

Special Signal

Issue No. 567
13 November 2008

■ In this issue:

1. ECA Or Union Agreement?
2. Redundancy Agreement Future Settlements With Unions
2. CEPU Protected Industrial Action And The Fighting Fund
2. Vote Yes Requirements You Must Know
3. They Say, The Economic Down turn Means...
3. If It Looks Like A Duck And Acts Like A Duck.....
3. Service Blitz
4. What Messages Are Telstra HR Getting That Aren't Disclosed

■ Contact a CEPU Official:

LEN COOPER
Branch Secretary
0438 389 302

JOHN ELLERY
Assist Secretary
0419 823 580

WOODY
Member Service Officer
Ph. 9349 4411

SUE RILEY
CSO Call Centres
0439 762 455

GREG CABANOS
CSO – Contractors
0415 154 352

**COMMUNICATIONS
UNION (CEPU)**

**Telecommunications And
Services Branch Victoria**

1/139 Queensberry Street
Carlton South 3053

Ph: 03 9349 4411 Fax: 03 9349 3488
Email

cdtsvic@victs.cepu.asn.au

Clayton Office
47 Henderson Rd
Clayton 3168

Ph: 03 9545 1503 Fax: 03 9561 5599

EBA08
SECURING YOUR JOB

CEPU's EBA IN TELSTRA MEETINGS FOR MEMBERS AND OTHER STAFF

**COUNTRY MEMBERS TELEPHONE HOOKUP RE TELSTRA EBA:
MONDAY 17 NOVEMBER. 7.30PM. Dial: 1800 333 803, Pin: 3218#.**

* **CBD METRO**

**TUESDAY 18 NOVEMBER. 12.PM – 1PM & 1.15PM to 2PM
SCOTS CHURCH HALL, 99 Russell St, (Rear of Church)**

**THURSDAY 20 NOVEMBER. 12.15PM – 1PM & 1.15PM to 2PM
COOPERS INN 282 Exhibition St. (Corner Little Lonsdale St)**

* **OUTER METRO**

**SOUTH EAST: 7PM TUESDAY 18 NOVEMBER: CLAYTON
CEPU Branch Office 47 HENDERSON ROAD**

**WEST: 7PM WEDNESDAY 19 NOVEMBER: WERRIBEE
COMMUNITY CENTRE, 4 Synnot Street extension, Werribee**

**NORTH: 7PM THURSDAY 20 NOVEMBER: PRESTON
MASONIC HALL 382 Bell Street**

* **GOC (CLAYTON)**

**TUESDAY 25 NOVEMBER. 12 Noon to 2PM. 47 Henderson Rd
THURSDAY 27 NOVEMBER 12 Noon To 2PM. 47 Henderson Rd**

* **Items for discussion:**

Protected Industrial Action Ballot

The Draft List Of Claims

The planning for any industrial/political/public campaign that is necessary

ALL YOU NEED TO KNOW ABOUT THE NON-UNION ECA AND WHY TO VOTE YES IN THE PROTECTED ACTION BALLOT

1. ECA OR UNION AGREEMENT?

Things you should know before you vote!

- * If you vote for a non-union ECA in your area, and then the union wins a better deal in an EBA, you are “locked out” of the union deal.
- * If there is no ECA and no union-negotiated EBA, then your current conditions and the redundancy agreement remain protected. However in that situation there is no pay increase.
- * The Federal Government’s new laws will be in place soon, and the centrepiece of those laws will ensure that Telstra and other employers will be required to bargain in good faith with the unions. This will be enforced by law.
- * The union ballot to vote for a protected industrial campaign to win a new, good EBA, will begin on the 21st November and will finish on the 8th December 2008. A YES vote will send a strong message to Telstra Management.
- * If you vote for the ECA, which is a non-negotiated, non-union “agreement”, the union will have very limited rights to properly represent you, and at the end of the ECA, (3 years), the union may have no role in any new agreement on your behalf. Telstra

- * Management are bad enough now, imagine if they didn't have the union breathing down their neck
- * Everyone on the EBA or an expired AWA in the catchment area, must get a vote on the non-union ECA by law. However, it only requires the majority of voters in the catchment to make a decision, which is then binding on ALL employees in the catchment area.

So if you don't want the ECA, **YOU MUST VOTE** or the issue could be decided for you by a minority.

The following list of items again summarise the main major and very important problems with Telstra's 3rd rate ECA "offer"

- They are offering a real pay cut relative to cost of living increases.
- They haven't protected the redundancy agreement. Whilst the current redundancy payout is included for 3 years, the rest of the protective clauses have been excluded.
- Telstra is refusing to allow you to have the Arbitration Commission available for settling disputes – they will be the judge, jury and executioner. The dispute clauses contain no binding arbitration and therefore there is no effective way to enforce the ECA.
- Telstra totally controls the performance management system and performance pay system, and do and will continue to use it to your disadvantage with no checks and balances. It must be regulated.
- Telstra will use the facilitative clauses to change your hours of duty, your span of hours and your days in the week and there will be few checks and balances.
- Once adopted the ECA would be used to manipulate major downgrades of positions across the board, without any recourse for employees. Compulsory arbitration is required to enforce any of the current bandings.
- The Part A and Part B model guarantees that the more expensive Part A employees will be managed out of the business, in favour of the cheaper Part B employees. They will be managed out on sham "performance" grounds with no redundancy payout.
- In a non-union agreement the constraints against effective union representation and involvement are considerable.

We distribute this information again because many managers have been spreading false and misleading information to employees in a desperate attempt to get support for the non-union ECA.

Say "NO WAY ECA, WE WANT A UNION EBA!"

Reject Telstra's third rate, non-negotiated, non-union "agreement".

CEPU PROTECTED INDUSTRIAL ACTION AND THE FIGHTING FUND

The CEPU's planned industrial action campaign, which you are about to vote on, is based on a range of actions (strikes, bans and limitations). It may be that some sectors of the membership will need to take more concerted and longer lasting strike action than other members depending on the requirements of the campaign.

In order to have maximum effectiveness, and maximum flexibility, we will be proposing that members, non members and AWA employees contribute to a fighting fund each week or fortnight, for example, to help sus-

tain our fellow members/fellow workers, who are taking more extensive strike/industrial action than others. We will also be receiving support for our fighting fund from other unionists and people who support our campaign in the general public.

Members and other Telstra employees should consider this and shortly we will come to you with proposals to support our fighting fund.

REDUNDANCY AGREEMENT FUTURE

The clause in Howard's so-called "work choices" laws, which intended to scrap the redundancy agreement by March 2009, was

removed by the Labor Government in April this year. The CEPU's direct lobbying of the new government achieved this. If there is no new EBA, or ECA, the redundancy agreement continues, as do all of our conditions in the 2005-8, union-negotiated EBA.

MORE RECENT EBA SETTLEMENTS WITH UNIONS

Recently, there have been three more settlements of union EBA claims.

A national agreement in the building industry saw building workers achieve more than 15% over 3 years.

Teachers in West Australia have achieved 24% over 3 years. This is with a state Liberal Government.

Health Care Professionals in Queensland have achieved increases between 18% and 39% over 3 years.

Why should Telstra employees be treated less favourably?

VOTE YES REQUIREMENTS YOU MUST KNOW

To achieve a yes vote in the ballot over protected industrial action, the law requires over 50% of members to vote in the ballot, before any counting of the yes or no votes. So you must vote, if you agree with the protected industrial action campaign proposal.

Only union members who are on the EBA, or union members who are on expired AWAs, will be able to vote.

The ballot will open on the 21st of November, and close on the 8th of December, with results probably known on the 9th of December. If the members support the action, and Telstra's position still hasn't changed, then the action will most likely start shortly thereafter.

SO VOTE IN BIG NUMBERS AND VOTE YES!

THEY SAY, THE ECONOMIC DOWNTURN MEANS YOU SHOULD PICK UP TELSTRA'S OFFER NOW AND RUN WHILE YOU CAN.

This is nonsense.

Telstra's "offer" of 4.5%, 4% and 4% is clearly a pay cut in real terms in the first year and likely to be a pay cut in the second and third years also.

The cost of living increase at present is 5.7% for a "basket of

goods" and 7.2% for a "basket of services" and rising (Bureau of Statistics).

Apart from this don't you deserve some benefit for the huge productivity and profitability the company has enjoyed from your efforts?

The Executive Managers paid themselves from 14% (and more) in increases in the last year, so there is no problem of a real pay cut for them is there?

An economy, moves into a downturn, or recession, or depression, because the purchasing power of the majority falls, due to reductions in real wages, unemployment and reductions in Government spending or all three.

The Prime Minister has recently (correctly) announced a large spending programme which puts money into peoples pockets quickly, and spends on infrastructure for the very purpose of increasing the people's purchasing power, to increase demand and rebuild the economy and stop it moving into recession or worse. The Reserve Bank of Australia is cutting interest rates at lightning speed, again in the hope of improving demand in part by putting more money into workers' pockets. Money in Telstra employees' pockets is part of the solution, not the problem.

It just so happens of course that Telstra's economic quackery is aimed at keeping your wages down, increasing Telstra's profits and leaving the phenomenal remuneration of the senior managers (and their increases many times the cost of living) untouched.

Why would they expect anyone to buy this deceptive nonsense?

**IF IT LOOKS LIKE A DUCK
AND ACTS LIKE A DUCK...
Telstra's Corporate Management
protest very loudly when you accuse them of coercion and bullying**

in order to get employees to pick up their third rate ECA. Not to mention all of their false and misleading stuff we have talked about many times.

Let us look at management's behaviour.

They are holding "one-on-ones" with their employees to pressure them over the ECA.

They are holding in-hours meetings with their employees sometimes of two hours duration to pressure them.

They are bombarding them with information (most of it false and misleading) several times a day.

They are insisting on deadline dates for "expressions of interest".

They are giving the clear impression, and sometimes stating explicitly, that if you don't put in an expression of interest then your not entitled to vote, even though they know that this is absolutely incorrect in law.

They are even going as far as requiring team leaders to categorise staff into "for," "against" or "undecided" as another means of pressure. Whatever happened to the secret ballot concept?

How would you trust Telstra management with the information that tells them whether you are "on-side" or not, or whether you are a "team player" or not?

This mob are out of control because of their desperation to get their continuously rejected third rate ECA accepted. If this is not a classical case of coercion or worse then we don't know what is. As they say in the classics if it looks like a duck.....

SERVICE BLITZ

Service Blitz is being used to soften up the employees for performance pay and the non-union EA, and to cover up Telstra's poor pay offer, which is a real wage cut when compared to cost of living.

The assessment of work performance pay against Telstra management's determined CC points is a subjective process and ignores a range of other issues such as OH&S, travel and other matters despite what they say.

The ratings settings are entirely at management discretion and can be (and are) changed for 'political' or budgeting reasons.

There is the potential for conflict with the so-called 'stars' supposedly making lots of money and the 'also rans'. No mention is made of all the corner cutting which occurs to "get the points".

The outcomes will continue to be linked to future PICMs and down-sizing.

Procedural fairness comes into serious question when points are down not because of what an employee can or cannot do, but because of factors beyond their control.

Employees have no ability to contest or appeal against points allocated to them for a job, to an independent third party.

There is no consistency or transparency in the link between performance ratings and performance pay.

Overtime worked during the period became a factor in determining an individual's final points pay and you do not get both.

What is more the process becomes, or is, corrupt because it is based on statistics and clearing dockets, not on getting work done properly.

Never mind the impact all this has on real, properly measured customer service.

WHAT MESSAGES ARE TELSTRA HR GETTING THAT THEY'RE NOT TELLING YOU ABOUT?

Here is just a small sample:

"On reading the sample Telstra ECA, Part B, I notice that under clause 40 - Hours of Work it states : 40.1 An employees hours of work are 36 3/4 hours per week (*averaged over a 12 month period*), worked Monday to Friday between 7AM and 7PM. Could you explain to me what (*averaged over a 12 month period*) means please."

"I therefore wish to inform you again that I'm not interested in seeing or voting on the ECA.

I also implore you again to go back to the table with the unions and do the right thing by staff. The damage you have done to the relationship between staff and senior management is not irreversible, at least not if you go back to the negotiating table. Also, in the interest of balance & fair play can you please publish the stats on the number of staff who have registered their disapproval of the ECA."

"In truth, all you can be sure of is the number of people who have registered so that they have the ability to accept or reject the ECA. I don't feel that you can ignore the possibility that many or most of these people only registered so that they can reject the offer, and have no interest in the offer itself. My personal experience indicates this is probably the case.

"I recently attended an ECA discussion, and found my feelings were shared by ALL other staff at the meeting - i.e. they would reject an ECA because their staff association has been intentionally excluded from the process, despite attempts by our government to remedy this. The people at this meeting voted unanimously that they did not wish to proceed with an ECA until our staff association is re-engaged in the process. Also, the statement "This is a fair and competitive offer in an uncertain global economic climate." may or may not be true, but it certainly sounds like scaremongering.

However, it also seems to be an admission by Telstra that their offer was

probably 'unfair' before the recent global economic downturn."

"I want a union negotiated agreement for all Telstra workers, which protects and improves our pay and conditions. I come to work to look after the needs of my customers, whose continued business generates the income that allows me to be paid. I leave it to my union to look after my needs so that I can focus on the needs of Telstra. Should you require further information or assistance, please contact me by one of the means below."

"HR, thanks for the response. I hope you can pass on the following: My advice on the Telstra ECA - go back sharpen your pencils and stop being so tight. (Talk about short arms and deep pockets!). Offer decent payrises in line with what management are receiving. The company did well last year, why not share the profit a little more fairly? The current offer is insulting. It doesn't even cover inflation. In my 20 years with Telstra I haven't seen such a poor offer. What's Telstra trying to hide by refusing to negotiate with the unions? It certainly looks suspicious. Telstra supposedly values its employees, management even talk this up at road shows and forums etc. Here's a challenge for them, put your money where your mouth is and back up what you say!"

"The suggested pay rise of 12.5% over 3 years does not keep up with inflation. From what Sol has said, the transformation process will make many staff members redundant. But the remaining staff are expected to deliver better customer service. The staff left need to be paid better than inflation. How come Greg Winn gets a 96% pay rise giving him a salary of \$11,000,000 per year?"

"I would like to go back to the negotiations with the unions. This is the only way employees have a real say. The Collective Agreement is a Telstra proposal that is 'take it or leave it'. Where is the negotiation? Wholesale have already said NO. We want a say in what is offered."

LEN COOPER
Branch Secretary

**WHEN THE PROTECTED ACTION BALLOT COMES
VOTE AND VOTE YES!**

If you wish to be removed from this listing please contact thesignal@telstra.com and type REMOVE in the subject line. Prefer another format: e.g. text not .pdf, fax or post? Please contact the above link.