

Notes from meeting Excelior staff, 18/12/08.

Main Issues Identified/ discussed:

PAY:

What agreements are Excelior staff covered by?

The EBA that covers Excelior staff is the SKILLED COMMUNICATIONS PERSONNEL CALL CENTRE FRAMEWORK AGREEMENT 2000. Unfortunately, this is not very useful in terms of pay rates. The rates in this agreement are very poor.

The relevant Award is not as clear. In fact there are at least two that could be interpreted to cover Excelior. The Contract Call Centre Industry Award has better base rates, but inferior shift allowances. The Telecommunications Industry Services Award has a lesser base rate but has more certainty around shift penalties and other conditions. It was argued by Woody and broadly agreed that the award which better served the majority of Excelior staff was TISA.

Calculation of shift loading: should be calculated as Base * (Casual loading + Shift loading)

People with specific questions about how their pay is calculated to fax questions with pay slips to Woody

Increments: Lack of clarity around how the increment structure works. Seems to be different for different people.

Base starting pay: Some objection to new starters starting on higher rate of \$17.17. Complaint to workplace ombudsman was discussed.

Len suggested the Workplace Ombudsman would not be much help. They are principally there to ensure minimum standards are adhered to. There is no breach of minimum standards in this case.

Long-term casuals with no pay rise for several years: See below section 'solutions'.

Scheduling:

Long- standing practice of peoples shift preferences being observed is suddenly 'out the window'

Long- standing practice of shift swapping no longer 'allowed': Shift swaps are only for health reasons only, according to Cassie.

People need to go about evidence gathering to demonstrate on paper that these practices have been observed for a long period of time.

General lack of organisation/Empathy when it comes to scheduling: People called whilst on holiday or whilst they are likely to be sleeping

Cut in Hours:

The latest intake of staff has resulted in significant cuts in hours for many people. Large numbers of people have had consistent levels of employment over long periods of time. This arrangement has, in a number of cases been 'swept away' under the new scheduling regimes introduced by Cassie.

Again, it would be useful to have some paperwork that proves this. There have been a number of cases before the Industrial Relations Commission (AIRC) that have ruled that employers have no right to do this. Just because a person is 'casual' by name does not mean it is always 'casual' by nature.

Intensification Of Work and Other OH&S concerns

Increasing Number of calls from mobiles means extra time on each call.

Swearing and Abusive customers: Cannot hang up on them.

It is nobody's job to be abused. This needs to be looked into. Is there paperwork which states this?

As the rostering of agents has less 'fat' built in, the work becomes more intense and mistakes more likely.

Insufficient Stand-down?

Further research needs to be done as to what rules are in place to protect workers from going to work after insufficient rest from their previous shift.

Dust/ Noise/Dirty carpet/ Dust mites

Better OHS representation is required in the 000 centre.

Moving forward: What is to be done:

Pay: The only real solution to the various pay concerns is to win an EBA that provides certainty around all these issues. The main stumbling block thus far is uncertainty as to whether Telstra intends to renew the Excelior contract. Now that the ECA has been voted down in 000, there will hopefully be progress in this area. The union will seek further talks with Excelior about this. All Excelior employees stand a better chance of winning a good deal if they unite together as a force.

OH&S Issues: The union suggests that people insist upon the election of an OH &S representative to represent them on their OH&S concerns. An OH&S rep has many powers under the OHS act, including the right to insist a building be vacated in an emergency and to conduct workplace safety inspections. The elected rep is entitled to 5 days paid training. The union can assist in this process.

Other staff grievances: Len has identified dispute settlement clauses in the Skilled agreement that facilitate dispute resolution which can result in a hearing in the commission. A delegate is also allowed to attend these meetings on paid time. The union will seek discussions to instigate this process. Of particular urgency

is the rostering issues of peoples hours being cut and the problems with shift allocation and shift swapping. In the first instance, the union will seek discussions with skilled about these issues.

Staff should continue dialog with the union about further developments and the union will likewise keep Jen updated.

Solution: The only real solution to the long standing