicians are employed as sub-contractors for Downer Engineering but carry out the majority of their work on residential and business telephone lines for Telstra. They say they cannot afford to accept most country work under the new contract rates and have been forced to halt rural repair work and in-place installations until their rates of pay are restored.

Telstra has recently decided to change the definition of what are rural jobs and what are urban country jobs. This has meant a cut in the rate of pay for repairing most rural telephone faults in NSW from \$105 to \$80 - a 24% pay cut.

The contract rate for telephone installations where there is an existing line has been reduced from \$87 to \$38 - a 56% pay cut.

ACTU President Sharan Burrow responded to the contractors' action arguing that the contractors cannot afford to cop Telstra's pay cuts which could amount to as much as \$25,000 less pay in a year.

"They already have had to cope with rapidly rising fuel costs, rising loan costs for their vans, as well as increases in insurance and materials." she said. "But under their current terms of employment they have no capacity to negotiate directly with Telstra for decent contract rates and their legal rights to bargain collectively are severely limited. It is wrong for Telstra to unilaterally decide on the pay rates for sub-contractors. Surely the subbies should be entitled to negotiate directly with the company they do all their work for?" This is another example of an unfair contracting relationship in which all the risks are borne by the sub-contractor and big companies like Telstra can change their pay rates at any time."

Ms Burrow said, "The Howard Government is currently trying to pass a new law that will make it even easier for big businesses like Telstra to push more and more employees into sub-contracting arrangements where they miss out on award rates of pay, paid annual leave, superannuation and other basic entitlements. The Government's proposed new Independent Contractors Act is currently before Parliament."

ACTU MEDIA RELEASE.

**- CRUX - THE BIGGEST BROTHER -
- WATCH YOUR BACK -**

The CRUX database provides Telstra managers with a powerful tool to collate all data about your working arrangements. It links everything you do as a field CT, including data from CONNECT (ie times for a job, type of job, travel, etc.) to all data gained about the actual job you are working on, via a line test - ALL IN ONE CENTRALISED DATABASE.

As you are required to test each line at the completion of the job, i.e. using either the fast test (accessing SULTAN) or the CTS test, this data is crucial to the operation of CRUX. The CTS data appears on CRUX within a minute of uploading from the test equipment. No doubt the proposed GPS location devices will also be uploaded into CRUX, as well as data from the new type of gas detectors that have inbuilt data logging.

One of the most crucial measures is the 'Re-Roll', or re-reporting of the same job within a period of time (7, 30 or 60 days). This gives a graphical view to the management of the possible haste in which the job was done, as well as a figure for the actual cost to Telstra of having a CT (or contractor) perform lower quality work, and having it done again by someone else. It grabs the data on this from CONNECT.

At the moment, there is some difficulty associated with the ADSL and ISDN tests being included in the CRUX measures. No doubt with improvements to the RVOP data test systems, staff working on these type of services will be also become watched by Telstra's 'Biggest Brother'.

It would appear that the main problem that exists regarding this type of monitoring of your performance is that you could easily do something that you think may assist in the quick completion of your jobs (so your CC points are on the move up, in order to avoid the PICM process), but at the same time you get 'done over' by failing to do a certain test, (or possibly fudge the test).

BE VERY CAREFUL - the system recognises a number of fudges that could possibly occur. It even has a number of alarms that pop up if there is a suspicious test result. It even has a name for it - 'SKULLDUGGERY' and provides a commentary on the type of test action it suspects has occurred in order to provide artificially favourable results. No need for the 'diary room' in this house to expose your secrets!

In relation to re-rolls, the so called SLIPP report (Significant Long - term Individual Performance Problems) looks at the last 100 days of an individual's data, and uses comparative data to initially highlight problems, initially with the area, then drilling down into the individual's stats on re-rolls.

So if you think you are safe getting your CC Points up by a bit of lateral thinking and action - BE VERY CAREFUL. If you think you can, as an Award based staff member, or as an AWA employed Telstra CT, making a killing on job points and upping your salary, 'BB' is clearly monitoring you. If you are working as a contractor, it will do you in as well, particularly when taking short cuts to hasten job times.

**Burt Blackburne
DIVISIONAL ASSISTANT SECRETARY**

**- ANNUAL RECREATION LEAVE -
- WHAT YOU SHOULD KNOW -**

Annual Recreation Leave, as an entitlement, cannot be forfeited.

The Award at **Clause 23.1.1** and **23.1.2** envisages the accrual of 8 weeks leave (for non shift workers). When the Award clause was established an employee had to work 12 months prior to being eligible for 4 weeks Annual Rec. Leave. Because Telstra now, as a matter of policy, makes ARL available as it accrues before the first 12 months employment, doesn't change the intent of the award clause.

Management do not have the legal right to direct you on to Annual Leave at a time which is inconvenient or of no value to you. Even if you fill in a form for Leave to be taken at a future time, you can change your mind later anyway.

Currently the EBA states :-

"Annual leave may be taken by an employee at their initiative subject to agreement of their manager." (Clause 23).

Currently the Award states :-

" is eligible four weeks Annual Leave for every 12 months Such Leave accruing progressively." "The Annual Leave will normally be taken within 12 months of accrual, unless deferral is agreed with the Manager." (Clause 23).

There is no blanket refusal to allow accrual envisaged in the Award. The recent work / family balance test case decision of the Australian Industrial Relations Commission won by the unions says :-

"To assist employees in balancing their work and family responsibilities we think it is appropriate to provide some greater flexibility in the carrying forward of Annual Leave. We shall provide for Annual Leave to be carried forward for a maximum of two years from the date of entitlement."

Even the new Federal Government Workplaces Legislation, more properly named the 'No Choices' Act, as bad as it is, says :-

"An employer would be able to direct an employee to take up to a quarter of their Annual Leave entitlement if the employee has an Annual Leave credit of greater than 8 weeks."

It is also a fact that in many areas staff are being refused the opportunity to take leave because of short staffing and other reasons. Management can't have it both ways.

Don't be bullied by management regarding your Leave.

**John Lee
BRANCH SECRETARY.**

- ANNUAL RECREATION LEAVE - AWARD -v- AWA -

Under normal circumstances, you cannot be directed to take Annual Recreation Leave. By virtue of your Enterprise Agreement, Annual Recreation Leave is taken at **YOUR INITIATIVE**. There is reference to Annual Leave in the both the Award and the current EBA. Both are laws of Australia. If there is conflict between the Award and the EBA, the EBA overrides the Award.

EBA MEMBERS ANNUAL LEAVE :-

“ Clause 23 - Annual Leave : Annual Leave accrues on a pro-rata basis and may be taken by an employee **at their initiative** following such accrual, subject to the agreement of their manager. The quantum of Annual Leave afforded to employees, and other arrangements relating to the payment and taking of such leave, continue to be regulated by the (Telstra General Conditions Of Employment) Award.”

The Award says at **Clause 23.2.1 :** "An employee may take Annual Leave, as it accrues, subject to the agreement of his / her manager."

AWA MEMBERS ANNUAL LEAVE :-

AWA members do not have Award / EBA protection. The AWA says that :- **Clause 9 :** "Annual Leave shall be taken in accordance with Telstra Policy " and policies can be changed by Telstra alone as stated under **Clause 20 :** " as amended from time to time. " Thus the policy needs to be read to find out what Telstra wants. We do not have a copy of the policy as it is on Telstra's restricted intranet.

John Lee BRANCH SECRETARY

- NEW DATA SHOWS I.R. LAWS ARE PUSHING DOWN TAKE-HOME PAY -

A new ACTU analysis of ABS data shows the I.R. changes are starting to bite into workers' take home pay with the latest data showing that in the last twelve months average earnings failed to keep pace with inflation for the first time in five years, since the introduction of the GST.

Releasing the analysis today, ACTU Secretary, Greg Combet, said :-

"Many working families are struggling to keep their heads above water and the last thing they can afford is a drop in their take home pay as a result of the new I.R. laws. Average earnings in the year to June, 2006, dropped in real terms by 1% - that is, working Australians have experienced a fall in average weekly earnings of \$11 a week as a result of downward pressure on wages and rising living costs.

"This is the first big drop in average earnings since the introduction of the GST. If we discount the effect of the GST on living costs, this is the first time that average earnings have declined in real terms for ten years. The historically low average earnings are caused by the Federal Government's 18 month freeze on pay rises for award wage workers as part of its new I.R. laws, and a fall in overtime, penalty rate and bonus payments to workers under the laws."

The Government's own workplace agency (the OEA) has admitted that two thirds (63%) of AWAs registered under the new laws scrap penalty rates, a third cut overtime pay, half get rid of shift allowances and another third do away with public holiday payments. At the same time as workers are facing a fall in their take-home pay, the cost of living is up with the increase in CPI for the June quarter up by 1.6% - the biggest increase for a decade, excluding the GST.

"No wonder working families are struggling to make ends meet." said Mr Combet.

Greg Combet

A.C.T.U.

ACTU Media Release – Wednesday, 27th September, 2006.

- NEW TELSTRA E.T.C.A. RATES - (from 01/07/2006) -

Telstra's Employment Travel Cost Allowance (ETCA) rates are reviewed annually. The rates shown below are those produced by the 2006 review and have applied since 1st July, 2006 for Award / EBA employees.

The new rates incorporated an increase for accommodation in capital cities, country centres and camping. The allowance for meals and incidentals remained unchanged.

Location	Accommodation	Meals				Incidentals	Total Daily Rate
		Breakfast	Lunch	Dinner	Total		
Adelaide	\$125.10	\$18.00	\$20.00	\$34.00	\$72.00	\$14.00	\$211.10
Brisbane	\$118.70	\$18.00	\$20.00	\$34.00	\$72.00	\$14.00	\$204.70
Canberra	\$102.80	\$18.00	\$20.00	\$34.00	\$72.00	\$14.00	\$188.80
Darwin	\$120.30	\$18.00	\$20.00	\$34.00	\$72.00	\$14.00	\$206.30
Hobart	\$104.00	\$18.00	\$20.00	\$34.00	\$72.00	\$14.00	\$190.00
Melbourne	\$150.00	\$18.00	\$20.00	\$34.00	\$72.00	\$14.00	\$236.00
Perth	\$118.00	\$18.00	\$20.00	\$34.00	\$72.00	\$14.00	\$204.00
Sydney	\$156.50	\$18.00	\$20.00	\$34.00	\$72.00	\$14.00	\$242.50
Country Centres	\$80.10	\$16.00	\$18.00	\$32.00	\$66.00	\$14.00	\$160.10
Camping Rate	\$76.00	\$14.40	\$16.20	\$28.80	\$59.40	\$12.60	\$148.00

Nightly rate of Frequent Absence Allowance (FAB) is \$20-90. For conditions governing ETCA, see CEPU Fact Sheet Number 7 - www.cepu.asn.au

Please note that these rates apply to all Telstra Award and EBA based employees, including ex-NDC employees.

**John Lee
BRANCH SECRETARY.**