



## Sydney Water throws keys to contractors

**SYDNEY WATER HAS BEEN SO DETERMINED TO CUT COSTS THAT IT WAS PREPARED TO OVERTURN LONG STANDING WORKPLACE PRACTICES TO ALLOW CONTRACTORS ON TO ITS SITES WITHOUT BEING ACCOMPANIED BY AUTHORISED PRODUCTION OFFICERS. IN AN EFFORT TO CUT OVERTIME AND OTHER PAYMENTS THE MANAGEMENT AT SYDNEY WATER, WITHOUT ANY CONSULTATION, HAS ATTEMPTED TO ABANDON THIS PRACTICE.**

Sewage Treatment Plants, Water Filtration Plants and Ocean Outfalls are sites that are paramount to the integrity of the state's waste water treatment and drinking water supply and have always required the presence of Production Officers whose role has been to monitor the on-site plant and processes from start to finish. Among other duties they must oversee all visits to the site and ensure that Sydney Water operations are not disrupted by the presence of these contractors.

As well as plant security and integrity, there are serious OH&S implications of having external contractors travelling

through and on these sites without being supervised by Production Officers. The ASU questions who will take responsibility for any "mishaps" that might occur through the work of external contractors while there are no Production Officers present.

As a result of these changes, ASU Delegates advised their colleagues to conduct full safety audits of their plants every morning before commencement of work. Management responded to these safety walks by taking the ASU to the Industrial Relations Commission claiming that they were time consuming and costing money. However the IR Commissioner did not exactly see it that way and ordered that the original practice be reinstated.

The Commissioner has directed that a trial operation be initiated to take place over the next three months to establish a procedure that would be suitable to all parties. Production Officers will be present on these plants at all times throughout the trials and ensure that the integrity of the system is maintained. The ASU is pushing for these systems to remain after the trials end.

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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.

## SYDNEY WATER ATTEMPTS TO AVOID CONSULTATION

**SYDNEY WATER HAS PROPOSED TO CREATE TWO NEW DIVISIONS IN BUSINESS SERVICES – AN OPERATIONS DIVISION AND A MAINTENANCE DIVISION. THE AIM IS TO TAKE STRATEGIC OPERATIONS AWAY FROM ASSETS MANAGEMENT AND ALIGN IT TO A MAINTENANCE DIVISION, ALL UNDER BUSINESS SERVICES. THIS HAS BEEN DONE WITHOUT PROPER CONSULTATION AND LIMITED INFORMATION TO STAFF ABOUT THESE CHANGES.**

Unsurprisingly, members are becoming anxious and are keen to approach management to find out information and be involved in any proposed changes. Sydney Water has stated they will consult the union during stage 4 of the proposed changes, but this is not acceptable. Your union should be involved in the process now, not just during the 4 week consultation period that will commence at a much later date.

ASU members must demand management consult with them throughout the process.



# Members fight creeping outsourcing

ASU members stand united. From left Karen Code, Dan Crawford, Steve McTaggart, Greg Heath, Matt Cowie, Lucas De Jonge, Mario Kujundzija

### **SYDNEY WATER'S ATTEMPTS TO OUTSOURCE WORK ARE SPREADING THROUGHOUT IT SERVICES, AFFECTING MEMBERS IN SERVICE DESK, DESKTOP SUPPORT SERVICES AND THOSE INVOLVED IN THE SECURITY ZONES PROJECT.**

The proposed reorganisation of the Service Desk and Desktop Support will see permanent positions outsourced to DELL and will significantly cut the pay and skills development of members.

As part of a reorganisation of the Service Desk and Desktop Support, Sydney Water proposes to remove 3 permanent IT positions and remove the 24/7 roster (a 24 hour help line for people with IT issues) handing over these positions to DELL. This outsourcing will cut pay and skills development of members.

ASU member and affected employee Matt Cowie says "The impact on customer satisfaction will be massive. DELL workers simply don't have the

skill-set or local systems knowledge of current staff. In my experience contractors don't have the 'care-factor' of full-time employees either, since they typically don't rely on a single employer for their business".

Resolutions passed at a members meeting demand that management acknowledge the current proposals are outsourcing and follow the Sydney Water Agreement in this regard. When it comes to IT, the succession planning of Sydney Water management is simply to outsource, outsource, outsource. The cover story of the latest edition of Splash says that Sydney Water has a skills retention problem. The solution is to upskill existing staff and stop the high turnover of new staff, not send the jobs outside.

Sydney Water has also failed to consult the union properly over the tender for the Security Zones project and is planning to remove work that would normally be done by permanent staff.

According to the recent Services Union of Australia report prepared by leading Australian economists, the most comprehensive analysis of Australian labour market trends ever undertaken, 850, 000 service sector jobs face the chop as new economic modelling projects the biggest expatriation of Australian jobs in our history. The clock is ticking for concerted action to address a vicious cycle of job loss, skills and competencies loss.

## **STOP PRESS**

**Although the dispute continues, Sydney Water has been forced to take the proposal to outsource the 24/7 support roster off the table. This is a significant win for ASU members and the customers that use the 24/7 support service.**

## MEMBERS CHALLENGE CHILDCARE ALLOWANCE RESTRICTIONS

**SYDNEY WATER IS RESTRICTING MEMBERS' ELIGIBILITY TO RECEIVE THEIR CHILDCARE ALLOWANCE. TO BE ELIGIBLE FOR THE ALLOWANCE YOU MUST BE THE PRIMARY CARER AND RETURN TO WORK AT LEAST 3 DAYS A WEEK. ADDITIONALLY IT IS ONLY OFFERED FOR THE FIRST 3 YEARS OF THE CHILD'S LIFE. MEMBERS OF THE ASU DISAGREE WITH THESE RESTRICTIONS AND HAVE IDENTIFIED A NUMBER OF ISSUES REGARDING THESE ILLOGICAL RESTRICTIONS:**

### ISSUE 1:

#### Defining 'Primary Carer'

**SYDNEY WATER** defines primary carer as either the birth mother or the carer who has taken at least 3 months off work because of the birth of a child.

**ASU MEMBERS** believe Sydney Water's interpretation discriminates against their employees who look after children but are not classified as primary care givers because they did not take parental leave.

### ISSUE 2:

#### Returning to Work

**SYDNEY WATER** will only offer the childcare allowance if the Sydney Water worker returns to work at least 3 days a week.

**ASU MEMBERS** believe this unfairly discriminates against those who decide to return to work 2 days a week. These workers will be financially worse off regardless of the approval and permission they have received from management, which enables them to return to work 2 days a week.

### ISSUE 3:

#### Length of allowance

**SYDNEY WATER** will only offer the childcare allowance for the first 3 years of a child's life.

**ASU MEMBERS** believe it is logical to provide child care up until school age.

**SYDNEY WATER** have introduced this benefit but have deliberately limited access to it. Considering the issues attached to it, it seems more like a 'return to work allowance' than a 'child care allowance'.



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# WHAT'S GOING ON OUT THERE?

## WORKING MOTHERS NEED CHILDCARE

Robyn and Kim are both working mothers who have been using Sydney Water's current childcare centre KIRA, located at Paddington for the last 4 years. The centre saves them the hassle of looking for quality childcare at a time when childcare is becoming harder to come by and waiting lists are growing. The currently available shuttle bus service from the centre to Sydney Water Head Quarters is a huge help to many working mothers and an incentive to use the centre. Any changes to the current benefits and access of Sydney Water childcare operations may make things extremely difficult for mothers like Robyn and Kim.



KIM PAES; ROBYN STAUDINGER

## MOVE TO PARRAMATTA SHOULD NOT CUT QUALITY OF CHILDCARE

**SYDNEY WATER HEAD QUARTERS IS MOVING TO PARRAMATTA AND THE NEED TO ESTABLISH A NEW CHILDCARE CENTRE FOLLOWS THIS MOVE. PROVIDING QUALITY CHILDCARE SERVICES IS NECESSARY TO ENCOURAGE THE RETURN OF WORKERS WITH YOUNG CHILDREN. SUCH A PROVISION IS ESSENTIAL, PARTICULARLY FROM COMPANIES WITH A HIGH NUMBER OF EMPLOYEES.**

Sydney Water are not establishing their own childcare centre at Parramatta, however they are reserving a specific number of places for Sydney Water staff at a privately owned centre. This means they relinquish control over the choice of management and therefore ultimately the quality of the childcare centre.

Staff were invited to visit and comment on the Virginia Street Childcare Centre before a final decision was made. The majority of the staff who visited the centre were happy. However many staff have been taking their children to the same childcare place for years. Taking them out after they have made friendships and connections with the carers will potentially be disrupting

to the children. Sydney Water will retain their current centres and these are still available to staff with the same benefits as currently provided but the location will not be practicable for the majority of staff working at Parramatta.

Members have accepted that the decision to move centres has been made, and are pleased with the new centre and negotiated fees, but there is disappointment that the current shuttle bus service that makes commuting so convenient, is not being replicated at the new site, which is a distance from the new Head Quarters.

Decisions about childcare have been made early on and while information has been provided there has not been genuine consultation with the union or affected employees. Several information sessions were held although the best attempt at consultation was a Q&A session with Peter Mills which was essentially a forum to dictate information rather than including people as part of the decision making process.

## SCA AWARD NEGOTIATIONS

Sydney Catchment Authority's Award expires at the end of this year and negotiations have begun to accelerate the formation of a new Award.

After a joint delegates meeting on the 9th May, 3 options were put on the table:

- Roll over the current Award with a pay increase;
- Negotiate outside the Award for a pay increase;
- Wait until the current Award ends and then negotiate a pay increase (backdated 6 months)

The ASU and delegates will be meeting with Management to negotiate the best possible outcome for members, which will include a pay increase.

## 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](http://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.

## WATERNEWS SPEAKS TO TIM PARK

### What is your job description?

I'm a Waste Water Treatment Operator and a Hunter Water Australia employee.

### How long have you been an ASU member ?

2 years

### You're a member of the Waste Water Treatment Working Party; why was this established?

It was set up to tidy up some old issues and move on to deal with new ones. We needed to deal with outstanding issues with the Hunter Water Corporation such as pay disputes and communication issues, and also to move on in regards to the new EBA for Hunter Water Australia. We're just about to start negotiating our first agreement and we're hoping to mirror the agreement with Hunter Water Corporation.

### Has the Working Party been successful and how?

We have moved forward on a few issues and are in the process of moving forward on some others. The main issue we are dealing with at the moment is wage structure. We want to move down the path of Sydney Water toward a pay system based on skills recognition. At the moment ours is fairly stagnant, and the only way



to move around, let alone move forward, is if somebody leaves. The committee is set up of 8 people (5 union members and 3 management) and it is important because it has strength in numbers. If it was up to individuals negotiating with management, it wouldn't get very far. The party meets once a month for negotiations and we distribute the minutes from the meetings and report back to members at group meetings.

### Why is union membership important?

In the modern world you need some sort of base for negotiations in order to deal with the way most managers think. Unions deal with management

all the time and to have any success, you've got to know the system to be able to use the system.

### How do you think the union can remain active and visible?

The union has to be proactive in trying to recruit and keep people involved. We have to be seen to be helping people and we can do this by keeping people informed on how the union is helping them.

## INDUSTRIAL COMMISSION ORDERS NO INDUSTRIAL ACTION FOR 3 MONTHS

### ASU MEMBERS IN CIVIL MAINTENANCE HAVE BEEN ORDERED TO REFRAIN FROM ALL FORMS OF INDUSTRIAL ACTION UNTIL MIDNIGHT 28 JULY 2008. THE ORDERS ARE A RESPONSE TO MEMBERS BANNING MANAGEMENT'S REQUIREMENT THAT THEY CROSS INTO OTHER PRODUCTION AREAS TO CARRY OUT THEIR WORK.

Civil Maintenance management allocate work from 9 production areas that cover all of Sydney Water's area of coverage. Until recently members were only required to work in their own production area, allowing them to build up strong local knowledge as well as keeping them close to important equipment. The arrangement also kept members close to the facilities in their local depot such as showers, dining rooms and toilets (bearing in mind that our members are often contaminated by raw human sewage and trade waste: read refuse from industry).

Management are now requiring members to 'cross

boundary areas', into other production areas. Such a change means that members can no longer call on their local knowledge to perform their work efficiently, and this creates a potential danger as members have no idea which neighbourhoods may be more risky than others. In addition to being asked to work in foreign areas, members no longer have local access to the important facilities outlined above: meaning they can be hours away from a shower while being covered in human sewage.

As a result of these concerns, members banned the 'crossing of boundary areas'. This ban stayed in place for more than a year until the IRC's recent orders requiring the ban to be lifted. Members voted to comply with these orders. Members still believe strongly that the crossing of boundaries represents a risk to their health and safety and will continue to seek improvements to the work practice through a committee set up for this purpose called the Shift Monitoring Committee.

## 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.

## KNOW YOUR HISTORY

**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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