



Work laws a step forward

■ New national modern awards

The ASU has welcomed the introduction of fairer work laws, which give members the right to request extended parental leave and flexible work hours.

The National Employment Standards (NES) came into effect on January 1 and restore the basic conditions stripped away under the Howard government's unpopular WorkChoices legislation, by setting out key minimum conditions for employment.

"At the last federal election, Australians overwhelmingly said 'no' to WorkChoices and the impact it would have on their home and work life," said ASU Branch Secretary Ingrid Stitt. "The NES is a step in the right direction, and offers members a fairer system than WorkChoices. Now we need to ensure that those essential and basic rights are built upon in



fair awards and EBAs for our ASU members."

The NES expands the WorkChoices "safety net" from five basic entitlements to 10 (see below).

Most ASU members may very well have better conditions than those outlined in the NES, which are merely the *minimum* conditions of

■ Right to request flexible hours

are women and, doubtless, will benefit enormously from more flexible work arrangements – even if it is as simple as leaving work earlier to pick up the children."

In addition to the new safety net, a raft of modern awards were also introduced on January 1. The 122 new national awards replaced thousands of state-based awards.

The awards build on the basic rights of the NES by establishing minimum wages, hours of work, superannuation, and other entitlements for specific occupations and industries.

The ASU will continue to campaign to ensure workers are not worse off under modern awards.

employment under the new Act. Included in the new safety net is the right for workers to request flexible work practices, such as varied start times or working from home.

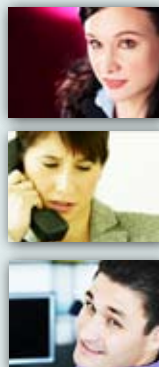
"I am particularly pleased by the inclusion of the right to request flexible work arrangements," Ingrid said. "Around 70 per cent of ASU members

■ You can download the ASU's two-page guide to the new Fair Work Act at www.asupsvic.org.

Then and now: WorkChoices vs the new Fair Work Act

Basic rights under WorkChoices

- A right to a minimum wage.
 - Annual leave of four weeks per year – two of which can be "cashed out".
 - Sick or carer's leave of 10 days per year.
 - A 38-hour working week (which could be averaged out to avoid payment of overtime).
 - Unpaid parental leave of 52 weeks.
- Sources: *Fair Work Australia*; *Australian Fair Pay Commission*.



Basic rights under new laws

- A 38-hour week.
- Right to request flexible work for parents.
- 12 months' unpaid leave, with a right to request another 12 months' leave.
- A minimum of four weeks' annual leave.
- 10 days' carer's leave.
- Community service leave.
- Long service leave.
- Public holidays.
- New termination rules and redundancy pay.
- Access to Fair Work Information Statement.



Message from Branch Secretary Ingrid Stitt

First and foremost: a Happy New Year to all of our ASU members. Let me waste no time in pointing out that the new year brought with it a set of important changes to our working lives: the new National Employment Standards (NES) and the Federal Government's modern awards.

As our front-page story illustrates, the new conditions are a vast improvement on WorkChoices. We all campaigned relentlessly over the unfair provisions in the previous set of laws, and the new Fair Work Act has at least patched up the gaping holes in

elevation of Tony Abbott to the role of Federal Opposition Leader is a worrying portent for Australian workers. Mr Abbott has suggested that there needs to be "greater flexibility" in workplace laws, and that the pendulum has swung too far in the direction of workers.

This, of course, indicates the Liberal Party's desire to rejuvenate WorkChoices in a disguised form, even though the Australian people roundly rejected the repressive laws at the 2007 federal election.

With a federal and state elec-

“ The elevation of Tony Abbott to the role of Opposition Leader is a worrying portent for Australian workers.

workplace rights and conditions.

Yet the campaign for better working rights continues, and on this front your union is concerned about the new Fair Work requirement that each award and EBA contain a "flexibility clause", which allows workers and employees to vary the terms of their agreement, if they so desire.

This is open to abuse by employers and we urge members to keep in mind that they should only sign an Individual Flexibility Agreement (IFA) if it suits them: an employer cannot force you to sign one. We encourage members to contact ASU Assist on 03 9320 6700 for advice on any IFA concerns.

On the political front, the

tion later this year, we must all remain vigilant that our newly won workplace rights are protected.

Finally, 2010 promises to be an important year for our members, and we will be doing everything we can to promote your workplace issues and concerns, as we move our way through the new phases of the Fair Work Act.

It is certain to be a busy year, but I will be ensuring the appropriate pressure is placed on governments and employers to advance your interests.

Yours in unity,



This issue, we asked delegates: Do you make new year resolutions, and if so, have you managed to stick to your 2010 resolutions thus far?

Helen Grover, Supervise Correspondence Team, Tenix



No, I didn't make any new year resolutions, because as everyone knows they are made to be broken. I don't think I have ever made a new year resolution once in my life – aside

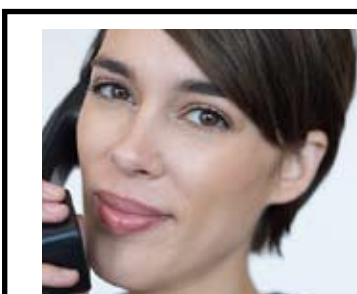
from promising to campaign as hard as possible for the ASU, of course – as I realise that I am not self-disciplined enough to keep them.

Jonathan Mawer, Travel Consultant with QBT



I want to make the A Grade in cycling. I made it to B Grade only recently, and I reckon I can make it to A Grade in the next six months. I'm normally very good at keeping

resolutions; when I set my mind to something I do it. I don't think I have ever broken a New Year's resolution.



Fight for call centre rights

Head to the ASU's call centre campaign page for a host of handy resources. You can test your stress levels online, download best practice guides, read

the results of our call centre survey and keep up with the latest global trends. You can also join the ASU call centre cause on Facebook.





Qantas workers to have their say

Over the next fortnight, Qantas staff will have the chance to speak out about working conditions, career paths and their work-life balance as part of an ASU survey.

The enterprise bargaining agreement that outlines Qantas workers' rights expires on June 30. The survey will be used to frame the key claims for the new EBA.

ASU organisers Matt Norrey and Sharon Sanchez will visit Qantas workplaces during the next two weeks to encourage staff to have their say on conditions. "It only takes five minutes to complete, but, crucially, will determine our claims for a new set of working conditions for some time to come," ASU Branch Secretary Ingrid Stitt said.

ASU organisers Matt Norrey and Sharon Sanchez will visit Qantas workplaces during the next two weeks to en-

courage staff to have their say on conditions. "It only takes five minutes to complete, but, crucially, will determine our claims for a new set of working conditions for some time to come," ASU Branch Secretary Ingrid Stitt said.

Threat to community salaries

Social and community services workers could be stripped of crucial salary packaging benefits in a major tax review.

The Henry Tax Review has recommended that the Fringe Benefits Tax concessions – used by nearly 60,000 organisations to top up workers' pay – be abolished because they were deemed "open to abuse".

The report suggests a better system would be for government agencies to pay charities through direct grants. Under the current system, not-for-profit organisations are eligible for tax concessions worth up to \$30,000 a year.

The welfare sector has



warned it may have to cut back essential services if the recommendation is put in place. "This would be a real blow to our members," said ASU Branch Secretary Ingrid Stitt.

"We urge the Government to consider the scores of SACs workers – often women on relatively low wages – who would be negatively affected by the scrapping of the tax concessions."

Call centre staff get fair redundancy

Workers who were made redundant at telco Crazy John's have been granted an above-award redundancy package.

Last December, the 86 employees of Crazy John's at the South Melbourne office were notified by management that the customer service division would be outsourced to offices in Mumbai and Tasmania.

It is understood that 70 of the customer service staff will finish work in April, with the remaining 16 workers to leave in a staggered fashion by July 31.

The ASU said while it was a shame the jobs had to go, Crazy John's – after consultation with the ASU – offered above-award redundancy packages, which was the "correct thing to do".

Branch Secretary Ingrid Stitt said: "Many of the workers will obviously be very sad to leave, but we are also pleased that Crazy John's has done the right thing by offering more than they were legally obliged to."

The ASU is, however, concerned at the offshoring of call centre jobs.

A recent report commissioned by the ASU on offshoring notes that the call centre sector is a major part of the Australian economy.

It can be downloaded at www.asu.asn.au.



UNION NEWS IN BRIEF

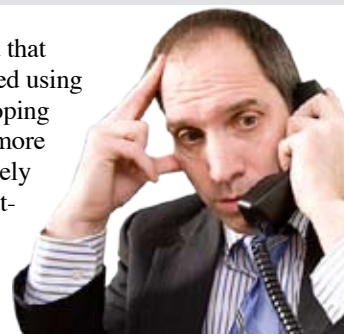
■ Unions will push for the superannuation guarantee to be raised to 15 per cent in the wake of a report that warned of the costs of an ageing population. ACTU President Sharan Burrow said the Inter-generational Report

supported union calls for the guarantee to be increased from nine to 15 per cent by 2015, along with incentives to encourage workforce participation by women and older people. Ms Burrow said the report was proof Australians

were falling behind in retirement savings.

■ Walking away from conflict or "letting things pass" may be an unhealthy way to deal with unfair treatment on the job, according to Swiss researchers.

The study found that men who reported using such "covert" coping strategies were more than twice as likely to have a heart attack or die from heart disease over the next 10 years.



■ The Victorian Trades Hall Council is hosting a discussion on union return-to-work projects on February 17. The morning Q & A session will feature representatives from a number of unions, showcasing their various return-to-work projects for 2010. The discussion runs from 9.30am until 12.30pm at the Victorian Trades Hall, and morning tea will be provided.



■ This year union news service LabourStart will be holding its first international conference at McMaster University in Hamilton, Ontario, from July 9 - 11. Go to: <http://www.labourstart.org/2010conferenceregistration.shtml> for more information.



■ A weekly radio programme featuring international union news was launched earlier this month. Solidarity News is available on RadioLabour (www.radiolabour.net) every Monday morning, and aims to promote global communication between labour organisations. The news service is also encouraging those involved in the union movement to file reports on local events or issues. Visit the website for more information.

A helping hand for Haiti

When a large earthquake struck the impoverished nation of Haiti on January 12, it not only killed scores of Haitians, but destroyed what little infrastructure there was in the capital of Port-au-Prince.

While Union Aid Abroad – APHEDA – does not have any projects or staff in Haiti, many unions in the USA and Canada have extensive experience of working in Haiti and, through their Solidarity Aid Arms, have launched appeals.

To make a donation to the Haiti relief effort contact APHEDA on 1800 888 674.



FROM THE OFFICE FLOOR

■ The ASU has reached agreement with Qantas management over **part-time conversions**, and as a result another eight permanent part-time staff were transferred to full-time employment late last year. These positions were in addition to the 22 conversions that were secured the previous year. Under the terms of the EBA, a permanent part-time staff member who works an average of 35 hours a week is entitled to a full-time position.

■ Management at Qantas Business Travel (QBT) have reconfirmed **their commitment to the EBA in relation to sick leave**. Late last year, QBT management sent a memo to staff instructing *all staff* to phone in sick *prior* to the commencement of their

shift. The EBA, however, states that workers should phone in sick as soon as is “reasonably practical”, allowing room for the possibility that this may be after their start time.



■ The ASU has enjoyed a **steady increase in membership from staff at the Red Cross**. The ASU will be holding union briefing sessions for workers in March to outline the benefits of union membership and find out the important issues for Red Cross staff.

■ The ASU will meet with Guest Services staff at Virgin Blue in the coming weeks to explain the latest offer from the company. **Virgin Blue management intend to put out another EBA for a staff vote** despite not having ASU support. The ASU believes this agreement is sub-standard and will be seeking a “no” vote. Virgin put out an EBA for a vote last year, which was overwhelmingly voted down by staff.

■ Negotiations are continuing on the **TABCORP On-course and Special Events EBA**, which affects around 550 TABCORP staff.

Keep up to date with workplace developments at www.asuvic.org

Win \$500 with Union Shopper



1300 368 117

www.unionshopper.com.au

