

ACTIVE STRONG UNITED

ASU: 01

CANON: 00

WORKERS AT CANON HAVE TAKEN COLLECTIVE ACTION WITHIN THEIR WORKPLACE TO ANOTHER LEVEL. THEY HAVE SUCCESSFULLY COORDINATED A NATIONAL CAMPAIGN TO PREVENT THE IMPLEMENTATION OF A HIGHLY UNFAIR PERFORMANCE PAY SYSTEM.



ASU members Marcel Naidoo, Mario Mazatti and Paul O'Brien

The performance pay system sets targets that all Techs are measured against. Under the current Enterprise Bargaining Agreement Canon Techs are not guaranteed an annual pay rise to cover increases in the cost of living. ASU members campaigned against this because we feared exactly this. Any pay rise depends on performance. The 2008 system proposed by Canon would have increased the targets for weighted average number of calls per day and reduced the weightings for machines. Some of the assessments are highly subjective and the increased call rate was practically unachievable.

The proposed system with increased targets for all technicians came after a round of redundancies last year. It was clear that Canon were increasing the targets to force the remaining technicians to cover the additional workload. Canon were also intending to use the increased

targets to performance manage and terminate technicians and avoid the need to pay further redundancies.

Initially Canon remained adamant that they would implement the system, irrespective of the views of its employees. Their resolve didn't last long.

ASU members determined that the new system was the last straw. ASU delegates coordinated a petition throughout the country to address workers concerns and inform Canon management just how strongly they felt about the issue. The petition was presented to management stating that employees were not happy with the system or its implementation. The petition was signed by over 95% of all Canon technicians making it clear to management just what they felt about their proposal.

After some discussion, Canon management agreed to withdraw their proposal. This is a significant achievement by all the workers at Canon.

ASU Secretary Sally McManus said, "the strength of the message the petition gave to management cannot be underestimated. To have the overwhelming majority of technicians join together and act in a strong and determined manner can only ensure that management must listen".

For as long as performance based pay has existed there have been issues with unfair, ever changing measurements. Over the last three years the impact of this unfair system has multiplied on technicians at Canon. ASU members have resolved to fix this once and for all when their agreement is negotiated in 2009.

NEWS FLASH

SUPREME COURT VICTORY

The ASU has taken successful legal action in the NSW Supreme Court to stop the ETU using stolen membership lists to contact ASU members. See page 3 for details.

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FROM THE SECRETARY



14 years ago I attended a meeting with some angry Canon technicians. Their employer had taken away their RDO's and had introduced a new performance pay system which affected their take-home pay. Back then, no-one was in the union and winning even small changes seemed pretty hard. However, that group of Canon technicians all joined the ASU and fought for an Enterprise Agreement and won.

Over the years, Canon has tried at other times, to reduce take home pay. One year they threatened to reduce the Walking Allowance. Walking technicians joined the union, went on strike and they won.

Building a strong union does not happen overnight, but when Canon tried again this year to change the pay system to reduce take home pay, once again technicians united across the country and Canon backed down.

Whilst 14 years have passed, the lessons are still the same. Companies in the IT industry will do their best to divide workers. Other unions, in selfish membership grabs can divide us if we let them. It is only when we are united and not distracted by people who have interests in dividing us that we move forward and make gains. This is true for all workers, not just in our industry. The old saying, "United we bargain, Divided we beg", could never be more true.

Low cost banking for ASU members



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SHORTCIRCUIT SPEAKS WITH MARIO MANZATTI



How long have you been a member of the ASU?

I have been a union member for 17 years and I have been a member of the ASU for over 10 years.

Why did you get involved with unions?

There is more protection when you are a member of the union. They are always available for advice. Union membership helps a workplace work together in unity.

In your workplace, how has union membership been influential?

At Canon we have recently been fighting performance based pay, which is a form of productivity measurement, with goalposts that are unreachable and constantly moving. The influence of union membership is what really drove our win to stop the 2008 implementation.

The National Consultative Committee (NCC) which is a group of technicians who are spokespeople for their colleagues and which I am a member of, was influential in our win at Canon. Unlike past years, the majority of representatives were union members, so when the company consulted the NCC they were basically talking to the union.

That means I can relay all the information that comes out of NCC meetings to members and I also pass on all the grievances that the techs have to the meetings. Now that the NCC is unionised, it has more power. We are united and we are striving for a common goal – that is stop the system. The bosses are listening. We are representing the views of all the workers and we are influencing management. The NCC is attempting to engage all workers and make non-union members aware of the benefits of the union.

Why is collective action important?

By not being in the union you are on your own. Collective action brings together many voices and presents it as one powerful voice. When you're on your own bosses can cherry pick individuals but if you stick together in a group it is much harder for them to strike at you. On the NCC we actually don't have any power whatsoever because ultimately the bosses can do what they want, but because we collectively pressured them, they are beginning to listen to our claims.

Were you excited about the win?

Definitely! I was there with ASU officials handing over the petition.

Was there a boost in morale and a feeling of unity within the workplace after your win?

Definitely! It has gotten to the point now that workers are pushing the NCC to force change. It has become a really active workplace, and this is great particularly because we all work on the road and hardly ever see each other. We're all driving techs - we don't see each other as often because we've got a vast area to cover.

Do you feel like you have more power now for future negotiations?

Yes this was only a small fight because the big fight comes when we start negotiating the 2009 EBA and we're really looking forward to it.

What do you see as the major challenges facing the union movement in the future?

We have to try to get people to see the broader value of unionism, the benefits of being united, working as a collective, working together. We get a lot further being united rather than being divided.

SUPREME COURT VICTORY

The ETU has been using membership lists that were stolen from the ASU to send unsolicited mail to ASU members in the business equipment industry. The ETU have been attempting to recruit ASU members from the business equipment industry despite having no legal coverage of this industry.

The Supreme Court issued orders for the ETU to deliver the membership lists, to stop contacting ASU members and to pay the costs to the ASU of taking legal action.

This is an important step for the ASU in preventing the ETU from splitting the business equipment industry and putting at risk the improvements to our pay and

conditions that have been gained over many years of hard work.

If you received any unsolicited correspondence from the ETU please contact the ASU immediately on 02 9310 4000.

You can forward the documents to the ASU by fax on 02 9698 8936 or by post to PO Box 1865 Strawberry Hills NSW 2012.

If you have any questions please contact Carl Harris, IT Industry Organiser, on 02 9310 4000 or 0423 564 162 or email carl@asu.org.au.

KNOW YOUR RIGHTS AT WORK—UNDERSTANDING YOUR CONTRACT OF EMPLOYMENT

Everyone knows that it is important to understand your conditions of employment so that you understand your entitlements and obligations. Most people know about Awards and Enterprise Agreements. These are collective agreements that set minimum pay and conditions for all workers in a workplace or industry. They are the critical safety net underpinning the rights of Australian employees that the Howard Government's WorkChoices legislation threatened to abolish.

Another crucial part of your employment conditions, which is often less well understood, is your contract of employment. Your contract of employment can contain rights and obligations for you as an employee in addition to your rights under an Award or Enterprise Agreement.

Your contract of employment is fundamental to your employment relationship and without a contract you are not an employee. A contract of employment may contain conditions of employment on matters not covered by the Award or Enterprise Agreement such as your place of work or hours of work for part time employees. A contract of employment may also contain

conditions over and above your entitlements under an Award or Enterprise Agreement such as a higher rate of pay than the Award rate or company policies.

A contract of employment cannot contain conditions of employment that are less than the conditions required by an Award or Enterprise Agreement. Awards and Enterprise agreements set the minimum conditions that apply to a group of employees. The main difference between a contract of employment and an Australian Workplace Agreement was that under WorkChoices AWAs allowed employers to cut pay and conditions below the minimum required in an Enterprise Agreement or Award. Also you are not prevented from entering a collective agreement if you are on a common law contract.

A contract of employment might not always look like a contract. Often your letter of appointment to a position will be your contract of employment. A verbal agreement or an exchange of emails or letters could also become your contract if they represent an agreement between you and your employer.

To be a valid contract you need to agree to the contract but that doesn't

necessarily mean you need to sign it. Your agreement to the contract may be implied if you act as if the contract applies to you. For example you can be taken to agree to the conditions of employment contained in your letter of offer just by turning up for work. That is why it is important to take action immediately if you don't like what your contract says.

Here are some important things to know about your contract of employment:

- Firstly, take a moment to read it carefully, make sure you understand what it says and that you are happy with the contract.
- If you don't understand it get in contact with your workplace delegate or the ASU Organising Members Information Centre to get some advice.
- Keep it! It is important to keep a copy of your contract in order to make sure your conditions are not undermined.
- If your employer offers you a new contract of employment DO NOT SIGN IT until you have contacted the union office to check that the changes are fair.



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More information

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