

Hopes High For Better Times at St Vincent De Paul

ASU delegates have given their support to an "in principle" peace deal with St Vincent De Paul following a number of meetings between ASU Secretary, Sally McManus, and new Acting President, Raymond James.

Members will recall that the ASU has been seeking to resolve a number of outstanding issues with the Society. Over the course of the last two weeks ASU Secretary, Sally McManus and Acting President, Raymond James, met on a number of occasions to explore how the two organisations might forge a more co-operative relationship, resolve the issues in dispute and work together to achieve the Society's aim of becoming the employer of choice in the charitable sector.

These discussions have been quite productive and on August 16th, the parties were able to sign a mutually agreed document which has been endorsed by your delegates. (A full list of your delegates is on page 4 of this newsletter and you can find the full text of the agreed document on our web page at www.asuservices.labor.net.au).

ASU Secretary Sally McManus said: "I genuinely hope that we can now move forward in a cooperative manner with the Society. The framework for a good working relationship is set out in the documents we have signed – it's up to the senior managers now to progress matters so members see progress and we can enter a cooperative new era."

Nearly 200 Sign ASU Petition – "ASU Represents Me"

Nearly 200 members of staff have signed the ASU petition to the Society informing them that they believe that:

- Our Award protects our wages and working conditions
- We have a right to safe and healthy workplaces
- We have a right to be consulted about changes in our work practices
- The quality of the services we provide is directly linked to fair working conditions for employees
- We have a right to be represented by our union.

Therefore we request that the Society respect our right to be represented collectively and that any proposal to change our wages or working conditions be negotiated with our union, the ASU.

ASU delegates will now be meeting with representatives of the Society to present the petition and to discuss a way forward.

The New Arrangements

An MOU to govern how disputes are to be dealt with

The parties have agreed to draft an MOU (Memorandum of Understanding) setting out the mutual respect of the Society and the ASU for each other and detailing protocols as to how disputes are to ordinarily be dealt with. This is to be negotiated as soon as possible.

What Was in Dispute and What is Agreed?

The Issue - Letters of Appointment

New letters of appointment were issued to many staff across the Society. These letters include clauses that allow a worker to be transferred to any other workplaces within a Diocese or within the entire Sydney metropolitan area. They also include clauses which can require a worker to get a medical examination and have the results released to the Society. These letters have been of serious concern to members.

What's now agreed:

The parties have agreed that there will be "Negotiations to reach agreement of a standard letter of appointment for employees covered by the Award."

The Issue – 'Non-Award' employees

Members will know that there are many employees who the Society has deemed 'Non Award'. Many of these employees work in State Council and Diocesan offices. The vast majority of these employees are NOT Award free – they are covered by the SACS Award. It is essential that these members be afforded their Award entitlements.

What's now agreed:

The parties have agreed that they will work to reach "Agreement on a process which will ensure that all staff who are entitled to be covered by the Award are in fact afforded Award conditions".

The Issue - Award Breaches

On numerous occasions members have raised concerns about breaches of the Award. These included the non payment of Penalty rates for weekend work and other potential breaches of the SACS Award. There is also the issue of those who have been wrongly classified as 'Non Award' not receiving the pay and conditions they are entitled to.

What's now agreed:

The parties are in "Agreement to review the conditions of employment of staff in areas identified by the ASU to ensure that the (appropriate) Award conditions are being provided".

The issue - WorkChoices

As reported in previous Union newsletters, at various meetings with staff the Operations Manager stated that the Society was of the opinion that it may be covered by the Federal Governments WorkChoices legislation. This would mean a removal of many rights for employees. It would also make it very difficult to maintain SACS Award conditions in any Enterprise Agreement that may be negotiated.

What's now agreed:

It is agreed that there will be "An unequivocal statement (issued by the Society) that the Society will not be operating under WorkChoices".

The Issue - Enterprise Bargaining

At the end of 2006 the State Council discussed the proposition that the Society get a series of Enterprise Agreements to cover all staff at St Vincent de Paul. These Agreements would possibly replace all Awards. The Society began the process by distributing a survey to all staff who work in Special Works. ASU members have been insistent that if there is to be an EBA then that agreement must protect all of their Award conditions and must be negotiated by their ASU delegates.

What's now agreed:

"The Society believes that the best platform for the Society to be a leading employer of choice will be contained in an enterprise agreement. The Society will work with the ASU and the employee delegates elected by the employees who are ASU members in negotiating the enterprise agreement on an agreed process and time frame and coverage for the agreement. The agreement will be finalised after the forthcoming Federal election and as required by law will be subject to a vote of staff".

The agreement will not be a WorkChoices Agreement and will be negotiated by the ASU delegates.

The Issue – Changes in the Workplace.

The ASU has had serious concerns about the failure of some managers to understand and implement the provisions contained in the Award as they apply to the introduction of change. The ASU members have been particularly concerned at the failure to adequately consult staff before changes are

implemented. It is essential that Award provisions are adhered to.

What's now agreed:

“Agreement by the Society to commit to abide by the Introduction of Change provisions in the Award.

Agreement that where staff are moved from one workplace to another that such movement will occur after appropriate consultation.

Where staff job descriptions are to be varied the changes will be negotiated with staff before being implemented.

Agreement that where a job change is so significant that an employee no longer wishes to do the changed job then redundancy will apply”.

These processes are particularly relevant to the changes envisaged at Charles O'Neil.

The Issue – Who is the employer?

There was been confusion as to who is the employer of staff engaged by the Society. This confusion arises from the fact that it would appear that some staff are employed by the State Council, some by a Diocesan Council and some by a Regional council or conference.

What's now agreed:

“The Society will discuss with the ASU the ensuring of an understanding of the employer-employee relationships within the society.”

The Issue – Respect.

“The Society will invite the ASU to relevant staff inductions and will not impede reasonable access to the workplace.”

What will happen now?

As a result of the signing of the agreement, CEO John Picot will now meet with ASU Assistant Secretary Michael Flinn to work out the details of

the MOU and a finalisation of the disputes as outlined in the Agreement and this newsletter.

In addition it has been agreed that there will be meeting between the ASU Delegates and the Society's Acting President where your delegates will present the petition and we can begin discussions on an agreed way forward with the EBA.

What does all this mean for bargaining?

- It is now agreed that any EBA will be negotiated by the ASU delegates and the Society.
- It is further agreed that any EBA negotiated will NOT be a WorkChoices Agreement and the Society's intention is to negotiate conditions that are improvements on the Award and there will be no loss of Award conditions. The Society wishes to negotiate these improved conditions in order to become the employer of choice in the charitable sector.
- Finally, any EBA negotiated will be subject to a vote of staff.

NO EBA will be concluded before the Federal Election.

What do we need to do?

You need to ensure that your workplace has a delegate.

Listed below are the names of our workplace delegates.

If your workplace does NOT have a delegate then you need to call your ASU on 9310 4000 and organise for the organiser to come to the workplace and hold the election of a delegate.

Please make sure that all of your workmates get a copy of this newsletter.
You can contact the ASU on 9310 4000 and all the newsletters are online at
<http://www.asuservices.labor.net.au/news/3696.html>





AUSTRALIAN SERVICES UNION

ASU

Your ASU Workplace Delegates

Mathew Talbot Hostel –

Woolloomooloo

Padraig Dorrigan
Helena Silva
Damien Hamilton

Amelie House

Jan Christie

Mathew Talbot – Wickham

Brett Sorby

Marian Centre

Kathleen Gleeson
Christine Daniels

Claffy House

Margaret Wilson
Skye McMahon

Youth Coordinators

Adrienne Vella

Freeman House

Theo Groen

Charles O’Neil House

Fred Jansholn

Marian Villa

Nelly Fraser

McCosker House

Trisha Cooke

Samaritan House

Glenn Lang

Caroline Chisolm Centre

Nance Morgan

Social Action Centre –

Campbelltown

Robyn Presdee

Concord House

Ghassem Ghassemian

Ozanam Industries - Stanmore

Paul Hennessey

Mary Mackillop Outreach

Bradley Cooper

If your workplace is not listed above you need to call the ASU on 9310 4000 and ask for an organiser to come out and elect a delegate for your workplace. This will be essential to making sure that your workplace has input into what happens in the Society.