

WorkChoices – A looming threat if Howard is re-elected.

THE AUSTRALIAN PUBLIC HAS BEEN TOLD AGAIN AND AGAIN THROUGH VARIOUS REPORTS, ACADEMIC STUDIES AND OPPOSITION COMMENTS THAT WORKCHOICES, INTRODUCED BY THE HOWARD GOVERNMENT IN MARCH 2006 IS NOT ONLY FLAWED BUT EFFECTIVELY ANNIHILATES THE WORKING RIGHTS OF ORDINARY AUSTRALIANS.

Still, Howard refuses to move on his unfair laws.

If the Howard Government is re-elected, Sydney Water and Hunter Water will struggle to remain under the state system as both are technically under WorkChoices. We are protected from the worst of WorkChoices only because of the agreement of management.

The fundamental flaw of WorkChoices is that, in the implementation of AWAs, power is vested totally with the employer. Under WorkChoices, AWAs, can strip away hard won working conditions, and are legal. AWA's destroy the safety net of awards and enterprise agreements. They must be abolished.

The ASU through its organisers and members has fought hard to maintain high standards of employment in Sydney Water, Hunter Water, the SCA and NSW Maritime. Do you want to risk losing the conditions that have been bargained for collectively? They include:

- Above average pay
- Pay rises above CPI
- Overtime pay
- Shift Penalties
- Above WorkChoices standard sick leave
- Paid maternity leave
- Child care facilities
- Flexible work arrangements
- Rostered days off
- Union support

If the Howard Government is re-elected these hard earned and well deserved working conditions will disappear for many working Australians.

The NSW State Government has created some protections for workers against WorkChoices, but if John Howard is re elected, it will be under enormous pressure to consign state owned corporations and other authorities entirely to WorkChoices. The Howard Government has the ability to threaten to withhold state funding unless it does so. We have already seen this happen at Australian

Universities, where many staff were effectively forced onto Australian Workplace Agreements (AWAs).

The Government claims that these laws are necessary to compete with the emerging economies of India and China. Does this mean that in order to compete, Australia must emulate the often appalling working conditions of these competing countries? Howard and Costello keep boasting that the Australian economy is doing so well. If this is the case, why are some workers doing it so tough? A workforce that has its conditions constantly being eroded means that profits and prosperity will exist for corporations and a special few.

The Reserve Bank, ALP, Unions, leading economists and academics have insisted for years that the best way to compete with India and China and improve productivity is by investing in the skills of Australians. The Howard Government continually ignores this advice, and instead has increased big business profits by attacking our pay and conditions.

Many economists and academics who study workplace laws around the world agree that WorkChoices are not only unnecessary but are the harshest anti-worker laws in the Western world and will create a new generation of working poor. These are extremely draconian laws that even Margaret Thatcher never dreamt of introducing.



Water members rally for Rights at Work

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FROM THE SECRETARY



ON 24 NOVEMBER WE WILL FINALLY GET A CHANCE TO GET RID OF HOWARD'S WORKCHOICES AND STOP IN ITS TRACKS LAWS THAT HAVE JUST BEGUN TO EAT AWAY AT THE FABRIC OF OUR SOCIETY.

WorkChoices has given all ASU members reason to be concerned as our rights that we have taken for granted – penalty rates, overtime and allowances are at risk. WorkChoices has allowed employers to take away those conditions upon which working people depend. No wonder so many are turning against the Howard Government. You cannot expect to hurt working people so directly and seriously and be rewarded at the ballot box.

It's a tough task to defeat a conservative government and it doesn't happen very often. Most of us will only witness this a couple of times in our lives. Some members will remember the Whitlam election in 1972 after Labor's 23 years in opposition; others will remember the Hawke victory in 1983. Some members will not have experienced the excitement of these events. If the Howard government is defeated, for members under 35, this will be the first experience of the people throwing out a long term conservative government. What an exciting night it will be and won't it be amazing if we wake up on the 25th

Continued page 3....

FROM THE PRESIDENT



WELL MEMBERS, THE ELECTION DATE HAS BEEN SET. THIS IS WHEN WE CAN FINALLY SHOW THE HOWARD GOVERNMENT THAT OUR FEET CAN DO THE WALKING; WALKING AWAY FROM THE ABSOLUTELY RIDICULOUS LEGISLATION HIS GOVERNMENT HAS TRIED TO

FORCE UPON THE WORKERS OF AUSTRALIA, WORKCHOICES! WHAT A NAME, WHEN REALLY THERE IS NO CHOICE!

How could anyone put faith in a Government led by such liars and fools? Those of you who watched the great debate would have noticed the obnoxious smirking and grinning by the very childish Costello and Downer. How could any serious voter put the future of our country in the hands of that pair especially knowing that Costello will become the next Prime Minister.

Therefore members, we must, for the sake of our future, urge all family and friends to carefully consider how they vote in the coming election. It is vital that we change government so that we can get back to a fairer deal for workers in this great country of ours.

In the marginal seats this is even more important as we need to make sure that the sitting member is beaten. For those of us in the Newcastle/Lower Hunter area, our seat is that of current sitting Liberal member Bob Baldwin in Paterson, so I urge those in that electorate to get behind Jim Arneman and help make it a resounding victory for the working class of Australia.

Removing the Conservatives from Government in the lower house is an absolute priority but the ability to have control of the Senate in conjunction with minor parties, mainly the Greens is just as critical. Your preferences in the senate vote are going to determine which minor party holds the balance of power. Think about where your preferences will go.

So therefore consider your vote very carefully and help bring back fairness and balance in Workplace Relations. Let's not become the laughing stock of other industrialised nations of the world by throwing away all that our forefathers fought so hard to gain!

— Max Johns, Hunter Water President

Go to www.asuservices.labor.net.au to check the audited finances of the NSW and ACT (Services) Branch of the ASU for the year ended 30 June 2007. The Auditors have declared the financial reports present a true and accurate financial position of your union.

FROM THE PRESIDENT



BOSSES ALREADY HAVE TOO MUCH POWER, BUT UNDER WORKCHOICES THEY HAVE TOTAL POWER.

Under WorkChoices, contracts can be offered to workers on a "take it or leave it" basis. I very much doubt that young kids, going for their first job would have much choice but to accept whatever dud deal is on offer. I have heard from many members how WorkChoices has affected their families and I see Sydney Water management trying to introduce WorkChoices by stealth, taking away our conditions bit by bit. In this edition of WaterNews you can read about some of these real life examples.

I am convinced more than ever that if workers are to get a fair go, Howard's WorkChoice laws need to be ripped up.

Sydney Water members have to do everything in their power to ensure that the Howard Government is defeated in this election so that WorkChoices can be overturned.

We've seen Howard's lies and broken promises. If he gets back in, who knows what other changes he has planned for workers conditions!

– Robert McLean (aka Bluey), Water Division President

HOW TO CONTACT US
PHONE SYDNEY 9310 4000

OUTSIDE OF SYDNEY 1300 784 278
SYDNEY 39 - 47 RENWICK STREET REDFERN NSW
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NEWCASTLE PO BOX 2268 DANGAR NSW 2309
LISMORE PO BOX 1056 LISMORE NSW 2480
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SYDNEY WATER TRY TO CUT REDUNDANCY ENTITLEMENTS



ASU members attend a meeting to discuss proposed changes to their redundancy

A PRIME EXAMPLE OF AN EMPLOYER EXPLOITING WORKCHOICES IS SYDNEY WATER'S PETER MILLS, WHO IS TRYING TO CUT REDUNDANCY ENTITLEMENTS FOR NEW AND EXISTING WORKERS.

His timing is perfect. He is scrambling to entrench change before the election because the feeling is that it may be the dying days of WorkChoices.

Sydney Water is attempting to create two classes of employees; those whose service commenced prior to 1st Jan 2008 will have their redundancy capped at 120 weeks, and those who start after 1st Jan 2008 will have their redundancy capped at 52 weeks.

Dividing the workforce into haves and have nots will ultimately drive everyone's wages down.

But the cuts don't stop there. They are also proposing to cut redundancy entitlements by 25% for employees in the redeployment pool for more than three months.

For every additional week an employee is in the redeployment pool their entitlement will continue to be reduced until it reaches the NSW public sector standard for the equivalent length of service.

This means that an employee who goes into the redeployment pool with 120 weeks and stays there for 12 months, will have their entitlement reduced to 58 weeks after 12 months.

This is a type of forced redundancy where management is saying that unless you leave under our terms, you will leave under much less. Every worker has a right to leave or retire with dignity.

Such changes aren't made without reason. Is this a signal that a big restructure is coming? What is their ulterior motive?

From the Secretary continued....

November to a new era in Australian history!

We will be able to say goodbye to WorkChoices and feel proud that we did our part in ensuring the quality of life and working conditions for which we have fought so hard, are passed onto our children. We will be able to look back and see how close we came to seeing our rights disappear, but how hard we worked to make sure it didn't happen.

We will be able to say goodbye to division in our community. This Government was prepared to use scare tactics for political ends, regardless of truth or without a care for who they hurt or the long term damage to our workers' rights. Howard fostered fear; fear of aboriginal people taking "our land"; fear of refugees posing as terrorists who throw their children overboard or fear of Union bosses with muscles and tattoos coming to turn your lights out!

We will be able to say good riddance to a government of inaction and in denial on climate change, and feel relief that we finally have a Government that will take global warming seriously.

And we will be able to say good riddance to a government with a fantastical belief in privatisation and the free market's ability to deliver the essential services which are central to our standard of living in a fair society – health, education, childcare and aged care.

LET'S MAKE HISTORY ON 24TH NOVEMBER AND GET RID OF WORKCHOICES AND SEND A MESSAGE THAT WILL BE REMEMBERED FOR GENERATIONS – DON'T MESS WITH WORKERS RIGHTS!

KEEP US INFORMED SO WE KEEP YOU INFORMED...PLEASE TELL US IF YOUR EMPLOYMENT OR PERSONAL DETAILS HAVE CHANGED.

PHONE: 9310 4000 FAX: 9698 8936

FEDERAL ELECTION 07: THE ASU PUT THESE QUESTIONS TO THE THREE MAJORS

QUESTIONS	LABOR PARTY	LIBERAL PARTY
<p>1. Is your party committed to rescinding WorkChoices?</p>	<p>Mr Howard's unfair WorkChoices laws have gone too far. Labor's industrial relations policy, Forward with Fairness, will get the balance right in the workplace with both fairness and flexibility.</p> <p>Under Labor, the Howard Government's unfair WorkChoices laws will be abolished.</p>	
<p>2. Will your party commit to abolishing AWAs?</p>	<p>AWAs have resulted in working Australians losing penalty rates, overtime, shift allowance and redundancy entitlements with no compensation. AWAs will have no place under Labor's new industrial relations system.</p>	
<p>3. Will your party commit to the re-establishment of an Independent Umpire who can arbitrate disputes where necessary?</p>	<p>A Rudd Labor Government will create a new independent umpire to ensure fairness and balance in Australian workplaces. Federal Labor will establish Fair Work Australia – because Australian working families need a new industrial relations system with a fair and independent umpire.</p>	
<p>4. Will your party commit to reinstating unfair dismissal rights for workers even if they are employed by a corporation or employer with less than 100 staff?</p>	<p>Under John Howard's laws, hardworking Australians can be dismissed without warning for no reason or any reason. That isn't a fair or balanced system.</p> <p>Labor wants a system which balances the need to protect good workers from being sacked unfairly and the need for employers to manage their workforce.</p> <p>Labor will ensure that all Australian employees are protected from unfair dismissal. Our system will be a simpler, faster and less costly system to ensure claims are resolved quickly and with a minimum of fuss.</p>	
<p>5. Will you ensure that the Australian Federal Minimum Wage is increased annually through a transparent and independent process that prioritises the need for a living wage for working families?</p>	<p>Under Labor the independent umpire, Fair Work Australia, will make a Federal minimum wage determination annually. Submissions from all Australians will be encouraged.</p> <p>In adjusting minimum wages Fair Work Australia will be required to consider a range of social and economic factors such as equity, employment and inflation. Fair Work Australia will consider all the evidence available to it and make a decision which is fair to Australian working families, promotes employment growth, productivity, low inflation and downward pressure on interest rates.</p> <p>Under Labor, Fair Work Australia will be required by legislation to publish updated wage rates for all awards by 1 July each year.</p>	<p>The de ans qu</p>
<p>6. Under WorkChoices wage rates and classification arrangements are to be removed from Awards. Will your party commit to restoring these conditions to Awards?</p>	<p>A Rudd Labor Government will guarantee a decent safety net for working Australians. Labor's safety net will be in two parts.</p> <ul style="list-style-type: none"> • 10 legislated national employment standards for entitlements like annual leave, parental leave and redundancy pay. Awards will contain 10 minimum entitlements like penalty rates and overtime. Each award will also include an individual flexibility clause. • One of the 10 matters to be contained in awards will be minimum wages, including skill based classifications. 	
<p>7. Will you give workers the right to have a collective agreement if a majority in the workplace wish to do so?</p>	<p>Under Labor, if a majority of employees at a workplace want to bargain collectively, their employer will be required to bargain collectively with them in good faith.</p> <p>Good faith bargaining does not require bargaining participants to make concessions or sign up to an agreement where they do not agree to the terms. Instead, good faith bargaining encourages and assists employers and employees to consider the issues central to bargaining and work efficiently towards making an agreement.</p> <p>And Labor will ensure that each employee will have a choice about whether they want to be represented in bargaining, including by a union.</p>	
<p>8. Will your party commit to sign the Kyoto protocol on Climate Change?</p>	<p>Labor will immediately ratify the Kyoto Protocol to help forge a global solution to climate change. Labor is committed to playing its part in forging a global solution through the processes of the United Nations Framework Convention on Climate Change (UNFCCC).</p>	

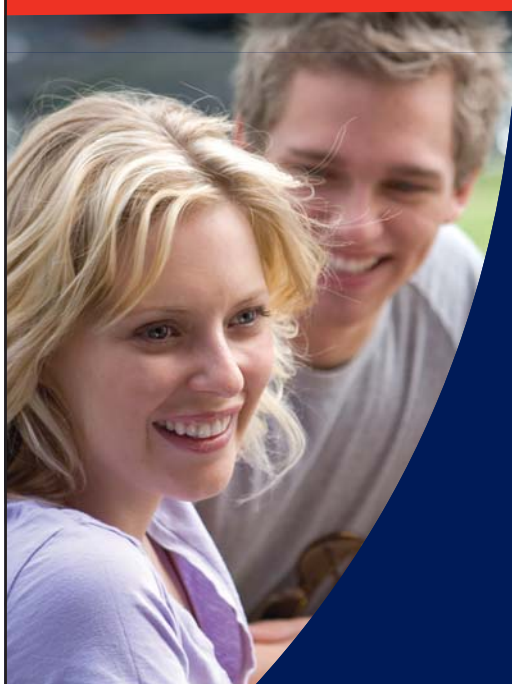
FOR PARTIES AND HERE ARE THEIR RESPONSES.

GENERAL PARTY	THE GREENS
	<p>The Australian Greens are now the only party committed to abolishing the WorkChoices regime in its entirety. The Greens industrial policy calls for:</p> <ul style="list-style-type: none"> • The abolition of AWAs and no individual agreements that can override awards and collective agreements; • An enforceable right for employees to collectively bargain; • A strong, fair and enforceable set of minimum conditions for all employees; • A strong and viable award system; • Universal access to unfair dismissal protection and redundancy pay; • Workers' representatives to have the right to enter workplaces; • Restoration of the AIRC as the independent umpire in the industrial relations system; • Legal protection for democratic rights, including the right to strike.
	<p>The Australian Greens are committed to abolishing AWAs and oppose any form of individual agreement that can override awards or collective agreements. We believe a 5 year transition period for abolishing AWAs is too long. AWAs undermine collective agreements and as such cannot form part of a fair and just industrial relations system.</p>
	<p>The Australian Greens' Employment and Workplace Relations policy calls for the restoration of the powers of the Australian Industrial Relations Commission. An independent arbitrator is essential for a fair and just industrial relations system. We believe strongly in the role of the AIRC in setting minimum wages, deciding test cases on important workplace conditions and in resolving workplace disputes, including through arbitration if necessary.</p>
	<p>The Australian Greens are committed to restoring unfair dismissal protection for all employees. We do not believe there should be any exemption for small businesses and in particular businesses as big as 100 employees. Unfair dismissal laws are important in providing job security and empowering workers in the workplace.</p>
<p>The Liberals inclined to answer these questions</p>	<p>The Australian Greens believe that the role of setting minimum wages ought to be returned to the Australian Industrial Relations Commission. The AIRC is best placed, with the necessary expertise to set minimum wages in Australia. We support a framework for minimum wage-setting that prioritises the need for a living wage and provides a transparent and independent process. We opposed the establishment of the Australian Fair Pay Commission because it is not transparent and sets economic considerations above the Australian tradition of a living wage for working families</p>
	<p>The Australian Greens support a strong comprehensive award system, including wage rates and classification arrangements. The classification system is a very important part of a strong safety net. For award-reliant workers, the majority of whom are women, the classification system is essential for job progression, up-skilling and wage increases.</p>
	<p>The right to bargain collectively is essential to a fair and just industrial relations system. The Australian Greens are committed to ensuring that collective agreements are the primary means of setting wages and conditions. We support an enforceable right for workers to bargain collectively so that an employer is required to enter into collective agreements if a majority of workers wish to bargain collectively.</p>
	<p>The Australian Greens support Australian ratification of the Kyoto Protocol, and taking a leading role in negotiating a 'post-Kyoto' multilateral emission abatement treaty which includes binding emission targets for all countries.</p>

FEDERAL ELECTION 07: THE ASU PUT THESE QUESTIONS TO THE THREE MAJORITY PARTIES

QUESTIONS	LABOR PARTY	LIBERAL PARTY
<p>9. There is a need to invest in repairing and renewing our aging water and sewage infrastructure. What commitment, if any, will your party make at a National level to invest in addressing this need?</p>	<p>Federal Labor is committed to ensuring security of water supply for all Australians regardless of whether they live in our rural and regional communities or our towns and cities.</p> <p>Under Federal Labor's National Water Security Plan for Towns and Cities, a Rudd Labor Government will invest \$250 million to:</p> <ul style="list-style-type: none"> • Work in partnership with government and local water authorities to minimise water loss; invest in modern, more efficient water infrastructure and – where appropriate – refurbish older pipes and water systems; and • Provide funding for practical projects to save water. <p>Federal Labor's investment in practical water projects will be made with matching funds from water authorities, stimulating \$500 million of investment in water infrastructure.</p>	<p>The Liberal Party has no specific commitment to address this need.</p>
<p>10. 457 Visa's are being extensively used in the information technology industry and elsewhere. Does your party have any plans to ensure that workers on these visa's are not exploited or used to undercut Australian wages and working conditions? Will your party commit to protecting 457 visa holders should they question their own wages and working conditions? What plans do you have, if any, to police the use of these visas?</p>	<p>Unlike the Howard Government's administration of the 457 visa, Labor will require temporary work visa holders to be paid the same as Australian workers doing similar jobs. Labor will maintain the Minimum Salary Level as a base salary within the 457 visa program.</p> <p>Temporary skilled migration should only occur where the relevant position cannot be filled by an Australian. The vacant position must also be available to Australian workers with the requisite skills at the relevant market rate. Labor will ensure this has been tested before temporary work visas are issued and that overseas qualifications are verified by the appropriate Australian regulatory authority.</p> <p>Under Labor, 457 visa holders will also have access to the new industrial relations umpire, Fair Work Australia, and to unfair dismissal laws which will provide them with protection in the Australian workplace.</p>	<p>The Liberal Party has no specific commitment to address this need.</p>

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FOR PARTIES AND HERE ARE THEIR RESPONSES.

LIBERAL PARTY

THE GREENS

The Liberals
are inclined to
answer these
questions

Infrastructure investment has been largely neglected by the Howard Government. The Australian Greens support the necessary public investment to maintain essential infrastructure. Water and sewerage infrastructure is largely a state issue but we recognise that commitment at a federal level may sometimes be necessary. In looking to renew water and sewerage infrastructure we advocate ensuring it is environmentally friendly and contributes to water conservation.

There is a major skills shortage in Australia which the Howard Government has failed to address. This needs to be tackled through a combination of education, training and industry policy. This would reduce the need for overseas recruitment of labour. However, the existence of a global labour market means there will always be a need for a significant number of workers to be able to engage in temporary work in Australia. The visa system, including monitoring and enforcement, must operate to prevent such workers becoming a pool of exploited labour.

The most important step in ensuring 457 and other work visas are not used to undercut wages and working conditions is to restore and extend the role of unions in our workplaces. For example, right of entry provisions. No worker should be penalised for questioning their wages and conditions, but the vulnerability to visa cancellation and deportation of those on 457 visas, puts pressure on workers to remain silent and obedient. The Greens want to see specific legislation designed to protect workers that speak out.

In addition, the Department of Immigration should have additional resources to monitor the use of such visas by employers.

PARRAMATTA MOVE, CONSULTATION FOUND WANTING



The Parramatta Committee: Mathew Cowie, George Kougoulos, Bryan West, and Peter McKay

THE MOVE TO PARRAMATTA (AND ANY SIGNIFICANT MOVE) HAS BEEN A CONTROVERSIAL TOPIC, AND THE LATEST MAJOR ISSUES TO ARISE ARE INEFFICIENCIES IN REGARDS TO TRANSPORT AND CHILDCARE.

The main problem in regard to transport and childcare lies in the communication between management and Sydney Water members. While management believe they have offered clear and adequate responses to transport and childcare issues, the ASU disagrees. The ASU has found that most workers are unaware of what management is proposing and if they are aware, they don't believe the proposals are adequate.

The ASU is in the process of surveying a number of affected members. Following are some of their preliminary findings:

IN TRANSPORT:

In relation to transport, of the 255 people surveyed, 74% intend on relocating to the Parramatta office, (a further 16% are undecided). This is a substantial amount of people affected by the move.

Of the people that have indicated they are going, 64% said it will be longer for them to get to work (4% undecided).

Of these, 58% said their travelling costs will consequently increase (6% unsure).

70% said they were either unaware or unsure of the transport solutions proposed by management.

Only 17% thought the proposed solutions were adequate (50% unsure).

IN CHILDCARE:

In relation to childcare, of the 95 people interviewed, 28% said there was a possibility of needing childcare during their time at Parramatta (17% were unsure).

62% were either unaware or unsure of management's childcare solution proposals.

Only 13% thought the solutions were adequate (64% were unsure).

In summary, considering the rising costs of transport and childcare, it seems the majority of people will be negatively affected by the move.

The union is building a Transport and Child Care network to create a position on both issues to take to management on their behalf. More updates are to come.

WHAT'S GOING ON OUT THERE?

SHANE GATLEY



Ray and Shane Gatley

SITTING AT HOME WITH HIS SHOULDER HEAVILY STRAPPED, SHANE GATLEY FEELS DISILLUSIONED. HE HAS HAD A LOT OF TIME LATELY TO WATCH THE GOVERNMENT'S LATEST PRO-WORKCHOICE ADS, WHICH HAVE COST TAXPAYERS \$93 MILLION, AND BY HIS BOOKS, EACH TIME THEY ARE AIRED IT'S ANOTHER SLAP IN THE FACE FROM THIS GOVERNMENT.

WorkChoices have dealt Shane a severe blow. After a shoulder injury which he sustained at work, Shane has been refused re-employment by the therapeutic goods company where he was Delivery and Installation Manager. Under WorkChoices, Shane's management felt no obligation to compensate him and simply dismissed him.

The son of Ray Gatley, ASU member and Sydney Water worker, Shane was at work undertaking his normal work routine lifting heavy beds and chairs when the injury occurred.

"I got hurt on the job and thought my employer would support me. All I got was a hurry up and when things

looked like I wasn't going to recover in the short term I felt my job security was at risk," said Shane.

Shane contacted the Workplace Authority, Barbara Bennet's government agency which had the giant propaganda campaign saying it will protect workers. Because of the new WorkChoices laws he didn't have a leg to stand on. The authority advised him that the company was a small workplace with under 100 employees and so his dismissal could not be challenged. Despite a doctor's certificate permitting his return to work for light duties, management refused to re-employ him. What infuriates Shane most is the hypocrisy of the whole situation. Shane was supposed to receive 4 weeks training but the trainer hurt his back within the first three days of training, so training was terminated.

"I was hurt at work but under the new WorkChoices system we are sitting ducks. I was injured doing my job and I got the sack. This is unfair!"

This is the harsh workplace environment in which many working Australian's are now finding themselves. It has produced fear and anxiety in the workplace where the bosses hold all the aces. It has been 18 months now since Shane has been out of a job and he is struggling to find a new one. Since being terminated he has undergone two operations and a lengthy rehab and the stress is affecting both his wife and himself.

When they watch the latest big business supported advertisements on TV promoting Howard's WorkChoices they are both angered. These propaganda pieces are infuriating to watch and reinforce for Shane and so many others the real impact of WorkChoices.



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