

S.The Signal

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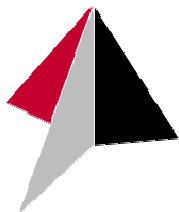
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TELSTRA: A BANKRUPT MANAGEMENT PHILOSOPHY AND OPERATION

Members of the CEPU right across Australia are rejecting Telstra's non-negotiated, non-union, third rate contract called an ECA. In network operations, in mobiles, in service delivery, in call centres, in E000, in IT services, in Construction, in most technical areas, in other words, in the highly unionised areas of Telstra's operations, employees have rejected management's trickery, lies, deception, harassment and bullying.

Even within those smaller, under unionised areas where management have been able to orchestrate a yes vote, there are unionists and non unionists, who are very angry at being locked in to management's non-union, non-negotiated contract.

CEPU members have been telling their managers for months, over and over again, that they didn't want their non-union contract.

How is it that a management as a group can get it so wrong?

Because their philosophy, structure and operations are bankrupt and outmoded.

Let's look at it:

- 1 Almost all managers are on individual contracts which give corporate management the power of "life and death" over them.

- 2 Many managers operate on the basis of "passing up the line", what it is they believe higher management want to hear and see, not "what really is".
- 3 Many managers believe their own propaganda, wrong conclusions and misconceptions. There is nothing surer than this to keep them making the wrong decisions.
- 4 Many managers are basically contemptuous of employees (covered up by PR), and think that lies, deception, harassment and bullying etc are the way to manage.
- 5 Many managers believe in "directives" in stead of consultation, and "commands" instead of winning cooperation
- 6 Many managers believe in "divide and conquer" instead of team work.
- 7 Many believe in ruling by fear and threats, (implied or otherwise), instead of setting an example and having confidence in their employees' capacities, strengths, commitment to the job and customers.

All of the above is driven by a corporate management approach that has got it all wrong.

Unfortunately it will take a clean out at the top (at least), to drive change, and hopefully change for the better.

CEPU's EBA IN TELSTRA MEETINGS for members and other staff

- * **TELEPHONE HOOK-UPS**
COUNTRY BASED MEMBERS: MONDAY 16 MARCH 2009 7.30PM.
- * **WORK CENTRE VISIT:**
GOC 12 Noon to 2PM TUESDAY 10 MARCH 2009. In the LINK ROOM
- * **CLAYTON:**
CEPU ACTIVISTS/METRO TECHS MEETING: TUESDAY 10 MARCH 2009. 7PM at 47 HENDERSON RD
- * **CBD METRO**
12 Noon - 2PM – WEDNESDAY 11 MARCH 2009 – 12.15PM – 1PM & 1.15PM to 2PM COOPERS INN 282 Exhibition St. (Cnr Lt Lonsdale St)
12 Noon - 2PM: THURSDAY 12 MARCH 2009 – 12.15PM to 1PM & 1.15PM to 2PM SCOTS CHURCH HALL, 99 Russell St, (Rear of Church)
- * **OUTER METRO**
SOUTH EAST: 7PM TUESDAY 10 MARCH 2009: CLAYTON - 47 HENDERSON ROAD
NORTH: 7PM WEDNESDAY 11 MARCH 2009: PRESTON MASONIC HALL 382 Bell Street
WEST: 7PM THURSDAY 19 MARCH 2009: WERRIBEE COMMUNITY CENTRE, 4 Synnot Street ext. Room 5

The CEPU members' resistance and industrial campaign, which will now step up in intensity, will give such change a chance. Will the system be capable of taking it? It is unfortunate it has to be done this way.

TELSTRA'S DECEPTIVE AND MISLEADING (D&M) CONDUCT

Given some of Telstra's latest propaganda we think it is necessary to examine and refute the deceptive and misleading content contained within it. They have used, and are continuing to use this deceptive and misleading content to try to "sell" their ECAs.

D&M No.1: "THE ECA PROTECTS YOUR MAJOR CONDITIONS OF EMPLOYMENT"

WRONG. In fact it is the current union negotiated EBA that protects ALL current conditions of employment. What is more that protection continues indefinitely, until the EBA is replaced by another agreement. You don't need the ECA to protect your conditions of employment.

D&M No.2: "THE REDUNDANCY AGREEMENT IS PROTECTED BY THE ECA"

WRONG. The ECA only includes the redundancy payout (won by union action years ago), but EXCLUDES many of the employee protective clauses used by the union many times against unfair management decisions relating to redundancy.

The ONLY thing protecting the current redundancy agreement it its entirety, is the current union negotiated EBA. While the EBA exists, the redundancy agreement is protected.

D&M No.3: "THE UNION CAN STILL BE INVOLVED TO PROTECT YOU IN THE NON-UNION ECA"

WRONG. In the ECA the union has no guaranteed right to enter workplaces to talk to members and potential members as it can now, protected by law.

In the ECA the union has no guaranteed right to represent members at all times and on any issues as it currently has, protected by the law.

In the ECA employees and their unions have no right to access the Arbitration

Commission to seek fair treatment decisions which are binding on the employer. Telstra is judge, jury and executioner.

In the case of "Part A", they are confined to "conciliation" with no arbitration. Even this is qualified and undermined by Telstra policy.

In the case of "Part B" employees, they are confined to Telstra's internal "unfair treatment" processes. They are excluded even from "conciliation".

In fact, the only way in the ECA that employees can try to enforce the agreement, and/or force fair treatment on Telstra in any dispute, is either through the Federal Court/High Court system, or the totally inadequate, slow and cumbersome processes of the Workplace Authority, established by the Howard Government.

D&M No.4: "THE FEDERAL LABOR GOVERNMENT WILL CHANGE ALL OF THIS"

WRONG. The Federal Government is about to change some things for the better, but it is not about to change much of the above.

Big employers like Telstra have been very successful in lobbying the Government about the industrial relations changes to date.

D&M No.5: "YOUR CURRENT BANDING/CLASSIFICATION LEVEL IS PROTECTED BY THE ECA"

WRONG. The benchmark job descriptions used to establish the guidelines for some benchmark jobs MAY be protected,(except for the inadequate enforcement mechanisms mentioned above), but Telstra is regularly attempting to down grade jobs, by transferring them into other workstreams, by utilising their non agreed system (the Part B system) and by other devices(eg fill and spill, reorganisations etc).

Without arbitration to enforce the agreement the downgrading of jobs by management becomes easy.

D&M No.6: "THE PAY INCREASE IN THE ECA IS FAIR"

WRONG. Telstra employees have not had a pay increase for 16

months and even then the last increase was only a 2.5% increase in September of 2007.

The period since that time has witnessed the cost of living jump from about 2% per annum to 5.7% per annum up until late 2008.

The 4.5% offered in the ECA Part A is inadequate. There is in fact no annual wage increase offered or guaranteed in Part B of the ECA.

In regard to the 4% increase per annum on offer for the second and third years of the ECA, at least any agreement should not only guarantee an annual increase of 4% per annum but **an increase equivalent to the cost of living, whichever is the higher.**

The performance bonus on offer means very little for most employees, and can be manipulated by Management so that it means very little for the rest as well.

Apart from all of that any bonus is just that, and doesn't count as salary. So for Management to couple the bonus, with discussion about the salary increases on offer is itself misleading.

On all of the above issues Telstra has distributed, and is distributing, deceptive and misleading information to its employees.

Ironically, Telstra took the CEPU to court last year claiming that the CEPU was distributing deceptive and misleading information about the ECA. The Federal Court threw Telstra's case out and in the process Justice Sundberg indicated that his interpretation of the material placed before him, was similar to the union's interpretation.

This should help consolidate the fact that the CEPU is placing accurate, factual information before you to assist you in making your judgments on these issues. It is in fact Telstra which is being false and misleading.

LEN COOPER
Branch Secretary

ECA NO WAY! UNION EBA THE ONLY WAY