

# S.The Signal

Issue No. 575  
4 February 2009

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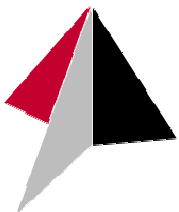
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## **ECAs DON'T BE CONNED BY A DISHONEST AND UNTRUSTWORTHY MANAGEMENT**

As we move into an economic crisis why would you put more power into Telstra management's hands through their ECA?

### **Why give them even more power:**

- **over your job security/insecurity?**
- **to lower your banding and classification level ?**
- **to vary your hours of work, your span of hours and which days you work?**
- **to get rid of you with or without a redundancy agreement?**
- **to manage you out of the business through their bogus performance system?**
- **to block employees from volunteering to come off AWA type conditions.**

**No pay increase is worth this and their performance bonuses are a joke for most.**

Let us look at the lies they have told in the hope of strong arming you into their management drafted, non-negotiated, take it or leave it pay and conditions contract, called an ECA.

### **LIE NO 1:**

***"The Union Is Still There To Represent You."***

Because Telstra is being told by nearly all employees (union members or otherwise), that they want the right to have the union represent them, they have placed in their document, words that say you can have

anyone represent you in a dispute.

The agreement they want is a non union agreement under the law. Why would they want a non union agreement if it enables union involvement? It's nonsense isn't it?

**The fact is that unions would have no guaranteed right of entry to the workplace, most of their effective weapons to represent you are removed, and the union's role is very restricted. That's what non union contracts are all about.**

### **LIE NO 2:**

***"It's Your Agreement."***

The non-union contract is a management idea, it is management drafted and developed, it has only been negotiated with themselves. The management have spent over a year of massive effort in trying to sell it to you, to harass you over it, to bully you over it, to deceive you over it and to lie to you about it. Do we honestly believe that this massive effort has gone into it for the employees' good?

**Remember the secret slides which exposed management's secret plans to use this management contract to reduce your wages and conditions to the low levels of some of the industry competitors. That is what their contract is all about.**

It's not "your agreement" this is another con. It's their contract for their benefit.

### **LIE NO 3:**

***"The Economic Crisis Means You Should Take The Money And Run"***

Telstra is saying this about the economic crisis.

*“Chief Financial Officer John Stanhope told investors “History shows that during periods where the economy slows or even declines, Telstra and its sector continue to grow at rates above GDP (gross domestic product). We would expect that to again be the case.” [The Age, 7 Nov 2008].*

**They are saying this to the market and then telling lies to you to try to panic you into taking less than you deserve, so that their already fabulous profits are further boosted and the senior management can continue to draw their obscene remuneration packages at your expense. How corrupt and dishonest is that?**

The solution to the current crisis is to put more money into people’s pockets to spend and create jobs. Every major government in the world is spending massively to lift purchasing power to drive growth and rightly so.

**The 4.5% pay offer for the first year of their contract is inadequate. Telstra workers haven't had a pay increase for 16 months, and that period saw the highest increase in cost of living for years; 5.7%.**

**Telstra workers have been tightening their belt for years. They have only had a 2.5% annual increase in 2005/6/7 and then no increase for 16 months.**

Don't cop telstra's self serving con about the economic crisis.

#### **LIE NO 4:**

*“The Benefits Of The ECA Are Significant To Employees”*

The "benefits are actually very few.

**Telstra employees current working conditions are all protected by the 2005/8, union negotiated EBA, not Telstra's ECA. This is another little deception on their part. Those conditions just run on.**

Telstra's ECA reduces current conditions, such as the redundancy agreement protective clauses. If you vote in the ECA you will lose access to the protective clauses in the redundancy agreement. Management is deliberately hiding this information from you.

About the only so-called “benefit” in the ECA is a wage offer of less than the cost of living in the first year at least.

#### **Some Points About Voting On The ECA**

If you don't want the ECA **you must make sure you vote and vote no** because the ECA can get up with a very small number of votes. Telstra only requires the majority of **returned votes** to get their ECA up, not the majority of people in an area. So if you don't want it you must make sure you vote and vote no.

The voting is electronic, via email, so make sure when you vote, that your vote doesn't simply pop into the “outbox” of your computer and no further.

If you will be on leave or on a strike day etc, during the voting period, make sure you make

alternative arrangements with management to get a vote. It is your right under the law to vote in the ECA ballot. Contact the CEPU with any difficulties.

**YOU MUST MAKE SURE YOU VOTE AND VOTE NO!**

#### **TRUJILLO COPS BANKS' HEAT OVER STRIKES**

[ZDNet.com.au 28 January 2009]

**Telstra chief executive Sol Trujillo has been called in to settle complaints by CommBank and NAB that industrial action at the telco has threatened key transactional systems, the Communications, Electrical and Plumbing Union (CEPU) claimed this afternoon.**

Assistant CEPU secretary Burt Blackburn today said that Trujillo had been called upon to address complaints by the two banks. A Telstra spokesperson did not immediately respond to a request for comment.

"Current and previous industrial action is creating problems for Telstra. There have been customer complaints from the NAB and Commonwealth Bank," Blackburn told ZDNet.com.au by email.

**Today's statement by the CEPU follows claims by Telstra last week that the industrial action by the union had had little effect on Telstra or its customers.**

**However, CEPU's Blackburn said that Telstra had now called upon Trujillo to step in and reassure customers due to the level of complaints and importance of those customers.**

A spokesperson for CommBank said that it was working with Telstra towards finding a solution, "as are all the banks". A spokesperson for NAB, however, said the bank was not aware of any concerns to the underlying carriage that supported its EFTPOS networks.

The complaints, according to CEPU's Blackburn, were due to delays on maintenance to Telstra's Argent service — a key system which handles a range of transactions, including EFTPOS between merchants and banks. Argent sits within Telstra's Next Generation Operations (NGO) centre, which had been targeted for work stoppages last Thursday.

"Backlogs of work just keep building up and targets are now blowing daily," said Blackburn.

**"The Telstra workforce management area is reporting that the activation area of NGO has been in chaos since the industrial action began before Christmas."**

Despite efforts to lure workers into completing maintenance work, such as offering continuous overtime, it has had little effect in progressing maintenance work, said Blackburn. "In just the week since the 21st of January the backlog of work has jumped by 34.8 per cent," he said.

Westpac and ANZ Banking Group were unable to comment at the time of writing.

**A JACK LONDON SHORT STORY FROM YESTER YEAR – ABOUT SCABS**

'After God had finished the rattlesnake, the toad, and the vampire, he had some awful substance left with which he made a scab.

A scab is a two-legged animal with a corkscrew soul, a water brain, a combination backbone of jelly and glue.

Where others have hearts, he carries a tumour of rotten principles.

When a scab comes down the street, men turn their backs and angels weep in heaven, and the devil shuts the gates of hell to keep him out.

No man (or woman) has a right to scab so long as there is a pool of water to drown his carcass in, or a rope long enough to hang his body with.

Judas was a gentleman compared with a scab. For betraying his master, he had character enough to hang himself. A scab has not.

Esau sold his birthright for a mess of pottage. Judas sold his Saviour for thirty pieces of silver.

Benedict Arnold sold his country for a promise of a commission in the British army.

The scab sells his birthright, country, his wife, his children and his fellowmen for an unfulfilled promise from his employer.

Esau was a traitor to himself; Judas was a traitor to his God; Benedict Arnold was a traitor to his country.

A scab is a traitor to his God, his country, his family and his class.'

## **CAN YOU TRUST TELSTRA'S ADVICE?** **[Joint Union circular]**

**Telstra HR has been forced to admit that some local managers have given incorrect information to staff about redundancy rights in the latest agreement proposals. Team leaders are under pressure from above to get ECA votes through before workplace laws change. So before you make a decision about your future – make sure you get all the facts from your union**

Industrial action having big effects

Of course, Telstra are playing down the unions' campaign, but we know its working. Recent developments include:

- Three+ weeks delays in tickets of work in maintenance (services) and installation (provisioning)
- At least three separate delays to banks being cut over under Telstra's new transformation project
- Major failures in EFTPOS and ATM services - up to a third of the network down. Failures at Fuel Stations and the IGA grocery chain.
- Shutdown of alarm indicators at the Global Operations Centre which showed overload of faults; Telstra has been forced to downgrade alarm status of faults to make them appear less important.
- Transmission and network failures e.g. Austpac, mobiles in Queensland, WA and Victoria, major NAB outage, Service Delivery in

Adelaide leading to six times the delay in repairs

**This disruption is Telstra's fault. HR needs to come back to the table so we can get on with negotiations.**

*By voting No to Telstra's offer and supporting the unions' campaign, you can make a difference.*

**Is the voting system fair? Concerns are growing about online ECA voting, as a voting record goes straight to your Telstra email address. Many staff want Telstra to use the Australian Electoral Commission, but even when the AEC is involved, Telstra won't release vote outcomes or allow scrutineers for counts. Newspapers report the AEC has stated some Telstra ECA ballots were flawed and did not meet AEC standards.**

A decent and fair place to work? Your agreement is only as good as its dispute settling process. Telstra does not want you to have access to the independent umpire (AIRC/Fair Work Australia) if you have a dispute at work. Access to the umpire means employers act more fairly. Part B of Telstra's ECA gives management total control on pay, classification and hours or work. Part B staff will be the bulk of the workforce and their numbers will increase over time, so there will be pressure on all staff.

**Expired AWA staff – Be AWAre! Telstra's offer contains two completely different classification and pay scales. Many union members who have tried to translate from AWAs to the Part A pay sys-**

**tem have been told that rate for the work they do is far less - so your "choice" to move to Part A may be no choice at all! Telstra's pay and classification system is unfair and needs to be reviewed.**

Pay and Inflation: Telstra are saying it's a good pay rise. In considering their offer, it's important to remember that an agreement is a *package* of wages, conditions and rights. Its also important to consider increases in cost of living since you last got a pay rise in September 2007 (the ABS Analytical Cost of Living Index for employee households increased 5.7% in the 12 months to June 2008); and your capacity to negotiate in future if Telstra's divide and conquer strategy is successful.

**MEMO TO UNEXPIRED AWA EMPLOYEES: ECAs ARE PREVENTING YOU FROM IMPROVING YOUR WORKING CONDITIONS AND YOU DON'T EVEN GET A VOTE**

**[Joint Union circular] One of the great injustices of Telstra's "divide and conquer" strategy of releasing non-negotiated, non-union, part A/B agreements to small groups of staff is that the big losers are those who don't even get a vote - employees in those areas on current AWAs and future Telstra employees.**

**How can this be?**

Because where an Employee Collective (non-union) agreement is approved for an area in nearly all cases it means that for AWA employees, when their AWAs expire, the only option if you wish to be covered by an

agreement is to be covered by the vastly inferior pay and conditions clauses contained in part B. For a detailed analysis of the standard Telstra ECA offer go to [www.vourrightsatwork.com](http://www.vourrightsatwork.com)

**Telstra HR is able to do this because the current discredited WorkChoices provisions allow it. They are "squeezing the last bitter lemon" from this legislation just prior to new laws being introduced from 1 July.**

**Why do Telstra HR want a two part agreement? Surely everyone should be treated equally?**

The answer to this would appear to be that Telstra is using the part B section of its agreement to prevent current AWA staff from improving their conditions of employment to those enjoyed through the current union negotiated EA. In particular, the current lesser conditions in Part B (such as hours of work and sick leave) become entrenched under these proposed ECAs.

**What can I do?**

Talk to your workmates about the impact upon current AWA employees of the Telstra ECAs. If an ECA is being voted on in your area encourage those voting to vote No.

**Email Telstra ECAs and let them know that as a current AWA employee you want to have the choice to be covered by any endorsed agreement. Send a copy of your email to your union.**

**LEN COOPER  
Branch Secretary**