

## Now more than ever you need to protect your rights at work

### BARGAINING AT SYDNEY WATER AND HUNTER WATER



The global economic crisis is already having a dramatic impact on the lives of Australians. It has seen some of the biggest and high profile companies announce layoffs of thousands of workers. It is affecting every sector of the economy, from retail and hospitality through to the mining and financial sectors. With the Federal Treasury expecting unemployment to reach more than 7%, it is more important than ever that we protect the job security of members. The best way to do this is in our new Agreements.

Many of our important conditions of employment that provide protection and job security, like redundancy and redeployment, are not in legally enforceable agreements. They are included in policy, which can be changed at ANY time by Management or Government. Times have changed – governments and employers will continue to try to save money and outsource and the Global Economic Crisis will make it harder than ever to find another job. There is also likely to be a change of Government in NSW in 2011 and the new government will want to act swiftly to reduce the

State's two billion dollar deficit. The Liberal Party is ideologically opposed to government run services. This means more outsourcing, more job cuts and possibly privatisation.

Getting all those conditions that are currently held in policy into our new Agreements is the best way to ensure our jobs are protected. If outsourcing and restructuring is going to cost Governments, clearly they will think very carefully before trying it on. Good redundancy and redeployment conditions are the best form of job security. It is only fair that all conditions are negotiated, agreed to, understood and spelt out in black and white in our Enterprise Agreements. This way our jobs will be protected from the daily whims of HR, Management, the current State Government or any new Liberal Government.

The global economic crisis will see the worst economic conditions in decades and many people will be badly affected. We have an opportunity in our upcoming Enterprise Agreements to ensure our jobs and conditions are protected.

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## FROM THE SECRETARY



In the past two weeks we have witnessed the shocking loss of lives and dreadful destruction wreaked on the people of Victoria by the worst bushfires in memory. Such terrible disasters reinforce what Australians know all too well, just how fragile our existence is on this tough, unforgiving continent. It also tells us something new and uncomfortable — the

44 degree temperatures on the day of the fires confirms what many scientists have warned us for decades now — unchecked global warming will result in extreme weather conditions.

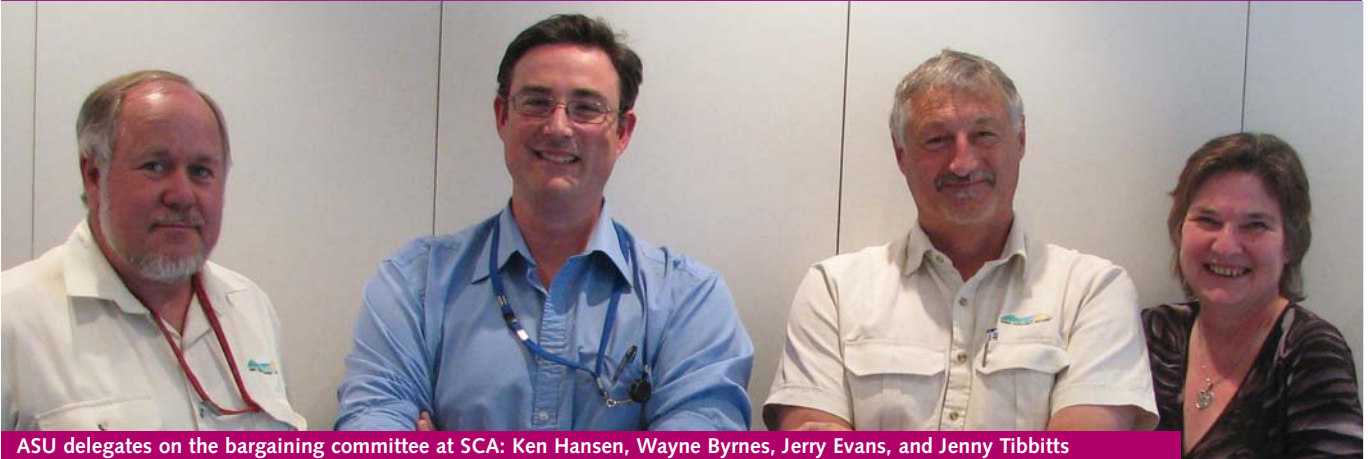
Despite the great sense of loss and even despair we may feel, the remarkable thing that comes out of such events is that the great Australian quality of mateship is alive and well — whether it be the volunteer fire fighters, who leave their own homes to defend others or the solidarity that people across the country have shown in donating money or support to those who have been the victims. It shows how we can work together in times of adversity and win against the odds. The women and men who battled against nature's fury are our colleagues and fellow workers. They risked their lives to help their neighbours, often putting the interests of many in front of their own.

**MORE THAN EVER, BELONGING TO A UNION PROVIDES PROTECTION FROM THE RUTHLESS BEHAVIOUR OF BOSSES IN THESE TIMES WHO WILL USE THE FINANCIAL CRISIS AS AN EXCUSE TO REDUCE CONDITIONS, CUT HOURS OF WORK AND LAY OFF WORKERS.**

The other great disaster that is affecting the financial security of people world wide, the global financial crisis, continues to unfold with more job losses and company collapses announced every day. What started as a crash and credit crunch caused by the excesses of the big end of town has inevitably led to real financial pain inflicted on workers and retirees and the lowest and often least skilled of our workforce.

More than ever, belonging to a union provides protection from the ruthless behaviour of bosses in these times who will use the financial crisis as an excuse to reduce conditions, cut hours of work and lay off workers. Often these have been loyal employees for years, but this counts for little during an economic crunch. Being in the Union is the best job security you can have in these times. ASU members in unionised workplaces can fight to preserve conditions and wages and in the event of redundancies, union members consistently receive a better deal than other workers. It is our unique qualities of mateship and our ability to stick together as workers through the Union that will help Australians through these hard times.

## SYDNEY CATCHMENT AUTHORITY – WE ALL AGREE, WHAT'S THE PROBLEM?



ASU delegates on the bargaining committee at SCA: Ken Hansen, Wayne Byrnes, Jerry Evans, and Jenny Tibbitts

The Award for members at the Sydney Catchment Authority expired at the beginning of December last year. The ASU and the SCA, along with the other unions, began negotiations early on and reached an in principle agreement in November of last year. The negotiations were made more difficult by the NSW Governments Wages Policy, which says that any pay increase above 2.5% needs to be offset by other 'employee related cost savings'. Never the less, the parties managed to find the savings to more than justify a 4% p.a. pay increase over the life of the new Award.

The negotiation of the new Award has been happening at the same time that management are proposing to cut up to 20% of positions across the SCA. While there has been consultation throughout the process, there will still be many issues that need to be addressed. It is disappointing that SCA have decided to make such significant job cuts,

particularly in an unstable economic climate where it will be more difficult to find another job.

It is now February and we have been waiting since November for an answer from the Government to our agreed position. While it is unclear who is holding up the process, either the Minister's office, Treasury, or the Budget Committee of Cabinet, 3 months is just too long to wait. Members are waiting on more details as to which jobs they are planning to get rid of and want the Award finalised. We are also demanding that SCA outline which 20% of tasks that are currently being done are going to be scratched in line with the job cuts.

While this issue is ongoing and we hope it is resolved by the time we go to print, members are still waiting for an answer from the Government as to their future job conditions.

## WATER NEWS SPEAKS TO MICK WOODS – ASU DELEGATE OF THE YEAR.

### Briefly describe your job?

I repair any breaks in the water/waste water systems and maintain the system.

### How long have you been a member of the ASU?

I have been a member of the ASU for 31 years.

### Why did you receive the award for delegate of the year?

When I was first voted in to be a delegate of the ASU I would stand up for my work colleagues on issues I felt strongly about. I continue to do this every day, and this award is a recognition of this ongoing commitment. This Award is a commendation of a delegates display of leadership and support to their comrades.

### What does the award mean to you?

Being a delegate is a thankless job – it is done because we believe in the value of unionism. This award recognises the work that I have put in and shows that people appreciate this work.

### Do you have any tips for other delegates?

There is an old saying from an old politician and that is "keep the bastards honest". I believe in this and it affects the decisions I make. If I had a tip for other delegates it



would be to remember this saying in the work that you do as a delegate every day.

### Why is unionism important to you?

Strength in unionism allows workers to keep and improve work conditions, maintain wages, and it provides members with support. This strength requires workers to become members of a union.

# Sydney Water Bargaining: what the workers want

WATERNEWS SPOKE TO SOME MEMBERS OF THE ASU WATER COMMITTEE OF MANAGEMENT TO FIND OUT WHAT THEY THOUGHT THE KEY ISSUES WERE FOR SYDNEY WATER BARGAINING.

**Michael Talone – Malabar Ocean Outfall**

Salaries is a big issue of course. I think another issue to focus on is ensuring Sydney Water maintain consultation in regards to any reforms that are in the pipeline. I think the people that I represent see it the same way.

**Dave Windsor – Construction**

Pay rises is number one. Maintaining the rights we have and aiming to improve them is also important – we have good rights and we need to protect them. We also need to make sure the end result is fair go for all.

**Larissa Mckellar – Sydney Water Contact Centre**

At a minimum level we need to retain our award conditions as they stand at the moment and try to improve them. A key issue for the members I represent at the contact centre is ensuring fair and equitable treatment from management so that conditions are consistent across Sydney Water. We are so heavily monitored in the contact centre and it is unfair. A pay rise will also be a key focus because of increases in the cost of living.

**Ray Gatley – West Ryde**

I think one of the main issues in bargaining will be keeping the conditions that we've got already – I think Sydney Water is going to be going after a few of those. We also need a fair pay claim.

**Bluey – Penrith STP**

The key things we have to focus on in bargaining are wages, job security and keeping our conditions without selling any off.

**Geoffrey Fuller – Civil Maintenance head quarters**

I think there is a serious need for a job and skills evaluation and we need to push for this in bargaining. We have new skills and new competencies that we have picked up over the years but the last time we had an evaluation was in 1990.

**Mick Woods – Civil Maintenance Southern Coast**

The key issues are our wages, redundancy and maintaining our conditions.

# WHAT'S GOING ON OUT THERE?

## CONSULTATION IMPROVED AT NSW MARITIME

**DURING THE LAST ENTERPRISE AGREEMENT NEGOTIATIONS, ASU MEMBERS CALLED FOR BETTER CONSULTATION AT NSW MARITIME.**

As a result, a Maritime Consultative Committee (MCC) has been formed. The MCC provides a regular forum for employees to present and discuss workplace issues with management and an avenue for employees to provide input into policy creation and direction. It also gives union members a new way to enforce our entitlements and conditions.

The first meeting of the MCC was held in November last year. The meetings so far have been held on a monthly basis and will continue this way throughout 2009. ASU members are encouraged to get involved by raising workplace issues and giving feedback on Maritime policy,

by talking with their colleagues, their workplace delegates and union organiser.

The MCC is a productive forum, providing regular communication. We would like to commence a monthly union meeting, to occur one week before each MCC meeting, allowing members to raise and discuss issues that they would like forwarded to the committee and to report back on progress from MCC meetings. For those people unable to attend in person, correspondence can be forwarded to the meeting.

Meeting notice will be forwarded out via email, so if you don't receive notice, please contact the ASU office on 9310 4000 to update your details. We look forward to seeing you at a union meeting soon, and to a productive year ahead.

## NEW SYDNEY WATER CAMPAIGN WEBSITE



### Want to know how Enterprise Agreement negotiations are progressing?

Log on to the ASU Website where you will find up-to-date union news, the latest information on campaigns and contacts for the union. The Sydney Water Enterprise Agreement Campaign section of the site features campaign bulletins and negotiation reports to keep you up to date. This gives you the opportunity to find out what is happening on a regular basis – whenever and wherever you want. [www.asumembers.org.au](http://www.asumembers.org.au)

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## KNOW YOUR RIGHTS AT WORK FACT SHEET 5: OCCUPATION HEALTH AND SAFETY

Over 477,000 people in Australia receive a work related injury or illness each year and about 6,700 people per year lose their lives. Ensuring that your workplace is a healthy and safe environment is the most important thing you can do as a worker, union member or delegate. Occupation Health and Safety is underpinned by a basic rule that:

**'Every worker has a right to healthy and safe work and to a work environment that enables them to live a socially and economically productive life.'**

The difficult thing is to know how to apply this basic rule to your everyday work.

### **Firstly, the rules.**

Your Occupational Health and Safety rights are set out in a number of documents including the NSW Occupation Health and Safety Act, Workers Compensation Act and NSW State Regulations.

### **Your Right to be Consulted**

Under the NSW OH&S Act employers are required to consult with you about Health and Safety at work. They must enable you to contribute to making decisions that affect your health, safety or welfare at work.

### **Getting together an OH&S Committee**

Every workplace is required by law to have an OH&S committee or representatives if it is requested by the employees. It is the job of the employer to set up a consultation process that includes either

- 1. an OHS committee if there are more than 20 employees or;**
- 2. elect OHS representatives if there are under 20 employees or;**
- 3. any other arrangement if it is agreed with employees who may be represented by their union.**

Whichever of these are in place, it is the right of the workers to elect their own representatives. There should be an open and transparent election from the workers to choose who will represent them on the committee or as an OH&S representative. It is also essential that the people that are elected get accredited OH&S training in work time.

### **What to do when you identify an OH&S problem**

If you identify an OH&S problem or hazard at work you should immediately inform your manager and your OH&S representative or an OH&S committee member. If it is an immediate threat to the health or safety of workers, the hazard should be isolated and work should not continue in that area until the hazard is removed. If the issue is of a longer term nature the employer should consult with you and your workmates about the best way to remove the hazard.

**If you have any questions about your rights with regard to OH&S talk to your delegate or call the ASU office on 9310 4000.**

## UNIONS CALL FOR SOLIDARITY IN GAZA – AND AN END TO VIOLENCE BY ALL SIDES

On the 27th December 2008 the Israeli Government initiated Operation Molten Lead, a brutal military attack on the people of Gaza that resulted in over 1000 deaths, mostly civilians. Israel claimed to be targeting " Hamas militants " but many of the people they claimed to be militants were actually government employees and the attacks so widespread and the population of the area so dense that a massive proportion of the dead were women and children.

These attacks have been condemned by the international community. Many international union organisations such as the International Trade Union Confederation and SOLIDAR – an international alliance of labour movement-based humanitarian aid agencies, called for an immediate end to the violence. At home the ACTU, Unions NSW, APHEDA and the Victorian Trades Hall Council Executive have all condemned the attacks and called for an immediate ceasefire and access to emergency and relief supplies. These attacks are brutal and their stated aim is to destroy Hamas. The political arm of Hamas is the elected leader of the Palestinian people.

The Palestinian population in the Gaza Strip is 1.5 million and the UN estimates that 80% of that population are almost entirely dependent on food aid or direct assistance. This dependence largely stems from the Israeli imposed blockade of the Gaza Strip which has brought the Palestinian economy to virtual collapse. These attacks have caused a huge loss of life and destruction to the infrastructure of Gaza, including destroying universities, schools, the parliament, communications networks and religious centres. This destruction of infrastructure will create further Palestinian dependence on international aid.

### **WHAT WE ARE DOING TO HELP.**

**Australian trade unions are committed to practical solidarity. The ACTU's international aid agency, Union Aid Abroad-Apheda, has been sending funds to the MA'AN Development Centre in Gaza for the past two years. These funds are for emergency food support for the most vulnerable households. Funds have also been sent to El Wafa Rehabilitation Hospital in Gaza city, which has a rapidly increasing caseload of people with serious injuries and disabilities.**

**For more information visit  
[www.apheda.org.au](http://www.apheda.org.au)**

## Privatised Power won't Pay for its Part in the Fires

Who will be punished if the pending law suits find private power companies liable for the fires?

Why, you will, dear reader – thanks to the terms that state governments negotiated when they sold off our public assets. Consider the case of SP AusNet, the subject of a class action for negligence around the Kilmore fires.

The Insurance Council of Australia has estimated the damage of those fires at about \$500 million. But SP AusNet's legal liability has been capped at \$100 million under a deal struck by the former Kennett government with private utility operators, when the former State Electricity Commission was privatised in 1995. Legal sources said this meant the Brumby Government could be forced to cover a shortfall of hundreds of millions of dollars.

The recent heatwave highlighted some other results of the great privatization binge carried out a decade or so ago.

Connex, the group that seized Victoria's rail network, recently excused the 2300 services it cancelled last month on the basis of ... wait for it ... the weather. Its trains can't, you see, function in weather warmer than thirty-five degrees. Given that each year there's this phenomenon called "summer" (you may have heard of it), operators of a transport system designed for the benefit of the public – most of whom, strangely enough, still have to work on hot days – might conclude that cool-weather-only trains simply don't cut it.

But Connex, of course, is a private company, and makes its decisions on the basis of an entirely different calculus. That's why, though Melbournians would clearly prefer to buy their fares from a conductor, we're stuck instead with dysfunctional ticketing machines, unable in most cases even to provide change. Not surprisingly, there's now a widespread culture of fare evasion, which the private owners attempt to counter with hectoring advertisements and roving gangs of tuggish inspectors.

But there's a bigger issue relating to climate change. Now, we don't have to believe in global warming. The science is complex and most of us don't fully understand it. But many of us are also sufficiently mathematically challenged as to not follow the process by which Eratosthenes of Cyrene first calculated the circumference of the planet. But we don't therefore sign up with the Flat Earth Society, since we possess sufficient common sense to accept the consensus of the scientific world.

If we adopt that methodology with climate change – aligning ourselves with the vast majority of scientists rather than the small but shrill denialist faction of oil-company flacks, shock jocks and the tabloid journalists who are professionally wrong about everything – certain things follow. We can expect a small but real increase in average temperatures, and that means bushfires will become more likely and more devastating. No, you can't ascribe the blame to climate change for any particular fire, just as you can't

definitively link your heart attack to your pack-a-day habit. Heart problems kill non-smokers, too – but only a fool would conclude that means you can puff away without risks.

In other words, if we don't do something, we can expect more tragedies like the one we've just endured.

But that brings us directly back to privatisation. It's not only that the process by which we swapped our public assets for a bag of magic beans has led to an appreciable degradation in services, it's also disarmed us in the fight against the causes and consequences of climate change. How is the private company that makes money from selling you electricity – and thus becomes more profitable the more of it you use – going to foster energy efficiency?

The short answer is that it will do so about as effectively as, say, a pub campaigning for sobriety, a casino against problem gambling – or, to use a more apposite example – the private utility in charge of our taps for water efficiency.

The world financial crisis has already exposed many of the ideologues behind the neo-liberal excesses of the last decades as at best charlatans and at worst overt fraudsters. By all means, prosecute the arsonists. But let's also have some genuine accountability about the policy makers who got us into the mess we're now in.

*This article, written by Jeff Sparrow, editor of Overland, was published by Crikey on 16 February 2009.*

### Gow-Gates Financial Planning and Retirement Advice for ASU Members

Gow-Gates in partnership with the ASU can guide you in the process of meeting your pre-retirement and retirement goals.

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Please contact our Union Liaison Officer, Maggie Ferguson on **(02) 8836 1111** or visit **www.gowgates.com.au**

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# BARGAINING IN WATER

## HUNTER WATER CORPORATION BARGAINING – OFF AND RUNNING

### THE NEW ROUND OF EBA NEGOTIATIONS HAVE COMMENCED AT HUNTER WATER CORPORATION.

The ASU along with the ETU, AMWU and APESMA formed a Single Bargaining Unit to negotiate the best outcome for our members, presenting a single united front to the corporation.

**ONLY WHERE WORKERS HAVE BEEN STRONG AND WELL ORGANISED HAS THIS OCCURRED.**

Our current agreement expires in May and as a State owned Corporation we fall under the NSW Public Sector Wages policy, which only allows for a 2.5% pay increase for our new agreement unless “employee related cost saving measures” can be found. This of course means that

HWC would like to review employee conditions and entitlements to try and find those savings. We do not believe that employees should have to fund their increases through any sort of trade-offs and we would oppose any move by the corporation to head in this direction.

In other industries the ASU and other unions have been successful in negotiating good outcomes and pay increases for members affected by the wages policy. However this has not been easy. Only where workers have been strong and well organised has this occurred.

In recent weeks we sent out a survey to our members to get some feedback as to what outcomes they would like to see achieved during these negotiations and these responses give the negotiating team a good starting point for our log of claims.

The first EBA meeting with HWC was held recently, at which HWC presented a brief overview of their position and the items they would like to include in these negotiations.

The Single Bargaining Unit requested that they give us more detail on this, in writing, within fourteen days so that we may meet as a group to consider their position properly and formalise a collective response.



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