

COMMUNICATION

TELCO NEWS

FEBRUARY 2009

Vote NO to ECAs - FIGHT to SECURE an EBA

(SEE ENCLOSED ACTION DETAILS)



Financial members of the CEPU can now benefit from free Journey Insurance Cover, which will help protect their financial security in case of an accident.

Cover includes:

- 85% of your average gross weekly wage up to \$1500 (including overtime normally worked, allowances or bonuses earned).
- The benefit begins after 2 weeks off work and is payable up to a maximum of 104 weeks. If you are over 66 this benefit term is reduced to 52 weeks.
- If you return to work in a reduced capacity the weekly benefit will be the difference between the above benefit and the weekly wages earned in that reduced capacity.
- There is an Accidental Death Benefit of \$100,000 (or \$20,000 if you are without dependants).
- Medical costs are not covered.

The union has been able to fund this scheme within what we're able to afford under current membership dues. We could only fund a more comprehensive scheme by increasing our dues – which would have the effect of making membership expensive for ordinary workers.

Full details are on the Federal Union web-site:

www.cepconnects.org/about-us/our-services/cepu-journey-cover

The CEPU is pleased to announce an important, new measure for its members: free journey cover to and from work ... from 1 January, 2009.

As you know the former Howard Government stripped away a critical protection for Australian workers: the right to claim workers compensation for injuries sustained on your way to and from work. And workers who sustained an injury while on a meal break away from a workplace also had their workers compensation rights seriously limited. The former Government made these changes for no other reason than to cut \$20m per year.

With this new benefit... in the event of an accident on the way to and from work financial CEPU members are now insured at no cost to themselves. Similarly, financial members are covered if an injury is sustained during an authorised employer meal break. This new policy will also cover members who might experience an accident on their way to or from an out-of-hours Union meeting.



Connecting
our community

ECA NO WAY! EBA THE ONLY WAY!



MORE MANAGEMENT ECAs BITE THE DUST!

Below is the adjusted list
of ECAs recently voted down
by employees.

Those in capitals are the latest ECAs
to be voted down in the last 48 hours or so.

- SF&O
- Network Security
- INO
- Network Construction (Access Network Design VIC/TAS)
- Network Services 4
- Finance and Administration (Charging Integrity Assurance – CIA)
- Service Delivery (Regional SA and Far West NSW)
- Service Delivery west region WA
- Telstra Business Services
- IT Services
- E000 service
- IP Services, GNO Sydney
- Solution Design and Implementation NSW
- Telstra Contact and Service Centre
- Telstra National Delivery Solutions (Network Programs)
- Telstra Service Advantage (Call Centric)
- Telstra Service Delivery (West Adelaide Technical Services Group)
- Service Delivery North West WA
- Northern Territory/Kununurra
- Quantum Call Centre (Perth)
- Alchemy Call Centre (Burwood Vic)
- Finance and Administration (Billing Ops and Transformations)
- Network Services 2 (Security)
- Network Construction 1
- Mobile Wireless (4 agreements in Vic/ACT, NSW, SA, WA)
- Network Enterprise Services (Professional Services)
- GLOBAL NETWORK OPERATIONS (GNO)
- SERVICE DELIVERY SYDNEY NORTH
- SERVICE DELIVERY NOVA COAST
- SERVICE DELIVERY NEW ENGLAND (far north coast)
- C&M CONSTRUCTION NSW (2 agreements)
- SERVICE DELIVERY BRISBANE SOUTH
- DATA SERVICES/EXCHANGE SERVICES ADELAIDE
- NETWORK CONSTRUCTION DESIGN NT
- WHOLESALE VIC
- NETWORK SERVICES 3

Plenty more to come yet.

BUSHFIRE RELIEF

We are aware that there have been at least 4 Telstra members burnt out. We are giving direct support to any members badly affected by the Victorian bushfires.

The CEPU is making an initial grant of \$1000 to each of these members.

TRAINING & MEETINGS

Delegates & members who would like to attend should contact the union for details

Return to Work after a Workplace Back Injury

A free forum with a panel of experts to discuss workplace injuries and RTW after a muscle stress or strain injury.

Tuesday 3 March 2009 9.30am – 12.30pm
at VTHC cnr Lygon & Victoria Streets,
Carlton

Comcare Seminar

Free session Friday 13 March
8am – 12.30pm
Rydges Hotel Melbourne

VTHC Comcare Course

for Health & Safety Reps
April 27 – May 1 & July 13 – 17
9am – 5pm
VTHC, Carlton

NEXT UNION GENERAL MEETING

The next meeting is on
Saturday February 28 at 1pm.
BBQ provided.

Come and find out what has
been happening and have
your say.

Unions have early win in Telstra ballot test-case

THE CPSU HAD AN EARLY WIN IN LEGAL action today that could turn out to be a test case on the legality of Telstra's non-union agreement roll-out strategy.

The union lodged an urgent application in the Federal Court seeking an injunction to stop a ballot of 160 employees for the Telstra Consumer Marketing and Channels (Customer Solutions Management) employee collective agreement.

But when the hearing commenced at 2.15pm today, Telstra told the court that the injunction application was unnecessary because it had withdrawn the ballot.

CPSU national secretary Stephen Jones welcomed the company's move to withdraw the ballot, but said it was unfortunate it took the threat of litigation for it to do so.

"I think Telstra have realised there is something pretty crook with the way they've been approaching these agreements and I hope it causes them to reflect and decide to sit down and talk to the union and negotiate in good faith," he said.

He said the union would bring the case to trial and that any decision on the legality of the ballot would have ramifications for other ballots at the company.

The CPSU's application is directed against Telstra's move to ask employees in different locations spread over four states to vote on the agreement.

It argues that, because the employees are not told who the other workers participating in the ballot are, they are not given "a reasonable opportunity to decide whether they want to approve the agreement" as required by s340(2)(a) of the Workplace Relations Act.

Maurice Blackburn partner Josh Bornstein, who is acting for the CPSU, said the argument in the test case has never been run before because the strategy is one that hasn't been seen before.

Telstra's strategy denies workers the opportunity to "talk to each other, debate the merits, lobby [or] argue" about the agreement they are voting on, he said.

"This is the collective agreement you have when you are not having a collective agreement," he said.

While the ballot at the heart of the case has now been

withdrawn, he said the strategy has been deployed in other parts of Telstra and that "we will be monitoring the situation very closely to ensure that Telstra does not seek to deploy this strategy again".

In addition to the union's claims in relation to s340, it also argues:

any attempt to lodge the agreement would breach s341, which requires employers only to lodge agreements approved in accordance with the Act; and

that any agreement resulting from the ballot would be null and void because it does not relate to a single business or part of the business of Telstra, as required by s327.

It also sought an injunction against the company Telstra uses to conduct its employee ballots, Direct Link Marketing Services Ltd.

With the injunction application now unnecessary, the matter will proceed to trial to deal with the union's claim for declarations that Telstra has breached the above sections of the Act.

Telstra was unavailable for comment.

Meanwhile, the CPSU called on the Parliament to consider the actions of Telstra towards its employees over the past decade when considering whether to support the Fair Work Bill.

Appearing before the Senate Education, Employment and Workplace Relations Committee's public hearings on the bill in Melbourne this morning, the CPSU's Jones said Telstra had displayed hostility to bargaining with unions and that employees are routinely told they have no right to representation in their individual dealings with the union.

Several Labor and Coalition senators on the committee expressed surprise at Telstra's move to back a charter of human rights in a submission to the National Human Rights Consultation.

Asked for his response, Jones said he was amused and sceptical about the position Telstra had taken on the proposed charter.

"I'm surprised by Telstra's new-found enthusiasm for human rights, its an enthusiasm that probably stops at the entrance to their buildings," he said.

We need information re the artificial scoping of ECAs that do not reflect distinct parts of the business. That is the carving up of the business to suit an outcome. eg Service Plus ECA was originally Perth & Townsville, the ballot goes down and then it is rebadged as Perth because Telstra knew there was a strong "No" vote in Townsville.

There are others Wangaratta Call Centre (Icon) grouped with Sensis. Wireless ECA grouping Qld and Tasmania etc. Please provide any info you can on these examples including email trails and statements from members etc.

The outcome from the Federal Court reported above was a good indicator that Telstra can be challenged on the ECA process.

NB. The challenge to the registration of the Western SDA ECA is proceeding. Val Butler is collecting statutory declarations still if you haven't told YOUR story.

Sol on Song



The Sol Trujillo Farewell to the World 2009 tour bus is back in Europe.

After sellout dates in Davos, China, Las Vegas, and, yes, even Sydney, today he is beaming in to Telstra's latest launch from Spain at 3am local time. (That's why they pay him the big bucks.)

Sol is practising his flamenco at the Mobile World Congress in Barcelona where he will appear at a forum discussing mobile internet and hanging with his Microsoft pal Steve Ballmer.

It all makes you wonder: who is running the Telstra show, particularly now that Greg Winn is gone?

ETU Support for CEPU INDUSTRIAL CAMPAIGN

In a tremendous show of solidarity for CEPU members' strike / struggle against Telstra Management, the ETU Secretary Dean Mighell notified us that the ETU is donating \$10,000 into the CEPU Members' Welfare Fund.

Dean has also offered additional support to help with organising and other work required for a successful campaign.

We thank Dean and the ETU on behalf of all Telstra members.

The welfare fund will be an ongoing institution as a service to members in these difficult times and beyond. Contact Sharon Benson 9347 8388 if you have any enquiry re payment to the fund. Donation details are:

Direct debit through your financial institution or EFT to: CEPU Welfare Fund. BSB: 063262 Ac No: 10454772

Cheque or money order made out to CEPU Welfare Fund and posted to: CEPU Welfare Fund, 1/139 Queensberry Street, Carlton South 3053.

Credit Card over the phone to the Branch – 03 9600 9100



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Union pursues Trujillo

Mitchell Blagemann
Telecommunications

HUNDREDS of Telstra workers stormed the company's offices in Sydney yesterday demanding that chief executive Sol Trujillo return to the negotiating table on union employment agreements.

Some 200 protesters took the fight to Telstra's offices waving like \$137 million notes emblazoned with the face of Mr Trujillo and carrying placards denouncing Telstra's refusal to negotiate on pay and conditions.

Telstra's chief executive was nowhere to be seen, however, as he was absent in Perth on a peace-keeping mission after industrial action the previous week caused a 48-hour network outage for one of the telco's biggest customers.

"Sol is in Perth this week to placate a crack of upset customers who had network disruptions that our union members would not fix due to the industrial action," Communications Electrical and Plumbing Union national president Ed Husac said.

The union said Mr Trujillo went to Perth to reassure labour hire firm Integrated Workforce that the telco could still handle the company's network needs. It said Integrated Workforce had a \$5 million a year telecommunications contract with Telstra.

"It was the local area network that went down, effectively locking out Integrated's employees from internet access and knocking offline the server that carried the company's webpage," Mr Husac said.

An Integrated Workforce employee confirmed that an outage took place but could not say if it was related to Telstra or if it was exclusive to Integrated Workforce's Perth premises.



Protesting Telstra employees draw attention to chief executive Sol Trujillo's \$13.4 million pay cheque for last year



Authorised: Joan Doyle,
Branch Secretary