

WORKERS PAWNS IN HOWARD'S PROPAGANDA BLITZKRIEG

State Industrial Relations Minister Michael Wright say John Howard's "WorkChoices" are about as fair dinkum as the "choice" given to one of the stars of federal Government's ad campaign, Cameron Meadows.

"Cameron Meadows says he feels used after being misled about what he was getting himself into when he agreed to be filmed for a workplace safety campaign, because he ended up as a pawn in John Howard's propaganda blitzkrieg," says Mr Wright.

"These are the sort of 'WorkChoices' John Howard has planned for all Australian workers - workers who end up feeling used and abused.

"At the moment, under both Federal and State law, workplace agreements can only be given legally binding effect by the Industrial Relations Commission if workers are no worse off compared to the relevant Award.

"South Australian legislation supports bargaining at workplace level to provide flexibility for business, but it also ensures fairness by providing that workplace agreements must not, on balance, disadvantage workers.

"That means that if conditions are traded away there must be fair compensation - often in the form of increased wages. **But under the Federal Liberal proposals about three quarters of the rights that are currently in Awards can be taken away from workers with no requirement for them to get anything in exchange.**

"With bargaining under South Australian law, workers **cannot** be any worse off but under John Howard's proposals workers get nothing in return for giving up most of their rights and, if they don't like it, their choice is to get another job!

"That's his 'WorkChoice' ultimatum - give up your rights or leave.

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AUTHORISED BY

John Lee, T&S Branch Secretary

"South Australian families depend on fair wages to pay the bills. They've got mortgages and other commitments based on their Award wages - not on a slashed pay-packet they are forced to "choose" through fear and coercion.

"The Federal Government's plans for a "sign it or else" culture, where workers know they can be sacked without even being told why, are a national disgrace.

"We will fight to protect South Australian families and stop John Howard picking the pockets of Australian workers," says Mr Wright.

"We know what John Howard's "WorkChoices" are - Choosing to Lose."

**Hon Michael Wright
South Australian Minister for Industrial Relations**

- TELSTRA A.G.M. - - SOL INTENDS TO GO OFFSHORE -

Telstra is set to cut more jobs by shifting large chunks of its operations to third-party service providers as part of Chief Executive, Sol Trujillo's, company-wide restructure.

The move is designed to create a "new" and "leaner" Telstra as outlined by Mr. Trujillo to shareholders at the company's Annual General Meeting in Sydney yesterday.

Financial markets are already factoring in up to 16,000 job cuts at Telstra when Mr. Trujillo unveils his review next month.

The Australian has learned that all technology proposals being submitted to the company's new Program Office - which is in charge of implementing Mr. Trujillo's new strategy - must contain an outsource "contingency". Telstra insiders said every business case must state where an outsource quote has been sought, and the result. In addition, reasons why outsourcing is not chosen must be strong.

"Clearly we will be leaner in terms of how we operate," Mr. Trujillo said. "We have various combinations of people, sometimes fully employed on the Telstra payroll, as well as many contractors. "As we move forward, we will be looking at

both sources of work, in terms of finding ways that we can use the cost structures of our business."

Global I.T. services giant Accenture, which is helping Mr. Trujillo with his global review, is lobbying hard to grab outsourcing work from Telstra. Mr. Trujillo and his operations chief Greg Winn are also considering sending more Information Technology work to India. The company first sent jobs offshore last year.

Mr. Trujillo has also instituted a new cost-cutting regime. Business units are being asked to submit fresh cost targets with quantum savings which are being reviewed by consultants, Bain and Company.

New processes for the allocation of all capital expenditure across the company were also being deployed, insiders said. Mr. Trujillo yesterday also gave a first taste of the widespread overhaul of Telstra he plans to unveil next month. He said the five major themes would be market-based segmentation, a "one factory" model, increased innovation, a leaner cost structure and an improvement in decision-making times.

But he warned that the decline of Telstra's fixed-line business continued to accelerate :- "The biggest issue facing us today is that we have a very leaky bucket associated with our fixed-line revenues."

Revenue from Telstra's fixed-line business declined 1.9 per cent in the first half of 2004 / 05, and then by 5 per cent in the second half.

"And this decline is accelerating," he said.

Michael Sainsbury
THE AUSTRALIAN

AWARDS TASKFORCE CODE FOR SLASHING EMPLOYEES ENTITLEMENTS AND CONDITIONS

Kevin Andrews' Award Review Taskforce to rationalise Federal Awards is simply code for slashing the entitlements and conditions of the 1.7 million Australian employees currently employed on an Award, and millions of others reliant on Awards for setting many of their terms and conditions.

It is inevitable that in cutting back 4000 Awards to the mere dozens the Minister proposes, that employee conditions will be slashed.

And with its usual slight of hand, the Howard Government's Taskforce will have less than two months to report on what Minister Andrews himself considers to be a 'myriad' of wage and job classifications.

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The Taskforce is due to report at the end of January 2006. So at a time when Australian families should be enjoying their well-deserved end of year break, the Howard Government will be beavering away at undermining employees' entitlements and conditions.

And while the Minister for Workplace Relations is making the most of the Australian Industrial Relations Commission's (AIRC) expertise in appointing AIRC Senior Deputy President Matthew O'Callaghan to head up its Taskforce, his recommendations will be far from independent.

Under the Taskforce's terms of reference outlined in the Government's *WorkChoices* document, the Howard Government is not obliged to accept or implement the recommendations of the Taskforce.

And there is no obligation on Senior Deputy President O'Callaghan's part to consult with stakeholders, such as employees and employers, during the Review process:

In carrying out its investigations, the Award Review Taskforce may seek information from any persons or bodies, and/or consult with relevant stakeholders as it determines is appropriate.

This is a significant step away from the traditional role of the independent umpire, whereby previous Award consolidation has been done by the AIRC in consultation and cooperation of all stakeholders, employer and employee groups alike.

John Howard and Kevin Andrews continue to refuse to guarantee that no individual employee will be worse off under the Howard Government's extreme industrial relations changes.

Under the Howard Government's Award Review Taskforce, Australian employees and their families have got nothing to look forward to other than having their wages reduced, conditions and entitlements slashed, and safety nets removed.

Stephen Smith MP
Shadow Minister for Industry, Infrastructure and Industrial Relations

Telstra Super

Concerns over Insurance changes

A Member Director's Response

Recently Telstra Super undertook an extensive review of its insurance offerings and as a result, Telstra Super initiated changes to insurance arrangements. These changes mainly affected members of the accumulations funds run by Telstra Superannuation Scheme (TSS), in particular but not limited to Division 4 (Personal Plus) and Division 6 (Corporate Plus) members.

The main effect of the changes was to implement Death and Permanent Disability Cover for Personal Plus members, and Income Protection Insurance for members in other Accumulation Divisions of the Fund. It should be remembered that Telstra and wholly owned subsidiaries i.e. Telstra, Sensis, Reach & KAZ already enjoy a default Death and Permanent Disability cover at no cost to them. The Insurance changes recently introduced provides for a default Death cover for Division 4 (Personal Plus) members, and a default Income Protection Insurance cover for all other Accumulation Fund members on an Opt-Out Basis, (Defined Benefit [Division's 2 & 5] members are not impacted by the Opt-Out Insurance provisions). Just to explain, Opt-Out means if the member affected does not want the cover they must advise TSS of this decision.

I understand that the Opt-Out provision has caused some disquiet amongst some members of the fund and I accept that the communication process to members could have been clearer and for that I apologise, but in saying this I fully support the decision to offer these Insurance options on an Opt-Out basis.

The reason for offering the Insurance changes on an Opt-Out basis was not taken lightly and was decided by the Directors for, in my view, very good reasons that would provide a greater benefit for Telstra Super members overall. Some of those reasons are set out below:

1. Only two insurers were willing to provide cover on an Opt-In basis and these premiums were 35-40% higher
2. Members do not need to complete forms, undertake medical examinations, have tests and potentially end up with either a "loading" placed on premiums or health exclusions – thereby reducing what is on average an 8 - 10 week application period to Nil
3. Ensures all members (including part time over 15 hours per week) get access to Death and Permanent Disability cover - previously only full time members could access this cover.
4. Members who may not have received cover in the past for minor health issues will now have cover - no questions asked
5. This is a once-off offer, it is unlikely that the Trustee would be able in the short term, to make an offer with these benefits again
6. There are no administration loadings in the premiums and the Fund receives no reward for the provision of Insurance cover. There would be no concern at all if all members decided to Opt-Out.
7. There is a misconception that income protection on Opt-Out basis applies to all members of the Fund. It, in fact, only applies to Accumulation members - Corporate Plus, Sensis Accumulation and Reach.
8. There is a correlation between what is understood by Telstra Super as the maximum amount of sick leave available to members under an AWA (12 weeks) and when income protection starts, i.e. after 12 weeks.
9. Opt-Out provisions may result in lower premiums or no claim bonuses for all members Insured under that provision in future years as premiums are reviewed each 3 years.
10. The process undertaken by Telstra Super to reach the decision to change insurance provisions in the fund included feedback from members, a competitive tender process, and Board consideration of all issues over 3 occasions. This decision by Telstra Super was considered, to be in the best interest of all members. The Board believed that the Insurance changes provided significant benefits for all members now, and have the potential to provide further benefits for members in the future.
11. Finally, in consideration of acting in the best interests of all members - it is common practice in Industry Funds to provide insurance cover for all members on joining - VicSuper & ARF are but two examples of this.

Whilst I accept the criticism from some members of the Fund, regarding the way the recent changes to Insurance were communicated to members, it should also be noted that the fund has also received in excess of 1,000 calls from members who are pleased to receive and take up this offer.

In conclusion, we could and should have communicated the insurances changes better. Telstra Super management are conducting a review of this communication process to learn from the exercise.

Gerry Kandelaars, Member Director Telstra Super

3.

CSS 54 Years 11 Months Preservation

Recently the Branch Office was approached by a Telstra member who was a member of the Commonwealth Superannuation Scheme (CSS) regarding his right to preserve his CSS Pension and continue his employment with Telstra without negatively impacting on his CSS Pension. Unfortunately due to conflicting information given to the member he felt he had to resign Telstra to avail of his 54 years 11 months CSS preservation rights i.e. CSS were saying he had to resign Telstra to gain his preservation rights whilst Telstra were saying that was not required.

The Branch Office contacted Senior Telstra Management to settle this issue. They undertook a thorough investigation of the case and thankfully allowed the member concerned to withdraw his resignation.

We understand Telstra management has now received a letter from CSS detailing the preservation rights of CSS members employed by Telstra i.e. their right to preserve their CSS pension with CSS and remain employed with Telstra. Hopefully this will prevent a repeat of the stress caused to our member and his wife.

We must thank Telstra's management for their preparedness to address this issue in a compassionate and sensitive way.

Below is a reprint of an article provided by Telstra Super :-

Recent legislation changes have created circumstances that will affect some members in the CSS and Telstra Super defined benefit scheme. The changes are outlined below.

Transition to Retirement

The ability of CSS Deferred Members to commence drawing their CSS Indexed Pensions has changed as a result of the Transition to Retirement measures effective 1 July 2005.

Previously CSS Deferred Members were not able to commence drawing their CSS Indexed Pension whilst they remained in employment with Telstra.

Under Transition to Retirement Measures, these members will now be able to commence their Deferred Pensions and still remain in employment with the company.

Subsequent termination of employment from Telstra would trigger release of this benefit under normal rules.

This is a complex issue and members should seek financial advice to determine whether they might benefit from these arrangements. Telstra Super has financial planners that can assist members in this regard they can be contacted on 1800 033 166.

James Coyle
General Manager Marketing
Telstra Super Pty Ltd

SOLDIERS SPARED IN SNEAKY BENEFITS CUT FOR INJURED FEDERAL WORKERS

The Federal Government has quietly announced new restrictions on lump-sum payments to injured Commonwealth employees.

Comcare's new guide was registered on Friday and announced on the Comcare site yesterday.

The new guidelines on permanent impairment will make it harder for injured workers to get lump sum compensation – except for

military personnel who are exempted from the new scheme.

Lawyer Rachael James, a partner at Slater & Gordon, estimates 80 per cent of those previously eligible for lump sum benefits will now miss out.

"Business and the Federal Government will benefit but the cost will be borne by the families of injured workers," Ms James said.

Comcare says the new Guide follows concerns from medical assessors, the Administrative Appeals Tribunal and the Federal Court.

"The exemption of military personnel from the revised scheme – to take effect from March 1 2006 – is a strong indication that the new thresholds for permanent impairment are unfair," Ms James said.

"Without denigrating the role of the military, why should their occupational injuries be treated any differently to those suffered by Telstra technicians or posties or public servants?"

Comcare had been in consultation with interested groups including lawyers, government agencies and ex-service organisations when participants became aware late last week that changes were imminent.

"Our next meeting was scheduled for November 22," Ms James said. "There was no indication that the Commonwealth Government was going to abort discussions on revising the permanent impairment guide until the Minister confirmed it yesterday on the Comcare website."

Injured workers covered by the Comcare scheme should seek legal advice on their entitlements well before the changes take effect, on March 1 2006.

**Rachael James, Partner,
Slater & Gordon**

PS : Members can contact the Branch Office for a referral to Slater and Gordon

- HOW SAFE IS THE TELSTRA - - REDUNDANCY AGREEMENT -

The most frequently asked question from members these days is :-

"Will Howard's I.R. regime see the end of the Telstra's Redundancy Agreement?"

Especially now that Sol has promised more job cuts.

It is of special interest, of course, to the many Telstra employees who hate their jobs but hang on in the hope of getting a 'golden handshake' so they can at least establish themselves in their 'life after Telstra'.

Unfortunately the answer to this important question is :- "It may well go - we just don't know."

There is no specific mention of REDUNDANCY in Howard's propaganda. However, the Liberals are raving on about the " ... thousands of Awards and Agreements " which must be rationalised. The last time we had Award stripping under Reith, we fought hard to retain and maintain conditions specific to our industry, including the Telstra Redundancy Agreement.

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This time Howard intends to slash all Awards to four or five basic "entitlements", and the rest will be up for grabs.

Kevin Andrews is already on the record as saying, "Why should anyone get a redundancy payout ?" At every EBA negotiation in the last decade Telstra has sought to include the Redundancy Agreement in the EBA, then attempt to progressively cut it back to "community standards", including a payout of only 8 weeks pay.

We have preferred to keep it as a separate, stand alone, Industrial Agreement which can only be changed through the AIRC processes, not trade-offs. We didn't want to be in a position where it would have to be renegotiated at each EBA, along with all other pay and conditions.

The prospect that Howard would get the power of a dictator didn't seem likely to most Australians. Therefore, the future of the Agreement is in some doubt. For those who have been looking forward to the 'Golden Handshake' if made redundant to pay off the mortgage, etc, the Howard agenda has a greater meaning.

It makes it imperative that we all support the ACTU and CEPU campaigns to send a clear and strong message to Howard to **LEAVE OUR AWARD AND EMPLOYMENT CONDITIONS ALONE !!**

John Lee, BRANCH SECRETARY

Heat Stress

With summer quickly approaching we thought it appropriate to advise members to take care when working warm or hot conditions. Unlike some industries Telstra does not have prescriptive policy regarding to when work breaks should be taken or even cease as a result of warm/hot climatic conditions. Members should be aware however that under the Workplace Relations Act and the Occupational Health and Safety Act you have an absolute right to refuse duty where you genuinely believe that your Occupational Health and Safety is compromised, although under the provisions of these Acts to make yourself available for alternative duties. Below is an excerpt from the CEPU web site (http://www.cepu.asn.au/comm.cepu/section_occhealth/fr-factsheets.html) on working in hot temperatures:-

Why is working in the heat bad for your health?

Human beings need to maintain a constant body temperature if they are to stay healthy. Working in high temperatures will induce heat stress when more heat is absorbed into the body than can be dissipated out. Heat illness such as prickly heat, fainting from heat exhaustion or heat cramps are visible signs that people are working in unbearable heat. In the most severe cases, the body's temperature control system breaks down altogether and body temperature rises rapidly. This is heat stroke, which can be fatal.

Warning signs of heat exhaustion are:

- | | |
|-------------------------|------------------------------|
| <i>clammy skin</i> | <i>rapid pulse</i> |
| <i>confusion</i> | <i>vomiting</i> |
| <i>light-headedness</i> | <i>weakness</i> |
| <i>fainting</i> | <i>short temper</i> |
| <i>slurred speech</i> | <i>fatigue</i> |
| <i>nausea</i> | <i>loss of concentration</i> |

Symptoms that indicate heat stroke include:

- | | |
|------------------------|---|
| <i>staggering walk</i> | <i>mental confusion</i> |
| <i>hot skin</i> | <i>temperature rise (yet person may feel chilled)</i> |
| <i>convulsions</i> | <i>unconsciousness</i> |
| <i>incoherence</i> | <i>deliriousness</i> |

Is there an upper temperature limit at which workers should stop work?

Section 8(i) of the [NSW Occupational Health and Safety Act 2000](#) states that an employer has a legal duty to ensure the health, safety and welfare at work of all employees. If workers are suffering from any of the above symptoms, then it is clear that your employer is not complying with the law. But the law does not state any precise temperature at which workers should stop work, or any specific actions which must be taken by the employer at certain temperatures.

Section 16 (1) of the OCCUPATIONAL HEALTH AND SAFETY (COMMONWEALTH EMPLOYMENT) ACT 1991 states :-

- (1) An employer must take all reasonably practicable steps to protect the health and safety at work of the employer's employees.

What helps to prevent heat stress?

It is obviously more difficult for the employer to control the environment for outdoor work, than for indoor work. However, if work has to be done outdoors then employers must be responsible in taking steps that are available to protect workers. These include:

- * *Providing canopies or awnings over sections of the site where work is currently being carried out, to shield workers from the ultra-violet rays of the sun, as well as from the direct heat of the sun.*
- * *Providing regular rest breaks. A ten minute break every hour, in a cooler area, helps the body to cool off, especially where the work is hard, physical work. The length of the break should be increased if the temperature is very high.*
- * *Providing air-conditioned sheds or vehicles for rest breaks. These must obviously be near each area where work is being done, or break time will be spent walking to and from the shed or vehicle. Also, the nearer the shed or vehicle, the more likely it is to be used.*
- * *Provision of cold (non-alcoholic) drinks. Frequent small drinks of cooled water will help replace the water lost to your body through sweat, before dehydration begins. This is better than infrequent large drinks. Again, the cold water supplies should be near each working position, to encourage frequent drinks.*

Alcoholic drinks should not be taken as replacement fluids. Alcohol stimulates the body to eliminate fluids, and will increase your risk of dehydration. For example, if you drink one can of beer, you will lose more than that volume of urine.

*Salt tablets should **not** be taken - more water will be required by the body to help it get rid of the salt - this will increase the amount of work the kidneys must do and increase the risk of dehydration. Salt tablets also increase the risk of high blood pressure. Drinking water will not give you stomach cramps, as some people believe. ...*

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The above excerpts are from a bulletin produced by the NSW Workers Health Centre and although mention is made of employer obligations under the [NSW Occupational Health and Safety Act 2000](#) similar provisions apply under the Commonwealth OH&S Act that covers Telstra employees. If you believe your management is not taking enough regard to your work in stressful climatic conditions then please contact us at the Branch Office so we can take the matter up with the appropriate management.

Gerry Kandelaars, P&T Branch Industrial Officer

15th November 2005
National Community Protest Day

Members may be aware that the Australian Union movement, in conjunction with community groups, is conducting a Community Protest Day to protest against the proposed changes to Industrial Laws by the Howard Government. The day of action is on 15th November 2005 and is being coordinated by the SA Unions in South Australia and the NTTLC in the Northern Territory. The day will involve Union members and many Community Groups protesting against the Howard Government's proposed changes.

We are asking members who are **not rostered** for duty at the time if they can participate in some of the planned activities. Members who are rostered for duty are asked to consider their obligations to their employer.

We request that you also ask **family members and friends** to participate if possible. The Howard Government needs to receive a clear message that their proposed changes to Industrial Laws are not acceptable to the Australia community

Below is a list of some of the Sites where activities will take place:-

National Community Protest Day – November 15th
National Video hookup @ 8.30 am

ADELAIDE : - Venue- Elder Park, City

Timing of event.

- 7am- Barbecues and Coffee
- 8am- Crowd gathers and entertainments starts.
- 8.30 – Sky channel broadcast commences.
- 9.30 – Sky channel broadcast ends
- 9.30- Premier and speeches from community people etc. at Elder Park

Country Sites : Sky Channel Broadcast

Town	Venue	Address
Bordertown	Bordertown Dukes Motor Inn	Dukes Hwy
Ceduna	Community Hotel	32 O'Loughlin Tce
Leigh Creek	ETSA canteen	Black Oak Drive
Millicent	Sportsmans Hotel (tbc)	72 George St
Mt Gambier	South Gambier Football Club	Casterton Rd
Murray Bridge	Bridgeport Hotel	2 Bridge St
Naracoorte	Naracoorte Hotel	73 Ormerod St
Pt Augusta	Central Augusta Sporting Club	3 Hannagan St
Pt Lincoln	Grand Tasman Hotel	
Pt Pirie	Harness Racing Club	The Terrace
Riverland	Berri Resort Hotel/Motel	Riverview Drive
Roxby Downs	Roxby Downs Tavern	Richardson Place
Victor Harbor	Grosvenor Hotel	40 Ocean St
Whyalla	West Whyalla Football Club	Playford Ave

Northern Territory Sites:- Sky Channel Broadcast

Darwin – Darwin Turf Club, Fannie Bay
Tennant Creek - Memorial Club

Katherine – Katherine Club, O'Shea Terrace
Alice Springs – RSL Club

Nhulunbuy – G3 Workers Camp (second venue / Arnhem Club to be confirmed)