Delegate Focus

May-June 2012

INSIDE

• Labour Day 2012
• Insecure Work Update
• Stop Offshoring Our Future

Australian Services Union Central & Southern Queensland Clerical & Administrative Branch
From Your Branch Secretary

The recent ACTU Congress was an opportunity for the union movement to come together and make a collective commitment to campaign around common issues for our members. A key campaign that will require significant member input will be the push to make work more secure for Australian workers.

Delegates can assist by making sure that our collective agreements are strong and always enforced at the workplace level. Health and safety legislation is often helpful too, because patterns of insecure work are also accompanied by serious workload concerns for our members.

It is a fact that in Australia today, many workers are underemployed and want more work, but many full-time workers are working extremely long hours on a regular basis. If we can get the right work/life balance in our workplaces then we can begin to tackle this problem. Related to this is the issue of who does the support work – if we keep sending this work overseas our children will look forward to becoming a nation of casualised “burger flippers” in low skill jobs with no hope of advancement or raising the standard of living.

We can all contribute to changing this future, and I’m looking forward to working with you to do this.

PS. We will report on ACTU Congress in our upcoming journal.

In Unity,

Julie Bignell
Branch Secretary
Unions have pledged to tackle the growing crisis of insecure work in Australia.

Better rights for casual and contract workers, a much larger investment in Australia’s workforce and an overhaul of our welfare system will be the building blocks of reforms to undo the damage caused by the spread of insecure work.

The ACTU Congress has welcomed the report of the Independent Inquiry into Insecure Work, Lives on Hold: Unlocking the potential of Australia’s workforce, which analyses the extent of the problem now affecting approximately 40% of the workforce and sets out possible solutions.

The report is the result of a six month national inquiry, chaired by former Deputy Prime Minister Brian Howe.

ACTU President Ged Kearney said that the Congress had committed the union movement to campaigning to improve job security for people who were unfortunate enough to find themselves in insecure work.

“People in casual, labour hire and contracting jobs are literally putting their lives on hold because they have no job or income security to plan for the future,” she Ms Kearney.

Mr Howe sums up the challenge in the report, recognising that the new divide among Australian workers is the gap between secure and insecure employment.

“It is within this gap that workers’ rights fall down”, said Mr Howe.

“People in casual, labour hire and contracting jobs are literally putting their lives on hold because they have no job or income security to plan for the future,” Ms Kearney.

The issue of insecure work bleeds into households and the wider community. It makes it difficult to meet the living costs of the present or to plan for the future. Congress endorsed an industrial and legislative agenda that includes these immediate priorities:

• Improved regulation of the labour market that provides all workers with a universal set of protections and entitlements;
• Reducing and removing the ability of employers to shift economic risk onto their workforce; and
• Measures to provide better protections to workers employed indirectly through labour hire and agency arrangements, and eliminate disguised employment arrangements like sham contracting.

“We believe there do need to be changes to workplace laws to give workers in insecure work more protection”, Ms Kearney said.

“And there are a number of ways we can pursue better protections for workers and the Howe Inquiry found solutions are a lot broader than simply a question of regulation.”

“We need to invest a lot more in our workforce, we need to reform our welfare system and we need to improve the bargaining system so workers can pursue their rights,” said Ms Kearney.

“We believe that casual workers need more protections and we need to tackle sham contracting and we also need to provide more protection to people who get their work through labour hire.”

“The report is the result of the most thorough analysis of the issue of insecure work, its causes, its effects on individuals, communities, workplaces and the economy, ever undertaken in Australia,” Ms Kearney said.

“The Inquiry was a massive undertaking but it was well worth it – the result being a clear road map for how the problem of insecure work can be addressed,” Ms Kearney said.

The panel’s extensive investigations included two months of public submissions which received 521 submissions, before another six weeks of hearings across 23 locations around Australia, with experts, community groups and workers all shedding light onto the issue.

Regional Concerns

The issue of insecure work is felt harder in regional areas where job opportunities are even more limited.

ASU member, Serah-Jane Morgan, an administrative worker in central Queensland who gave evidence before the inquiry panel, believes government needs to step up and set an example for businesses and other organisations.

“By ensuring more government workers are permanent employees, they are demonstrating that it is not acceptable to push the risks of employment onto everyday Australians, especially those in regional areas,” she said.

“When workers in these areas are not able to secure stable employment, there are knock on effects, and the community as a whole suffers,” said Serah-Jane.

“Workers in regional areas especially need to be protected, as regional town and city populations can change depending on work availability, and resources and funding to these communities are dictated by population,” she said.

Source: modified ACTU.

Does Your Collective Agreement Provide for Job Security?

• Audit your Collective Agreement to see if it needs improvement.
• Make Job Security a claim in your next Collective Agreement negotiation.
The Independent Inquiry into Insecure Work, headed by former Deputy Prime Minister Brian Howe, presented detailed findings to the recent ACTU Congress.

The recommendations are available in full at: http://securejobs.org.au/media/lives_on_hold.pdf

Key recommendations revolved around legislative change, community engagement, and bargaining processes. In particular, it was recommended that further clarity be achieved by better defining what is meant legally by 'employer' and 'employee', as well as what casual work really means.

Changes are required to deal with the pervasive problem of sham contracting, and labour hire needs to be understood in the context of workers often occupying ongoing positions within an organisation. A licensing system for the labour hire industry was suggested.

The Inquiry also recommended that the National Employment Standards be expanded to include minimum standards to protect employees from the problems associated with insecure work, and that Fair Work Australia be given powers to make ‘Secure Employment Orders’ and determine where joint employment arrangements exist.

Finally, the ACTU was encouraged to develop a ‘gradual deeming’ mechanism to allow casual workers to accumulate portable entitlements such as annual leave and long service leave over time.

We’ll be reporting further on the key issues that need to be addressed in our upcoming journal.

Super Members Home Loan^ 
Eligible members receive up to 0.45% p.a. discount off the ME Bank standard variable home loan interest rate. You can take out a new loan or refinance an existing loan and choose from a Standard, Interest Only Investment Loan or Ultimate Offset Home Loan.

Online Savings Accounts
No fees, no minimum balance and interest paid on every dollar everyday.

ME Bank MasterCard®
A low rate credit card with a low annual fee and up to 44 days interest free on purchases.

EveryDay Transaction Account
Use your own money to shop anywhere. If eligible members deposit just $500 per month and provide their membership details we’ll waive the $5 monthly account-keeping fee.

Your Mortgage magazine awards ME Bank Gold for the second year in a row.

ME Bank has been awarded a Gold Medal for Best Bank Standard Variable Home Loan at the 2012 Your Mortgage magazine Mortgage of the Year Awards for the second consecutive year. The awards were announced last week and determined using the Your Mortgage magazine team’s scoring system. Loans that qualified for the awards were ranked according to their comparison rate and the points awarded for features, such as redraw and portability. Extra points were awarded for the product’s accessibility and transparency of fees and conditions.

CEO Jamie McPhee says the award is further recognition that our Member Package with Ultimate Offset Account, launched in 2011, offers the best value for customers over the life of their loan. “Achieving the Gold Medal two years in a row demonstrates that ME Bank consistently offers transparent and simple products that benefit customers over the long term. It’s wonderful to see a product we believe in so strongly being recognised by Your Mortgage magazine again this year.

“This is what it means to provide a fairer banking alternative. The Ultimate Offset Account with Member Package enables customers to pay off their loans sooner, potentially saving thousands of dollars and cutting years off their loan. Importantly it provides the one low rate to all customers regardless of the size of their loan”.

Join the fight for fairer banking. Join ME Bank.
www.mebank.com.au • Ph: 131563
WPI is the period since 1997, when that ABS series cutbacks to Departmental budgets.

Over the past two years or so, employer groups have been consistent, moderate wage growth over the year to Wages growth remains around its average pace. There have been significant falls in public sector wages growth, relative to their long run averages, have been experienced in Commonwealth public servants employed in Victoria. The largest falls in public sector wages growth, relative to their long run averages, have been experienced in Victoria and NSW.

The gender pay gap based on full-time earnings was just above the trend rate, at 4.4%.

Average Weekly Earnings

<table>
<thead>
<tr>
<th>Year Ended</th>
<th>Long-term average</th>
<th>Gap (percentage point)</th>
</tr>
</thead>
<tbody>
<tr>
<td>NSW</td>
<td>3.1%</td>
<td>4.1%</td>
</tr>
<tr>
<td>Vic</td>
<td>2.4%</td>
<td>3.6%</td>
</tr>
<tr>
<td>Qld</td>
<td>3.3%</td>
<td>4.0%</td>
</tr>
<tr>
<td>SA</td>
<td>3.2%</td>
<td>3.8%</td>
</tr>
<tr>
<td>WA</td>
<td>4.0%</td>
<td>3.9%</td>
</tr>
<tr>
<td>Tas</td>
<td>3.0%</td>
<td>3.8%</td>
</tr>
<tr>
<td>NT</td>
<td>3.4%</td>
<td>3.5%</td>
</tr>
<tr>
<td>ACT</td>
<td>3.0%</td>
<td>3.7%</td>
</tr>
</tbody>
</table>

Source: ABS 6345.0 and ACTU calculations.

Are You Getting Enough?
Private sector wages increases recorded in the last quarter of 2011 averaged 4.1%. Public sector wage increases slowed at 3.7% in the same quarter (influenced by a particularly sharp slowdown in NSW and Victoria)

Unsurprisingly the fastest wages growth was in the resources sector, mining and construction, which recorded average increases in excess of 4%. Slower wages growth was recorded in public administration, health care, and retail.

Bargaining Update
Our bargaining for new Agreements continues at ACE, Tattsbet, Air Niugini, Maurice Blackburn, Endeavour and Vision Australia.

Bargaining is now commencing at Armaguard and soon to get underway at MBF/BUPA, Boystown, and nib Health Fund. Bargaining will also soon commence with various employers in the taxi industry.

Clauses Worth Fighting For – Does Your Agreement Have Them?
In the process of negotiating Collective Agreements, we have formed clauses regarding issues essential to attaining a positive work/life balance.

Getting this balance right means both employees and employers can benefit from increased productivity. Clauses worth fighting to have in your Collective Agreement relate to:

- Ensuring flexible arrangements clauses are better than the model – make them only so the employee can request
- Linking company paid parental leave schemes to the government paid scheme
- Having the government paid parental leave scheme topped up to your ordinary rates and having superannuation paid as well.
- Wage rates that are higher than CPI and having CPI only as a safety net.
- Flexible arrangements for families – caring for elders, family members with a disability.
- Domestic Violence prevention education and identification as a workplace issue.
- Consultation about change.

When negotiating your next Collective Agreement, consider your Log of Claims very carefully to ensure you can have a conversation with your employer about the benefits of a better work/life balance at your workplace. Your local Organiser can help you with this.
Labour Day 2012

The 2012 Labour Day march was a sea of purple and yellow as members show their union pride!

A massive contingent of people have shown their support for each other by joining and marching with their friends and colleagues in family fun day activities across the state.

The theme of the march for this year was ‘working for Queenslanders’ as our strong public presence reminded the community and politicians that our work does matter and that members of ASU/Together work every day to provide vital services to the people of Queensland.

Brisbane ASU/Together members kicked off the march at Wharf Street in the city and marched to the RNA Showgrounds where our usual BBQ and get together took place.

Members socialised with each other and enjoyed a family day filled with fun, food and refreshments!
continued from page 6 ...

ASU/Together proudly members marched on the Gold Coast, Sunshine Coast, Toowoomba, Ipswich, Bundaberg, Mackay and many other areas around the state. With a combined membership of 38,000 members we definitely stand out as one of the largest union contingents in Queensland.

Congratulations to all those who turned out to mark our union’s first Labour Day celebrations since amalgamation last year.


To join, call 1300 300 273 or go to www.australiansuper.com
It’s Australian. And it’s super.

Being an industry fund, AustralianSuper has lower fees than most funds.

Rachel Saunders, AustralianSuper member

The super fund that works just for you.
Put AustralianSuper to work for you.
When is a redundancy not a redundancy?

Under the Fair Work Act, the definition of redundancy is very clear. It is when an employer no longer requires the work to be done. There are many reasons why they may not want the work done but as long as it is no longer required, then any related positions are redundant. Redundancy is always about the work and the positions, not the individual.

Redundancy entitlements are called termination notice and severance pay, together they make ‘redundancy’ payments. Your entitlements and what you may be paid if you were to be made redundant are found in either your Collective Agreement or in the National Employment Standards (NES) as a part of the Fair Work Act.

Employers have an opportunity to seek a variation in what they are required to pay if they can meet the criteria set out in the Fair Work Act. These variations are based on an employer obtaining other acceptable forms of employment for the employee or if they cannot pay the amount they owe to the employee. What the reduction in entitlements is or the decision to not have to pay is entirely at the discretion of Fair Work Australia.

Over the last few months, your union has been working on behalf of Call Centre members in the airline industry, who we believe were duped out of receiving their redundancy payments. We are not able to provide any details of the company at the time of printing as the final stages of documentation are still being finalised for a settlement.

In this case, the affected company appeared to do all they could to assist employees who were to be made redundant, including helping employees to seek alternative employment. The company even invited one particular alternative employer into the workplace where they had briefings, and many pieces of information were passed on the employees who had to apply for the positions on offer from the new employer and then be accepted for employment.

Many employees gained employment with this new employer who picked up the ongoing call centre work, however, they did not receive any transfer of entitlements or length of service recognition from the previous company and upon commencement with the new employer, were placed on three months’ probation.

The Trap

The affected company had advised all employees that they were required to resign as employees of that company. This advice was incorrect. We strongly believe that this advice was given in order to avoid making any form of redundancy payment.

The reality is – the workers were not resigning their positions – their jobs simply no longer existed i.e. the employees were effectively being made redundant as their jobs were being outsourced to another company. By requiring the employees to resign their positions, the company was attempting to negate their legal requirement to pay the workers their hard won redundancy entitlements.

If an employer is going to seek a variation because of difficulties in paying redundancy entitlements or they believe they should be awarded a reduction, they must follow the standard redundancy process and make an application to Fair Work to have the independent industrial umpire make that decision.

There were employees at this particular workplace who are in fact entitled to redundancy payments, but because they are not members of their union at the time of finalising this settlement, they will not be receiving any of the redundancy payments. You must be a financial member of the union to have the union act on your behalf.

Prior to the ASU going to Fair Work Australia on their behalf, the workers had received no payments from their previous employer months after their employment ceased due to the work they were performing no longer being required.

It pays to belong to your union!

Know your rights – never resign when your employer outsources work – you may be entitled to a redundancy payout or transfer to a new position.

Before you sign any document talk to your Delegate or Organiser or call the union office on 1800 177 244.

Avoid Redundancy Rip-Offs
Is Your Employer Watching You?

What is the purpose of surveillance equipment in the workplace?

In a recently undertaken unfair dismissal case for an ASU member, we found out just how far some companies are prepared to go to justify their position – even if they are wrong – by resorting to CCTV footage.

The background:

Our member has been employed by this Airlines' industry company for the past 12 years. Over this time our loyal employee has had no performance issues. In fact, our member has received high commendations for their work.

This ASU member has been accused of removing – not stealing – two magazines from an airline flight lounge.

On the day our member was accused by a co-worker, they had received yet another Performance which showed them meeting or exceeding all KPIs.

From all accounts, it seems our member has been a hard-working and loyal employee for the past 12 years. Our member denied taking the magazines from the flight lounge and asserted that the magazines had in fact been purchased.

The company couldn’t prove that the magazines in our member’s possession were in fact the company’s as the company doesn’t mark the magazines in any way. The company’s stance is that our member had to prove they had purchased magazines. This is despite the fact that airlines passengers regularly remove magazines from the airport lounge in question.

In a complete reversal of the onus of proof, the company says that our member is guilty until proven innocent.

Could this happen to you?

Does your employer use CCTV in your workplace?

Most workers would think that CCTV in customer service areas is for their own protection.

Yet you should be aware that unless an agreement is in place about the use of the surveillance equipment, you may find your employer using footage against you.

We urge all members to take care when around CCTV devices, as what the camera does not see can still be cited as significant on the part of unscrupulous employers.

In this particular case, the employer didn’t follow the correct Grievance Procedure, and when our member objected to being treated as a criminal, they were sacked.

Unsurprisingly, the union office is pursuing our member’s rights through an unfair dismissal case.

A simple, respectful conversation could and should have been all that was necessary to resolve this issue.

In a classic case of over-egging the pudding, management at this well known public company used security footage to try to justify an alleged theft which never happened.

The result of this is many hours of litigation and court time, not to mention damage to the reputation of the person concerned.

We can’t name the company because the litigation is yet to be finalised, but we can tell you that all of this is over a mere $12.00.
Where has the loyalty gone?

By Jo Justo, Private Sector Team Leader

In April this year, The Age reported that Aussie Rules players face a dilemma of loyalty, ‘but loyalty requires true connection, a fully engaged relationship from both parties - not just the player. Loyalty is a two-way street.’ Loyalty is definitely a two way street at work. Many studies show that the number employees who profess loyalty to their bosses has taken a major dive whilst at the same time employee trust of employers also reduced dramatically.

Have you ever felt yourself saying to your employer, well that’s no way to treat a loyal employee?

Many members and Delegates over the years have described the feeling they have, when, after years of good service to an employer or your company, taking the time to do a job properly, giving your time to the work, not taking a day off when you really felt you needed it, and the first time you ask the boss for something they say no and make you feel like you don’t deserve it, that you are not loyal to either the boss or your job.

Well it is exactly that kind of feeling the Private Sector team is keen to assist members to work through.

Whether you are bargaining or have an individual issue, we often hear the words “I don’t deserve to be treated this way” are used.

So what is loyalty? Is it a real tangible thing in the workplace or is it a feeling that can be used by the employer to manipulate you to not take time off, to feel bad if you are ill, or if you need to take leave.

The Concise Macquarie Dictionary’s definition of loyal is:

Adj. 1. faithful to one’s allegiance, as to the sovereign, government, or state: a loyal subject.

2. Faithful to one’s oath, engagements or, obligations: to be loyal to a vow.

3. Faithful to any leader, party, or cause, or to any person or thing conceived as imposing obligations: a loyal friend.


So if loyalty is something that can be imposed by obligation or allegiance, then you would imagine it is a two way street. Sadly for many ASU members one lane of the two way street is well and truly blocked.

One way to defend yourself from this sense of obligation is to know your rights. Many of you will have attended courses over the years or seen articles assisting you to know your rights. But much has changed in the last few years with the introduction of the National Employment Standards (NES). You can access the NES at: www.fairwork.gov.au/Documents/The-National-Employment-Standards-Part2-2-Fair-Work-Act-2009.pdf

continued on page 11 >>>
The Fair Work Act and the NES form the basis of any working arrangements. All workers in the private sector will have a Modern Award which covers you. It could be the **Clerks—Private Sector Award 2010 [MA000002]** or the **Airline Operations—Ground Staff Award 2010 [MA000048]** Award, depending on where you work there is an Award for you. You can find your Award on the Fair Work web site: [www.fwa.gov.au/](http://www.fwa.gov.au/)

Many ASU members also have Collective or Enterprise Agreements. Your Agreement sits on top of the Act and then on top of that, the Award.

It is important to read your Agreement and know what are your rights in your Agreement before you take any steps. Companies often use company policies to explain to you how to e.g. Make an application for annual leave. Your Agreement will tell you how much leave you are entitled to accrue but often the policy will tell you how to access it.

Policies are a difficult area for the union to have any input. In some workplaces, employers recognise the value of having members’ input into policies and many consult on any changes, but sadly this is rare (could be seen as the two way street!).

Policies are often delivered to members in various ways, some larger employers only use intranets or have electronic copies of policies and make it the employee’s responsibility to know when policies have been changed or updated.

One thing is for sure, employers must train employees and make sure that you have a good understanding of any policies that change and impact on the way you do your work.

If you would like to get a better idea of how to read and use your Collective Agreement, Award or legislation, contact your Organiser or register for a training session by sending an email to: [edu@together.org.au](mailto:edu@together.org.au)

**Loyalty** is definitely a two way street. Confucius says: *The scholar does not consider gold and jade to be precious treasures, but loyalty and good faith.*

Your company will always demand up-front loyalty from you, but loyalty to their workforce is often the first casualty when a company wants change or is in trouble. Be wary of this double standard.

Don’t be a victim .... **Make sure everyone is in the union!**

Ph: 1800 177 244 or go to: [www.asu.qld.net.au](http://www.asu.qld.net.au)
Workplace Bullies Could Be Jailed Under Plan to Nationalise Brodie’s Law

The Federal Government will consider developing national legislation, similar to Victoria’s Brodie’s law, during a parliamentary inquiry into the “scourge” of workplace bullying.

Prime Minister Julia Gillard and Workplace Relations Minister Bill Shorten announced the inquiry at a press conference in Melbourne late last month.

Gillard said that while workplace bullying would be addressed in a special harmonised Code of Practice, the problem cost the country up to $36 billion a year, and more needed to be done.

The inquiry would enable people to come forward, tell their stories, help us work out the prevalence of bullying in workplaces and also help us add to what we are doing now”, she said.

“And one way we could add to what we are doing now is to take Brodie’s law nationally.”

Victoria last year amended provisions of the State Crimes Act on stalking (for which jail terms of up to 10 years apply) to cover forms of “serious” bullying such as “threats and abusive words or acts”, and to broaden the definition of “harm” to include self-harm and suicidal thoughts.

The move was prompted by the 2006 death of Melbourne waitress Brodie Panlock, who took her own life after being relentlessly bullied by co-workers.

Her mother, Rae Panlock, also spoke at Saturday’s press conference, and said bullying created a “toxic environment” that had a serious effect on people’s mental health.

Shorten said bullying was “far too common in all Australian workplaces”.

“Workplace bullying, even if it can’t always be seen, is as big a scourge as anything else which is hurting our people at work... I believe there is enough bipartisan goodwill to take the initiative of using a parliamentary inquiry to look at having a common national law,” he said.

The inquiry committee was required to consider:

• the prevalence of workplace bullying and the experience of victims;
• the role of workplace cultures in preventing and responding to bullying, and the capacity for work policies and procedures to influence the seriousness of the problem;

continued on page 13 >>>

Whether you are 18 or 80, TUH is there!

TUH’s range of health cover options are tailored to your needs, so no matter what life stage you are on we have a cover that fits.

• We are run to benefit our members
• We provide great value for money products
• As an ASU member you are automatically eligible to join and so is your extended family

So why would you consider any other health fun?

Contact us on 1300 360 701 for more information.

1300 360 701 www.tuh.com.au

Profits back to members Value for money products High quality services
Win a $2000 Shopper Travel holiday voucher with Union Shopper*

Union Shopper members Australia-wide can enter to win a fantastic $2000 Shopper Travel holiday voucher.

Members can enter simply by registering or reconfirming their contact details to receive emailed offers from Union Shopper.

Members will receive an additional entry into the draw for each eligible friend or colleague who registers to receive emailed offers from Union Shopper as a result of their referral.

Until Saturday 30 June 2012, members can enter this competition by completing the online form at: www.unionshopper.com.au/wintravel or by completing and submitting the form in their 2012 Directory of Services.

* For full terms and conditions, please visit: www.unionshopper.com.au/wintravel

Federal Shadow Workplace Relations Minister Eric Abetz said the Opposition would “work constructively” with the committee.

However, he said the inquiry - to be genuine - must consider “the issue of union bullying of workers”.

Win a $2000 Shopper Travel holiday voucher*
Energy GOCs Must Consult

Energy companies are bound by consultation clauses in their Collective Agreements.

These clauses, negotiated by unions to ensure fairness for workers, require the energy companies to consult with their workforces and union representatives when considering or implementing major changes.

ENERGEX

Energex have been seeking extensions to a large number of Labour Hire arrangements.

The positive side to this is that all the hard work done in the EUCA negotiations regarding the consultation clause is proving worthwhile, because Energex management are finally realising their consultative obligations, however, this issue is highlighting just how many labour hire employees there are now working at Energex.

Our task now is to determine the extent and the reasons for so many labour-hire positions and ensure why these positions cannot be filled internally before accepting labour-hire personnel to fill them.

ERGON

Ergon must Consult – Voluntary Separation Program 2012

Ergon has agreed to fundamentally adjust their approach to and the timeframe for consideration of Voluntary Separation “Expressions of Interest” (EOI) after a recent conference in Fair Work Australia.

The timeframe will now include a significant block of time in which Ergon is to provide information about the actual positions that it is considering for voluntary separation.

The process for calling for EOI will continue, however, once Ergon determines what positions it believes can be made redundant, they will now be obliged to consult fully by providing unions with pertinent information such as what the consequences of the loss of those positions might be and how Ergon proposes that those consequences might be handled to mitigate any adverse effect, prior to the determination of which positions are to be made redundant.

This information will enable proper consultation with unions on behalf of members and comply with the important obligations to consult as per Clause 13.2 of the Ergon Collective Agreement, which sets out the sort of information that should be provided to union representatives and employees, and how this should occur as follows:

Clause 13.2

• the effect the change is likely to have on the employees; and

• measures Ergon is taking to avert or mitigate any adverse effect of the change on the employees; and

• for the purposes of the consultation - provide, in writing, to the relevant employees and their union representatives:

• relevant information about the change including the nature of the change proposed; and

• information about the expected effects of the change on the employees; and

• any other matters likely to affect the employees.

With the amended time frames, consultation will commence on Tuesday, 12 June, 2012 when this information will be provided.

Ergon will be advising you of the amended timeframes shortly.

This is an important development and demonstrates the value of the hard work by the negotiating team that went into securing the 2012 Agreement on behalf of our members.

We will continue to ensure that everyone who is affected by what Ergon is doing has access to the best possible information in the most timely way, so as to ensure that any decision that has to be made will be well informed and that members’ rights are respected by the employer at all times.

Universities Update

Universities are about to enter a phase of Enterprise Bargaining.

Central Queensland University (CQU) and James Cook Universities are about to begin their negotiations and they will be followed by all the other Universities within the state. CQU will be the first to commence the bargaining process over a four day working session where the intention is to finalise all the protocol documentation and exchange Logs of Claim. Negotiations will also occur simultaneously at James Cook University.

Progressively throughout this year, all members and staff in other Universities will be issued with workplace surveys seeking information that will be used to form the basis for our Logs of Claim. After endorsement by members the Logs of Claim will then be served on their respective employers.

Preliminary discussions have already occurred with other unions involved in the University sector to arrange caucus protocols before negotiations begin with employers.

Delegates are asked to encourage members and staff to complete and return their surveys to ensure their priorities are reflected in the Logs of Claim.
Minimum Wage Decision Disappointing

Today’s decision by Fair Work Australia to grant just a $17.10 increase to Australia’s lowest paid workers will see those on minimum wages fall further behind the rest of the workforce and risks entrenching a working poor in Australia.

ACTU Secretary Dave Oliver said the Annual Wage Review panel’s decision to grant an increase of 2.9% to award wages overlooked the fact that low paid workers had continually fallen behind average wage earners in recent years.

“This is a very disappointing decision by Fair Work Australia that means the one-in-six workers who are dependent on award rates of pay will barely keep pace with the cost of living, let alone the rest of the workforce,” Mr Oliver said.

“Every year those on minimum wages slip further behind, the more we will see a working poor become entrenched in Australia.”

The Annual Wage Review decision will lift the National Minimum Wage by $17.10 a week to $606.40 a week or $15.96 an hour from 1 July.

The benchmark tradespersons (C10) rate will increase by $19.90 a week to $706.10 a week or $18.58 an hour.

Mr Oliver said the minimum wage case run by unions was the only opportunity award-dependent workers have to secure a pay rise.

He said that since 2005, the real value of the minimum wage (adjusted for inflation) has increased by less than 1%, while average wages have increased by 12%. The wages for some award classifications have fallen in real terms.

“Unions will continue to advocate for the lowest-paid in our economy because it is a measure of a fair society that all workers have a decent safety net,” Mr Oliver said.

“The richest earners in this country make the loudest noise when it comes to complaining about having to bear the mining tax. Yet it is not always as easy to hear the voices of the one in six workers dependent on awards, many of who struggle just to put food on the table”, he said.

“We will continue to argue that workers on collective agreements achieved pay rises of more than 4% last year, and unions are determined to stand up for the rights of workers to bargain collectively in their workplace and industry”, said Mr Oliver. 

Source: ACTU.

Federal Award Expenses Go Up from 1 July.

In addition to the 2.9% increase in base rates, FWA has determined that expense related allowances in Modern Awards will also increase.

The draft orders for these have been prepared. You can view them at: www.fwa.gov.au/index.cfm?page name=awardsmodernresearchallowances

If you rely upon the Award for your pay and conditions, make sure you check your pay to ensure that you are getting your full entitlement.

Members on Collective Agreements should note the increases for your next bargaining round as a minimum claim.

The Annual Wage Review decision will lift the National Minimum Wage by $17.10 a week to $606.40 a week or $15.96 an hour from 1 July, 2012.
Stop Offshoring Our Future

The services sector makes up 70% of the Australian economy, and employers in this sector are more profitable than they have ever been. These jobs are highly skilled and important jobs yet thousands of Australian white collar jobs are under threat.

Even though they can afford to invest in jobs and skills in Australia, our big services sector companies are in a wages race to the bottom. A race that no-one can win.

There is a white collar jobs crisis in Australia. White collar jobs are under sustained attack, and the chief threat is offshoring… Doing nothing is not the solution.

Facts
More than 18,000 Australian finance and administration jobs have been offshored in the last five years. The occupations offshored include: payroll, HR, administration, document processing, data entry, call centre jobs, IT, sales. By and large the employers offshoring Australian jobs are our biggest, most profitable companies.

ANZ, Qantas, AXA, EnergyWatch, Citigroup, Virgin Australia, Diners Club International, Mindpearl, Hutchison Telecommunications, Macquarie Bank, Jetstar, Optus, NAB, Coles Myer, GE Consumer Finance, St George, Suncorp, IBM, Westpac, AGL, Telstra

850,000 Australian jobs are at risk to offshoring by 2018 - The National Institute of Economic and Industry Research (NIEIR), 2008

67% of jobs offshored are finance/accounting (36%) and procurement (31%) – Macquarie Uni, 2012.

Roadmap
Australia has long been a services sector based economy. Offshoring in the services sector is a short term strategy.

It will not grow this sector and it is not in the best interests of Australian workers or customers. Australia needs to have a sector that can keep up, if not set the pace.

• The top ten in-demand jobs of 2010 didn’t exist in 1990.
• We have the people, we have the skills - we can’t miss this opportunity.

White collar jobs are the Australian jobs of the future. But we need a plan to secure this future. Immediately we must:
1. Review the tax system to remove any incentives or other benefits to offshore;
2. Create incentives for companies to maximise our skilled workforce in Australia;
3. Introduce consumer consent legislation so Australians can support local businesses.

Australia needs a long term, comprehensive plan for the services sector. We need a Federal Government coordinated group that includes all the relevant players i.e. Government (State & Federal), industry, employer and employee representatives, and education/training representatives. And we need it now.

Source: Modified ASU National Office