

Enterprise Bargaining Update

**A VINNIES AGREEMENT? YES
THIS AGREEMENT? NO****SENIOR MANAGEMENT MOVES TO LOCK IN
WORKCHOICES AND LOCK OUT THE UNION****MEMBERS ADVISE PROPOSED AGREEMENT IS NOT GOOD ENOUGH...YET**

ASU members have made their informed decision – they have voted to have an Agreement – just not the Agreement that senior management want you to have. Eighty percent of Union members – on considering all the information available to them - voted to reject the Society's agreement and negotiate a better deal.

WHAT SENIOR MANAGEMENT IS NOT TELLING YOU

In a letter from the State President to State Council Members and Regional Presidents, the State President says they have *"now asked staff to vote in a secret ballot as to whether or not we should continue the enterprise bargaining process without the ASU."* This letter is attached for your consideration.

What does this mean? It is clear that Senior Management's real agenda is a non-union agreement. Staff can expect that in the next week or so, the Society will ask staff to vote on a non-union agreement.

Remember: Workers under non-union agreements have lower pay and conditions than workers under union agreements. In addition, non-union Agreements will be UNLAWFUL from 1st July 2009.

ASU ADVICE TO VINNIES STAFF FOR 9 MARCH VOTE

In the Society's ballot beginning 9th March, you will be asked to vote on the following question: Do you support the Society going forward with the Community Services Collective Agreement?

Yes - I want to proceed with the Agreement

No - I want to remain on the SACS Award.

The ASU advises members to:

1. VOTE 'YES'. The ASU believes a Collective Agreement can provide members with better wages and conditions, but just not this Agreement.

2. SIGN THE ASU PETITION circulating in your workplace that calls on the Society to:

- *Return to the negotiating table to continue to negotiate an agreement that is fair and that will be in the best interests of staff and of the Society;*
- *Abandon the use of WorkChoices;*
- *Negotiate a union agreement not a non-union agreement.*

THE SHAM VOTE – SENIOR MANAGEMENT SAYS YOU ONLY HAVE ONE CHOICE – THEIR AGREEMENT OR THE AWARD - YOU HAVE ANOTHER CHOICE

Senior Management, having refused to negotiate and in a desperate attempt to keep you locked into WorkChoices, is asking you to vote now on whether or not you want to stay on the Award or to have their proposed Agreement. They give you the following options:

Yes- I want to proceed with the Agreement

No- I want to remain on the SACS Award

There is another option

- 1. Yes – we want AN agreement, just not THIS agreement.**
- 2. The ASU thinks the best way forward is:**

- **collect the 4.5% increase on 1st July – this has been guaranteed by your employer no matter what the outcome of the ballot.**
- **accept the paid parental leave and paid study leave that became part of your contract of employment in December 08 when the Society included them in policy.**
- **bargain for a new agreement when the new laws come into effect on 1st July 2009.**

ASU WANTS A COLLECTIVE AGREEMENT - BUT NOT THIS AGREEMENT

The ASU believes that the proposed Vinnies agreement is a good basis for commencing negotiations. But it's not a good agreement as it stands. The ASU wants to negotiate an agreement that does not undermine your current conditions but which improves your conditions. The ASU wants an agreement that gives you incentives to stay at Vinnies, such as increased sick leave and annual leave and other improved conditions.

The current proposal from Vinnies is NOT a good agreement. It has many unanswered questions – questions that Vinnies refuses to answer. The ASU thinks workers can do better.

VINNIES USING WORKCHOICES AFTER VOWING NOT TO

In August 2007 Vinnies signed an agreement with the ASU that it would NOT operate under WorkChoices. They have now broken their word. A copy of this signed agreement is available for anyone.

- Vinnies is now using WorkChoices to avoid proper negotiations.
- Vinnies is now using WorkChoices to get a NON-UNION agreement.
- Vinnies is now using WorkChoices to get an agreement before 1st July...but why? Because Vinnies knows there are problems with the agreement and that after 1st July they have to meet to negotiate them – a situation they are currently avoiding.

LEGAL ADVICE - ONLY WORTH WHAT YOU PAID FOR IT

Members will have seen some legal advice that purports to tell them what a good deal the agreement is. Some things to consider:

- Always beware of lawyers specifically engaged by an employer to tell you that the deal you are getting is a good deal.
- The only authority able to tell you if any agreement will meet the no disadvantage test is the Workplace Authority – not a lawyer.
- The question is not whether a lawyer thinks the deal is a good deal for you –the question is what do you think?

WHAT'S WRONG WITH THIS AGREEMENT?

In short these are the problems with the current agreement:

- Reducing the number of your increments and stretching them to 18 months means you are worse off. Over the life of the agreement employees will earn less than they would if they kept their annual increments and got 4.5% increase per annum.
- The employer refuses to give a guarantee that staff would be better off under the proposed agreement rather than a simple 4.5% increase per annum...that's a real concern.
- No guidelines are provided on how to speed up the increments – this is left to the discretion of Managers which is subjective and not transparent.
- Not all staff who are on the Award are covered. Grades 5 and 6 employees and various services groups will be excluded from the Agreement. We want an agreement that covers everyone.
- The agreement removes the requirement that the employer MUST offer a casual the right to convert to permanent – Why?
- The agreement imposes onerous notice requirements on resignation for long serving loyal staff
- The Agreement removes the rights of a new employee to be paid for sick leave in the first 3 months of employment. Why?
- The Agreement imposes 6 month probation instead of 3.
- Job descriptions have been re-classified to lower levels.

The ASU welcomes the good things in the agreement and commends the improvements provided. However the ASU does not believe in “trading off” conditions in EBA negotiations. There is no need to reduce any of your current conditions.

AGREEMENTS WITH OTHER UNIONS

The Society wants you to believe that the ASU is the only union that is being difficult in reaching an enterprise agreement. So let's look and compare what Vinnies agreed to with other unions and what they want you to agree to for Special Works. Set out in the table below is a comparison of what the Society agreed with other unions and what it proposes for Special Works staff.

Issue	Teachers Union	Miscellaneous Workers Union	ASU (Special Works)
Annual Increments	YES	YES	NO - 18 months
Retains Award Classification Structure	YES	YES	NO - new 3 grade classification structure
Covers all of the staff employed by the Society who are covered by the relevant award	YES	YES	NO - removes Grade 5 and 6 employees, removes managers, removes youth workers, removes education, migrant and refugee staff

Delegates Meeting

The ASU is holding a Delegates meeting and it is vital that every workplace is represented. We encourage you to attend, either in person or on the phone.

When: Thursday 19th March

Where: ASU Office, 39 Renwick Street, Redfern.

Time: 6pm

Teleconference Dial In Numbers:

Within Sydney metro area: 9696 0695

Outside Sydney metro area: 1800 333 803

PIN: 6343

WANT MORE INFORMATION?

- Have an ASU organiser visit your workplace so you can discuss and debate the issues
- Call the ASU for more information on 9310 4000
- Visit the asu website for a full update on all information on the campaign: www.asumembers.org.au