



## CWU disputes CFW banding

Monday February 14, 2016

The CWU has taken a dispute over Telstra's banding of CFWs to the Fair Work Commission (FWC).

Changing technologies and changing work roles are constantly raising questions for CWU telco members about correct classifications and banding levels. Over the last 12 months the union has been successful in getting banding upgrades and/or higher duties payments for members in a number of work areas but for others the problems are ongoing.

This particular case involves Communication Technicians in Service Delivery who were brought into Telstra Digital when it was first established some years ago and have since been performing digital work in business premises, in particular installation, configuring and testing of routers.



In the CWU's view, this is complex work. There are several Job Descriptions which could be applicable to it, including some in both the CFW and TW classification streams, but it certainly should be graded above CFW4 – the current banding level of these employees.

An initial hearing of the matter by the FWC occurred in late January and a directions hearing has been scheduled for 14 February.

In the meantime, Divisional President Shane Murphy and Victorian T&S Secretary John Ellery have met with Telstra in an attempt to resolve the matter before it is arbitrated. Input has also been provided directly by members performing these roles. A further meeting with Telstra is scheduled for Monday 13 February.

The CWU believes that as many as 200 Telstra employees could be affected by the outcome of this dispute, depending on the degree to which they are involved in doing this work. Members will be kept updated about its progress.

## Telstra: new Travel Allowance rates

In response to membership concerns, the CWU has for some time been pressing Telstra to review its Employee Travel Cost Allowance (ECTA) rates.

Telstra has now advised the CWU that it has undertaken such a review and has set new rates for the current financial year.

The new rates will be effective as of 1 March and will be available on the Telstra intranet.



## Telstra: new Travel Allowance rates (cont)

Members should be aware that not all Telstra employees are necessarily eligible for this payment. It is not paid to Job Family employees or to employees who use a corporate credit card to pay for work-related travel.

Most Workstream employees will, however, be eligible for payments if they are required to undertake work-related travel that involves staying away from home overnight.

Any members who are in doubt about their eligibility and/or whether they are being paid correctly should contact their state branch.

## Silcar (Visionstream) Telecommunications EA update

Employees in Silcar Telecommunications (now part of Visionstream) are still waiting to vote on a new Enterprise Agreement (EA).

The agreement was due to go to employees for approval later last year but at the last minute the Visionstream board decided to defer the process until it was given the green light by the ABCC – the federal government's building industry watchdog. The ABCC vets all agreements involving "building work" for compliance with the government's Building Code.

The delay has not been all bad news, however.

As a sign of good faith, Visionstream decided to pay employees the two 2.5% pay rises that were due under the agreement.

The company also subsequently proposed that the agreement be extended so that the parties didn't have to start bargaining again almost as soon as the agreement was approved.

This has been agreed to be the CWU and other employee representatives.

The agreement will now provide two further rises (2.5% or CPI, whichever is higher) and reach its (nominal) expiry date in December 2020, ensuring certainty about pay and working conditions for an extra two years.

The company has also agreed to include a new provision, allowing for purchase of annual leave, in the agreement.



## Silcar Communications EA

Negotiations for a new Enterprise Agreement (EA) in Silcar Communications have now been going since mid-2016 but no agreement has yet been reached.

At meetings at the end of last year, Silcar Communications employees told the company's management that they were still not happy with the company's Enterprise Agreement proposals. Silcar has yet to come back to employees and their representatives with a new offer.

CWU members will recall that Silcar Communications is now part of Visionstream.



Management's objective in the current Enterprise Agreement (EA) negotiations is to align conditions in the former Silcar as closely as possible with those contained in the Visionstream Field Workforce Agreement.

This is no easy task as Silcar conditions are in many key respects better than those provided for in the Visionstream agreement. To date, management has not put an offer on the table that employees are tempted to take up, even if sitting tight on their current agreement risks delaying a pay rise.

The main stumbling blocks to agreement have been the amount being offered for buying out certain current conditions (e.g. the 36  $\frac{3}{4}$  hour week) and the proposal to base future redundancy entitlements on the National Employment Standards (NES) rather than on payments to a portable industry scheme.

The CWU expects negotiations to resume later this month and believes there is a prospect of a new offer which may offer a way forward. Members will be advised of developments.

## Lend Lease: negotiations continue

Enterprise Agreement discussions with Lend Lease are ongoing, with both the Communications Division (CWU) and Electrical Division (ETU) of the larger Communications, Electrical and Plumbing Union (CEPU) involved in the negotiations.

This situation reflects the fact that the only current industrial agreement with Lend Lease covering telecommunications work was negotiated by the ETU several years ago.

That agreement reached its nominal expiry date in October 2011 but, as it has not been updated or replaced since, it still applies to a number of Lend Lease employees, all of whom are based in Victoria.



Lend Lease now wants a national agreement – and one that represents a paring back of several key conditions in the older one such as hours of work and shift arrangements. No agreement has been reached in these areas.

## Lend Lease: negotiations continue (cont)

There is also no agreement at this stage on redundancy provisions, with the CEPU pressing for payments into a portable entitlements scheme and Lend Lease wanting the National Employment Standard (NES) – with some enhancements. Incentive weather provisions are also not agreed.

## NBN: CWU fights pyramid contracting

In recent months the CWU has become aware of a number of pyramid contracting companies operating in the telecommunications industry on terms which the union regards as grossly exploitative of workers.

The companies involved typically engage relatively inexperienced and poorly trained workers to work as sub-contractors to the large contracting companies, in this case ISGM. ISGM is in turn contracted to Telstra to provide labour for installation and maintenance work.

That's four layers in the pyramid with the most vulnerable at the bottom!

These arrangements inevitably degrade conditions in the industry, as each company in the sub-contracting pyramid takes its cut of the cake.

But in the cases the CWU has recently come across, the third tier companies are actually taking up to 30% of the subbies wages as they flow down from ISGM.

The CWU is utterly opposed to such parasitic practices and will do all it can to eliminate them from the industry. The union has already had success in eliminating the “middle man” in some of these cases.

But the CWU is not surprised that such practices are occurring. Ultimately they reflect a failure by Telstra to address the labour supply problems caused by its own job cuts and its contracting out of work in a timely and systematic way.

Of course sub-contracting is not confined to Telstra and its contractors. It has spread throughout the industry in recent years as the NBN project has scrambled to find enough skilled workers to meet both its immediate and longer-term needs.

Unscrupulous operators thrive in such an environment. It is time the industry majors took responsibility for eliminating this rogue element through a commitment both to training and to directly employing communication workers.



## Optus needs to review pay levels, says CWU

The CWU has made representations to Optus about the pay of a number of members whose work has changed as a result of an internal company reorganisation.



Last year, Optus rationalised a number of its Help Desk functions to create a Single Service Desk with responsibility for a wide range of functions, including support for major corporates and mobiles and 24/7 support for Premium Managed Customers.

Members have reported that virtually no training has been offered to employees now performing what are more complex and diverse functions.

The company has also made no change to pay levels, despite the saying that REM levels would be reviewed.

The CWU met with Optus over this matter late last year and a working party was established to examine the pay and grading issues involved but it has yet to produce any outcome satisfactory to the union and its members.

The CWU has advised Optus that it will take the dispute to the Fair Work Commission if it cannot be otherwise resolved.

## Telstra showcases Gigabit mobile services

Telstra has offered a taste of the 5G future in a preview of its Telstra Nighthawk M1 technology late last month.

Launching the new technology, in conjunction with its partners Qualcomm, Netgear and Ericsson, Telstra said hotspots offering Gigabit class download speeds on mobile devices would soon be available in hotspots in and around capital city CBDs, beginning this month.

According to Telstra, the Nighthawk M1 router, together with the enhanced 4G Long Term Evolution (LTE) capability Telstra has achieved through spectrum aggregation techniques, will provide a stepping stone to full 5G services.



5G services are still not expected to come on stream commercially until the end of the decade.

Telstra claims that with the Nighthawk M1, customers can:

- Download a typical 3.5MB song in a fraction of a second
- Download a 20MB PowerPoint presentation in as little as one second
- Download a 300MB one hour TV episode in as little as sixteen seconds
- Download a 3GB HD Movie in as little as 3 minutes.

According to the industry press, when Telstra's Group Managing Director Networks, Mike Wright, demonstrated the technology at the launch, he ran three live speed tests, achieving a "staggering" peak

## Telstra showcases Gigabit mobile services (cont)

speed of 895Mbps download and 97Mbps upload.

“It’s the largest ever step increase in mobile download speed,” he said “and the first time we’ve done a big step increase on the uplink” to a theoretical maximum 150Mbps for uploads.

Of course, real speeds achieved by customers as services becomes available will depend on the usual factors that affect mobile speeds such as the size of cells and the number of users. And at present, only a limited sections of the Telstra 4G network have been upgraded to support Gigabit LTE.

All the same, this is a world first and a confirmation of Telstra’s ability to stay at the forefront of global technology and service innovation. Right now, wireless is where the action is and Telstra’s deal with the Commonwealth to retire/transfer its copper network in return for a handsome revenue stream that can be invested in alternative platforms is looking better – at least for the company - every day.

E-bulletin readers interested in further details of the launch can read a report at <https://www.bit.com.au/Guide/449866,how-fast-is-telstra8217s-gigabit-mobile-network-really.aspx>.

Source: BIT, Telstra Exchange.

## Keep in touch

### Keep in touch

Members’ comments and contributions are encouraged.

If you require any further information on any of the articles contained in this bulletin, please contact your state branch or email [cwu@cwu.org.au](mailto:cwu@cwu.org.au)

Download our smart-phone app by scanning the QR code on your device or searching your app store for “CWU”



## Share this newsletter

We welcome your comments and contributions – send us an email and let us know what you think via [graham.lorrain@cwu-sant.asn.au](mailto:graham.lorrain@cwu-sant.asn.au). Please share this Communications newsletter with fellow CWU members and workmates by putting a copy up on your workplace Union noticeboard.

If you have any questions on any of the above articles, please contact an official at the Union office on (08) 8443 7389.

A handwritten signature in blue ink that reads "G Lorrain". The signature is written in a cursive style.

Graham Lorrain  
Branch President  
CWU SA/NT