

ACTIVE STRONG UNITED

IBM MEMBERS CONSIDER STRIKE ACTION

WORKERS WHO MONITOR SERVERS AT IBM AUSTRALIA ARE CONSIDERING TAKING INDUSTRIAL ACTION IN THEIR CAMPAIGN TO OBTAIN AN ENTERPRISE BARGAINING AGREEMENT. CURRENTLY IBM WORKERS ARE EMPLOYED ON INDIVIDUAL CONTRACTS WITH VASTLY DIFFERENT TERMS OF EMPLOYMENT AND MANY CONDITIONS ARE IN POLICY WHICH COULD BE CHANGED AT ANY TIME.

IBM have refused workers demands to meet to start negotiations. Instead, in an effort to avoid union demands, they have organised roundtable meetings with employees saying that IBM prefers to deal with its employees one-on-one.

As a result of these meetings IBM have offered staff a pool table and communal BBQ. However, IBM have not offered workers the annual payrise, redundancy entitlements or a travel allowance that they have requested.

In order to get the real issues at IBM addressed workers met on 23 June and authorised the ASU to apply for a protected action ballot. Protected action ballots are now required under Federal industrial relations law in order to take legal industrial action. The requirement for the ballots was introduced as part of WorkChoices and is being kept by the Rudd Labor government.

The laws require a ballot of union members conducted by the AEC or an authorised agent. Only union members can participate in the ballot or take protected industrial action. To take protected action, 50% of union members have to

participate in the ballot and at least 50% plus one of the eligible members vote in favour of the proposed action.

While these ballots are designed to delay and prevent industrial action, in many places they have become organising opportunities. IBM members have used the ballot process successfully to build the union in their workplace and to involve people in the campaign for an Enterprise Bargaining Agreement.

IBM HAVE NOT OFFERED WORKERS THE ANNUAL PAYRISE, REDUNDANCY ENTITLEMENTS OR A TRAVEL ALLOWANCE THAT MEMBERS HAVE REQUESTED.

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FROM THE SECRETARY



Your Rights at Work – still at risk

It is becoming clearer that negotiations with the Federal Government on the new IR laws are not proceeding as ASU members expected. It looks like we all have no choice other than to restart the “Your Rights at Work”

campaign which brought down the Howard Government.

ASU members fought hard for five key things during the WorkChoices campaign. They were:

1. Abolition of AWA's
2. Restoration of unfair dismissal rights
3. Protection of our awards
4. Restoration of the role of the independent umpire, and
5. Restoration of collective bargaining rights

While we have won on AWAs, the future of many of the other things we campaigned for is currently in doubt. There are two that are immediately most concerning:

1. AWARDS

The Labor Government is currently undergoing a process of “modernising” awards. This involves radically reducing the number of awards. We do not understand how this action can occur without reducing rights for workers. For example, there are currently many awards for each of our industries that have different conditions – if they are abolished, what will they be replaced with? For ASU members who depend on their award, this is a huge concern.

2. THE ROLE OF THE INDEPENDENT UMPIRE

It is not yet clear whether the Industrial Commission will be given any powers to resolve disputes. It will be able to “conciliate” but the Government is so far refusing to confirm whether it can also arbitrate. This is a right that workers have had for over 100 years in Australia. We believe that no boss will take conciliation seriously if they know the Commission has no power to make a decision at the end of the day.

Employers and big business have been working overtime since the Federal election pressuring the Labor Government to keep many aspects of WorkChoices in place or to re-badge them under another name.

Should this continue, we will have no choice other than to restart the “Your Rights at Work” campaign to assure the Federal Government that the people voted clearly to get rid of WorkChoices and this is exactly what we expect them to do.

CONCERNS EMERGING OVER LABOR'S NATIONAL IR PLANS.

Concerns are beginning to emerge over Labor's plans for a new National IR system. Labor has now released the 10 national minimum standards which will be contained in law. These are supposed to sit alongside the 10 additional matters that can go in a Modern Award. The problem is that some of the 10 standards are lower than current entitlements. In addition it is unclear how the standards will link to awards, whether or not the Independent umpire (the AIRC or its replacement) will be able to sort out disputes and whether once Awards are made, they can be improved.

GLOBAL POSITIONING SYSTEMS AND WORKERS

THE INTRODUCTION OF NEW GPS TECHNOLOGY INTO THE WORKPLACE HAS SERIOUS IMPLICATIONS ACROSS MANY INDUSTRIES. RECENTLY A NUMBER OF VEHICLES IN THE CANON FLEET OF TECHNICIAN CARS HAVE HAD THE TECHNOLOGY INSTALLED UNDER THE PRETEXT OF RISK MANAGEMENT AND OR THE PURPOSES OF MONITORING CAR USAGE FOR FBT. THE USE OF THIS TECHNOLOGY IS VIEWED WITH SOME CONCERN BY YOUR UNION.



There are significant concerns about GPS

- Invasion of privacy
- Monitoring of personal car use
- Agreement as to when it is switched on or off.
- Possible use of GPS as a performance management tool

The ASU opposes the unilateral decision by employers to introduce new technology into the workplace without consultation and agreement from employees.

Increased surveillance of workers raises the potential of that surveillance data to be used in disciplinary or performance management processes. GPS surveillance provides employers with detailed data about a workers precise location over time. This information could be used as part of a disciplinary process if any discrepancies are found between a workers stated location and their location according to GPS. It could also be used as part of performance management processes if an employer has concerns about the productivity of an employee.

Your union also believes that reasonable boundaries around workers' privacy must be respected and observed by employers. Where workers have personal



use of their work vehicles, that personal use should be free from surveillance by employers. This erosion of personal freedom must be challenged by all workers.

In the case of our members at Canon the ASU has sought clarification about the company's intended use of these devices and agreement that the data will not be used for performance management or disciplinary proceedings. The ASU will be watching carefully to see if this technology is to spread industry wide.

KNOW YOUR RIGHTS AT WORK FACT SHEET 3 – DISCIPLINE MATTERS

When you face a disciplinary matter with your employer, it is important to remember that you do have some rights. You have a right to:

1. Know what the meeting is about and to have that put in writing to you prior to the meeting.
2. Representation – have someone with you – preferably your workplace delegate.
3. A reasonable time frame for the meeting that allows you to obtain representation and prepare a response to the written allegations against you.
4. A fair and proper process that conforms with the principles of natural justice and procedural fairness. (Having the concerns outlined in writing, being represented, and having adequate time to respond.)
5. Have a copy of the organisation's Disciplinary Policy.

The most important thing to remember with any disciplinary matter is to GET IT IN WRITING before you attend any meeting. If other matters are raised at the meeting, you should request that those matters be put to you in writing, which will allow you to prepare a response.

Members often face pressure from their employers to enter meetings without notice. Consequently they do not get the accusations against them put into writing. If they do, it is often with vague detail and there is disagreement with the outcome of the disciplinary process.

Often a member will be called into a meeting by words along the lines of "I just need to talk to you". If you find yourself in this situation – stop the boss and say – "I need you to put this matter into writing and arrange a meeting at an appropriate time when I can have someone with me". If your boss tries to argue – say to them "I am only trying to protect my rights". If the boss insists you should call the ASU for assistance.

Another common issue is disagreement over the outcome or contents of the warning. If this is the case, you should sign the warning with "signed in acknowledgement of receipt only". You should then immediately write a letter in response outlining why you don't agree with the contents or the outcome. This ensures your side of the story is on your personal file – which will be important if the action is repeated or it escalates to a dismissal.

APPEAL TO HELP VICTIMS OF BURMA



A cyclone survivor huddles behind a corrugated iron sheet trying to cook some rice

CYCLONE NARGIS

"Where are all those uniformed people who are always ready to beat civilians? They should come out in full force and help clean up the areas and restore electricity." — *Rangoon resident, 4 May 2008**

Cyclone Nargis, which hit southern towns of the Irrawaddy delta in Burma, the area which produces most of Burma's rice, left tens of thousands dead and missing.

WHAT IS THE BURMESE MILITARY JUNTA DOING?

"There is no aid. We haven't seen anyone from the government" said U Pinyatale, the abbot of the Kyi Bui Kha monastery, where almost-depleted rice stocks and precious rainwater are shared with some 100 homeless villagers huddled within its battered compound.

TIME FOR INTERVENTION?

The case for humanitarian intervention has been gaining momentum. Although not a UN resolution or a statute under international law, the "Responsibility to Protect," or "R2P," is a framework invoked in the case of "national authorities manifestly failing to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity."

In the meantime, relief is up to the Burmese people themselves and small Non Government Organisations such as Norwegian People's Aid, assisted by Union Aid Abroad who are managing relief 'under the radar' of the Generals.

To donate to the Burma Cyclone Appeal call 1800 888 674 or go to www.unionaidabroad.org.au. Don't forget donations are tax-deductible. Why not become a regular monthly donor (a Global Justice Partner)?

BURMA OR MYANMAR – WHAT'S IN A NAME?

On 18 June 1989, the Burmese military junta changed the English version of the country's name from Burma to Myanmar. This was done without a national referendum to have the Burmese electorate ratify the name change. Opposition groups continue to use the name "Burma", since they do not recognise the legitimacy of the ruling military government nor its authority to rename the country in English. Union Aid Abroad uses the name Burma out of respect for those struggling for rights and freedoms.

HOW IS UNION AID ABROAD-APHEDA GETTING AID TO THE PEOPLE OF BURMA?

We are working with small teams of aid workers who are making trips into the delta region to deliver aid. Our partner organisation, Norwegian People's Aid (NPA) is working with local community organisations to get aid out to the people, while avoiding tight government restrictions on development work and ensuring that funds are not misappropriated by the regime.

WHAT'S GOING ON OUT THERE?

SHORTCIRCUIT SPEAKS TO TONY STEELE

A brief description of your job?

My job is a bit varied. I now work at IBM in an architect installation role. But for the last 10 years I've been working with the technical support area looking after critical situations in throughout Asia-Pacific.

How long have you been a member of the ASU?

3 years

Why did you join the union?

I've been brought up to believe that workers should be members of the union. Being a member of the union means representation within in the workplace, and getting together with other workers and discussing common issues.

How has the union helped you?

I've never really directly needed the union but being an active member has been helpful to get another perspective on what's happening to other parts of IBM and how people there are being treated.

What is the role of a delegate?

Delegates are the face of the union in the workplace. They listen to people's issues, and see if anyone needs assistance.

Why do you think union membership is important?

Our industry is changing. Workers have been very well



treated until fairly recently. Now with overseas competition and a lot of work going overseas (off shoring) people are starting to realise they can't demand the conditions they were getting before. Union is strength - working together with fellow workers to ensure everyone is treated fairly and everyone is looked after. That is why union membership is important.



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KNOWYOURHISTORY

IN THE LATE 1980'S ALL UNIONS IN AUSTRALIA UNDERWENT AMALGAMATIONS. PRIOR TO THIS THERE WERE HUNDREDS OF SMALL UNIONS. SMALL UNIONS HAD LIMITED INFLUENCE BY THEMSELVES, OTHER THAN IN THEIR IMMEDIATE WORKPLACES. UNIONS SAW THAT IT WAS NECESSARY TO COMBINE OUR RESOURCES AND NUMBERS TO BUILD MORE POWERFUL AND BETTER RESOURCED UNIONS FOR WORKING PEOPLE.

The ASU came about because of a vision. Many public sector unions were in membership decline because of outsourcing policies and economic rationalism. At the same time, new industries were growing with newer unions who had starting unionising. The vision of the ASU was to bring together strongly unionised public unions and community and private sector unions in the services industries to build a strong, well resourced union which had opportunities for growth into the future.

This was a union which would benefit all, which gave declining public sector unions a future where they could grow and increase their influence, and small community and private sector unions had a base and resources in

order to expand and unionise these new industries. This would make workers in all of these industries stronger.

Our union bought together:

- public sector unions - The Sydney Water Corporation Unions, the Hunter Water Corporation Union, the Transport Officer Union ("white collar" workers in the transport industry), the Maritime Industry Union ("white collar" workers)
- the community sector union – workers in the non-government community sector
- private sector unions – the Airlines industry Union ("white collar" Airlines workers), information technology workers union and the shipping and travel officers union (workers in travel agencies and shipping companies).

The ASU has lived the vision of its founders. We have maintained our size and influence whilst most unions with no resources or no potential to grow outside one industry have declined.

2008/9 UNION FEES FROZEN FOR DIRECT DEBIT & CREDIT CARD PAYMENTS

The ASU executive has determined that it can keep fees at their current levels in 2008/9 for those members who pay by direct debit or credit card. Unfortunately, due to increased costs associated with issuing accounts for members, an increase of 50 cents a week will apply to cash/ cheque payments. In line with the union's stated aim to remove all members from payroll deductions, the 50 cent increase will also apply to these payments. This fee increase can be avoided by simply moving over to either direct debit or credit card payments. If you wish to make the switch, please complete the enclosed form and return by fax or post. The new fees will apply from 1st August.



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