

## ACTIVE STRONG UNITED

### Certainty For Your Parental Leave

A part of the last Enterprise Agreement members won the right to 6 weeks Partners Leave and 18 weeks Maternity Leave, including the Governments Paid Parental Leave scheme. This makes your Sydney Water Enterprise Agreement one of the best in terms of Parental Leave.

Late last year Sydney Water approached the ASU wanting to change the Parental Leave clause in the Agreement saying that it was 'ambiguous'. They threatened to take away your rights to access the increased leave entitlements, taking members back to 1 week Partners Leave and 14 weeks Maternity Leave. After extensive discussions with Sydney Water and negotiations in Fair Work Australia we have agreed on some amendments to the clause that will protect your rights.

As part of the discussions Sydney Water Agreed to keep paying the higher rates until the issue was fixed. While the ASU is not happy with all the changes proposed, this was the only way to protect your increased entitlements that Sydney Water was threatening. You can be sure that this issue will be important in EBA negotiations next year.

#### MATERNITY LEAVE

From 1 July all 'birth mothers' will have access to 18 weeks Maternity Leave including superannuation. This leave entitlement includes the Federal Governments scheme. If you are part time, at a minimum you will receive the Federal Governments payment but it will also include superannuation.

#### ADOPTION LEAVE

Any employee who is the primary carer of an adopted child is entitled to 18 weeks Adoption Leave at full pay, inclusive of the Federal Governments scheme. If you are part time, at a minimum you will receive the Federal Governments payment but it will also include superannuation.

#### PARTNERS LEAVE

Any employee whose partner has a baby is entitled to take 6 weeks Partners Leave from the 1st of January 2011. Even if the baby was born before 1 January 2011, if you did not take your Partners leave entitlement before 1 January you are entitled to the full 6 weeks. This 6 weeks is in addition to any further leave you may take and in addition to any Federal Government Parental Leave you may take as the Primary Carer.

The new clause 26 replaces the old clause 26 in your Agreement.



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## FORTY THOUSAND PROTEST AT O'FARRELL'S ATTACK ON THE PUBLIC SECTOR

Hundreds of ASU members joined the rally in the Domain on September 8. The huge crowd then marched past Parliament House to Hyde Park. ASU members working in Water and Transport are threatened with frozen wages and loss of jobs.



The O'Farrell Government has introduced laws for NSW public sector workers that are worse than WorkChoices. These laws take away the right all public sector workers have to bargain freely with their employer and will lead to workers having to agree to cuts to public services for all of us, if they want a basic pay increases.

We all depend on having decent public services – schools, hospitals, transport, firefighters and clean drinking water. We all need to stand together to send a strong message to the independents and the O'Farrell Government that these laws are unacceptable.

## FAIR WORK AUSTRALIA RULES JOB EVALUATION OPEN TO INDEPENDENT REVIEW

Fair Work Australia has ruled that IPS evaluations determined through the Sydney Water Mercer Job Evaluation System are not immune from review and can be challenged in arbitration proceedings. The decision arose from an ASU dispute over the IPS evaluations for new Business Support Advisor positions created through a restructure of Business Services. The restructure cut two thirds of positions from the structure while also significantly devaluing the IPS rating for the new BSA position.

Sydney Water lodged a jurisdictional challenge, claiming that job evaluation and enterprise agreement pay translation processes are determined solely by the Sydney Water Job Evaluation Panel and cannot be appealed to Fair Work Australia.

In ruling against Sydney Water Deputy President Sams stated:

"It is difficult to imagine a more important matter relevant to the relationship between an employee and an employer than the rate of pay which is determined for the work performed by the employee. Perhaps the only matter which is more important is the existence of the employment relationship itself. It follows that a corollary matter which must be of vital significance to the employment relationship is the manner, or process, by which the rate of pay is determined..."

## OUR SYDNEY WATER CAMPAIGN

*Our Sydney Water* is a campaign to inform the public of the valuable role played by union members in the Civil Maintenance Division. We have produced postcards and flyers with following copy on the back:

*Our Sydney Water workers are local guys who really understand our water network. They have years of experience, and, because they are local, they care about fixing problems properly and promptly - keeping our drinking water safe and ensuring the local community is looked after.*



If you want some of these postcards or flyers contact the ASU office; phone 9310 400

## HOW WE WON OUR RIGHTS

Four former union officials have been interviewed on video by the ASU as part of our campaign for a new Sydney Water EBA. Ken Mc Donnell, John Tiereny, John Faulkner and Chris Nicholson have described hour basic rights we now take for granted, such as a 38 hour week and being paid pay when bad weather stops work, were won through the determination of union members willing to fight for their rights. The first video is on our website and more will follow:

[www.asumembers.org.au/water-a-ports](http://www.asumembers.org.au/water-a-ports)



*Ken Mc Donnell*



*John Tiereny*

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