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Media Release

For immediate release

**Attention: Chief of Staff/Industrial Relations
Journalist**

9 August 2006

Workplace Rights Advocate's Report Slams GTS AWA

The Australian Services Union (ASU), Victorian Private Sector Branch has today made public the report by the Workplace Rights Advocate, which severely criticised the AWA offered by Melbourne based call centre, Global Tele Sales (GTS).

ASU Secretary Ingrid Stitt said the complaint was made to the Advocate on behalf of 80 workers when offered an AWA by GTS who had obviously taken full advantage of John Howard's cruel and vicious IR laws.

"Here we have a company that has used John Howard's industrial laws to blatantly cut the wages and conditions of it's workforce in an arrogant and callous fashion.

"In light findings of the independent watchdog the ASU has written to GTS today calling on them to withdraw the AWA and negotiate a collective agreement with staff and their union that:

- Protects wages and conditions available under the collective agreement;
- Offers a fair wage increase in recognition of staff's contribution to productivity;
- Removes the unfair bonus scheme and replaces it with transparent and fair processes

"The Workplace Rights Advocate has referred some aspects of the AWA offer to the Office of Workplace Services for further investigation and possible prosecution under the sections of the *Workplace Relations Act* dealing with duress.

"In addition, the Workplace Rights Advocate sought advice from the Victorian Equal Opportunity Commission in respect to the employers proposed bonus scheme and the operation of sick leave and carers leave.

"GTS has been caught out using John Howard's IR laws to boost their bottom line at the expense of employees wages and conditions. The ASU demands that GTS reconsider its unfair and uncaring approach to the 80 workers and negotiate a fair collective agreement", Ms Stitt said.

For further information please contact:
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KEY FINDINGS OF THE REPORT:

The Workplace Rights Advocate concluded there were serious concerns about the legality, fairness and appropriateness of the AWA in relation to:

- Reduction to base rates of pay,
- Reduction to penalty rates and loadings;
- Penalty rate for early morning and late evening work has been abolished;
- No guaranteed increases to base rates for the life of the AWA;
- The performance bonus scheme can be unilaterally changed or abolished at any time;
- Inducements and detriments associated with the AWA;
- The performance bonus scheme may breach the EO Act;
- Non-negotiation of the terms of the AWA;
- There are doubts about accuracy of measures used to base performance bonuses
- Lufthansa flight privileges will be denied if staff do not sign the AWA
- Loss of comprehensive Award Protection;

The report states:

“The employees who sign an AWA will lose forever the comprehensive award protection they currently enjoy in circumstances where base salaries are being reduced and penalties and loadings are being reduced and/or abolished and the primary compensating factor is the introduction of a discretionary, highly demanding and possibly discriminatory performance bonus scheme.”

In advice from the EOCV to the WRA the EOCV states:

“...considerable potential for the proposed performance bonus scheme with its attendance KPI to discriminate against employees who need to utilize their leave entitlements because they experience personal illness and/or have parental or carer responsibilities.”

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