

E-BULLETIN Telecommunications

#19. October 2016.

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1. CWU disputes Telstra Wideband redundancies

The CWU has taken Telstra to the Fair Work Commission (FWC) over redundancies in Wideband Design.

We lodged a dispute with FWC because we considered that Telstra failed to provide enough information to the union to back up its claims that the jobs being cut were actually redundant.

The matter was heard before Deputy President Hamilton on Thursday 13 October and the CWU was represented by Divisional Assistant Secretary, John O'Donnell, Victorian T&S State Secretary, John Ellery and Divisional Legal Officer, Dahlia Khatab.



While we did not get a result which put a halt to the redundancy process, we did get a commitment from Telstra to consult further with the union on maximising redeployment opportunities for those who want them.

Telstra first notified the union of its initial decision to undertake site function closures at three sites, Ballarat (Vic), Hobart (Tas) and Netley (SA) last month. The proposal involved a reduction of 53 roles and the creation of 9 new ones. Telstra has since modified this slightly, with an additional site access (SAT) role to be created in regional Victoria and a new workflow role being created in Hobart.

But that still leaves a net loss of 41 skilled jobs in parts of Australia where jobs are already hard to find.

The CWU will now meet again with Telstra during the week beginning 17 October with a view to ensuring that as many of those affected by these redundancies and still wanting to work in the company can do so.

Design skills are in demand in the current NBN-dominated environment and common sense would suggest that there must be roles in Telstra for these employees.

2. Leave 000 with Telstra, says union

Alarm bells have been set ringing by the federal government's announcement that it is putting the 000 emergency call service out to tender.

The move is in line with the terms of the Definitive Agreements between Telstra and the government drawn up in 2011 as part of the NBN project. Under those Agreements, Telstra was to remain the Emergency Call Service provider for 20 years, subject to the results of a competitive tender within 5 years.



But CWU officials say the exercise is a waste of time and money and transferring the service away from Telstra would put public safety at risk.

Telstra has had responsibility for 000 since the service was established in 1961 and has consistently met required service benchmarks despite the increasing challenges posed by changes in technology.

Today, for instance, some 67% of calls to 000 come from mobile phones while callers may also potentially use Over the Top voice applications to access the service. These trends mean that it can be difficult to identify the location of the caller.

The government has issued a separate Request for Expressions of Interest to see how such location-related problems can be addressed, with responses due by October 14.

When it comes to overall national coordination of emergency calls, though, the CWU believes the job still should definitely be done by Telstra.

"Telstra has the experience, the proven track record, the technological depth and, not least of all, the skilled workforce to perform this role," CWU Divisional President Shane Murphy said.

"In this area, it's the only game in town so it's a waste of time - and just creates community concern - to make Telstra jump through the hoops of the tendering process."

3. Networks Delivery redundancies: Telstra gets its 120 volunteers

Telstra has now moved to implement the 120 voluntary redundancies which it offered in Networks Delivery. The CWU met with Telstra on 5 October in relation to the redundancies.

As we had expected, Telstra had no difficulty in finding its volunteers.

While this no doubt in part reflects the age profile of this section of the workforce, it is also a sad reflection of the outlook of many Telstra employees, many of whom now have little confidence in their future with the company.

Of equal concern to the union is the fact that around 75% of those seeking redundancy are from Band 7 and above. These employees take their roles with them. So what we are seeing is a further loss of higher level skills from the company.



Telstra says that trend reflects changes in technology that mean that roles have changed and require less operator knowledge and skill.

We have heard all that before. The challenge now will be to make sure that jobs aren't being simply downgraded by Telstra as part of a cost cutting exercise. Members are asked to report any instances of jobs being backfilled by staff at a lower banding level to the union.

Members who have accepted offers of voluntary redundancy are reminded that they are still entitled to 4 weeks in the Placement Period and cannot be made to leave the company earlier without their consent.

4. Telstra trials new workforce management system

Telstra is set to trial a new workforce management system that will replace Connect, which it says is reaching the end of its effective life.



The trial of the new system, called Promise, will initially be held in Adelaide and will run over the next 12-18 months. It will involve a small number of Communications Technicians and Field Delivery Officers and will, in the first instance, be focussed on the handling of NBN-related orders.

A parallel exercise, based in Melbourne, will simulate future operations (including, presumably, NBN work) using the current system.

The CWU will be seeking a detailed briefing from Telstra about the proposed new system. It is also keen to receive feedback from any members involved in the trials.

5. Visionstream, Fulton Hogan win new NBN contracts

Visionstream and Fulton Hogan have won what nbn says are the last of the design and construction contracts for the Multi Technology Mix roll-out.

The contracts cover work on bringing the NBN to some 450,000 new development premises and the construction of 150,000 fibre links which will join the local NBN network back to the fibre transit network. The transit network is owned by Telstra and leased by nbn.

Both companies already have contracts for work on the NBN project. Visionstream has worked on the project from the early days of the first release sites in Tasmania and has had ongoing involvement ever since.

Fulton Hogan was one of the six companies named by nbn in July this year as Delivery Partners for the HFC upgrade.



Prior to that it was one of the five companies awarded five year contracts in 2015 to work on the Fibre to the Node (FTTN) and Fibre to the Basement (FTTB) components of the roll-out.

6. Lend Lease: EA discussions continue

The second meeting in the current negotiations for a new Enterprise Agreement (EA) in Lend Lease was held on Monday 10 October.



The agreement is designed to cover Lend Lease employees doing communications work. While the company only employs around 100 people in such work at present, it is set to expand its full time workforce after winning contracts related to the HFC component of the NBN roll-out.

Negotiations are at an early stage and the most recent meeting was spent hearing from employee representatives about issues they wanted dealt with during bargaining.

The CWU is currently consulting with its Lend Lease members and preparing a log of claims based on feedback from the membership meetings.

Any member who has not yet had input into these discussions should contact their CWU state branch now.

7. Silcar Communications: EA update

Negotiations for a new Enterprise Agreement to cover employees in Silcar Communications (now part of Visionstream/Ventia) continue. A second round of employee consultation sessions has just been held to seek feedback on company's latest offer.

As E-bulletin readers will be aware, the aim of the present negotiations is to see whether an agreement can be reached which will meet the objectives of both management and employees between now and 2018, when a single agreement covering both Silcar and Visionstream employees will be negotiated.



Silcar is currently seeking either to buy out or, in some cases, preserve conditions in the current Silcar agreement which are better than those available to Visionstream employees.

Employees are basically looking to protect the value of their current entitlements – not only over the next two years, but into the future.

Currently management is offering to buy out conditions such as the 36 ¾ hour week, double time payment for all overtime and a reduction in redundancy entitlements. But employees calculate that the sums on offer won't even compensate them for their losses over the next two years, let alone over future years if they stay with the company after 2018.

With employees currently unimpressed by management's proposals it is possible that a fresh approach to the transition between now and 2018 will have to be explored.

The negotiating parties meet again on 20 October.

8. One Nation shows its anti-union colours

For anyone who had any illusions about where Pauline Hanson's One Nation stands on union issues, the last few weeks will have been an eye opener.

Not content with backing Malcolm Turnbull in his war against the Victorian Labor government and the Victorian firefighters' union, it is now signalling its likely support for the proposed anti-union laws that were used as a trigger for the last election.



Those laws are designed to weaken the unions in the construction industry but will also flow through to other sectors such as telecommunications to the extent that companies are involved in "building work" e.g. work on the NBN.

But wait, there's more.

Newly-minted One Nation senator Malcolm Roberts says he has the backing of his party to seek further changes to current workplace laws to help "Aussie battlers" who are "losing their jobs, taking home less pay and getting a raw deal" because of the activities of union "bosses".

Not the activities of employers, who are presently driving down wages and sending jobs overseas by the thousands, but the activities of unions –and by extension, union members!

Roberts want to "free" workers by giving increased powers to the Australian Competition and Consumer Commission (ACCC) to stop supposedly anti-competitive union behaviour.

Competition law is already used by employers and governments to counter traditional union tactics such as picket lines and solidarity actions and it is not clear what further innovations Roberts has in mind.

You can be sure though that they will not be directed at strengthening the hand of workers when they seek to act collectively to protect their conditions and advance their interests.

9. CWU's Ed Husic gets new digital economy role

Former CWU Divisional Secretary (and President of the larger CEPU) Ed Husic has been made Labor spokesperson on issues relating to the digital economy.

The move comes after the resignation last month of former Communications Minister Stephen Conroy who as Minister had responsibility for the digital economy as part of his portfolio.

Labor has now effectively separated the role out from the broader communications portfolio, with Michelle Rowland continuing as Shadow Minister for Communications and Husic adding digital economy and the "future of work" to his existing responsibilities for workforce participation and employment services.

Dealing with this range of areas and issues will be no small task.



While the "digital economy" is opening up new work opportunities – both new jobs and new ways of working – it is also destroying existing ones. The new wave of computerisation and automation which is only just starting to hit economies such as Australia's will destroy many thousands of current jobs – not only in the services industries, but in manufacturing, in mining and, of course, the communications industry.

A report released last year by the Committee for Economic Development of Australia (CEDA) predicted that up to five million current jobs were likely to be automated by 2030, with nearly 40% of Australian jobs that exist today being at risk.

This prospect is a major challenge for political parties, unions and the community as a whole. The CWU wishes Ed Husic well in his new role and looks forward to working with him to help ensure that Australia continues to provide opportunities for skilled, satisfying and well-paid work to all who seek it.

10. Unions seek protections for digital economy workers

Being a “digital economy” worker may sound cutting edge.

But in fact, unions say, the conditions under which many such workers perform their tasks represent a throwback to the industrial Dark Ages.



And they are targeting one such company, Airtasker, for the introduction of “Dickensian” work practices wrapped up in “a cloak of innovation and progress”.

Airtasker provides a job-posting service that allows potential workers to take up job offers over a digital platform – for a 15% cut of the workers’ hourly rate.

That leaves the workers earning less than the legislated minimum, according to Unions NSW, the peak union body in that state.

For instance that if job posters follow the price guide issued by Airtasker in 2014, then they will pay \$17 an hour for workers performing data entry. However, the workers will receive only \$14.45 an hour after the company takes its 15% cut, well below the award rate of \$23.54.

Similarly the recommended rate for cleaners of \$20 becomes \$17 after Airtasker's commission, whereas the award rate is \$23.64.

And by claiming job seekers are “independent contractors” Airtasker also sidesteps mandatory employee entitlements, including workers compensation insurance, superannuation and a casual loading payment in exchange for the lack of sick leave and annual leave entitlements.

A report commissioned by Unions NSW says that the Airtasker work model “is neither innovative nor is it removing traditional barriers to efficiency” and represents an attempt to undo “over 150 years of agitation by workers and unions who struggled to eradicate this form of labour exploitation and replace it with civilised employment relationships.”

Unions are threatening a class action against Airtasker and companies using similar structures if they refuse to enter into negotiations that will at least ensure minimum wage requirements are met.

Source: Workplace Express Monday, September 19, 2016.

**We welcome your comments and contributions –
send us an email and let us know what you think via**

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Check out our webpage at www.cwuwa.org

Regards,

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