

S.The Signal

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We take this opportunity to wish you a great Christmas and New Year. 2009 will be a challenge.

The Branch Office will be closed from COB Wednesday 24th December to Monday 5th January 2009.

As always, in an emergency, officials will be contactable by mobile. The Branch Office phones will be on message bank, so if your enquiry is not urgent please leave a message as the message bank is checked daily. We'll get back to you as soon as possible.

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INDUSTRIAL ACTION: FIRST WEEK – OBJECTIVES ACHIEVED. GREAT EFFORT!

Members have done a tremendous job during the first week of our industrial campaign. One of our objectives has been to use each of the categories of industrial action members voted on in the ballot (4 hour, 24 hour, 48 hour, indefinite strikes and bans on OT and recalls) so that we can continue to use them further in the dispute. The law requires their use within 30 days of the ballot otherwise the right to use them is lost. We have now achieved that objective and all of the action is now available to us in the New Year.

The impact of our action was very widespread and they now know (if they didn't before), how important our members are to the company effort. The high level of membership involvement in the strikes and the bans has created large delays in work performance and there were significant system failures. This was despite CEPU's restoration effort where life and limb were involved.

Over 90% of our members voted to take the action. This was a phenomenal result and demonstrates members' determination to win a decent union negotiated EBA.

Only a handful of CEPU members throughout Australia have decided not to abide by that huge majority decision by members in a secret ballot conducted by the Australian Electoral Commission. There is no excuse, even for a handful of members to defy their fellow members' majority decision and not implement the industrial action.

Will they put their hand out and accept whatever their fellow CEPU members win? You betcha!

WHAT SHOULD YOU DO (OR NOT DO) AT WORK NOW?

Think about this following the first week of industrial action. Don't let Management undermine the impact of your action. Here are some suggestions:

- You don't have to work overtime. You certainly should limit the amount you work, and you certainly shouldn't work any unpaid overtime. That is like agreeing to lower your hourly rate of pay.
- Stick strictly to all of your breaks.
- Do not cut any corners regarding health and safety
- "Delight the customer". Don't let management continue to drive down the quality of customer service, or limit the time required to "delight the customer".
- Who is responsible for stupid management decisions and poor technology selection? Let them take responsibility for their actions.
- If you have a workplace incident or accident make sure you submit an incident report and if time off and expenses have occurred, be sure to submit a Comcare claim, the union will advise.
- If you believe you are being treated unfairly seek fair treatment, don't let it go, the union will advise.
- Don't work your rostered days off it took union members a long time to win them.
- Claim overtime for driving to and from jobs in your own time.
- Consider whether you want to work interstate to plug Telstra's holes.
- Make sure you question unfair and unacceptable performance pay outcomes, the union will advise.

- If you are being pressured to start work before your actual start time in order to be work ready, then you must be paid overtime. Otherwise don't do it. Same applies to end-of-day.

If necessary we can organise a meeting or telephone hookup to discuss the above. Or simply give us a call and we'll discuss it over the phone.

CAN YOU BELIEVE THEM?

Did you know that some "managers" employed about 50 security guards at the GOC on the day of the 4 hour strike? Can you believe that? All that was happening at the GOC was that the members who walked out from the GOC listened to a few speeches, had breakfast supplied by the union, and talked to a few unionists from other unions who came to give their support.

Where do these silly Managers get off?

The story gets worse. Because of the script and procedures of this over-the-top security detail at the GOC, a traffic hazard was created for the police way back in Wellington Rd, due to the delays in employees getting into the GOC car park. How do people get to be Managers in Telstra with decision making and judgment like that?

STRIKE ACTION AND LEAVE WITHOUT PAY

Telstra HR has apparently instructed managers to record strike action as LWOP. This is not acceptable. LWOP has to be applied for, by the individual concerned, and approved on a case by case basis. Strike action is not LWOP. LWOP comes off an employee's length of service and could disadvantage them regarding calculations of long service leave, redundancy and the like.

To disadvantage an employee as a result of taking legal, protected industrial action is illegal and Telstra HR knows it.

CEPU has represented the issue to HR and they have responded by stating that employees will not be disadvantaged. But how will they guarantee that outcome?

CEPU is following this up and we will not tolerate any disadvantage here.

INDUSTRIAL ACTION AND SICK LEAVE

Another unacceptable instruction coming from management in at least some areas is one relating to sick leave. The instruction from management witnessed by us, tells employees that during the industrial dispute all sick leave has to be accompanied by a doctors certificate.

The award states:

25.4 Supporting evidence of sick leave and carers leave

25.4.1 *An employee will be entitled to up to a total of five days paid leave for sick leave and carers leave purposes in any sick leave year without medical or other supporting evidence. However, medical or other supporting evidence must be provided where a period of sick leave exceeds three consecutive days, or an employee's supervisor requests medical or other supporting evidence within a day of an employee resuming work.*

25.4.2 *If an employee's supervisor does request medical or other supporting evidence and an employee has not sought medical evidence during absences of up to a total of five days in any sick leave year, a statutory declaration describing the illness will be satisfactory supporting evidence.*

WELFARE FUND CEPU MEMBERS

The CEPU is in the process of establishing a welfare fund to assist members who may be in financial difficulties for various reasons.

The fund could be of some value in times of industrial action, such

as that which exists in Telstra at present, and beyond the industrial action, as economic times become more difficult.

The fund will be built on donations from members, and others, including the union itself. In that regard in a small effort the CEPU officials will pay two days pay into the fund to match the losses of some members in the recent industrial action.

Members who go on strike indefinitely for periods longer than 48 hours should contact the fund for assistance.

Other members who have been on strike for shorter periods (4hr, 24hr, 48hr), and who are in financial difficulties should also contact the fund for assistance.

The welfare fund will be an ongoing institution as a service to members in these difficult economic times and beyond, and the contact details, management arrangements, and assistance criteria will be published shortly.

In the meantime any members requiring assistance should contact the Branch Office or failing that the Branch Officials/Industrial staff on their mobile telephones.

TELSTRA EMPLOYEES ON CURRENT AWAs

There are a number of issues you need to be aware of, in your own interests, in the current situation:

- * The new Federal Government legislation (before Parliament at present), allows current AWAs to continue indefinitely after their expiry date, if the parties so wish. The legislation is expected to be in place by July 2009.
- * The CEPU is pressing to enable employees on AWAs to choose to move to the award/EBA at a time of their

own choosing, as part of the current EBA campaign.

- * If Management's Employee Collective Agreement (ECA), gets implemented in your area you would be locked into Part B of the ECA, if you return to the ECA after your AWA expiry date. What is more Part B is in effect almost identical to AWA conditions. The ECA prevents you from moving to Part A which has more beneficial pay, conditions and rights. Your choice is in effect eliminated.
- * The current industrial campaign by your workmates, (employed on the EBA or on an expired AWA), to win better pay, conditions or workplace rights, than exists in Telstra's ECA, is fundamental to your future. The EBA keeps a "floor" under your conditions in the AWA, and if the union campaign is successful you would avoid the Part B arrangement if you choose to transfer to the award/EBA in the future. That is, you would avoid being "locked in" to AWA type conditions forever. This would provide you with genuine choice.
- * Even though Telstra Management are hoping to use you against your fellow employees who are taking industrial action, they are trying to use you and press you to take action against your own interests. Think about it.

What Can You Do To Help Your Colleagues?

- * Contribute to the CEPU welfare fund to help those who are out on strike. Donations are strictly confidential.
- * Don't be bullied or harassed by Management to do work that will detrimentally impact your family life and your

health and welfare. You can only do so much in a day.

PS: We hear that some AWA staff are being provided with a special issue of mobile phones to "keep charged and turned on in case of emergency". Telstra can't dictate what you do in your private time. Whether you keep the phone on is your business and no one is required to be on-call or available out of normal hours. What do they define as an emergency? Seek CEPU's advice.

CONGRATULATIONS TO OUR "NEW MEMBER" WINNERS

We congratulate two of our newest members who were lucky enough to win a prize simply for joining the CEPU. Christmas came early for David Feng who won the 26" LCD Television and Lisa O'Brien the Tabletop Heater. Our winners' names were drawn at the December meeting of members at the CEPU Clayton office.

CEPU MEMBERS TAKE NOTE:

There is still time for you to be in the draw for another Flat Screen TV.

You will also get 2 free movie tickets for every new member you help sign up.

So KEEP RECRUITING!

JOIN NOW!

GET A DISCOUNT AND TAKE PART IN THE EBA ACTION

If you become a union member soon, you will:

- * **get a 50% discount start-up union rate for the first half of a year's membership, (and remember, everyone's union dues are fully tax deductible).**

If you pay annually you receive a further 10% discount on your already discounted annual dues.

This 10% discount is available to all members.

Sign up with the union and be part of the campaign to win an EBA which will benefit us all.

Build and strengthen our membership to secure a good EBA.

There has never been a more important time to join the CEPU!

THE PUBLIC SUPPORTS YOUR STRIKE ACTION

Some members would be aware that Channel 9 conducts an MSN 24 hour poll each weekend, on a particular topic.

The weekend before last the question asked by the MSN poll was:

"Do you Support the Telstra workers who are on strike?"

The result of that 24 hour poll was:

YES: 260256 (90%).

NO: 28196 (10%).

Looking back at the usual voting patterns on various questions, the numbers of people voting is generally in the 30k, 40k 50k etc, vicinity so this was truly a monumental result.

LEN COOPER Branch Secretary



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