



WHERE DID ALL THE JOBS GO?

Since the Abbott Government was elected in September, the following job cuts have been publicly announced:

- **Australian Public Service:** 14,000
- **Qantas:** 1000
- **Holden:** 3300 (by 2017)
- **Ford:** 300 by June (plus 1200 by 2016)
- **Rio Tinto:** 1000
- **BP:** 470
- **Telstra:** 1100
- **Toyota:** 2600 (by 2017)
- **Simplot:** 110
- **Arrow Energy/Shell:** 250
- **BHP Billiton:** 200
- **Peabody:** 200
- **WesTrac:** 630
- **Forge Group:** 1470
- **Alcoa:** 980
- **Sensis:** 800

Source: ACTU

As unemployment blows out to 6%, workers ask:

Where are the jobs, Prime Minister?

by **MARK PHILLIPS**

“Mr Abbott had no trouble parading around in a hard hat and a high-vis vest before the election.”
- ACTU Secretary Dave Oliver

TONY Abbott’s pre-election promise that he would create one million new jobs in half-a-decade is in tatters just five months after he came to power, with Australian manufacturing now looking at a further 50,000 job losses after Toyota closes.

He would need to create 600 new jobs every day between now and September 2018 to keep the promise.

About 2500 direct employees will lose their jobs following Toyota’s decision to end domestic production by 2017. The decision signals the end of more than half a century of vehicle making in Australia.

But the 2500 jobs at Toyota is just the tip

of the iceberg: combined with last year’s announcements by Ford and Holden that they also would cease production in the next few years, the flow-on effects are conservatively estimated to cost 50,000 jobs and wipe \$21 billion from the economy.

Just a couple of days later, engineering company Forge Group collapsed, leaving 1400 workers jobless, while official statistics showed that the unemployment rate in January was 6%, the highest since July 2003, and worse than during the Global Financial Crisis.

On Monday, 10 February, at the same time as Toyota Australia President and CEO, Max

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At Work

How fair is unfair dismissal?

IF tomorrow when you arrived at work your boss suddenly and unfairly sacked you, how strong do you think your legal protections would be?

Do you think they would be strong enough that you could reverse the sacking and win your job back? To answer that question, we really need to look at the latest data published in the Fair Work Commission's recent annual report.

It reveals that of the 13,945 unfair dismissal applications finalised in 2012-2013, just 20 orders of reinstatement were made while 132 others settled for reinstatement at conciliation.

This means in all of Australia, only 152 people out of 13,945 people were able to win their job back through the Fair Work Commission after being unfairly sacked. So to answer our question, this data tells us if you believe you have been unfairly sacked, you stand just a 1.09 per cent chance of winning your job back under our current industrial relations system.

Even after the abolition of WorkChoices these figures show us that the truth remains no matter how unfairly your employment is terminated, it is nearly impossible to get your job back – regardless of the circumstances of your termination; regardless of your length of service; and regardless of any appeal process.

It is within the statistics that the hardship stories of those who attempted to get their jobs back are told. People like National Union of Workers' member, Pakpao*, a Thai migrant with limited skills in English who worked daily as a casual employee at a processing plant for four years.

She was in her late-40s with two adult children who still live with her and earned just above the minimum wage. She was loyal to her employer. She always did what was asked of her. She worked with care, quickly, and without complaint. For four years she was by all accounts the ideal employee.

Pakpao thought she had a job she could count on. It was hard work – as a casual she had no personal leave or annual leave – but she counted on her job not only for financial security but also because she understood

the insecurity that went with her race, her difficulties with the English language and being the only female in that area of the factory.

It was when a new supervisor was employed who bullied her to tears that she complained to management. After a quick investigation, Pakpao was sacked for 'causing trouble and not meeting her productivity targets'.

The reality for most workers, but especially insecure workers like Pakpao, is that they cannot afford to get their job back.

Now the Federal Government is being pressured by employer groups and vocal right-wing groups like the HR Nicholls Society to change processes and appeal mechanisms in the Fair Work Commission.

The outcome sought by these groups will make it even more difficult for working Australians to have access to fair outcomes.

The Employment Minister, Senator Eric Abetz, has foreshadowed these changes by calling for submissions on the "operation of current appeal mechanisms and how they could be improved, including views on possible alternative appeal processes".

Changes to the appeals mechanisms in the unfair dismissal jurisdiction will further diminish the 1.09% chance that you currently have of being reinstated.

If changes to the Fair Work Commission are being suggested then there needs to be a broad public conversation about what we do and don't have access to under our current industrial relations system and what rights working people believe are fundamental to a fair Australia.

* *Not her real name*

by **GARY MAAS**
Victorian Assistant
Secretary of the NUW



GET IN TOUCH

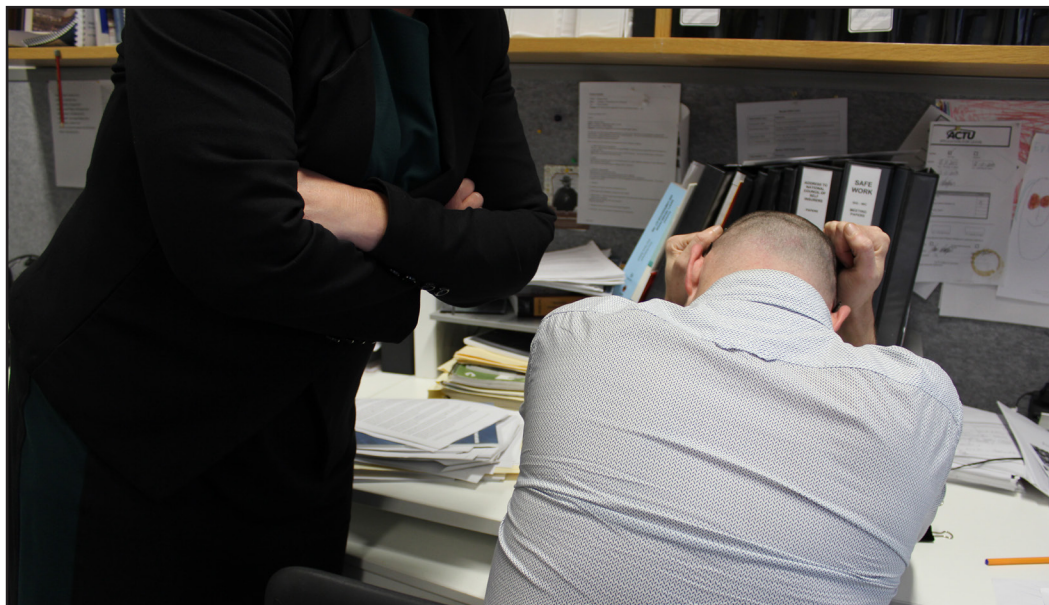
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Editor: Mark Phillips. Responsibility for election comment is taken by Dave Oliver, Secretary of the Australian Council of Trade Unions, 365 Queen Street, Melbourne 3000.

At Work

New laws to help workers take a stand against bullying

*New powers for the Fair Work Commission to deal with bullying came too late for one worker, writes **Eleni Hale**. But they will help future victims to nip bullying in the bud*



NEW laws came into effect on New Year's Day which will provide an avenue for bullied workers to solve stressful, damaging and sometimes life-threatening workplace bullying issues with an order for it to stop before it goes too far.

The reforms mean that workers will be able to lodge an application with the Fair Work Commission seeking an order that the bullying stops and Fair Work must respond within two weeks of an application being lodged. This great news for workers and will go some way to offering a solution to what can be a deeply distressing time.

But it is too late for Jane*, a part-time employee for a large retail company, who for nearly two years endured repeatedly unreasonable behaviour by her store manager, ranging from verbal abuse to unreasonable deadlines, constant surveillance and monitoring, and requests for annual leave declined while other staff have had their leave approved.

He even publicly embarrassed and humiliated her by using his phone to record footage of her which he then showed to other staff.

Jane's ordeal began when she met with the store manager to discuss a request to change her roster. Over the next two years, she was the target of personal bullying by the store manager.

The bullying continued even after she made a formal complaint involving HR and her union, the Shop, Distributive and Allied Employees' Association, which resulted in an apology from the manager and a promise he would not behave

that way again.

After 18 months, Jane finally made a claim for worker's compensation as a result of the illness and injury she suffered from the constant bullying. The company tried to discourage her from submitting her WorkCover certificate, offering to pay for her medical bills and some leave instead.

Luckily, and bravely, she persisted with her union's support. While the company's insurer hired an independent investigator and psychiatrist whose findings supported her claim, she has still not been able to return to her workplace because the store manager is there and the company will not move him.

The new laws are designed to nip in the bud behaviour like that which Jane was forced to endure, which are ultimately costly not only to the individual worker, but to the employer.

Unions regularly receive complaints from workers like Jane, such as:

A CIVILIAN working in the police force who was segregated, ganged up on and after five years was forced to leave that workplace after suffering post-traumatic stress;

A NURSE who was publicly degraded and also punished for taking time off to care for a sick husband and son also had her shifts changed without notice;

A DENTAL worker who was subjected to constant and unwavering bullying and harassment including about her personal life

Continued next page

GET HELP FROM BULLYING

If you're being bullied at work, you don't have to deal with it alone. Unions can provide you with advice and point you in the right direction.

Take action at:
safeatwork.org.au

Denis Naphthine's glass jaw brings on an iron fist

QUIETLY, quietly, in the weeks before Christmas last year the Naphthine Government in Victoria introduced a Bill to stop our right to freely protest.

The proposed amendments to the Summary Offences Act undo more than a century of consensus that the right to protest, while sometimes inconvenient for governments, is a cornerstone of participatory democracy.

The Victorian Premier's changes will mean that workers picketing in an industrial dispute or protesters making a statement, can now be "Moved On" by police.

The Victorian union movement is a peaceful movement, which has a strong professional relationship with police.

By extending the "Move On" laws, Premier Denis Naphthine is trying to make the police a political instrument, where they will be pressured to take action against issues that frustrate governments.

Right now in Victoria, paramedics are bravely standing up for the safety of the community in their EBA negotiations.

Do we really want a situation where our police are forced to confront their friends and colleagues and silence their call for better services?

These new laws are supported by draconian penalties like a \$720 fine for breaching a move

on order.

If an activist stands their ground and refuse to move on, they can be subject to a 12-month Exclusion Order.

Contravention of an Exclusion Order is punishable by a custodial sentence of up to two years.

To put that in perspective, that sentence is equivalent to breaking out of prison and certain sex crimes. That's how threatened Denis Naphthine feels about Victorians having free speech.

These "move on" laws apply not just to an individual but may apply to groups, like an entire workforce, a union or a community organisation.

The new powers also allow police to preemptively exercise their powers if there is a reasonable suspicion that a protest may obstruct or impede people.

These powers are designed to silence movements before any action has occurred.

History is strewn with examples of brave activists standing up for their values, often under threat of persecution. And that threat will be made real in Victoria.

We may have expected that in 2014, in Victoria, our right to peaceful assembly and protest was safe.

It is not and we must not stand for it.



by **LUKE HILAKARI**
Campaigns Officer at
Victorian Trades Hall

New laws to help workers take a stand against bullying

Continued from page 4

and about her injuries. Despite all her efforts the bullying would not cease; and,

A PERSON working in a male dominated industry experienced sexual, physical and verbal abuse because she is female and gay. She received prank calls on her mobile and at home and a senior colleague grabbed her breast and said, "I can do that because I outrank you."

ACTU Assistant Secretary Michael Borowick said unions have been fighting for these changes for over a decade.

"We put bullying on the agenda as a workplace issue and welcome these long-awaited laws which we hope will directly and swiftly assist bullied workers," he said.

"Every day unions hear heartbreaking stories of bullying in the workplace and the significant ramifications on the health and wellbeing of these workers. As far as I'm concerned the

change in laws hadn't come soon enough."

Mr Borowick said previously these workers had very limited, if any, recourse to assist them in workplace bullying situations.

Instead the bullying was often ongoing sometimes to the point where the person was forced to leave that job, required stress leave or/and medication and in some tragic cases committed suicide.

An order that bullying stops is focused on preventing any further bullying and this should not only help workers avoid the health and safety issues that arise but it could also decrease the financial cost of bullying on the economy which is estimated to be anywhere between \$6 billion and \$36 billion annually.

Mr Borowick said that these changes cannot prevent bullying occurring but they will aim to stop it. However, it is estimated that the new laws will only assist 80% of the workforce.

* Jane's name has been changed to protect her identity.

Read more:
'New help to deal with bullying' - page 11

World News

Welcome to Minegolia

"We have to find creative ways to regulate global capital in the interests of millions of workers and their families everywhere."

- Andrew Vickers of the CFMEU



Global push: Workers launch the Rio Tinto campaign in Cape Town this month.

by **ANDREW CASEY**

AUSTRALIAN unions will lead a new global push against the big Australia-based multinational Rio Tinto with a focus on the mining giant's poor behaviour in its worldwide activities.

Rio operates in 40 countries with more than 70,000 employees and is worth about \$60 billion.

But the new global union campaign will put the spotlight on the bad behaviour of Rio Tinto in two key countries – Mongolia and Madagascar.

Global union campaigns are spreading. Workers and their unions banding together to campaign as one, in a common fight against the same boss – whether they work in Sydney, Jakarta, Ulan Bator, Cape Town, Budapest, London, New York or Sao Paulo.

After protests in South Africa mining unions expect to bring rallies to the streets of London and Melbourne in April and May – and onto the floor of Rio Tinto's shareholders' annual general meetings.

In Mongolia, Rio Tinto is the dominant mining giant – in a mineral-rich nation widely known in the resource world, only half jokingly, as Minegolia.

The poor behaviour of Rio Tinto, as well as other Australian resource companies, has given Australia a bad reputation, particularly among ordinary Mongolians.

Human rights organisations have in the past called on the Australian government to monitor

Australian investors, to ensure they do not harm Mongolia's local communities.

Now, after a two-year development of an effective strategy IndustriALL Global Union – representing more than 50 million workers – is ready to join the battle.

This month, more than 200 workers representing IndustriALL's mining membership went out onto the streets in Cape Town, South Africa, during the world's largest congress of mining sector corporations.

The General Secretary of the CFMEU's Mining Division, Andrew Vickers, who chairs IndustriALL's Rio Tinto Global Union Network, knows from years of dealing with Rio Tinto that this is not going to be a quick and easy campaign.

He said it was important for workers at Rio's Australian operations to recognise the company's anti-worker corporate practices in some of the world's poorest countries.

The Rio Tinto network is made up of unions from South Africa, Madagascar, Mozambique, Namibia, India, France, Netherlands, Indonesia, USA, Canada, Russia and Australia.

Mr Vickers should know how hard this battle will be, because his union has spent 20 years fighting Rio Tinto in Australia and abroad.

"In an era of global capital we have to work globally and find creative ways to regulate global capital in the interests of millions of workers and their families everywhere," he says.

KEEP UP WITH WORLD NEWS

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Take action at:
www.labourstart.org.

Jobs crisis

Where are the jobs, Prime Minister?

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Yasuda, was informing the shell-shocked workforce of the company’s decision, Mr Abbott was holding a media conference at Parliament House to announce a Royal Commission into unions.

The Toyota Australia CEO said the decision to end production was caused by a number of factors including the high Australian dollar, low economies of scale and the impact of free trade agreements.

Mr Yasuda pointedly thanked the workforce, who have previously been maligned by Employment Minister Eric Abetz for their “costly and unproductive” working conditions.

“This is devastating news for all of our employees who have dedicated their lives to the company during the past 50 years,” he said.

“While we have been undertaking the enormous task of transforming our business during the past two years, our people have joined us on the same journey, which makes it even more difficult to announce this decision.”

In the lead up to last year’s election, Mr Abbott repeatedly promised to create one million new jobs in five years and 2 million in 10 years, making this jobs pledge a centerpiece of his bid to be Prime Minister.

But now the jobs promise looks well beyond his reach.

A recent ACTU analysis of publicly announced job cuts in the five months since the Abbott Government was elected has identified 30,610 positions that will be lost over the next four years. These include the 14,000 public sector jobs the new government says it will shed through new austerity measures.

It also includes 3300 jobs that will be made redundant at Holden by 2017, 1500 at Ford by 2016, and 980 at Alcoa.

To reach the target of one million jobs in five years, the government would need to create 600 jobs a day, according to the ACTU.

But the jobs market is moving in the opposite direction: the last six months has seen the biggest fall in employment in a decade.

The unemployment rate rose from 5.8% in December to 6% in January. There are 15,500 fewer people in work and 34,900 more

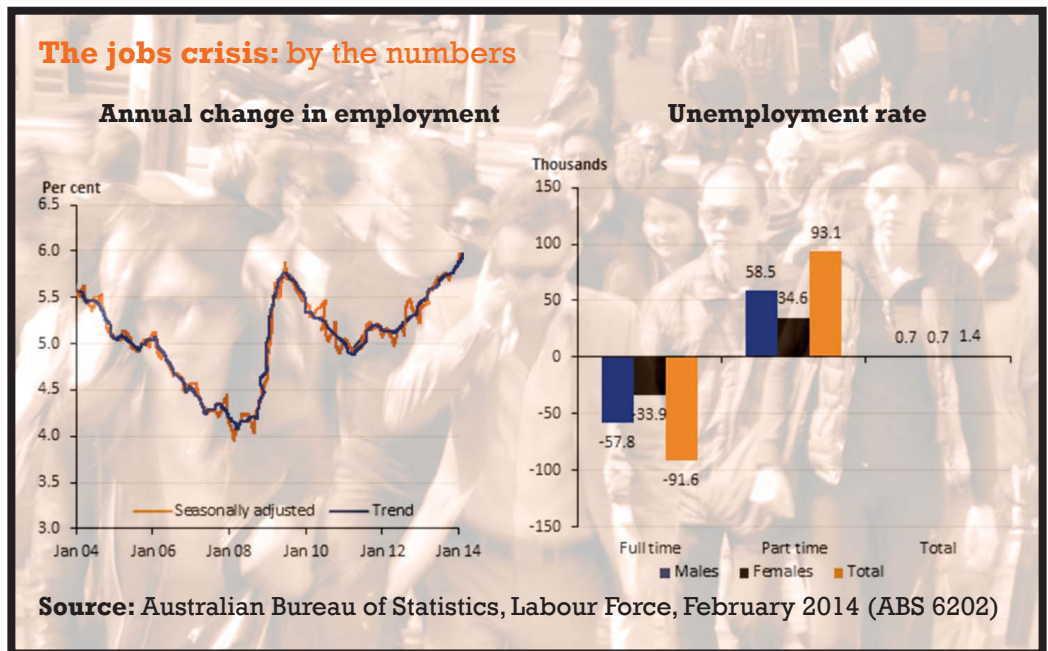
unemployed Australians than there were six months ago. There are 91,600 fewer full-time workers than Australia had 12 months ago, while part-time work is up 93,100.

Mr Abbott has shown little empathy for the tens of thousands of workers set to lose their livelihoods under his watch. Interviewed the day after the Toyota announcement he had no answers when asked where all these workers would find new jobs.

“If you ask me . . . can I say what individual Toyota workers will be doing in four years’ time – I can’t give you that answer . . . none of us know the answers to those questions,” he said.

ACTU Secretary Dave Oliver said rather than creating jobs, the Abbott Government’s lack of an industry policy was driving jobs out of Australia.

“Mr Abbott had no trouble parading around in a hard hat and a high-vis vest before the election but has turned his back on workers since becoming Prime Minister,” he said.



“As growth softens and unemployment rises, what Australians are looking for is a government with a plan to address job creation and strengthen the economy.

“Instead the Government’s answer is to savagely cut public sector jobs, do nothing as jobs are lost elsewhere across the economy, and go after penalty rates, wages and conditions.”

In its pre-Budget submission, the ACTU has called for the Government to establish a National Jobs Plan and to rethink planned deep cuts to public spending.

With growing unemployment and high-profile

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Bruce Springsteen's tribute in song to Australian workers

IT'S easy to be cynical about Bruce Springsteen, the multi-millionaire jetsetting rock star performing songs about the everyday struggles of working people.

But when Springsteen sings of working people, their hardships and their small triumphs, about the dignity of work, and the dreams of a better life, it does feel from the heart.

The characters who populate Springsteen's songs are ordinary working people, like the folk he grew up with. Often, due to factors beyond their control, life hasn't worked out as they planned.

Nor has Springsteen veered away from incorporating powerful social comment in his music as he has become more successful.

Among the many song request signs in the crowd at Springsteen's 15 February concert in Melbourne was a handwritten one with the word "Factory" in red. Underneath it, in black text, it said: "for the thousands who have lost their working lives..." above the logos for Ford, Holden and Toyota. The sign was made by Melbourne nurse and photographer Nikki McCrone (pictured).

What happened next was classic Springsteen: a powerful social message wrapped up in a story from his life growing up in New Jersey.

"My dad, when I was a child, five or six, maybe younger, worked on the Ford line. It was in Brunswick, New Jersey," he began.

"There are such hard times in the States. In the past seven or eight years, so many people have lost their life savings, lost their homes, directly from the actions of a relatively small number of reckless and greedy people.

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job losses, concerns are rising among Australian households about job security.

A report released by ME Bank at the start of February found that almost a third of Australian households have fears about job security and are concerned about how long they would survive if a breadwinner lost their job.

The *ME Bank Financial Comfort Report*, which surveys 1500 households twice a year, shows that job insecurity is now a top three concern among households, rising 5% to 31% of



"This is a song about work. About the meaning of work, the importance of work in your life."

The Ford factory Springsteen talks about closed in 2004. Once the heartland of American industry, New Jersey has lost more than 500,00 jobs in wave after wave of manufacturing closures since the Sixties, when Springsteen first entered adulthood.

As Springsteen finished his short monologue about the meaning of work and the impact of economic policies crafted by the big end of town on working people, someone in the crowd yelled out: "I hope you're listening, Tony Abbott!"

He wasn't. But he should have been.

households in the past six months as the labour market has weakened. They are not optimistic about finding a new job quickly.

In further signs of a gathering 'perfect storm', households are also struggling to save and their emergency savings are weak.

"The rise in job insecurity, a result of increasing unemployed persons and increasing casual/part-time jobs, is exacerbated by a relatively low level of household comfort with emergency cash buffers and more generally, current savings and investments," said the chief executive of ME Bank, Jamie McPhee.

A handwritten sign about the plight of Australian auto workers inspired Bruce Springsteen to perform his classic tribute to working people, 'Factory' at one of his Melbourne concerts. Mark Phillips was there

Get the full story:
workinglife.org.au

My Working Life

A hard life, an extraordinary man



*Gamal Babiker was forced to abandon law in his native Sudan and found refuge in Australia. He now works as a shopping centre cleaner and a passionate advocate for his union. He spoke to **Ian Munro***

ONLY someone sure of themselves and their place in the world could laugh like Gamal Babiker. Laughter comes easily to him in the same breath as he says of himself: “It’s a sad life. It’s not a life”.

Gamal studied law in his native Sudan and practised his chosen profession until his progressive political beliefs clashed with the Muslim Brotherhood who were a strong influence in government. Making a living in the law became impossible.

He, with his wife Murdia and their three children aged from 10 down to five, fled to Egypt and via a refugee camp came to settle in Melbourne.

Practising law in Australia never was an option. For almost a year he learned English. And for the past 13 years he has worked as a shopping centre cleaner.

Sometimes he has worked long hours of overtime earning just enough to support his family and keep his two daughters and his son in school. But now he works night shifts, including weekends, starting at midnight and ending at 8am. Even with the night penalties his pay is just \$22.10 an hour. He shares just one day a week with Murdia and has neither the time nor the energy to maintain contact with his friends.

“Most of it is a physical manual handling job. Shopping centre owners, building managers, cleaning companies they don’t understand what that means. You are doing physical things all the time, working your brain, your body, your hands. When I finish my work I am looking to go to bed. (I am an

exhausted person.

“The money is not fair, it’s not fair for all the wear on my body. You have to walk everywhere in the centre – we are walking every day up to 15 km to get the job done.”

Gamal is emphatic about the need for cleaners to join their union, United Voice.

“They can’t have a strong union without being a member and they should have some respect. There’s no respect for the cleaner. And they should have job security because the shopping centre owner, most of the time or every two or three years they change the contract and they miss out on their sick leave or lose their job.”

The Clean Start workplace agreement won by city office building cleaners needs to be won for cleaners outside the CBD, he says. Without night shift the pay is too low for the physical demands of the job. And with night penalties the pay is still not compensation enough for the sacrifices it demands.

Life as Melbourne people know it, of the ease of visiting public places like shopping centres kept clean and hygienic through the day and restored overnight by workers who take pride in their work, is possible only for the sacrifices of people like Gamal.

Gamal’s conversation is punctuated with laughter. His is not a bitter laugh, but an easy one. At his most fundamental, he is a happy.

“I had my chance in life,” he explains. “I have to give a chance to my children. I am happy because I live in Australia . . . I feel safe and secure. My kids graduated. This is what makes me happy.”

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Opinion

Abbott's Royal Commission: it's all about WorkChoices



Artwork: Peter Lake/ACTU

Few were surprised when the Federal Government announced a Royal Commission into unions. It is one more important step in Tony Abbott's plan to attack pay and conditions, writes Sally McManus

TONY Abbott and his new Coalition Government have long planned a Royal Commission into the union movement.

This, of course, was not a policy that the Coalition took to the 2013 election.

Such a naked attack would have 'scared the horses', exposing what the Coalition has been desperate to hide—its plan to reinstate WorkChoices.

Instead, the LNP took to the election plans for a single judicial inquiry into allegations, now decades-old, about a 'slush' fund once run by officials from the Victorian branch of The Australian Workers' Union. The Murdoch press hounded Prime Minister Gillard about her involvement long after the public lost interest in this issue and even after nothing substantive eventuated.

Of course, this judicial inquiry was always intended as a stalking horse for a later and much wider inquiry.

The Prime Minister and his Minister for Workplace Relations, Eric Abetz, needed some trigger to justify a broader Royal Commission into trade union activities.

Suddenly came fresh allegations of unlawful behaviour in the construction industry. The Prime Minister could barely contain his excitement at these new claims.

In a piece of political theatre, Mr Abbott contrived the necessary haste, gravity and purpose required to prepare the groundwork for

a Royal Commission into 'union corruption', with a broad brief that it will investigate activities across the entire union movement.

There have been Royal Commissions into unions before—the last one was the Cole Royal Commission into the building industry set up by the Howard Government in 2001. It was also established in an orchestrated frenzy of suspicion about the extent of union corruption in the building industry.

Yet the Cole Royal Commission's investigations led to not one single prosecution of a union official or delegate. Not one.

Despite Cole's failure to find corruption, the Howard Government used the Commission to set up a special police force for the building industry, which the Abbott Government is now bringing back—the Australian Building and Construction Commission.

With little to do, the ABCC became little more than a menace to building workers, spending their time harassing rank and file union members. Construction bosses were delighted.

Why is the Coalition such an eager instigator of royal commission witch hunts?

Such Commissions represent a 'win-win' for conservative governments keen to attack unions. There does not need to be any wrongdoing for the labour movement to be forced to divert time, money and resources into

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into defending their unions, their volunteer delegates and their leaders.

And such a distraction couldn't come at a better time, with the Coalition planning to impose an aggressive austerity program on working people, to dismantle Medicare, and to resume their attack on workers' rights.

A wide and extensive inquiry might deliver additional benefits if it was to somehow cast doubts on the federal Labor opposition through its union links.

My guess is that corrupt practices occur in Australian unions on a lesser scale than those that take place across other institutions in, including governments and political parties.

Serious corruption tends to follow the circuits of money and power.

But, of course, Abbott's Royal Commission is not about corruption. It is purely political strategy. The Coalition wants to nobble the union movement, de-legitimising it in the eyes of the Australian public.

Despite the continuing efforts of the right-wing media and conservative governments,

Australians continue to support unions.

Australians also believe we are better off as a country for their presence and activity.

This ongoing public respect is an endless irritation to CEOs and the Coalition, who want an American-style labour market with little protection for workers, and who gave Australia a taste of such reforms with WorkChoices.

An active and popular union movement continues to be the biggest obstacle to a complete return to WorkChoices.

The Royal Commission is one important step in Tony Abbott's strategy to bring back WorkChoices. Conservatives and business learnt an important lesson in 2007 - the labour movement here is still capable of stopping the Americanisation of our working rights.

This time round, Abbott knows he must significantly weaken the union movement first.

And that is what this proposed Royal Commission is designed to do.

Sally McManus is Secretary of the NSW/ACTU Branch of the ASU. This is an abridged version of an article that was first published on her blog Unions. Politics. And Stuff.

Blaming workers belittles the 'fair go'

THIS year has started on a worrying note with Government Ministers blaming workers for receiving a decent, fair, living wage

Workplace Relations Minister Eric Abetz recently said: "We risk seeing something akin to the 'wages explosions' of the pre-Accord era, when unsustainable wage growth simply pushed thousands of Australians out of work".

This belittles the very essence of what it is to be Australian.

There can be no mistaking the change of direction in industrial relations policy since the swearing in of the Abbott Government.

Since September, this Federal Government has blatantly blamed the workforce for the economic difficulties facing many companies and the huge structural changes taking place in our economy.

Manufacturing industries are being asked to alter the terms of their hard-won enterprise bargaining agreements to reduce their pay and conditions on the promise that it will preserve their working future.

To hear the Workplace Minister call safe and fair work place conditions "archaic" begs the question- are we prepared to slide backwards in industrial relations? Are we prepared to accept that our rights at work are up for renegotiation once more?

We also need to ask why we are letting the Federal Government and some of Australia's largest companies malign working people?

Our union, the Australian Services Union (Private Sector Branch) proudly represents white-collar workers in varying industries .

The demands by employers that workers tighten their belts is not exclusive to manufacturing. Workers in professional, white collar industries are being asked to reduce their entitlements and accept pay rises below CPI, all the while there is no evidence to show directors and executives are prepared to make the same sacrifices.

There is no suggestion in the media that companies should reduce the pay and entitlements of executives and directors to keep the costs of their company down.

And let's be clear. Many of the workers who are being asked to reduce their pay and entitlements are already earning the basic minimum wage or just above. The cost of living hasn't decreased.

Yet Prime Minister Abbott and his crew want to widen the gap between working families and the rich.

Asking average wage earners in Australia to subsidise the loss of profits in large national and multinational companies isn't just wrong, it undermines our very understanding of a fair go.



by **INGRID STITT**
Victorian Branch
Secretary of the ASU

Get the full story:
workinglife.org.au

Ask Us

Worker given a warning letter after taking sick leave



by RIGHTS WATCH

An enterprise agreement over-rides any particular policy that an individual manager may try to implement - in this case about notice of sick leave

NATASSIA writes: I woke up so sick the other morning with gastro and ended up in hospital because I couldn't stop the vomiting or diarrhoea. I gave them three hours' notice. I'm a casual and our agreement states that minimum two hours' notice is needed and a medical certificate. However store policy that they printed and made us sign says minimum four hours' notice unless you have a morning shift then you still need to come in while they fill your shift otherwise you will be issued with a written warning.

I think it's pretty amazing of you to prioritise letting your work know you won't be in when you're so ill from gastro that you have to be hospitalised.

The Enterprise Bargaining Agreement in place that covers your employer overrides any individual policy your particular store has in place.

For example, if your EBA said you get paid penalty rates on Friday nights, your particular store manager can't decide he or she disagrees with this and introduce a "policy" which says no you don't (however much they might want to).

Did you end up getting a warning letter?

If so, you need to respond to it in writing,

saying the EBA clearly states the amount of notice given – and you supplied them with more than that set down.

You might also want also put in the letter that you were admitted to hospital because you were so unwell and that you still made sure to inform them of what was going on.

Keep a copy of anything you write as well – this is really important in case the situation escalates.

I'm not saying it's going to or even likely to, but it pays to keep a clear record of events in situations like this, just in case you need it.

You don't say whether or not you're a member of a union. If you are let them know immediately what's going on.

If you haven't joined, why don't you give our Australian Unions team a call on 1300 486 466?

They can have a chat to you about what happened as well as anything else which is worrying you about work. They can also help you become a member through the joining service if that's something you'd like to do.

It's awful that as well as having to suffer gastro you had to worry about being punished at work for something you couldn't help and for what it's worth Natassia, I think you sound like you're a really good and reliable employee!

GOT A PROBLEM AT WORK?

You've come to the right place. Share your workplace issues with our other readers and get free advice from the Australian Unions helpline if you have a problem with your pay, entitlements, health and safety or anything else at work.

Phone 1300 4
UNION (1300 486 466).

New help to deal with bullying

HEATHER asks: What are the legalities when you are being victimised and discriminated against because of your sexuality? Complaints have been made to superiors but have had no success in ceasing this problem.

I'm so sorry that you have had to put up with this sort of behaviour. It's beyond belief that this is still happening in workplaces all over the country.

Firstly, good on you for complaining about it to management. They have a duty of care towards you to provide you with a safe workplace – one that's free from harassment discrimination and bullying. Even if they're not the ones making your life a misery, it's their responsibility to act on complaints they receive and to ensure the issue is resolved.

You mention that the problem hasn't been resolved. I don't know whether you mean by this

that they haven't taken any action or that they have but the person bullying and discriminating against you is still a problem.

Either way, from 1 January this year, workers are able to lodge an application with the Fair Work Commission seeking an order from them that the bullying stops. The FWC must respond to application within 14 days.

There are some limitations on which workers are eligible to lodge an application through this channel. You can read more about this here.

Why don't you give Australian Unions a call though on our toll free number 1300 486 466?

We can talk to you about what's been going on as well what action you can take – for even if it turns out your one of the minority who don't come under the new law, there are still definite things you can do to make your boss realise that discrimination and bullying in the workplace of any kind is totally unacceptable and has to be dealt with.

Australian **Unions**

Join. For a better life.



Contact us today



australianunions.org.au



Call 1300 486 466

